

**JAMES RIVER WATER AUTHORITY BOARD OF DIRECTORS
SPRING CREEK SPORTS CLUB, 109 CLUBHOUSE WAY
ZION CROSSROADS, VIRGINIA**

**November 13, 2019
9:00 A.M.**

Present: D. D. Watson (Chairman), Mark Dunning (Vice Chairman), Joe Chesser (Treasurer)
Eric Dahl, and Christian Goodwin

Absent: Troy Wade

Others Present: Brendan Hefty, Legal Counsel (Hefty, Wiley, and Gore); David Saunders
(Timmons Group); Greg Krysiniaak (Faulconer Construction); Justin Curtis (Aqualaw), Steve
Nichols, Doug Wylie, Harry Carter

CALL TO ORDER

Chairman Watson called the meeting of the James River Water Authority (JRWA) Board of Directors to order at 9:00 a.m., and led the Board in the Pledge of Allegiance.

ADOPTION OF AGENDA

Mr. Dahl requested the addition of a payment to GAI Consultants to the agenda, On the motion of Mr. Dahl, seconded by Mr. Chesser, which carried by a vote of 5-0, the agenda was adopted as amended.

ITEMS FROM THE PUBLIC

Mr. Harry Carter spoke regarding the condition of a road not related to the James River Project.

Mr. Doug Wylie spoke regarding the condition of his property following project construction and asked that the Authority provide a timeline for rectifying the issue.

APPROVAL OF MINUTES OF PRECEDING MEETING

On the motion of Mr. Goodwin, seconded by Mr. Dunning, which carried by a vote of 5-0, the Board approved the minutes of the October 9, 2019 meeting.

FINANCIAL REPORT

Mr. Chesser reviewed the bills in the Board packet, as well as an additional bill from GAI Consultants for \$8,831.85. On the motion of Mr. Dahl, seconded by Mr. Dunning, which passed by a vote of 5-0, the payments and report were approved.

DISCUSSION/INFORMATION ITEMS

Information – COE Permit Update

Mr. Curtis reported that a meeting had been held with the Corps of Engineers (COE) to discuss additional materials to supplement the existing application, and that the Timmons Group was working on associated materials for use as necessary in the process. These will be submitted to the COE as soon as is feasible.

ACTION ITEMS

(none)

CONSENT AGENDA

(none)

CLOSED SESSION

On the motion of Mr. Dahl, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board voted to enter Closed Session at 9:17a.m. for the purpose of discussing the following:

1. In accordance with §2.2-3711(A)(8) and (A)(7) of the Code of Virginia, for the purpose of consulting with legal counsel regarding threatened litigation and the terms and conditions of the permit from the Corps of Engineers and the Department of Historic Resources.

RESUMPTION OF REGULAR SESSION

On the motion of Mr. Goodwin, seconded by Mr. Dunning, which carried by a vote of 5-0, the Board voted to return to regular session at 11:11 a.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

By roll call, which carried by a vote of 5-0, the Board voted to adopt the following resolution:

WHEREAS, the James River Water Authority Board of Directors has convened a Closed Meeting pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D of the Code of Virginia requires a certification by the James River Water Authority Board of Directors that such closed meeting was conducted in conformity with the Virginia Law.

NOW, THEREFORE BE IT RESOLVED that the James River Water Authority Board of Directors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the James River Water Authority Board of Directors.

<u>NAME</u>	<u>VOTE</u>
Joe Chesser	Yes/Aye
Mark Dunning	Yes/Aye
D.D. Watson	Yes/Aye
Troy Wade	(absent)
Christian R. Goodwin	Yes/Aye
Eric Dahl	Yes/Aye

OTHER BUSINESS

On the motion of Mr. Chesser, seconded by Mr. Dunning, which passed by a vote of 5-0, the Board voted to authorize the Chairman to enter into a contract to retain the services of Haneberg Hurlbert as bond counsel for the Authority.

Mr. Hefty stated that GAI requested that the Authority approve the preliminary estimate of services to be rendered to the Authority in the amount of \$53,348. Mr. Dahl asked if the Authority was responsible for the full amount if approved, and Mr. Hefty responded that it would be progress billed as approved and performed. Mr. Goodwin asked about the estimates for meetings and travel, and discussion regarding work that had already been billed ensued. Mr. Goodwin motioned to approve the preliminary budget. Mr. Dahl seconded the motion, which passed by a vote of 5-0.

ADJOURNMENT

On the motion of Mr. Goodwin, seconded by Mr. Dahl, which carried by a vote of 5-0, the Board voted to adjourn the meeting at 11:16 a.m.

BY ORDER OF:

D.D. WATSON, CHAIRMAN
BOARD OF DIRECTORS
JAMES RIVER WATER AUTHORITY