

**JAMES RIVER WATER AUTHORITY
BOARD OF DIRECTORS
SPRING CREEK SPORTS CLUB
181 CLUBHOUSE WAY
ZION CROSSROADS, VIRGINIA
NOVEMBER 4, 2014
10:30 A.M.**

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

Others Present: Bill Hefty, Hefty & Wiley, P.C., Legal Counsel; 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; Pam Baughman, General Manager, Louisa County Water Authority; Andy Wade, Economic Development Director, Louisa County; and Sean Ekiert, Raymond James

CALL TO ORDER

Chairman Duke called the November 4, 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.

ADOPTION OF AGENDA

On the motion of Mr. Goodwin, seconded by Mr. Watson, which carried by a vote of 6-0, the Board approved the November 4, 2014, agenda.

READING AND APPROVAL OF MINUTES OF PRECEDING MEETINGS

October 14, 2014

On the motion of Mr. Chesser, seconded by Mr. Goodwin, which carried by a vote of 6-0, the Board approved the minutes of the October 14, 2014, meeting.

PUBLIC HEARINGS

Detailed Phase of PPEA Process

Mr. Goodwin said this was a public hearing to consider proceeding to the detail phase of the PPEA process with one of the two providers. Mr. Goodwin added that the JRWA would hear information in closed session due to the proprietary nature of the information contained in the proposals and the report by the consulting engineer.

Mr. Nichols briefly provided the public with background information on the unsolicited proposals received under the Public-Private Education and Infrastructure Act of 2002 (PPEA) and explained the review process.

Questions were asked by the public concerning the specific pipe routing and the planned location for the intake structure, which were addressed by the JRWA. The JRWA further discussed the timeline for the project and mentioned that the JRWA, along with citizens and representatives from various support firms, visited the Bear Island Pump Station in Caroline County, which was almost identical in size to the proposed pumping station for the James River Water Project. The JRWA commented that they were impressed with the small amount of sound that was heard and explained that their goal with this project was to make sure there was as little environmental impact and noise pollution as possible.

FINANCIAL REPORT

Approval of Bills

Mr. Nichols said Fluvanna County had paid several invoices for advertisements relating to the James River Water Project and needed reimbursement in the amount of \$758.10 and added that the following bills had also been received for payment:

- Valley Publishing for advertising in the amount of \$61;
- McDonough Bolyard Peck, Inc. (MBP) for analysis of PPEA proposals in the amount of \$3,265;
- Hefty & Wiley, P.C. quarterly payment in the amount of \$7,500; and
- Monfalcone for QuickBooks training in the amount of \$60.00.

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

- Reimbursement to Fluvanna County - \$758.10
- Valley Publishing - \$61;
- MBP - \$3,265;
- Hefty & Wiley, P.C. - \$7,500
- Monfalcone - \$60

ACTION ITEMS

Update – Permit Relocation

Mr. David Saunders, Timmons Group, provided an update on the project status, which included the following:

- Conducted site visit at the Bear Island Pump Station;
- Forwarded responses to the Department of Environmental Quality (DEQ) on several comments and questions they had regarding the permit;
- Following up with Virginia Marine Resources Commission (VMRC) and the Corp of Engineers to ensure they are on course in reviewing the permit.

- A preliminary design of the intake will need to be provided to VMRC in order to determine the overall impacts to the river bottom. Further, a bathometric survey will need to be completed. All should be moving forward within the next month or so.

CLOSED MEETING

On the motion of Mr. Chesser, seconded by Mr. Watson, which carried by a vote of 6-0, the Board voted to enter Closed Session at 10:53 a.m. for the purpose of discussing the following:

1. Discussion of PPEA 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

On the motion of Mr. Watson, seconded by Mr. Goodwin, which carried by a vote of 6-0, the Board voted to regular session at approximately 11:32 a.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

On the motion of Mr. Goodwin, 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

VOTE

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

Steven M. Nichols
Goodman B. Duke

Yes/Aye
Yes/Aye

OTHER ITEMS FROM BOARD OR STAFF NOT ON THE AGENDA

On the motion of Mr. Goodwin, seconded by Mr. Chesser, which carried by a vote of 6-0, the Board voted to enter into the detail phase of negotiation for the design and construction of the James River water pipeline and pumping station with Faulconer Construction/Timmons Group/Mid-Eastern Builders (MEB) as presented in the MBP report.

On the motion of Mr. Nichols, seconded by Mr. Goodwin, which carried by a vote of 6-0, the Board voted to obtain a cost proposal from MBP to serve as consultants on the detail phase of negotiation. The proposal shall be provided to both County Administrators for review and subject to ratification by the JRWA at the next regularly scheduled meeting.

On the motion of Mr. Goodwin, seconded by Mr. Nichols, which carried by a vote of 6-0, the Board voted to return the English Construction/Wiley Wilson proposal review fee for the preliminary review phase.

ADJOURNMENT

On the motion of Mr. Watson, seconded by Mr. Nichols, which carried by a vote of 6-0, the Board voted to adjourn the November 4, 2014, meeting at approximately 11:35 a.m.

BY ORDER OF:

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