

**JAMES RIVER WATER AUTHORITY
BOARD OF DIRECTORS
SPRING CREEK SPORTS CLUB
181 CLUBHOUSE WAY
ZION CROSSROADS, VIRGINIA
DECEMBER 1, 2015
10:30 A.M.**

Present: Steven M. Nichols, Goodman B. Duke (Chairman), Erick Gomez (arrived 10:42), Joe Chesser (Treasurer), and Christian R. Goodwin

Absent: D.D. Watson

Others Present: Brendan Hefty, Hefty & Wiley, P.C., Legal Counsel; Joe Modica, MBP Engineering; Pete Morris, Falconer Construction; Joe Hines, Timmons Engineering; Wayne Stephens, Fluvanna Engineer; John Robins, Louisa Engineer.

CALL TO ORDER

Chairman Duke called the December 1, 2015, regular meeting of the James River Water Authority (JRWA) Board of Directors to order at 10:30 a.m. Mr. Nichols led the Board in the Pledge of Allegiance.

ADOPTION OF AGENDA

On the motion of Mr. Goodwin seconded by Mr. Chesser, which carried by a vote of 4-0, the Board approved the December 1, 2015, agenda.

READING AND APPROVAL OF MINUTES OF PRECEDING MEETINGS

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 November 3, 2015, meeting.

FINANCIAL REPORT

Approval of Bills

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

- MBP, engineering review; \$3,130

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

DISCUSSION/INFORMATION ITEMS

Update – Encroachment Agreement

Mr. Nichols advised that the proposed line will not use the Colonial Pipeline easement other than to cross the Colonial pipeline. Mr. Goodwin agreed to forward Louisa County’s agreement with Colonial to Mr. Hefty for review for possible use by the JRWA.

Update – Status of Offer Letters

Mr. Nichols reviewed the changes suggested by Fluvanna County and the responses by the property acquisition vendor and attorneys. It was agreed that the JRWA would draft a cover letter for the offer package in an effort to provide a simple introduction. Mr. Nichols and Mr. Goodwin agreed to draft a letter for the Board’s review.

ACTION ITEMS

Addendum No.1 to the Interjurisdictional Agreement

Mr. Goodwin summarized the terms of the addendum for the Board. On the motion of Mr. Chesser, seconded by Mr. Gomez, which carried by a vote of 5-0, the Board approved the addendum and directed the Chairman to execute it.

OTHER ITEMS

Permit Review

Mr. Nichols reviewed the status of the permits, reminding the Board that the withdrawal permit had been approved by DEQ. The remaining permits for the project are Fluvanna’s Special Use Permits, the VMRC permit, and the Corps of Engineers permit.

CLOSED MEETING

On the motion of Mr. Goodwin, seconded by Mr. Nichols, which carried by a vote of 5-0, the Board voted to enter Closed Session at 10:50 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.

RESUMPTION OF REGULAR SESSION

On the motion of Mr. Goodwin seconded by Mr. Nichols, which carried by a vote of 5-0, the Board voted to return to regular session at 11:18 a.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

On the motion of Mr. Goodwin, seconded by Mr. Nichols, 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>
Joe Chesser	Yes/Aye
D.D. Watson	Absent
Erick Gomez	Yes/Aye
Christian R. Goodwin	Yes/Aye
Steven M. Nichols	Yes/Aye
Goodman B. Duke	Yes/Aye

OTHER ITEMS

A brief discussion regarding working with surrounding localities on withdrawal needs ensued. On the motion of Mr. Chesser, seconded by Mr. Gomez, the Board voted 5-0 to approve Mr. Nichols and Mr. Goodwin approaching other localities to communicate the JRWA’s willingness to collaborate regionally regarding withdrawal needs.

ADJOURNMENT

On the motion of Mr. Goodwin, seconded by Mr. Chesser, which carried by a vote of 5-0, the Board voted to adjourn the November 3, 2015, meeting at 11:20 a.m.

BY ORDER OF:

GOODMAN B. DUKE, CHAIRMAN
BOARD OF DIRECTORS