

**JAMES RIVER WATER AUTHORITY
BOARD OF DIRECTORS
SPRING CREEK SPORTS CLUB
181 CLUBHOUSE WAY
ZION CROSSROADS, VIRGINIA
MAY 6, 2014
10:30 A.M.**

Present: Erick Gomez, D.D. Watson, *Joe Chesser, Robert C. Dubé, and Steven M. Nichols

Absent: Goodman B. Duke

Others Present: Brendan Hefty, Hefty & Wiley, P.C., Legal Counsel; Joe Hines, Timmons Group; David Saunders, Timmons Group; Michael Lockaby, County Attorney, Louisa 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

*Mr. Chesser arrived at 11:06 a.m.

CALL TO ORDER

Vice-Chairman Gomez called the May 6, 2014, regular meeting of the James River Water Authority (JRWA) Board of Directors to order at 11:02 a.m., which was followed by the Pledge of Allegiance.

READING AND APPROVAL OF MINUTES OF PRECEDING MEETINGS

April 1, 2014

On the motion of Mr. Nichols, seconded by Mr. Dubé, which carried by a vote of 4-0, the Board approved the minutes of the April 1, 2014, meeting.

APPROVAL OF THE BILLS

Mr. Chesser arrived at the meeting at 11:06 a.m.

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

- Hefty & Wiley, P.C. for legal services for the second quarter of 2014 in the amount of \$7,500;
- Valley Publishing for eight (8) invoices for various advertising requirements in the amount of \$768.00; and

- Timmons Group for the permit relocation and Joint Permit Application (JPA) submission as well as the wetlands delineation and confirmation in the amount of \$475.00.

Mr. Gomez presented a few questions regarding the charges from Timmons Group for the permit relocation and Joint Permit Application (JPA) submission as well as the wetlands delineation and confirmation, which were addressed by Mr. Hines.

Mr. Chesser added that there was also a charge from the bank for printing of the checks in the amount of \$107.05 that required approval.

On the motion of Mr. Nichols, seconded by Mr. Watson, which carried by a vote of 5-0, the Board approved payment for the following bills:

- Hefty & Wiley, P.C. - \$7,500.00
- Valley Publishing - \$768.00
- Timmons Group - \$475.00
- Virginia Community Bank - \$107.05

TREASURER'S ITEMS

Mr. Chesser indicated that Mr. Gomez had sent the Board an email concerning an accounting process. The Board discussed various accounting systems for the purpose of organizing the finances, along with ideas regarding installation and security access. After discussion, the Board decided to further investigate available options and request input from the County's Finance Directors for further discussion at the next meeting.

Mr. Chesser provided a financial report that showed the JRWA account balance. Mr. Chesser noted that he established account categories to demonstrate what the funds were being spent on and said if the Board wanted to be more precise, sub-categories could be developed. Mr. Gomez suggested that the Board also provide input regarding the categories at the next meeting.

After discussion concerning the account balance, the Board agreed to request an appropriate of \$150,000 from each County for costs associated with the permit process and relocation of intake.

OTHER BUSINESS

Update – Permit Relocation – Timmons Group

Mr. Joes Hines with Timmons Group said to date, Timmons Group had received responses from the Virginia Department of Environmental Quality (DEQ) and the Virginia Marine Resources Commission (VMRC) regarding the Joint Permit Application (JPA). Mr. Hines noted that the deadline to reply was May 10, 2014, and he expected correspondence from the Department of Game and Inland Fisheries and possibly from the Virginia Department of Health. Mr. Hines said DEQ originally requested a response to their questions by May 12, 2014, but he recently had a conversation with them where they indicated that they would rather Timmons Group request permission to delay a response until correspondence from all agencies was received.

Mr. Hines stated one of the comments within the DEQ was in regards to conservation measures and Timmons Group had drafted conservation measures that were included in the previous permit. Mr. Hines requested that both counties review the draft to ensure compliance with their respective Water Supply Plans and any ordinances in place and let Timmons Group know if any modifications were required.

The Board questioned if Timmons Group had provided follow up in response to correspondence received from affected property owners as well as questions presented by attendees at the informational meeting. After discussion with Mr. Hines, the Board requested that Timmons Group send a formal letter on behalf of the JRWA addressing the concerns received to date to all known interested parties with a copy to each of the JRWA members.

Update – Finance Committee Report

Mr. Watson said the Finance Committee held a very productive meeting on April 10, 2014, in which the following items were discussed:

- Future possibility of hiring a project manager;
- Development of a budget for the next phase of the project;
- Potential stipends for board members; and
- Timeline for submitting loan packages.

Further discussion ensued amongst the Board regarding the timelines for applying for a loan and hiring an engineering consultant to review the PPEA proposals. The Board also talked about who would be responsible for assembling the application package for Virginia Resources Authority (VRA) funding and mentioned the possibility of hiring a financial advisor. Ultimately, the Board decided to issue a Request for Proposals (RFP) for a financial advisor with proposals being due on May 27, 2014, and discuss the outcome at the June 3, 2014, meeting. Mr. Gomez said in the meantime, he would reach out to the VRA for support in order to minimize expenses for a financial advisor.

Discussion – PPEA Proposals Received

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

Discussion – PPEA Consultant Proposals Received

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

CLOSED SESSION

On the motion of Mr. Chesser, seconded by Mr. Watson, which carried by a vote of 5-0, the Board voted to enter Closed Session at 11:51 a.m. for the purpose of discussing the following:

1. PPEA Proposals Received and PPEA Consultant Proposals Received - 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 12:24 p.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

The Board adopted 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
Robert C. Dubé	Yes/Aye
Steven M. Nichols	Yes/Aye

OTHER ITEMS FROM BOARD OR STAFF NOT ON THE AGENDA

Mr. Nichols said the deadline for submission of the PPEA consultant proposals was Friday, May 2, 2014, and seven (7) proposals were received for consideration. Mr. Nichols said the Board decided that Mr. Dubé and himself, along with their engineering staff, would meet over the next couple weeks to review them and make a recommendation to the Board at the next meeting.

ADJOURNMENT

On the motion of Mr. Dubé, seconded by Mr. Nichols, which carried by a vote of 5-0, the Board voted to adjourn the May 6, 2014, meeting at 12:26 p.m.

BY ORDER OF

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