

**James River Water Authority
Board of Directors Meeting
Fluvanna County Administration Building- Morris Room
132 Main Street
Palmyra, VA 22963
October 11, 2023
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. September 13, 2023 – Regular Meeting
- IV. Financial Report**
 - a. Bill Approval
 - i. Aqualaw
 - ii. GAI Consultants
 - iii. Faulconer Construction Company
- V. Public Information and Discussion**
 - a. Discussion – Project Status Update
- VI. Action Items**
- VII. Consent Agenda**
- VIII. Closed Meeting**
- IX. 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
September 13, 2023
9:00 A.M.**

Present: Eric Anderson (Vice Chairman), Patricia Eager, Eric Purcell, Christian Goodwin, Eric Dahl

Absent: D. D. Watson (Chairman)

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. Purcell, seconded by Mr. Dahl, which carried by a vote of 5-0, the agenda was adopted. Mr. Dahl introduced Ms. Patricia Eager as the new Board member appointed by Fluvanna County.

APPROVAL OF MINUTES OF PRECEDING MEETING

On the motion of Mr. Dahl, seconded by Mr. Purcell, which carried by a vote of 3-0, the Board approved the draft minutes from the preceding meeting. Ms. Eager and Mr. Purcell abstained.

FINANCIAL REPORT

Mr. Dahl briefed the Board on bills in the packet for consideration, noting the resignation for health reasons of Mr. Chesser, former Treasurer for the JRWA. The JRWA has roughly \$4M in debt proceeds available and about \$400K in its checking account prior to payment of the bills. On the motion of Mr. Goodwin, seconded by Mr. Purcell, the Board approved the bills for payment by a vote of 5-0.

PUBLIC INFORMATION AND DISCUSSION

Discussion – Project Status Update

Mr. Joe Modica provided a brief update, noting that all permitting processes were moving ahead, although the Corps of Engineers (COE) permitting was moving more slowly than anticipated. The withdrawal permit from the Department of Environmental Quality is out for public comment. Phase 3 archeological services proposals are being reviewed, and the COE permit is central to project timing. Mr. Greg Krystiniak noted that property acquisition was moving ahead smoothly. Mr. Purcell asked if the COE had formal processes and timelines for permit reviews, and Mr. Justin Curtis noted that while the COE has soft timelines, there are no formal deadlines for their consideration process. The JRWA's permit is assigned to someone outside of the district's staff

who is a specialist in the Section 106 process. Mr. Anderson asked if all affected property owners had been notified of the project, and project team members responded that all owners had been contacted, with offers being made to several. Mr. Dahl briefly discussed cashflow modeling efforts and how they were impacted by the project's timing.

ACTION ITEMS

Appointment of Treasurer

Mr. Dahl noted the need to appoint a Treasurer, and stated that he had discussed the possibility of serving in that role with the JRWA's auditors, who confirmed financial sufficient controls for him to serve. On the motion of Mr. Goodwin, seconded by Mr. Purcell, which passed by a vote of 4-0 with Mr. Dahl abstaining, the Board approved the appointment of Mr. Eric Dahl as Treasurer for the JRWA.

Faulconer Construction Company, Inc. Amended and Restated Comprehensive

Agreement

Mr. Brendan Hefty briefed the Board on the agreement, stating that it was similarly to the prior agreement and that the total not to exceed price was \$39,687,850. Substantial completion would be required in 1,033 days (7/1/26), with final completion in late September of that year. He briefly reviewed the standard language in the contract, noting that permitting and related work was not included. Mr. Dahl reported that both County Boards support the new agreement, and a brief discussion of contract costs vs. other project costs ensued. Mr. Goodwin asked about delivery capacity, and Mr. Bryan Rieckmann of Faulconer Construction answered that the pump station and piping would be able to handle full permit capacity although additional pumps would need to be installed at a later date as demands increase. Mr. Purcell discussed Louisa County's support for the agreement and motioned for its approval in a form approved by counsel and authorizing the Chairman, Vice Chairman, or Treasurer to execute it. Mr. Dahl seconded the motion, which passed by a vote of 5-0.

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 9:32 a.m. for the purpose of discussing the following:

2.2-3711(A)(29) Discussion of award of a contract for phase 3 archeological services where discussion in open session would affect the bargaining position of the JRWA.

RESUMPTION OF REGULAR SESSION

On the motion of Mr. Goodwin, seconded by Mr. Purcell, which carried by a vote of 5-0, the Board voted to return to regular session at 10:04 a.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

By roll call, which carried by a vote of 5-0, 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>
Patricia Eager	Yes/Aye
D.D. Watson	(absent)
Christian Goodwin	Yes/Aye
Eric Dahl	Yes/Aye
Eric Anderson	Yes/Aye
Eric Purcell	Yes/Aye

ADJOURNMENT

On the motion of Mr. Goodwin, seconded by Mr. Purcell, which carried by a vote of 5-0, the Board voted to adjourn the meeting at 10:04 a.m.

