

**JAMES RIVER WATER AUTHORITY BOARD OF DIRECTORS
FLUVANNA COUNTY ADMINISTRATION BUILDING
PALMYRA, VIRGINIA
July 12, 2023
9:00 A.M.**

Present: D. D. Watson (Chairman), Eric Anderson (Vice Chairman), Joe Chesser (Treasurer), Eric Purcell (arrived 9:10am, left 10:00am), Christian Goodwin, Eric Dahl

Absent: (None)

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. Anderson, which carried by a vote of 4-0, the agenda was adopted.

APPROVAL OF MINUTES OF PRECEDING MEETING

On the motion of Mr. Anderson, seconded by Mr. Dahl, which carried by a vote of 4-0, the Board approved the draft minutes from the preceding meeting.

FINANCIAL REPORT

Mr. Chesser briefed the Board on bills in the packet for consideration. On the motion of Mr. Anderson, seconded by Mr. Goodwin, the bills were approved by a vote of 5-0.

PUBLIC INFORMATION AND DISCUSSION

Discussion – Project Status Update

Mr. Justin Curtis of Aqualaw provided an update on the project status. The project team has received written confirmation from the Virginia Marine Resources Commission that no permit from that entity is necessary. A draft permit from the Department of Environmental Quality (DEQ) has been received and is being reviewed. It is a fifteen year permit and some minor issues in the draft will need to be addressed. After review, it will be publicly noticed and issued if there are no further concerns. Regarding the Corps of Engineers (COE) permit, Mr. Curtis stated that he had recently spoken with the assigned staff at COE. She has confirmed the priority nature of the permit, requested further information, is coordinating with the Department of Fish and Wildlife Services regarding mussel concerns, and is reviewing cultural resources details. A fifteen day notice followed by a 30 day comment period for consulting parties is anticipated.

Mr. Joe Modica of MBP Engineering noted that the property acquisition process is underway.

ACTION ITEMS

FY2022 to FY2023 Budget Carryover

Mr. Dahl briefed the Board, noting that roughly \$1.3M had been spent in FY22, leaving about \$4.3M at the close of the fiscal year which needed to be carried over to the current fiscal year. On the motion of Mr. Anderson, seconded by Mr. Chesser, the Board approved the carryover by a vote of 5-0.

Timmons Group Budget Request for Reallocation

Mr. Joe Hines (Timmons Group) noted that the Timmons budget needs to be reallocated to reflect the actual expenditures versus those budgeted. No change to the budgeted total is necessary; the change will reallocate the existing total among the tasks. He stated that activity in task 5 is driving most of the change. On the motion of Mr. Goodwin, seconded by Mr. Anderson, which passed by a vote of 5-0, the action was approved.

CONSENT AGENDA

(none)

CLOSED SESSION

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

2.2-3711(A)(3) Discussion or consideration of the acquisition of real property for a public purpose regarding the Rose Property, and the disposition of publicly held real property regarding the Hammond Property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

2.2-3711(A)(29) Discussion of the award of a public contract for construction of the JRWA project at the new location involving the expenditure of public funds and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

RESUMPTION OF REGULAR SESSION

On the motion of Mr. Goodwin, seconded by Mr. Anderson, which carried by a vote of 5-0, the Board voted to return to regular session at 10:23 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	Yes/Aye
Eric Dahl	Yes/Aye
Eric Anderson	Yes/Aye
Eric Purcell	(absent)

ADJOURNMENT

On the motion of Mr. Goodwin, seconded by Mr. Dahl, which carried by a vote of 4-0, the Board voted to adjourn the meeting at 10:23 a.m.

BY ORDER OF:

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