

**JAMES RIVER WATER AUTHORITY  
BOARD OF DIRECTORS  
SPRING CREEK SPORTS CLUB  
181 CLUBHOUSE WAY  
ZION CROSSROADS, VIRGINIA  
JULY 1, 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; 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

\*Erick Gomez arrived at 10:32 a.m.

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**CALL TO ORDER**

Chairman Goodman called the July 1, 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**

**June 3, 2014**

On the motion of Mr. Goodwin, seconded by Mr. Nichols, which carried by a vote of 5-0, the Board approved the minutes of the June 3, 2014, meeting.

**APPROVAL OF THE BILLS**

Mr. Gomez arrived at 10:32 a.m.

Mr. Nichols stated that a bill had been received from Timmons Group in the amount of \$4,500 as the final payment for the wetlands delineation.

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

- Timmons Group - \$4,500.00

Mr. Chesser questioned if the accounting software had been paid for. Mr. Nichols said the online version of QuickBooks was chosen and it was purchased by credit card. Mr. Nichols noted that once the credit card statement was received, he would forward it to the JRWA for payment.

Mr. Goodwin provided Mr. Chesser a check from Louisa County in the amount of 149,698.55 for their portion to cover costs associated with the permit process and relocation of intake. Mr. Nichols questioned what the deduction was for as he thought the check should have been for \$150,000. Mr. Goodwin said Louisa paid for an advertisement for the JRWA. Mr. Nichols requested that Mr. Goodwin provide a copy of the advertising bill to Mr. Chesser for the file.

### **TREASURER'S ITEMS**

Mr. Nichols requested that the agenda be revised to move Chairman/Executive Director Items in front of Approval of Bills in order to have the Treasurer's Items directly after Approval of the Bills, as these two items frequently correspond with one another.

### **OTHER BUSINESS**

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

Mr. Joes Hines, Timmons Group, noted that a response was sent to the Department of Environmental Quality (DEQ) addressing their comments received pertaining to the joint permit application (JPA). Mr. Hines indicated that DEQ requested a meeting on July 8, 2014, to include the County Administrators, in order to review the additional information submitted. Mr. Hines added that Timmons group planned to update the permit timeline schedule after the meeting with DEQ, which he expected would be no more than a month or two behind from the originally proposed schedule.

Mr. Hines said in accordance with the JRWA's request during the last meeting, Timmons Group sent letters to all of the concerned property owners to address their questions and requests.

Mr. Hines stated that Timmons Group toured a facility's pump station and intake structure in Ashland, Virginia that had a similar application in a similar location as to what was being proposed for the JRWA. Mr. Hines noted that they took several pictures, videos, and decibel readings that were available to anyone that was interested. Mr. Hines recommended that the JRWA tour this facility as well at some point in the near future. The Board agreed.

Mr. Nichols requested that the photos and videos be available to post on the JRWA website and that Timmons Group notify the concerned property owners of their availability.

Mr. Hines indicated that the mussel survey and a topographic and bathometric survey would need to be completed sooner rather than later. Mr. Hines noted that Timmons Group planned on submitting proposals to the JRWA for such services after the July 8, 2014, meeting with DEQ and they anticipated that the costs would come in lower than originally budgeted. Mr. Hines further recommended that the JRWA provide Mr. Nichols and Mr. Goodwin with the authority to

review the proposals and if satisfied, approve Timmons Group to proceed with the work on behalf of the JRWA.

On the motion of Mr. Gomez, seconded by Mr. Watson, which carried by a vote of 6-0, the Board voted to grant Mr. Nichols and Mr. Goodwin limited authority to approve the proposals from Timmons Group for the mussel survey and a topographic and bathometric survey, so as long as the amount is equal to or less than the amount originally budgeted.

### **Recommendation – Selection of Financial Advisor**

Mr. Nichols said Mr. Goodwin, Mr. Dahl, and himself interviewed three financial advisor firms and was particularly impressed with the proposal submitted by Raymond James Financial. Mr. Nichols said he informed the JRWA via email of the recommendation. Questions were asked regarding the term of the contact, which were addressed by Mr. Nichols.

On the motion of Mr. Chesser, seconded by Mr. Gomez, which carried by a vote of 6-0, the Board voted to enter into the contract with Raymond James for Financial Advisor Services.

Mr. Nichols introduced Sean Ekiert with Raymond James.

### **Recommendation – Selection of PPEA Engineer Consultant**

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

### **CLOSED SESSION**

On the motion of Mr. Watson, seconded by Mr. Goodwin, which carried by a vote of 6-0, the Board voted to enter Closed Session at 10:55 a.m. for the purpose of discussing the following:

1. Award of PPEA Engineer Consultant Contract - 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 11:13 a.m.

### **RESOLUTION - CERTIFICATION OF CLOSED SESSION**

On the motion of Mr. Goodwin, seconded by Mr. Gomez, 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. Hefty asked that the Board consider a motion to authorize the County Administrators to negotiate and enter into a contract with McDonough Bolyard Peck, Inc. (MBP) for engineer consultant services in an amount not to exceed \$22,000 and subject to counsel's approval.

On the motion of Mr. Chesser, seconded by Mr. Goodwin, which carried by a vote of 6-0, the Board voted to authorize the County Administrators for Fluvanna and Louisa Counties to negotiate and enter into a contract with MBP for engineer consultant services in an amount not to exceed \$22,000 and subject to counsel's approval.

Mr. Watson noted that he would be absent from the meeting scheduled for August 5, 2014. After discussion regarding the necessity for an August meeting, the Board determined that a decision would be made based on the July 8, 2014, meeting with DEQ. Additional discussion ensued amongst the Board concerning the process for bill payments if the meeting was cancelled and after discussion, the Board authorized Mr. Chesser to make the necessary payments and update the Board at the next meeting.

**ADJOURNMENT**

On the motion of Mr. Chesser, seconded by Mr. Watson, which carried by a vote of 6-0, the Board voted to adjourn the July 1, 2014, meeting at 11:19 a.m.

BY ORDER OF

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

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