

**James River Water Authority
Board of Directors Meeting
Fluvanna County Public Library
214 Commons Blvd.
Palmyra, VA 22963
April 13, 2022
9:00 A.M.**

Regular Meeting of the James River Water Authority Board of Directors

- I. Call to Order**
- II. Adoption of Agenda**
- III. Items from the Public**
- IV. Approval of Minutes of Preceding Meeting**
 - a. March 16, 2022 – Regular Meeting
- V. Financial Report**
 - a. Bill Approval
 - i. Aqualaw
 - ii. GAI Consultants
- VI. Discussion/Information Items**
 - a. Update- Project Permitting
 - b. Discussion – Stipulation of Eligibility for Pump Station Site
 - c. Discussion- GAI Budget Request
- VII. Action Items**
- VIII. Consent Agenda**
- IX. Closed Meeting**
- X. Adjournment**

The James River Water Authority Board of Directors reserves the right to amend and/or change the Agenda the day of the meeting.

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

**JAMES RIVER WATER AUTHORITY BOARD OF DIRECTORS
FLUVANNA COUNTY LIBRARY
PALMYRA, VIRGINIA
March 16, 2022
9:00 A.M.**

Present: D. D. Watson (Chairman), Eric Anderson, Eric Dahl, and Christian Goodwin

Absent: Eric Purcell, Joe Chesser (Treasurer)

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. Mr. Goodwin led the Board in the Pledge of Allegiance.

ADOPTION OF AGENDA

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

ITEMS FROM THE PUBLIC

There were no comments from the public.

APPROVAL OF MINUTES OF PRECEDING MEETING

On the motion of Mr. Dahl, seconded by Mr. Anderson, which carried by a vote of 4-0, the Board approved the minutes of the February 9, 2022 meeting.

FINANCIAL REPORT

Mr. Dahl reviewed the bills as presented in the board's packet, noting a current balance of \$292,523.04 and the addition of a bill from GAI for Phase 1 and related efforts of \$62,759.77 which had arrived after packet publication. He stated that the member counties would be reimbursing the debt service payments and that additional proceeds could be requisitioned from the debt issuance. Mr. Anderson asked about the remaining proceeds available from the initial issuance, and Mr. Dahl provided an estimated summary. Mr. Anderson and Mr. Goodwin expressed concerns about the GAI bill as the Board had not had a chance to adequately review it. On the motion of Mr. Goodwin, seconded by Mr. Anderson, the report and bills were approved by a vote of 4-0, with the exception of the recent GAI bill, which was held for consideration at the next meeting.

DISCUSSION/INFORMATION ITEMS

Corps of Engineers Permit Update

The Board received an update on the Corps of Engineers (COE) permit process from Mr. Justin

Curtis of Aqualaw. Mr. Curtis reported that the Phase 1 cultural resources report had been completed and provided to the Monacan Indian Nation (MIN) and the Department of Historic Resources (DHR). Per Board direction at the last meeting, pre-application meetings were held with the Department of Environmental Quality (DEQ) and the Corps of Engineers (COE) in an effort to streamline the process. The DEQ meeting on March 2 was productive, Mr. Curtis stated, though the issuance of the necessary Virginia Water Protection permit may be hampered by staffing shortages at the agency. There are also a significant number of applications in the pipeline due to recent federal funding, and each requires a technical review which DEQ has estimated at approximately 6 months for the JRWA. DEQ recommended coordination with Henrico County due to the proximity of the Cobbs Creek Reservoir, and Mr. Goodwin has conducted a preliminary outreach in this regard. DEQ also recommended communication with the Department of Wildlife Resources and other agencies, which Timmons is handling. Mr. Curtis discussed the distinction between a new application versus modifying the existing application, chief among which is the fact that a new permit would cover the next 15 years versus the remaining 6-7 years on the current permit. The meeting with the COE took place on March 4, Mr. Curtis reported, and the agency requested advance cultural resources coordination, consideration of advance Phase 2 efforts, and advance engagement with consulting parties in support of an efficient process. Mr. Curtis stated that the COE discussed species impact and recommended a habitat assessment for mussels.

