

RWSA BOARD OF DIRECTORS
Minutes of Regular Meeting
September 23, 2002

A regular meeting of the Rivanna Water and Sewer Authority (RWSA) Board of Directors was held on Monday, September 23, 2002, at 2:02 p.m., in the Conference Room, Administration Building,
200 Franklin Street, Charlottesville, Virginia.

Board members present: Dr. Richard Collins – Presiding, Mrs. Judith Mueller, Mr. Gary O’Connell, and Mr. Robert Tucker

Mr. William Brent arrived after the Board meeting had been convened due to court proceedings concerning the water use restrictions.

Authority staff present: Mr. Lawrence Tropea, Mr. Lonnie Wood, Mr. Stephen Bowler, Mr. Richard Defibaugh, Mr. Norman Wescoat, Mr. Wayne Stephens, Mr. Chuck Kent, Mr. Bruce Edmonds, Ms. Anne Bedarf and Mrs. Mary Knowles.

Also present: Mr. Kurt Krueger - RWSA Attorney, members of the public and media representatives.

1.0 Call To Order

The regular meeting of the RWSA Board of Directors was called to order by Dr. Richard Collins on Monday, September 23, 2002 at 2:02 p.m., and a quorum was present.

2.0 Minutes Of Previous Board Meetings

In regards to Item 2a), Minutes of the regular meeting of the Board on August 26, 2002, a motion was made by Mr. Tucker, and seconded by Mrs. Mueller, that the Board of Directors vote to approve the minutes of the regular Board meeting held on Monday, August 26, 2002. By a vote of 4-0, the minutes were approved.

In regards to Item 2b), Minutes of the special meeting of the Board on September 16, 2002, a motion was made by Mr. Tucker, and seconded by Mr. O’Connell, to approve the minutes of the special Board meeting held on Monday, September 16, 2002. By a vote of 4-0, the minutes were approved.

3.0 Executive Director’s Report

Mr. Tropea reported on the following items:

RESERVOIR LEVELS/WATER DEMAND: Mr. Tropea stated that the reservoir levels this morning were at 54.6 percent compared to last Monday’s level of 57.8 percent. He

further
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stated that reservoir levels decreased by 3.2 percent during the week. He added that he would be making a more thorough presentation on the reservoir and water supply situation later in the meeting.

FUTURE WATER SUPPLY STRATEGY: Mr. Tropea reported that RWSA has retained the services of O'Brien and Gere, which is an engineering firm that the Authority has used in the past on the water supply strategy. He stated that RWSA has requested that the firm develop a strategy to expedite the four-foot crest controls on the South Fork Rivanna Reservoir, which is important because it increases our water storage capacity and provides additional safe yield. He added that this strategy will not help the community during the current drought but has the potential to assist us with future droughts. Mr. Tropea commented that the Board had requested cost information on the water supply recommendations, and RWSA hoped to be able to present this data at the October Board meeting in order to move forward with the overall strategy.

COMPLIANCE ISSUES: Mr. Tropea stated that RWSA is moving ahead with the Meadow Creek Interceptor emergency repair, and there is an agenda item for Board approval of the funds for this work.

Mr. Tropea reported that RWSA has met with DEQ and discussed the 54-inch effluent line release at Moores Creek. He stated that RWSA has met all other requirements in its permits during the last month.

4.0 Items From The Public

Ms. Michelle Mattioli, speaking as a representative of the RWSA Citizens Advisory Committee, stated that the Committee met last week and she offered the following statement:

"As part of the Citizens Advisory Committee's general consideration of the drought and future water supply, during its September 18th meeting, the following specific recommendation came forward given the gravity of the water situation and the present opportunity for action:

That the Rivanna Board of Directors move as expeditiously as possible, consistent with applicable local, state and federal regulations, to install the four-foot bladder on the South Fork Rivanna Reservoir."

Ms. Mattioli commented that the Committee felt it was important to voice its support for RWSA moving ahead with the project since there might be more flexibility with the permitting agencies because of the severe drought situation.

4.0 Items From The Public Cont.

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Ms. Mattioli then stated that it is her understanding that one of the charges of the Citizens Advisory Committee is to be something of the RWSA's "eyes and ears" in the community. She therefore offered that she has received a lot of feedback from people in the community who feel that the jurisdictions should be acting even more aggressively in terms of water conservation.

Ms. Mattioli, speaking as a citizen volunteer with the Rivanna Conservation Society, stated that she would again, at this meeting, be distributing flyers concerning the sale of rain barrels and she asked for assistance in disseminating this information to the public. She added that the Rivanna Conservation Society would like to sell 100 barrels by the end of the month in order to purchase them at a discount price.