BY ORDER OF:

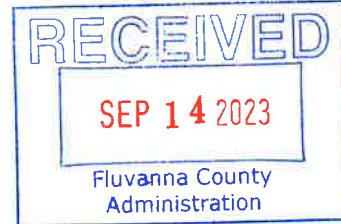
D.D. WATSON, CHAIRMAN
BOARD OF DIRECTORS
JAMES RIVER WATER AUTHORITY

AQUALAW

JUSTIN W. CURTIS
JUSTIN@AQUALAW.COM

PH: 804.716.9021
Fx: 804.716.9022

September 8, 2023



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 August

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", written in a cursive style.

Justin W. Curtis

Enclosure

cc: Brendan Hefty, Esq.



September 7, 2023

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

Attention: Eric Dahl
RE: General

Our File #: 0293-001
Inv #: 15609

DATE	WORK PERFORMED	HOURS	AMOUNT	LAWYER
Aug-01-23	Virtual meeting with team to review project and application status; review and revise draft letter responding to DEQ information request	1.40	581.00	JWC
Aug-03-23	Teleconference with DEQ staff re application; send email to E. Dahl re information requested by DEQ; teleconference with G. Krystyniak re the same; send email transmitting information requested by DEQ to M. Miller; teleconference with B. Hefty re various matters related to the application	1.80	747.00	JWC
Aug-04-23	Teleconference with M. Miller re easements; draft and send response to DEQ information request; follow up teleconference with DEQ staff re the same; send summary of the same to the team	3.70	1,535.50	JWC
Aug-08-23	Review new draft of permit and circulate comments on the same and next steps to the team; teleconference with M. Miller re the same; respond to email from J. Modica re forms to execute and send to DEQ; contact Corps for update on application	0.70	290.50	JWC
Aug-09-23	Correspond with Corps project manager re status of application; attend monthly Board meeting and present update on the status of the permits; review disturbance area estimates from J. Glenn; respond to email from E. Dahl re public notice	1.50	622.50	JWC
Aug-15-23	Virtual meeting with team to review project status and schedule; send note to Monacan's counsel; respond to email from G. Krystyniak re DEQ permit requirements; prepare proposed inspection access forms and send same to DEQ staff for review and approval	1.70	705.50	JWC
Aug-17-23	Prepare for and participate in virtual meeting with DEQ staff re draft permit	0.80	332.00	JWC
Aug-18-23	Teleconference with Monacan's counsel; send summary of the same to E. Dahl and C. Goodwin; revise and re-send inspection access forms to address comments from DEQ	2.20	913.00	JWC

Aug-29-23	Virtual meeting with the team to review status of the project and action items; teleconference with J. Modica re Section 106; teleconference with J. Glenn re Phase III proposals	1.30	539.50	JWC
Aug-30-23	Teleconference with B. Hefty re permits and contracting matters	0.40	166.00	JWC
	Subtotal	15.50	\$6,432.50	

TOTAL AMOUNT THIS PERIOD**\$6,432.50**

Previous Balance

\$11,039.00

Previous Payments

\$4,482.00

BALANCE DUE NOW**\$12,989.50****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

GAI Consultants, Inc.
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

September 25, 2023
Project No: C190908.00
Invoice No: 2193484

Project C190908.00 JRWA - cultural oversight - water supply project
Planning & Coordination with Council & subconsultant
Professional Services Through September 16, 2023

Task 001 Consultation and Document Review

Professional Personnel

	Hours	Rate	Amount
E06 ; Cultural Resources Managers			
Glenn, Jonathan	32.00	128.00	4,096.00
Totals	32.00		4,096.00
Total Labor			4,096.00
		Total this Task	\$4,096.00

Task 006 EXP Consultation Services

Consultants

Consultants Expense			1,890.00
Total Consultants	1.0 times	1,890.00	1,890.00
		Total this Task	\$1,890.00

Billing Limits

	Current	Prior	To-Date
Total Billings	5,986.00	471,609.22	477,595.22
Limit			535,987.59
Remaining			58,392.37
		Total this Invoice	\$5,986.00

Outstanding Invoices

Number	Date	Balance
2192457	8/28/2023	2,232.00
Total		2,232.00



EXP Energy Services Inc.
 2510 Miccosukee Road, Suite 200
 Tallahassee, Florida 32308
 Telephone: (850) 385-5441
 Facsimile: (850) 385-5523

