

**JAMES RIVER WATER AUTHORITY BOARD OF DIRECTORS
FLUVANNA COUNTY LIBRARY
PALMYRA, VIRGINIA**

August 10, 2022

9:00 A.M.

Present: D. D. Watson (Chairman, arrived 9:26 a.m.), Joe Chesser (Treasurer), Eric Anderson (Vice Chairman), Christian Goodwin (left 10:10 a.m.), Eric Dahl

Absent: Eric Purcell

CALL TO ORDER

Vice Chairman Anderson 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. Goodwin, seconded by Mr. Dahl, which carried by a vote of 4-0, the agenda was adopted.

ITEMS FROM THE PUBLIC

(none)

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 July 13, 2022 meeting.

FINANCIAL REPORT

Mr. Chesser and Mr. Dahl briefed the Board on bills in the packet for consideration. On the motion of Mr. Goodwin, seconded by Mr. Dahl, the payments and ratifications were approved by a vote of 4-0.

PUBLIC INFORMATION AND DISCUSSION

Discussion – Corps of Engineers Permit

The Board received an update on the Corps of Engineers (COE) permit process from Mr. Justin Curtis of Aqualaw. He noted that the joint permit application and is on track within the proposed timeline. The application went to the COE, Virginia Marine Resources Commission (VMRC) and the Department of Environmental Quality (DEQ), which starts the formal process. The VMRC is looking at areas around the South Creek, James and Rivanna and will issue a public notice for the permit. If they receive no comment, it will go on their agenda for approval. The COE permit will be processed under the nationwide protocol and does require compliance with endangered species

and historic requirements. The application starts a formal consultation process with parties such as the Monacan Indian Nation (MIN). The DEQ will permit stream/wetland impacts and the river withdrawal itself and serves as a modification to the existing permit. DEQ will rerun their modeling and may adapt permit tiers.

Regarding the overall process, the JRWA will receive questions from the agencies and its answers will mark the completion of the application. COE and VMRC will solicit comment, while DEQ will run its model and then issue a draft permit with a 30 day comment period, which is toward the end of the overall process. The DEQ permit is a prerequisite for the COE permit, which should be issued 3-6 weeks afterward.

Mr. Curtis reported that the request for proposals for the phase 2 cultural resources study has been issued. Proposals are due September 2nd, and Board consideration is slated for the September meeting.

Mr. Joe Hines (Timmons Group) and Mr. Greg Krystiniak (Faulconer Construction) updated the Board on the agreement process. Costs for the next phase of work total roughly \$974K, which is part of the forecast overall project cost. They noted that contingency costs are currently estimated at 10%, which could be negotiated. Faulconer is updating the overall timeline for the project, and the design work under the phase will help fine tune costs. The Board discussed materials costs, pre-ordering and lead times, which could be up to 6-12 months with current supply chain issues. Preorder may control costs. Advance design in environmentally sensitive areas we be performed to mitigate risks. Mr. Krystiniak noted the need for right of way, which this phase work would allow the JRWA to finalize. The Board noted its intent to update existing agreements and potentially take action at the next meeting.

ACTION ITEMS

(none)

CONSENT AGENDA

(none)

CLOSED SESSION

On the motion of Mr. Goodwin, seconded by Mr. Dahl, which carried by a vote of 5-0, the Board voted to enter Closed Session at 9:42 a.m. for the purpose of discussing the following:

1. In accordance with §2.2-3711(A)(3), the acquisition/disposition of property associated with the Forsyth alternative.

RESUMPTION OF REGULAR SESSION

On the motion of Mr. Chesser, seconded by Mr. Watson, which carried by a vote of 4-0, the Board voted to return to regular session at 10:14 a.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

By roll call, which carried by a vote of 4-0, 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
D.D. Watson	Yes/Aye
Christian Goodwin	(left early)
Eric Dahl	Yes/Aye
Eric Anderson	Yes/Aye
Eric Purcell	(absent)

ADJOURNMENT

On the motion of Mr. Chesser, seconded by Mr. Watson, which carried by a vote of 4-0, the Board voted to adjourn the meeting at 10:15 a.m.

BY ORDER OF:

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