Mr. Curtis reviewed the updated proposed project timeline, which is fluid given the complex tasks required. Phase 2 work will be underway soon, he stated, and design, contracting and procurement should move forward soon. Design may change with permit requirements and the Guaranteed Maximum Price will need to be revised. Mr. Curtis recommended consideration of advance purchase of some items given inflation, though he noted that such would require County approval. Mr. Watson asked if the design would change significantly and Mr. Greg Krystiniak of Faulconer Construction responded that the pipeline route update would require a design change but most of the pump station would likely be similar. The longer pipeline route would require further engineering for pressure and horsepower requirements, he stated. He also noted that construction could begin in conjunction with Phase 3 cultural resource efforts if authorized by the relevant agencies. Mr. Curtis then provided a brief review of the permits necessary for the project.

Ms. Marion Werkheiser of Cultural Heritage Partners, Chief Kenneth Branham and other representatives of the MIN communicated their support for the current site. They expressed their appreciation for the coordination with the MIN and consideration of the new route, as well as their relief that no burials were found. They stated their intent to cooperate in order to meet the need to ensure a sustainable source of water for the region.

ACTION ITEMS

Consideration of Timmons Budget for Joint Permit Application

The Board reviewed information associated with the Timmons proposal to prepare the Joint Permit Application and the associated mussel habitat survey recommended by the COE, which would cost \$6,874 of the proposal's \$65,000 costs in this category. On the motion of Mr. Goodwin, seconded by Mr. Anderson, the proposal was approved by a vote of 4-0.

Consideration of Gray and Pape Budget for Phase 2 Work Plan Development

Mr. Jonathan Glenn of GAI stated that this effort would develop the plan for the Phase 2 work and

that the work itself would be procured later. He recommended using Gray and Pape to develop the work plan since they were most familiar with the project. Mr. Glenn stated that while DHR has general guidelines for Phase 2 efforts, the intent would be to get the most information with the least impact to the site itself, and that the effort would be a mix of hand excavation and more intensive efforts. Mr. Anderson asked if the results could be delivered by March 25 as proposed and Mr. Glenn responded affirmatively. On the motion of Mr. Dahl, seconded by Mr. Anderson, the proposal was approved by a vote of 4-0.

Ms. Tricia Johnson of the Fluvanna Historical Society, communicated the Society's appreciation to the JRWA along with a letter of support for the current location.

CONSENT AGENDA

(none)

CLOSED SESSION

(none)

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 10:00 a.m.

BY ORDER OF:

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

AQUALAW

JUSTIN W. CURTIS
JUSTIN@AQUALAW.COM

PH: 804.716.9021
FX: 804.716.9022

March 18, 2022

Mr. Eric Dahl
Administrator
Fluvanna County
P.O. Box 540
Palmyra, VA 22963



Re: James River Water Authority

Dear Eric:

Enclosed is our invoice for services rendered during February.

We greatly appreciate the opportunity to work with you. Please let me know if you have any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to be "J. Curtis".

Justin W. Curtis

Enclosure

cc: Brendan Hefty, Esq.



