

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

**September 4, 2018  
10:30 A.M.**

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**Present:** Goodman Duke (Chairman), D. D. Watson (Vice Chairman), Mark Dunning, and Steve Nichols

**Absent:** Joe Chesser (Treasurer) and Christian Goodwin

**Others Present:** Brendan Hefty, Legal Counsel (Hefty, Wiley, and Gore); Michael Knight (MBP); Greg Krystyniak and Fran Burke (Faulconer Construction); Joe Hines (Timmons Group); Pam Baughman (Louisa Water Authority), and Doug Wylie.

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**CALL TO ORDER**

Chairman Duke called the 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. Watson, seconded by Mr. Dunning, which carried by a vote of 4-0, the agenda was approved.

**APPROVAL OF MINUTES OF PRECEDING MEETING**

On the motion of Mr. Dunning, seconded by Mr. Nichols, which carried by a vote of 4-0, the Board approved the minutes of the July 3, 2018, meeting.

**FINANCIAL REPORT**

In the absence of Mr. Chesser, Treasurer, Mr. Nichols reported on the bills proposed for payment. On the motion of Mr. Watson, seconded by Mr. Dunning, which passed by a vote of 4-0, the Board approved payments to:

|               |             |
|---------------|-------------|
| MBP           | \$ 460.00   |
| Aqualaw       | \$ 8,398.00 |
| Timmons Group | \$45,035.30 |

**DISCUSSION/INFORMATION ITEMS**

- a. The Army Corps of Engineers sent the draft Memorandum of Agreement (MOA) and Treatment Plan (TP) to consulting parties on August 28, 2018. Comments are due back

to USACE by September 28, 2018. Subsequent actions and timelines are to be determined.

- b. The draft MOA/TP was also sent to each JRWA Board member.
- c. A JRWA Project site visit was conducted on August 11, 2018, for Monacan Tribal Chief Dean Branham and other Monacan Nation representatives, accompanied by Mr. Nichols, Mr. Dunning, and Mr. Krystyniak.
- d. Mr. Nichols also reported that the Pump Station E911 address has been assigned. The official address is:

1230 Point of Fork Road  
Fork Union, VA 23055

**ACTION ITEMS**

None

**CONSENT AGENDA**

None

**CLOSED SESSION**

On the motion of Mr. Watson, seconded by Mr. Nichols, which carried by a vote of 4-0, 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)(29) for consultation with legal counsel regarding the potential award of a contract.

**RESUMPTION OF REGULAR SESSION**

On the motion of Mr. Watson seconded by Mr. Nichols, which carried by a vote of 4-0, the Board voted to return to regular session at 10:57 a.m.

**RESOLUTION - CERTIFICATION OF CLOSED SESSION**

By roll call, which carried by a vote of 4-0, 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>   |
|----------------------|---------------|
| Goodman B. Duke      | Yes/Aye       |
| Joe Chesser          | <i>Absent</i> |
| Mark Dunning         | Yes/Aye       |
| D.D. Watson          | Yes/Aye       |
| Christian R. Goodwin | <i>Absent</i> |
| Steven M. Nichols    | Yes/Aye       |

**ADJOURNMENT**

On the motion of Mr. Nichols, seconded by Mr. Watson, which carried by a vote of 4-0, the Board voted to adjourn the meeting at 10:58 a.m.

BY ORDER OF:

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GOODMAN B. DUKE, CHAIRMAN