

**JAMES RIVER WATER AUTHORITY BOARD OF DIRECTORS  
FLUVANNA COUNTY ADMINISTRATION BUILDING  
132 MAIN STREET  
PALMYRA, VIRGINIA  
OCTOBER 13, 2021  
9:00 A.M.**

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

**Absent:** Mark Dunning

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**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**

On the motion of Mr. Chesser, seconded by Mr. Goodwin, which carried by a vote of 4-0, the agenda was adopted.

**ITEMS FROM THE PUBLIC**

There were no comments made by the public.

**APPROVAL OF MINUTES OF PRECEDING MEETING**

On the motion of Mr. Dahl, seconded by Mr. Chesser, which carried by a vote of 4-0, the Board approved the minutes of the August 11, 2021 meeting.

**FINANCIAL REPORT**

Mr. Chesser reviewed the bills as presented in the board's packet, noting a debt service payment and associated wire charge to US Bank. He reported a balance prior to bills of \$276,657.11, and bill payments of \$103,107.88 would leave a remaining balance of \$173,549.23. Mr. Dahl noted that debt service payments were reimbursed by the localities. On the motion of Mr. Goodwin, seconded by Mr. Dahl, the report and bills were approved by a vote of 4-0.

**DISCUSSION/INFORMATION ITEMS**

**COE Permit Update**

The Board received an update from Justin Curtis on the Corps of Engineers (COE) permit process from Mr. Justin Curtis of Aqualaw. Mr. Curtis reminded the Board that the archeological study efforts were underway, and these included two phases. The first was fieldwork, which was finalized in August, and this work resulted in a plan for deep trenching, which comprises the second phase. The plan has been circulated with the Monacan representatives and the Virginia Department of Historic Resources (DHR). Feedback has been received from both entities, and

resulting updates to the plan have been resubmitted. It is anticipated that since all concerns were addressed in the revision, no further consultation will be necessary prior to deep testing, which is slated to begin November 1.

Mr. Curtis also stated that the overall effort was roughly eight weeks behind schedule, and that delays were driven primarily by: 1) initial property access issues; 2) responses to comments from DHR and the Monacan regarding the first phase; and 3) the availability of equipment. Regarding equipment, he reported that Gray and Pape had reached out to numerous providers to check pricing and availability, and all except Faulconer Construction declined to bid, citing staffing and resource availability. Mr. Curtis reported that trenching was estimated at 4-5 weeks, and that the Authority would receive regular updates as the study progresses in advance of the final report. He noted that consideration on the suitability of the site from a cultural resources standpoint should be possible as soon as December. Mr. Dahl noted that according to the landowner, all crops have now been harvested at the proposed area of the pump station.

## **ACTION ITEMS**

### **Contract Modification for Resources Work**

Mr. Curtis reported that first phase of the two-phase archaeological study was complete. A study plan for the second phase was circulated to the DHR and Monacans for review. JRWA's cultural resources team had finalized revisions to the study plan to address comments from DHR and the Monacans. The second phase of the study, consisting of the excavation of a series of deep test trenches near the James and Rivanna Rivers was expected to start on November 1, which is the first date the excavation equipment and operators would be available.

Mr. Curtis stated that GAI requested that Gray and Pape provide a budget status update at end of the first phase of the study. Gray and Pape sent a letter at the end of August requesting a budget increase based on unexpected costs incurred to date and additional costs that were anticipated to complete the second phase of the study. Mr. Curtis noted that the initial contract for cultural resources efforts was a not-to-exceed amount based on certain stated assumptions, including the quantity of artifacts found and number of tests conducted. While the artifacts found to date have not been any more culturally or historically significant than anticipated, roughly twice as many as expected have been found. This has taken more time and more laboratory analysis, resulting in an increase of \$22,320. Additionally, the area of deep testing that would be necessary to complete the final phase of the study is significant and likely to take longer than initially assumed if only one field archeologist is employed as originally proposed. Accordingly, Gray and Pape's budget update proposed that a second field archeologist be employed at a cost \$20,000. Mr. Curtis stated that the project team believes that employing a second archeologist would save time and offset other significant costs associated with a longer study, including the cost of the excavation equipment and operators that support the archeological team. Before a final amount was brought to the Board, the project team sought to finalize any further cost requirements that could result from addressing the Monacan and DHR comments on the plan for the final phase of the study. Although comments from the Monacans and DHR necessitated significant changes to the plan, they did not increase the overall cost of conducting the study. However, the amount of the

requested budget increase was revised to also include a \$3,000 contingency for tree removal at the location of several of the trenches. This will make evaluation onsite more efficient and save on machinery/operator costs, according to Mr. Curtis, who reminded the Board that GAI will receive funding and pass it through to Gray and Pape and Faulconer as subcontractors.

Mr. Goodwin cited the expectation by all parties that artifacts would be found as they would be anywhere in the general area of the James River, asked about the significance of the artifacts that had been found. Mr. Curtis responded that while the volume was higher, no artifacts which are likely to create an objection to the project had been found to date, and that deep testing would begin soon.

Mr. Watson asked what would happen to artifacts that had been found. Mr. Curtis responded that they are the property of the landowner, and that the JRWA had requested that the landowners donate them to a responsible party, likely the Monacans or DHR, at the end of the study. While most declined, Mr. Curtis noted that the artifacts recovered so far are valuable to archeologists and historians but generally look like rocks and dirt to the untrained eye. Mr. Curtis stated that it was possible landowners may be more willing to donate them when they see what has been recovered and that this issue would be resolved in the course of further discussions with the Corps, DHR, Monacans, and landowners.

Mr. Watson asked how many property owners there were, and Mr. Dahl said 36, but three are in the more significant areas near the water.

Mr. Dahl questioned the potential for delays given cooler weather and holidays and asked if any contingency time was built into the schedule, and Mr. Curtis stated that the work was expected to take the full 4-5 weeks, but that December was a realistic target for completion.

On Mr. Chesser's motion, seconded by Mr. Dahl, the modification in the amount of \$45,320 in the cultural resources budget was approved by a vote of 4-0.

Mr. Chesser also reported that with the closure of the Authority's bank's branch at Zion, he would need to work with a branch in Gordonsville that was further away. He stated that he would continue to evaluate the issue and report back if a change was necessary.

### **CONSENT AGENDA**

(none)

### **CLOSED SESSION**

(none)

### **ADJOURNMENT**

On the motion of Mr. Dahl, seconded by Mr. Goodwin, which carried by a vote of 4-0, the Board voted to adjourn the meeting at 9:31 a.m.

BY ORDER OF:

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