March 18, 2022

James River Water Authority
P.O. Box 540
Palmyra, VA 22963

Attention: Eric Dahl
RE: General

Our File #: 0293-001
Inv #: 14334

| DATE | WORK PERFORMED | HOURS | AMOUNT | LAWYER |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------------|---------------|
| Feb-01-22 | Virtual meeting with J. Hines and D. Saunders to discuss permit application planning and process; virtual meeting with E. Dahl and C. Goodwin to review the same; teleconference with J. Glenn to prepare for upcoming JRWA Board meeting; email to J. Glenn and E. Tidlow re approach mitigation; teleconference with counsel for Monacans; send update on the same to E. Dahl and C. Goodwin | 2.20 | 913.00 | JWC |
| Feb-08-22 | Review substitute for HB49 and send not on same to C. Goodwin; participate in regular team virtual meeting re project status; review and send comment on cultural resources presentation to J. Glenn; correspond with interested parties re next day's Board meeting | 1.30 | 539.50 | JWC |
| Feb-09-22 | Prepare for and attend JRWA Board meeting in Palmyra; follow up discussions with team re budget issues | 2.50 | 1,037.50 | JWC |
| Feb-10-22 | Review and suggest edits to draft minutes from this week's Board meeting; respond to emails from C. Goodwin re project status update to Board and cultural resources tasks; teleconference with J. Glenn re status of cultural resources report | 1.20 | 498.00 | JWC |
| Feb-11-22 | Respond to follow up inquiries about budget; lengthy teleconference with DEQ staff re reapplication meeting; contact Corps staff re the same | 1.20 | 498.00 | JWC |
| Feb-16-22 | Coordinate online posting of cultural resources presentation with K. Harris and J. Glenn; teleconference with Corps staff re project status and preapplication meeting request; send email to team with summary of the same and initial prep for meeting | 1.40 | 581.00 | JWC |
| Feb-18-22 | Review draft Alt 1C cultural resources report; circulate summary and copy of the report to the Board; follow up with J. Hines re coordinating the same with other studies for application; follow up with Corps staff re scheduling a preapplication meeting | 2.30 | 954.50 | JWC |

| | | | | |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------|-----|
| Feb-22-22 | Follow up with agencies re preapplication meetings; contract Monacan counsel re review of cultural resources report; participate in regular biweekly project status | 0.60 | 249.00 | JWC |
| Feb-28-22 | Teleconference with J. Glenn and E. Tidlow re archeology next steps and budget; teleconference with J. Hines re preparation for agency preapplication meetings; follow up with counsel for Monacans | 2.10 | 871.50 | JWC |
| Subtotal | | 14.80 | \$6,142.00 | |

TOTAL AMOUNT THIS PERIOD

\$6,142.00

Previous Balance

\$2,531.50

Previous Payments

\$0.00

BALANCE DUE NOW

\$8,673.50

Payment Remit Address: AquaLaw PLC, 6 South 5th Street, Richmond, Virginia 23219

Thank you for choosing AQUALAW PLC. (Tax ID No. 45-0484029)

Please call (804) 716-9021 ext. 224 with invoice questions.

Payment is appreciated within 30 days.



INVOICE

Pittsburgh
385 East Waterfront Drive
Homestead, PA 15120-5005

T 412.476.2000
F 412.476.2020

Eric Dahl
James River Water Authority
132 Main St
PO Box 540
Palmyra, VA 22963

March 15, 2022
Project No: C190908.00
Invoice No: 2172671

Project C190908.00 JRWA - cultural oversight - water supply project
Planning & Coordination with Council & subconsultant

Professional Services Through February 12, 2022

| | | | | |
|------|-----|----------------------------------|------------------------|-------------|
| Task | 001 | Consultation and Document Review | | |
| | | | Total this Task | 0.00 |

| | | | | |
|--------------------|-----|------------------------------------|------------------------|--------------------|
| Task | 003 | Monacan Contractor Phase I Surveys | | |
| Consultants | | | | |
| | | Consultants Expense | | 62,759.77 |
| | | Total Consultants | 1.0 times | 62,759.77 |
| | | | Total this Task | \$62,759.77 |

| | | | |
|-----------------------|----------------|---------------------------|--------------------|
| Billing Limits | Current | Prior | To-Date |
| Total Billings | 62,759.77 | 358,296.41 | 421,056.18 |
| Limit | | | 465,205.59 |
| Remaining | | | 44,149.41 |
| | | Total this Invoice | \$62,759.77 |

| | | |
|-----------------------------|-------------|------------------|
| Outstanding Invoices | | |
| Number | Date | Balance |
| 2171457 | 2/7/2022 | 896.00 |
| 2172288 | 3/3/2022 | 11,532.00 |
| Total | | 12,428.00 |

Invoice

Gray & Pape, Inc.
 1318 Main Street
 Cincinnati, OH 45202



GRAY & PAPE
 HERITAGE MANAGEMENT

December 13, 2021
 Invoice No: 16700

Jonathan Glenn
 GAI Consultants, Inc.
 385 East Waterfront Drive
 Homestead, PA 15120-5005