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

ap@gaiconsultants.com
j.glenn@gaiconsultants.com

Date: September 14, 2023
 Invoice No: **08202316**
 Project Number: HOU-23007494-00
 Work Order Nun Number: JRWA-03-01
 Client Project Number: C190908.00

Summary

James River Water Supply Project
 For Professional Services Rendered From
 July 29, 2023 - August 25, 2023

		Hours	Extended	
Phase 01	106 Coordination			
	Task 001 106 Coordination	10.50	\$	1,890.00
	SUBTOTAL - 106 COORDINATION	10.50	\$	1,890.00
		Subtotal	10.50	\$ 1,890.00
Amount Due - US Dollars			\$	1,890.00

If you have any questions regarding this invoice please contact: Ann Fulghum or Jessica Johnson
Please reference invoice number with remittance



James River Water Supply Project

Phase 01 106 Coordination

Task 001 106 Coordination

EXP

Classification	Employee Name	Hours	Rate	Extended
Senior Environmental Project Manager	Tidlow, E.	10.50	\$ 180.00	\$ 1,890.00
SUBTOTAL HOURS		10.50		\$ 1,890.00
SUBTOTAL - EXP		10.50		\$ 1,890.00
TOTAL - TASK 001		10.50		\$ 1,890.00
TOTAL - PHASE 01		10.50		\$ 1,890.00



James River Water Supply Project

Invoice Summary

ACTUAL COSTS FOR July 29, 2023 - August 25, 2023

EXP Energy Services Inc. (Actual Costs - See Attached)	\$	1,890.00
SUBTOTAL - ACTUAL COSTS	\$	1,890.00
TOTAL INVOICE AMOUNT	\$	1,890.00

APPLICATION AND CERTIFICATE FOR PAYMENT

TO OWNER:
James River Water Authority (JRWA)
132 Main Street // PO Box 540
Palmyra, VA 22963

PROJECT:
James River Water Project PPEA
SOUTH

APPLICATION #: 6
PERIOD TO: 09/30/23
PROJECT NOS: 9461

Distribution to:

Owner
 Const. Mgr
 Architect
 Contractor

FROM CONTRACTOR:
Faulconer Construction Company, Inc.
2496 Old Ivy Rd
Charlottesville, VA 22906

VIA ARCHITECT:
Timmons Group
680 Preston Avenue - Suite 200
Charlottesville, VA 22903

CONTRACT DATE: 11/03/22

CONTRACT FOR: James River Water Project PPEA - Amendment- CO #4

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM-----	\$	968,910.00
2. Net change by Change Orders-----	\$	0.00
3. CONTRACT SUM TO DATE (Line 1 +/- 2)	\$	968,910.00
4. TOTAL COMPLETED & STORED TO DATE-\$ (Column G on Continuation Sheet)		878,951.00
5. RETAINAGE:		
a. 0% of Completed Work (Columns D+E on Continuation Sheet)	\$	0.00
b. 0% of Stored Material (Column F on Continuation Sheet)	\$	0.00
Total Retainage (Line 5a + 5b or Total in Column 1 of Continuation Sheet-----	\$	0.00
6. TOTAL EARNED LESS RETAINAGE----- (Line 4 less Line 5 Total)	\$	878,951.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)-----		
	\$	849,968.00
8. CURRENT PAYMENT DUE-----	\$	28,983.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	89,959.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown therein is now due.

CONTRACTOR:

By:

Date: October 4, 2023

State of: Virginia
County of: Albemarle

Subscribed and sworn to before
me this 4 day of October 2023

BLANCA S DIAZ
NOTARY PUBLIC
REGISTRATION # 7953844
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
DECEMBER 31, 2025

Notary Public: Bry
My Commission expires: 12/31/2025

CERTIFICATE FOR PAYMENT

In accordance with Contract Documents, based on on-site observations and the data comprising application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ----- \$ 28,983.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By:

Date: 10/4/2023

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner of Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total approved this Month		
TOTALS	\$0.00	\$0.00
NET CHANGES by Change Order	\$0.00	

