

**James River Water Authority
Board of Directors Meeting
Fluvanna County Administration Building- Morris Room
132 Main Street
Palmyra, VA 22963
November 9, 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. Approval of Minutes of Preceding Meeting**
 - a. October 12, 2022 – Regular Meeting
- IV. Financial Report**
 - a. Bill Approval
 - i. Aqualaw
 - ii. Hefty Wiley & Gore, P.C. GAI Consultants
 - iii. Fluvanna County
- V. Public Information and Discussion**
 - a. Discussion – Project Status Update
- V. Action Items**
- VI. Consent Agenda**
- VII. Closed Meeting**
- VIII. 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 ADMINISTRATION BUILDING
PALMYRA, VIRGINIA
OCTOBER 12, 2022
9:00 A.M.**

Present: Eric Anderson (Vice Chairman), Joe Chesser (Treasurer); Eric Purcell (arrived 9:15 a.m.), Christian Goodwin, Eric Dahl

Absent: D. D. Watson (Chairman)

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. Goodwin asked that consideration of an engagement for phase 2 cultural resource efforts be added to the agenda. On the motion of Mr. Dahl, seconded by Mr. Anderson, which carried by a vote of 4-0, the agenda was adopted as amended.

ITEMS FROM THE PUBLIC

(none)

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 minutes of the August 10, 2022 meeting.

FINANCIAL REPORT

Mr. Dahl briefed the Board on bills in the packet for consideration, noting that the Authority had a current balance of roughly \$482,000. On the motion of Mr. Goodwin, seconded by Anderson, the payments were approved by a vote of 5-0.

PUBLIC INFORMATION AND DISCUSSION

Discussion – Corps of Engineers (COE) Permit

Mr. Curtis reported that the COE has begun consultation on the permit. He reminded the Authority that the permit from the Department of Environmental Quality was the longest lead time in the permitting process at the current juncture. As of August 25th, the Joint Permit Application is complete and consideration is underway.

Discussion – Comprehensive Agreement Addendum

Greg Krystyniak of Faulconer Construction stated that the proposed addendum would update the existing Comprehensive Agreement. The cost estimates are finalized although there are some edits remaining in the work description, and the cost includes a performance bond. The effort would include the full survey requirements, identification of any underground utilities, preliminary design, and the easements necessary for right of way acquisition. Coordination with the railroad, plats for easement acquisition, and electrical design would also be included, and borings would be conducted at several sites.

Mr. Watson asked about the \$20K increase, and Mr. Krystyniak responded that it was largely due an allowance for additional parcels. Mr. Purcell asked about the railroad crossing, and Mr. Krystyniak responded that it should not be an issue based on their prior experience. Mr. Anderson asked about the bond. Mr. Krystyniak stated that it was a performance bond, and general discussion about a bond ensued. Mr. Goodwin asked about the 15% design level, and Mr. Saunders responded that it would likely be an even higher level of design than that.

Mr. Dahl noted that the total design cost would be much higher if \$338K was for only 15%. Mr. Goodwin also asked about the use of Lump Sum versus Guaranteed Maximum Price, and Mr. Krystyniak said that the effort would be a Guaranteed Maximum Price. Mr. Dahl noted that project acquisition service costs sound high, and Mr. Krystyniak responded that they were the best prices he could obtain. A discussion about costs under the addendum versus costs in the existing and ongoing project budget lines ensued, as well as scheduling of the efforts. The Board stressed the importance of moving away from the existing project coordination billing structure to billings under cost buckets in the addendum, going forward. On the motion of Mr. Purcell, seconded by Mr. Anderson, which passed by a vote of 5-0, the JRWA authorized the Chair to execute the addendum after consultation with counsel and with Mr. Dahl and Mr. Goodwin regarding the scope and fees.

ACTION ITEMS

Consulting Engineer Engagement

Mr. Dahl summarized the need for oversight on the project by a subject matter expert now that the effort was moving forward, and reviewed the offering by MBP Engineering. On the motion of Mr. Goodwin, seconded by Mr. Dahl, the Board approved the execution of the agreement by a vote of 5-0.

Phase 2 Cultural Resources Efforts

On the motion of Mr. Goodwin, seconded by Mr. Purcell, which passed by a vote of 5-0, the Board approved the phase 2 cultural resources engagement with Goodwin and Associates and authorized the Chairman to enter into a contract for an amount not to exceed \$459,117.17 in a form approved by JRWA legal counsel. Mr. Goodwin noted that he had no connection to the company.

CONSENT AGENDA

(none)

CLOSED SESSION

(none)

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 10:04 a.m.

BY ORDER OF:

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

DRAFT

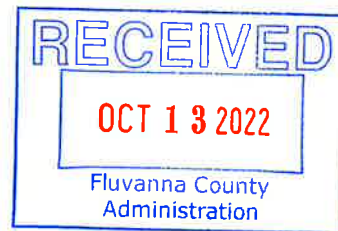
AQUALAW

JUSTIN W. CURTIS
JUSTIN@AQUALAW.COM

PH: 804.716.9021
Fx: 804.716.9022

October 10, 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 September.