Manager John Picklesimer

Project 21-89101.001 JRWA Alternative 1C

Project#C190908.00.003 WO#1

Professional Services for the Period: November 1, 2021 to November 30, 2021

Consultants

Project Subcontractors

| | | | | |
|------------|--------------------------------------|----------------------------------------------------------------------------|------------------|------------------|
| 11/30/2021 | Faulconer Construction Company, Inc. | Mobilizations/Demobilizations; 1 person crew; field & proj mgmt; materials | 37,956.00 | |
| 11/30/2021 | Daniel R. Hayes | Field investigations & mileage | 18,775.34 | |
| | Total Consultants | | 56,731.34 | 56,731.34 |

Reimbursable Expenses

Project Travel-Per diem

| | | | | |
|------------|------------|--------------------|--------|--|
| 11/15/2021 | Field Crew | 13 days @ \$51/day | 663.00 | |
| 11/23/2021 | Field Crew | 14 days @ \$51/day | 714.00 | |

Project Travel-Car Rental and Gas

| | | | | |
|------------|------------------------------------|--------------------|-----------------|-----------------|
| 11/19/2021 | Chase Card Services | Gas for rental | 31.28 | |
| 11/30/2021 | Chase Card Services | Gas for rental | 80.30 | |
| 11/30/2021 | Chase Card Services | Gas for rental | 64.98 | |
| 11/30/2021 | Chase Card Services | Zoto - 10/30-11/29 | 1,486.31 | |
| | Total Reimbursable Expenses | | 3,039.87 | 3,039.87 |

Additional Fees

| | | | | |
|------------|------------------------------|-----------------|--|-----------------|
| 5% ODC Fee | | 2,988.56 | | |
| | Total Additional Fees | 2,988.56 | | 2,988.56 |

Billing Limits

| | Current | Prior | To-Date | |
|----------------|----------------|--------------|----------------|--|
| Total Billings | 62,759.77 | 214,978.52 | 277,738.29 | |
| Limit | | | 277,740.00 | |
| Remaining | | | 1.71 | |

Total Project Invoice Amount \$62,759.77

Outstanding Invoices

| Number | Date | Balance |
|---------------|-------------|------------------|
| 16542 | 10/20/2021 | 10,698.57 |
| 16569 | 11/9/2021 | 9,512.85 |
| Total | | 20,211.42 |

All invoices are due upon receipt, unless terms of the contract dictate otherwise.

All invoices are due upon receipt. A late charge of 1.5% will be added to any unpaid balance after 30 days.

| | | | | |
|---------|--------------|---------------------|---------|-------|
| Project | 21-89101.001 | JRWA Alternative 1C | Invoice | 16700 |
|---------|--------------|---------------------|---------|-------|

Authorized
By:



Date: 12/13/2021



Pittsburgh Office
385 E. Waterfront Drive
Homestead, PA 15120

T 412.476.2000
F 412.476.2020

April 6, 2022

Project C190908.00

James River Water Authority Board
c/o Mr. Eric Dahl
Fluvanna County Administrator
132 Main Street
PO Box 540
Palmyra, Virginia 22963

Budget Proposal #06
Cultural Resources and Archeological Consultant Services
James River Water Project
Fluvanna and Louisa Counties, Virginia

Dear Mr. Dahl:

GAI Consultants, Inc. (GAI) appreciates the opportunity to provide our list of anticipated tasks for Cultural Resources and Archeological Consultant Services for review and consideration by the James River Water Authority (JRWA) Board. We believe these tasks are what is required to continue to move this Project forward and successfully complete the cultural resources studies and ultimately receive required permitting to construct the Project.

Table 1, shown below, lists those tasks, summarizes the assumptions, and provides an estimate of hours and cost to complete each task. This list of tasks is not intended to be a request for line item budgets, but is simply an accounting of the work that is anticipated to be conducted within the total bottom line budget request. That said, it should be noted that this is an upfront budget estimate and there are numerous variables and unknowns that could affect the cost and schedule, such as the Department of Historic Preservation (DHR) requesting more extensive revisions to workplans than anticipated, delays in fieldwork, consulting parties requiring lengthier consultation, etc.