CONTINUATION SHEET

PROJECT:
James River Water Project PPEA
SOUTH

APPLICATION NUMBER: 6
APPLICATION DATE: 10/4/23
PERIOD TO: 30-Sep-23
FCC PROJECT NO: 9461

A Item No.	B Description of Work	C Scheduled Value	D		E This Period	F Materials Presently Stored (Not In D or E)	G		H Balance To Finish (C - G)	I Retainage
			Work Completed				Total Completed And Stored To Date (D + E + F)	% (G/C)		
			From Previous Application (D + E)							
1	Administrative and due Diligence	\$ 171,700.00	\$ 171,700.00	\$ -		\$ 171,700.00	100%	\$ -	\$ -	
2	VDH Preliminary Engineering Report	\$ 47,225.00	\$ 47,225.00	\$ -		\$ 47,225.00	100%	\$ -	\$ -	
3	Geotechnical Investigations	\$ 69,500.00	\$ 69,500.00	\$ -		\$ 69,500.00	100%	\$ -	\$ -	
4	Topographic Survey; Aerial 1ft contours	\$ 41,325.00	\$ 41,325.00	\$ -		\$ 41,325.00	100%	\$ -	\$ -	
5	Survey Property Lines along RWM route	\$ 41,325.00	\$ 41,325.00	\$ -		\$ 41,325.00	100%	\$ -	\$ -	
6	CSX Rail Permit	\$ 17,710.00	\$ 14,700.00	\$ -		\$ 14,700.00	83%	\$ 3,010	\$ -	
7	Preliminary Eng. for Intake, PS & Pipeline	\$ 338,600.00	\$ 338,600.00	\$ -		\$ 338,600.00	100%	\$ -	\$ -	
8	Property Acquisition Services w/plats	\$ 241,525.00	\$ 125,593.00	\$ 28,983.00		\$ 154,576.00	64%	\$ 86,949	\$ -	
9						\$ -		\$ -	\$ -	
10						\$ -		\$ -	\$ -	
11						\$ -		\$ -	\$ -	
12						\$ -		\$ -	\$ -	
13						\$ -		\$ -	\$ -	
14						\$ -		\$ -	\$ -	
15						\$ -		\$ -	\$ -	
16						\$ -		\$ -	\$ -	
17						\$ -		\$ -	\$ -	
18						\$ -		\$ -	\$ -	
19						\$ -		\$ -	\$ -	
20						\$ -		\$ -	\$ -	
21						\$ -		\$ -	\$ -	
22						\$ -		\$ -	\$ -	
23						\$ -		\$ -	\$ -	
24						\$ -		\$ -	\$ -	
25						\$ -		\$ -	\$ -	
SUBTOTALS PAGE 2		\$ 968,910.00	\$ 849,968	\$ 28,983.00	\$ -	\$ 878,951	91%	\$ 89,959	\$ -	

CONTINUATION SHEET

ATTACHMENT TO PAY APPLICATION

PROJECT:
James River Water Project PPEA
SOUTH

APPLICATION NUMBER: 6
APPLICATION DATE: 10/04/23
PERIOD TO: 30-Sep-23
FCC PROJECT NO: 9461

A Item No.	B Description of Work	C Scheduled Value	D Work Completed		F Materials Presently Stored (Not In D or E)	G		H Balance To Finish (C - G)	I Retainage
			From Previous Application (D + E)	This Period		Total Completed And Stored To Date (D + E + F)	% (G/C)		
27						\$ -		\$ -	\$ -
28						\$ -		\$ -	\$ -
29						\$ -		\$ -	\$ -
30						\$ -		\$ -	\$ -
31						\$ -		\$ -	\$ -
32						\$ -		\$ -	\$ -
33						\$ -		\$ -	\$ -
34						\$ -		\$ -	\$ -
35						\$ -		\$ -	\$ -
36						\$ -		\$ -	\$ -
37						\$ -		\$ -	\$ -
38						\$ -		\$ -	\$ -
39						\$ -		\$ -	\$ -
40						\$ -		\$ -	\$ -
41						\$ -		\$ -	\$ -
42						\$ -		\$ -	\$ -
43						\$ -		\$ -	\$ -
44						\$ -		\$ -	\$ -
45						\$ -		\$ -	\$ -
46						\$ -		\$ -	\$ -
47						\$ -		\$ -	\$ -
48						\$ -		\$ -	\$ -
49						\$ -		\$ -	\$ -
SUBTOTALS PAGE 3		\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
APPLICATION TOTALS		\$ 968,910.00	\$ 849,968.00	\$ 28,983.00	\$ -	\$ 878,951.00	91%	\$ 89,959.00	\$ -



James River Water Authority
Summary of Work Inv #6 – CO #4 Amendment
09/30/23



Falconer Construction

Property Acquisition Services

1. Participated in meetings and on calls to manage the ROW acquisition process.

Proposal Development and Revised Comprehensive Agreement Negotiations

1. Attended meetings & calls to finalize SOV
2. Finalized SOV

KDR

Property Acquisition Services

1. Participated in meetings and on calls with FCC and the JRWA
2. Continued w/offer packages for review and signature by JRWA
3. As necessary performed edits to packages
4. Continued ongoing communications and negotiations with property owners
5. Continued submittals of bi-weekly tracking reports

Timmons Group

Property Acquisition Services

1. Developed & sent exhibits for VOF