

**JAMES RIVER WATER AUTHORITY  
BOARD OF DIRECTORS  
SPRING CREEK SPORTS CLUB  
181 CLUBHOUSE WAY  
ZION CROSSROADS, VIRGINIA  
JUNE 3, 2014  
10:30 A.M.**

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Present: Goodman B. Duke, Erick Gomez, D.D. Watson, Joe Chesser, Christian R. Goodwin, and Steven M. Nichols

Others Present: Brendan Hefty, Hefty & Wiley, P.C., Legal Counsel; Joe Hines, Timmons Group; David Saunders, Timmons Group; Michael Lockaby, County Attorney, Louisa County; Andy Wade, Economic Development Director, Louisa County; Eric Dahl, Finance Director, Fluvanna County; Bobby Popowicz, Community Development Director, Fluvanna County; Wayne Stephens Public Works Director and County Engineer, Fluvanna County; Dean Rodgers, General Manager, Louisa County Water Authority; and April Lowe, Executive Assistant/Deputy Clerk, Louisa County

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**CALL TO ORDER**

Chairman Goodman called the June 3, 2014, regular meeting of the James River Water Authority (JRWA) Board of Directors to order at 10:30 a.m., which was followed by the Pledge of Allegiance.

**READING AND APPROVAL OF MINUTES OF PRECEDING MEETINGS**

**May 6, 2014**

On the motion of Mr. Watson, seconded by Mr. Nichols, with Mr. Goodwin abstaining due to his absence from the May 6, 2014, meeting, which carried by a vote of 5-0-1, the Board approved the minutes of the May 6, 2014, meeting.

**APPROVAL OF THE BILLS**

Mr. Nichols stated that the following bills had been received:

- Timmons Group for an interim payment in the amount of \$950.00; and
- Valley Publishing for advertising the Financial Advisor RFP in the amount of \$61.00.

On the motion of Mr. Watson, seconded by Mr. Gomez, which carried by a vote of 6-0, the Board approved payment for the following bills:

- Timmons Group - \$950.00
- Valley Publishing - \$61.00

## **TREASURER'S ITEMS**

### **Recommendation for an Accounting System and Fund Categories**

Discussions were held regarding software options for an accounting system for the JRWA, including QuickBooks and Quicken.

On the motion of Mr. Nichols, seconded by Mr. Watson, which carried by a vote of 6-0, the Board voted to authorize the purchase of a software system and training not to exceed an amount of \$750.

Additional discussion was held in regards to how funds provided to the JRWA by each County would be deposited. After discussion, it was determined that for the time being, both Counties would provide paper checks to the Treasurer during a regular meeting.

## **OTHER BUSINESS**

### **Update – Permit Relocation – Timmons Group**

Mr. Joes Hines, Timmons Group, provided an overview on the comments received pertaining to the joint permit application (JPA) and noted that Timmons Group had drafted a response that required review by the JRWA prior to sending. Mr. Hines indicated that the Department of Game and Inland Fisheries (DGIF) required that a Threatened and Endangered Mussel Survey be performed, which Timmons Group was in the process of obtaining costs for.

The JRWA briefly discussed with Mr. Hines the timing for getting the permit in place and the limited timeline for construction within the river.

Mr. Hines provided a thorough review of the draft letter and attachment with the JRWA. Questions were asked in regards to the documents and answers were provided by Mr. Hines.

On the motion of Mr. Nichols, seconded by Mr. Chesser, which carried by a vote of 6-0, the Board voted to approve sending the letter and attachment to the Department of Environmental Quality (DEQ) in response to the comments received concerning the JPA.

Mr. Hines said per the JRWA's request from the last meeting, Timmons Group had drafted a letter to the concerned property owners to address their questions and requests, which needed review and approval by the JRWA before mailing. Mr. Hines read the letter for comment. Mr. Nichols said by the next meeting, he hoped that Timmons Group would be able to provide examples of similar intake structures, including decibel levels and pictures.

On the motion of Mr. Nichols, seconded by Mr. Chesser, which carried by a vote of 6-0, the Board voted to approve sending the letters to the concerned property owners in response to their questions and requests, as drafted.

Mr. Hines further reported that Timmons Group had completed the wetlands delineation.

**Update – Finance Committee Report**

There was no update from the Finance Committee.

**Discussion – PPEA Proposals Received**

Mr. Nichols requested that this item be discussed in Closed Session.

**Recommendation – PPEA Consultant**

Mr. Nichols requested that this item be discussed in Closed Session.

**Discussion – Financial Advisor Proposals Received**

Mr. Nichols requested that this item be discussed in Closed Session.

**CLOSED SESSION**

On the motion of Mr. Chesser, seconded by Mr. Goodwin, which carried by a vote of 6-0, the Board voted to enter Closed Session at 11:12 a.m. for the purpose of discussing the following:

1. PPEA Construction Proposals, PPEA Engineer Consultant Proposals, and Financial Advisor Proposals - In accordance with §2.2-3711.A.29 VA Code Ann., for the purpose of discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, 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**

The Board returned to regular session at 11:51 p.m.

**RESOLUTION - CERTIFICATION OF CLOSED SESSION**

On the motion of Mr. Chesser, seconded by Mr. Nichols, which carried by a vote of 6-0, 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>
D.D. Watson	Yes/Aye
Joe Chesser	Yes/Aye
Erick Gomez	Yes/Aye
Christian R. Goodwin	Yes/Aye
Steven M. Nichols	Yes/Aye
Goodman B. Duke	Yes/Aye

**OTHER ITEMS FROM BOARD OR STAFF NOT ON THE AGENDA**

Mr. Nichols said the JRWA had received two (2) PPEA proposals for the project and seven (7) PPEA proposals for a consultant to review the two (2) proposals that were submitted. Mr. Nichols indicated that Mr. Goodwin and himself, along with additional staff from each county, would interview four (4) of those firms and make a recommendation to the JRWA. Mr. Nichols added that three (3) financial advisor proposals had been received and interviews with each of them would likely be set up soon in order for a recommendation to be provided at the next meeting.

**ADJOURNMENT**

On the motion of Mr. Watson, seconded by Mr. Chesser, which carried by a vote of 6-0, the Board voted to adjourn the June 3, 2014, meeting at 11:53 p.m.

BY ORDER OF

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GOODMAN B. DUKE, CHAIRMAN  
BOARD OF DIRECTORS  
JAMES RIVER WATER AUTHORITY