The goal of this budget request is to enable the GAI team to respond to project requests in a timely manner without needing to wait for a monthly JRWA Board meeting to get budgets approved. The GAI team will strive to maintain efficiency when charging time against these budgets, and the JRWA will only be billed for time worked, which in some instances may result in a lower cost than is estimated in Table 1. Further, in the interest of assisting the JRWA with their fiscal responsibilities, GAI has agreed to maintain the hourly rate schedule established in our initial contract of October 2019.

GAI looks forward to continuing our work with the JRWA in providing Cultural Resources and Archeological Services on this important Project. Should you have any questions about our Proposal, please do not hesitate to contact Ms. Evelyn Tidlow at 612-812-5478 or evelyn.tidlow@searchinc.com, or Jonathan Glenn at 412-399-5191 or j.glenn@gaiconsultants.com.

Sincerely,

GAI Consultants, Inc.

Jonathan Glenn, M.A., RPA
Cultural Resources Manager

JG:EMT

Enclosure: Table 1. List of Anticipated Tasks and Estimated Costs.

Table 1. List of Anticipated Tasks and Estimated Costs.

| COVERED BY EXISTING BUDGET (with a small contingency left over) | | | |
|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|-------------------------------------|-------------------------|
| Anticipated Tasks | Assumptions | Projected Hours | Anticipated Cost |
| Consultation call with VHDR on Phase I results and recommendations | Assumes one call with preparation time and follow-up time to prepare minutes | Tidlow: 6 hours Glenn: 6 hours | \$1,818 |
| Revisions to Phase I report following receipt of VDHR comments | Assumes one round of review of revised report | Tidlow: 6 hours Glenn: 6 hours | \$1,818 |
| Review of Gray & Pape Phase II Workplan | Assumes two rounds of review and revisions | Tidlow: 8 hours Glenn: 8 hours | \$2,424 |
| Meetings with VDHR and Tribe on Phase II Workplan and Stipulating to Eligibility for Site 44FV275 | Assumes two calls with preparation time and follow-up time to prepare minutes | Tidlow: 12 hours Glenn: 12 hours | \$3,636 |
| Consultation with other consulting parties | Assumes three calls and preparation time and follow-up time to prepare minutes | Tidlow: 16 hours Glenn: 16 hours | \$4,848 |
| Preparation of RFP for Phase II work, evaluation of Phase II proposals, and recommendation to the board | Assumes one draft and one final of RFP and review of up to three consultant proposals | Tidlow: 40 hours Glenn: 40 hours | \$12,120 |

| ADDITIONAL BUDGET REQUEST | | | |
|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|-------------------------|
| Anticipated Tasks | Assumptions | Projected Hours | Anticipated Cost |
| Consultation calls with VHDR and Tribe on Phase II results and proposed treatment plan (as needed) | Assumes three calls with preparation time and follow-up time to prepare minutes | Tidlow: 10 hours Glenn: 10 hours | \$3,030 |
| Assist as needed with COE permit application | Assumes up to three emails/calls with requests for assistance and minimal review of application materials | Tidlow: 16 hours Glenn: 16 hours | \$4,848 |
| Draft treatment plan | Assumes two rounds of internal reviews before treatment plan circulated to consulting parties for review; assumes two calls with VHDR and Tribe | Tidlow: 30 hours Glenn: 56 hours | \$12,418 |
| Final treatment plan | Assumes one draft and one final internal review before treatment plan circulated as final | Tidlow: 16 hours Glenn: 16 hours | \$4,848 |
| Draft MOA after consulting parties' meetings | Assumes one draft and one final | Tidlow: 16 hours Glenn: 16 hours | \$4,848 |
| Participate in bi-weekly team calls; respond to emails; internal team calls as needed; random coordination activities | Assumes five hours per week (split between GAI and SEARCH) on average | Tidlow: 40 hours Glenn: 40 hours | \$12,120 |
| Additional tasks requested by JRWA or its council; or required by the VDHR or COE | | Tidlow: 40 hours Glenn: 40 hours Others: 40 hours | \$15,920 |
| TOTAL BUDGET REQUEST | | | \$58,032 |