

**JAMES RIVER WATER AUTHORITY BOARD OF DIRECTORS  
FLUVANNA COUNTY ADMINISTRATION BUILDING  
PALMYRA, VIRGINIA  
September 13, 2023  
9:00 A.M.**

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**Present:** Eric Anderson (Vice Chairman), Patricia Eager, Eric Purcell, Christian Goodwin, Eric Dahl

**Absent:** D. D. Watson (Chairman)

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**CALL TO ORDER**

Vice-Chairman Anderson called the meeting of the James River Water Authority (JRWA) Board of Directors to order at 9:00 a.m. and led the Board in the Pledge of Allegiance.

**ADOPTION OF AGENDA**

On the motion of Mr. Purcell, seconded by Mr. Dahl, which carried by a vote of 5-0, the agenda was adopted. Mr. Dahl introduced Ms. Patricia Eager as the new Board member appointed by Fluvanna County.

**APPROVAL OF MINUTES OF PRECEDING MEETING**

On the motion of Mr. Dahl, seconded by Mr. Purcell, which carried by a vote of 3-0, the Board approved the draft minutes from the preceding meeting. Ms. Eager and Mr. Purcell abstained.

**FINANCIAL REPORT**

Mr. Dahl briefed the Board on bills in the packet for consideration, noting the resignation for health reasons of Mr. Chesser, former Treasurer for the JRWA. The JRWA has roughly \$4M in debt proceeds available and about \$400K in its checking account prior to payment of the bills. On the motion of Mr. Goodwin, seconded by Mr. Purcell, the Board approved the bills for payment by a vote of 5-0.

**PUBLIC INFORMATION AND DISCUSSION**

**Discussion – Project Status Update**

Mr. Joe Modica provided a brief update, noting that all permitting processes were moving ahead, although the Corps of Engineers (COE) permitting was moving more slowly than anticipated. The withdrawal permit from the Department of Environmental Quality is out for public comment. Phase 3 archeological services proposals are being reviewed, and the COE permit is central to project timing. Mr. Greg Krystiniak noted that property acquisition was moving ahead smoothly. Mr. Purcell asked if the COE had formal processes and timelines for permit reviews, and Mr. Justin Curtis noted that while the COE has soft timelines, there are no formal deadlines for their consideration process. The JRWA's permit is assigned to someone outside of the district's staff

who is a specialist in the Section 106 process. Mr. Anderson asked if all affected property owners had been notified of the project, and project team members responded that all owners had been contacted, with offers being made to several. Mr. Dahl briefly discussed cashflow modeling efforts and how they were impacted by the project's timing.

## **ACTION ITEMS**

### **Appointment of Treasurer**

Mr. Dahl noted the need to appoint a Treasurer, and stated that he had discussed the possibility of serving in that role with the JRWA's auditors, who confirmed financial sufficient controls for him to serve. On the motion of Mr. Goodwin, seconded by Mr. Purcell, which passed by a vote of 4-0 with Mr. Dahl abstaining, the Board approved the appointment of Mr. Eric Dahl as Treasurer for the JRWA.

### **Faulconer Construction Company, Inc. Amended and Restated Comprehensive**

#### **Agreement**

Mr. Brendan Hefty briefed the Board on the agreement, stating that it was similarly to the prior agreement and that the total not to exceed price was \$39,687,850. Substantial completion would be required in 1,033 days (7/1/26), with final completion in late September of that year. He briefly reviewed the standard language in the contract, noting that permitting and related work was not included. Mr. Dahl reported that both County Boards support the new agreement, and a brief discussion of contract costs vs. other project costs ensued. Mr. Goodwin asked about delivery capacity, and Mr. Bryan Rieckmann of Faulconer Construction answered that the pump station and piping would be able to handle full permit capacity although additional pumps would need to be installed at a later date as demands increase. Mr. Purcell discussed Louisa County's support for the agreement and motioned for its approval in a form approved by counsel and authorizing the Chairman, Vice Chairman, or Treasurer to execute it. Mr. Dahl seconded the motion, which passed by a vote of 5-0.

## **CONSENT AGENDA**

(none)

## **CLOSED SESSION**

On the motion of Mr. Goodwin, seconded by Mr. Dahl, which carried by a vote of 5-0, the Board voted to enter Closed Session at 9:32 a.m. for the purpose of discussing the following:

2.2-3711(A)(29) Discussion of award of a contract for phase 3 archeological services where discussion in open session would affect the bargaining position of the JRWA.

## **RESUMPTION OF REGULAR SESSION**

On the motion of Mr. Goodwin, seconded by Mr. Purcell, which carried by a vote of 5-0, the Board voted to return to regular session at 10:04 a.m.

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

By roll call, 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>
Patricia Eager	Yes/Aye
D.D. Watson	(absent)
Christian Goodwin	Yes/Aye
Eric Dahl	Yes/Aye
Eric Anderson	Yes/Aye
Eric Purcell	Yes/Aye

**ADJOURNMENT**

On the motion of Mr. Goodwin, seconded by Mr. Purcell, which carried by a vote of 5-0, the Board voted to adjourn the meeting at 10:04 a.m.

BY ORDER OF:

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D.D. WATSON, CHAIRMAN  
BOARD OF DIRECTORS  
JAMES RIVER WATER AUTHORITY