

**JAMES RIVER WATER AUTHORITY  
BOARD OF DIRECTORS  
SPRING CREEK SPORTS CLUB  
181 CLUBHOUSE WAY  
ZION CROSSROADS, VIRGINIA  
JULY 7, 2015  
10:30 A.M.**

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

\*Erick Gomez arrived at 10:33 a.m.

\*D.D. Watson arrived at 10:45 a.m.

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**CALL TO ORDER**

Chairman Duke called the July 7, 2015, 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.

**ADOPTION OF AGENDA**

On the motion of Mr. Chesser, seconded by Mr. Nichols, which carried by a vote of 4-0, the Board approved the July 7, 2015, agenda.

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

**June 2, 2015**

On the motion of Mr. Chesser, seconded by Mr. Goodwin, which carried by a vote of 4-0 the Board approved the minutes of the June 2, 2015, meeting.

**FINANCIAL REPORT**

**Approval of Bills**

Mr. Nichols said the following bills had been received for payment:

- McDonough Bolyard Peck, Inc. (MBP) for ongoing services in the amount of \$1,755.00; and
- Faulconer Construction for an installment on the interim agreement in the amount of \$98,800.00.

On the motion of Mr. Chesser, seconded by Mr. Goodwin, which carried by a vote of 4-0, the Board approved payment for the following bills:

- MBP - \$1,755.00
- Faulconer Construction - \$98,800.00

## **DISCUSSION/INFORMATION ITEMS**

### **Update - Permit Relocation**

Mr. Joe Hines, Timmons Group, stated that he sent a status update via email last week and not much had changed. Mr. Hines indicated that a response was being drafted to address concerns submitted by the City of Richmond and Henrico County in regards to the permit and the Department of Environmental Quality (DEQ) was in the process of determining whether another meeting with the City of Richmond was required prior to proceeding with advertising the public notice for the draft permit.

Brief discussion ensued in regards to the comments presented by the City of Richmond and whether the information was available to the public.

### **Update – Financing Schedule**

Brief discussion was held amongst the JRWA in regards to the impact of the permit delay on the financing schedule.

### **Update - Progress towards Comprehensive Agreement**

Mr. Goodwin commented that Timmons Group and Faulconer Construction planned to provide the gross maximum price (GMP) to be included in the comprehensive agreement on July 24, 2015.

Mr. Nichols questioned if there would be sufficient time from when the GMP was received to have an extensive discussion about it during the JRWA's next meeting on August 4, 2015. After discussion, Mr. Nichols recommended that the GMP be included on the next agenda for discussion.

## **CLOSED MEETING**

On the motion of Mr. Goodwin, seconded by Mr. Nichols, which carried by a vote of 6-0, the Board voted to enter Closed Session at 10:42 a.m. for the purpose of discussing the following:

1. In accordance with §2.2-3711.A.3 VA Code Ann., for the purpose of discussion of the acquisition of property, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, specifically related to the location for the pump station.
2. Discussion of Legal Counsel - In accordance with §2.2-3711.A.7 VA Code Ann., for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by counsel, specifically related to potential contractual issues associated with the permit structure.

## **RESUMPTION OF REGULAR SESSION**

On the motion of Mr. Goodwin, seconded by Mr. Watson, which carried by a vote of 6-0, the Board voted to return to regular session at 11:52 a.m.

**RESOLUTION - CERTIFICATION OF CLOSED SESSION**

On the motion of Mr. Watson, seconded by Mr. Chesser, 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.

NAME

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

VOTE

Yes/Aye  
Yes/Aye  
Yes/Aye  
Yes/Aye  
Yes/Aye  
Yes/Aye

**ADJOURNMENT**

On the motion of Mr. Chesser, seconded by Mr. Goodwin, which carried by a vote of 6-0, the Board voted to adjourn the July 7, 2015, meeting at 11:52 a.m.

BY ORDER OF:

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