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

Very truly yours,



Justin W. Curtis

Enclosure

cc: Brendan Hefty, Esq.



October 10, 2022

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

Attention: Eric Dahl
RE: General

Our File #: 0293-001
Inv #: 14848

DATE	WORK PERFORMED	HOURS	AMOUNT	LAWYER
Sep-02-22	Review Phase II survey proposals and send comments on same to E. Tidlow and J. Glenn; prepare draft Memorandum of Agreement	2.50	1,037.50	JWC
Sep-06-22	Teleconference with B. Hefty re permitting and study; prepare for and participate in regular project team virtual meeting; coordinate response to Monacan representative inquiry with J. Tidlow and J. Glenn	3.20	1,328.00	JWC
Sep-07-22	Draft response to inquiry from Monacan counsel re Phase II study; teleconference with E. Tidlow and C. Goodwin re the same; send status update to C. Goodwin and E. Dahl; respond to media inquiry	3.40	1,411.00	JWC
Sep-14-22	Prepare for and participate in JRWA Board meeting in Palmyra; teleconference with E. Tidlow re Phase II study	3.00	1,245.00	JWC
Sep-16-22	Draft recommended communication and management protocols for Phase II study and send same to the team	0.50	207.50	JWC
Sep-19-22	Teleconference with K. Harris re landowner outreach; draft survey access and artifact donation agreements for relevant landowners and send same to K. Harris	3.10	1,286.50	JWC
Sep-20-22	Prepare for and participate in regular project status virtual meeting with team	0.90	373.50	JWC
Sep-21-22	Respond to email from K. Harris re 30-day survey letters; respond to email from team re communication protocols for archeological consultants	0.30	124.50	JWC
Sep-27-22	Review draft survey access agreement letters and send comments on the same to K. Harris	0.50	207.50	JWC
Sep-28-22	Review and revise additional draft survey access letters and send comments to K. Harris; draft and send update on Phase II survey plan to the Virginia Canals and Navigations Society; contact Corps and DEQ permit staff for an update on the application	1.70	705.50	JWC

HEFTY WILEY & GORE, P.C.

100 West Franklin Street, Suite 300 • Richmond, VA 23220

BILL TO

James River Water Authority
ATTN: Eric Dahl
P.O. Box 540
132 Main Street
Palmyra, VA 22963



INVOICE # 12038

DATE 10/25/2022

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	Agreed monthly fee for serving as legal counsel to JRWA board for October, November, and December 2022	3	2,500.00	7,500.00
			BALANCE DUE	\$7,500.00

Admin
for JRWA



PALMYRA
13683 JAMES MADISON HWY
PALMYRA, VA 22963-4300
(800)275-8777

09/29/2022 01:37 PM

Product	Qty	Unit Price	Price
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First-Class Mail® Letter	1		\$0.84
Henrico, VA 23233			
Weight: 0 lb 1.30 oz			
Estimated Delivery Date			
Sat 10/01/2022			
Certified Mail®			\$4.00
Tracking #:			
70153010000196080762			
Return Receipt			\$3.25
Tracking #:			
9590 9402 6639 1060 8421 62			
Total			\$8.09

First-Class Mail® Letter	1		\$0.84
Fork Union, VA 23055			
Weight: 0 lb 1.20 oz			
Estimated Delivery Date			
Sat 10/01/2022			
Certified Mail®			\$4.00
Tracking #:			
70153010000196080779			
Return Receipt			\$3.25
Tracking #:			
9590 9402 6639 1060 8422 09			
Total			\$8.09

Grand Total: \$16.18

Credit Card Remit \$16.18
Card Name: VISA
Account #: XXXXXXXXXXXX1827
Approval #: 009034
Transaction #: 652
AID: A0000000031010 Chip
AL: VISA CREDIT
PIN: Verified

Text your tracking number to 28777 (2USPS)
to get the latest status. Standard Message
and Data rates may apply. You may also
visit www.usps.com USPS Tracking or call
1-800-222-1811.

JRWA



PALMYRA
13683 JAMES MADISON HWY
PALMYRA, VA 22963-4300
(800)275-8777

09/29/2022 02:21 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.84
Henrico, VA 23238			
Weight: 0 lb 1.30 oz			
Estimated Delivery Date			
Sat 10/01/2022			
Certified Mail®			\$4.00
Tracking #:			
70190140000031203726			
Return Receipt			\$3.25
Tracking #:			
9590 9402 6639 1060 8421 79			
Total			\$8.09

Grand Total: \$8.09

Credit Card Remit \$8.09
Card Name: VISA
Account #: XXXXXXXXXXXXX1569
Approval #: 005557
Transaction #: 654
AID: A0000000031010 Chip
AL: VISA CREDIT
PIN: Verified