Dr. Collins asked Mr. Tropea if he would like to respond to Ms. Mattioli's comments. Mr. Tropea stated that he attended the Citizens Advisory Committee meeting, and he was in agreement with the position of the Committee. He further stated that RWSA had already taken action to move in that direction, and he felt strongly that the Board would endorse that strategy.

Mr. John Martin, Free Union, stated that he had concerns with the phrase used during discussion concerning "flexibility in the permitting process" for the future water supply improvements. He stated the planned South Fork Rivanna Reservoir improvements would trigger a Section 401 certification which would require a determination of minimum instream flow to protect the Rivanna River. Mr. Martin commented that he felt that the public safeguards included in the permitting process should not be shortcut or otherwise compromised.

Dr. Collins responded that he did not believe the Citizens Advisory Committee was referring to bypassing the certification process. He also stated that it is not known at this time whether a Section 401 certification would be required, but Mr. Martin's remarks would be noted.

5.0 Consent Agenda

Dr. Collins asked if there were any items that the Board members would like to pull for discussion regarding the Consent Agenda.

- 5a) Staff Report on Finance
- 5b) Staff Report on Operations
- 5c) Staff Report on Ongoing Projects
- 5d) Safety Manager's Report
- 5e) Report on September 4, 2002 Public Meeting on South Fork Rivanna Reservoir Report

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5.0 Consent Agenda Cont.

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Mr. Tucker suggested that in addition to the percentage of capacity remaining in the reservoirs that is provided daily, that the number of days of water supply remaining also be made available to the public. He felt that with this information the community would better understand and respond more quickly to requests for further water conservation. Dr. Collins asked Mr. Tropea if it was possible to provide these numbers to the public. Mr. Tropea replied that this information could be provided to the public and the media.

Dr. Collins inquired if the City and the Albemarle County Service Authority, since adopting recent water rate increases, have included terminology on the water bills that enable customers to determine how much water they have consumed. Mrs. Mueller stated that beginning this week the City water bills include a conversion from cf to gallons. She further stated that also starting this week, the City bills actually convert water use from cubic feet to gallons. Mrs. Mueller added that at the bottom of the City bills there will be a phone number for customers to call to obtain their monthly water consumption rate for the past 12 months. She commented that the Albemarle County Service Authority billing system already provides this type of information to its customers.

Upon a motion by Mrs. Mueller, and seconded by Mr. Tucker, the Board of Directors voted to approve Items 5a), b), c), d), and e) of the Consent Agenda. By a vote of 4-0, the Consent Agenda was approved.

6.0 Other Business

In regards to Item 6a), Meadow Creek Interceptor Emergency Repair Authorization, Mr. Tropea stated that on August 22, 2002 RWSA staff received a call from the City of Charlottesville concerning a report that there was a small sewage leak from the Meadow Creek Interceptor. He further stated that temporary repairs were immediately made to that line, but he added that the line is quite old and needed to be rehabilitated. He commented that funds in the amount of \$150,000 were designated in the Capital Improvements Budget to rehabilitate that line. Mr. Tropea reported that since this was an emergency situation, he had already authorized RWSA staff to proceed with the necessary emergency contracts.

Mr. Tropea then requested formal Board approval of the expenditure of funds for this emergency repair.

Upon a motion by Mrs. Mueller, and seconded by Mr. Tucker, the Board of Directors voted to approve the expenditure of funds for the Meadow Creek Interceptor emergency repair. By a vote of 4-0, the motion was approved.

In regards to Item 6b), Executive Director's Report on the Drought and the Water Supply, Mr. Tropea stated that this is a drought of near historic proportions. He further stated that it

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6.0 Other Business Cont.

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is also a resource emergency that impacts the public water supply, well owners, agricultural and livestock interests, streams and local ecology, businesses and the economy in general.

Mr. Tropea stated that rainfall in our area has been below average for four years. He further stated that wintertime precipitation has been below average for three years, which has resulted in three years of low groundwater recharge. He pointed out that August 2002 was very hot and dry and therefore accelerated the drought. Mr. Tropea added that stream flows are at record lows or at zero and that shallow groundwater is approaching lows for the period of record, with 2,300 well replacement permits being issued since July 1.

Mr. Tropea stated that the outlook for the next 30 to 90 days is for the drought to intensify. He stated that the U.S. Drought Monitor now shows that our area has moved into the extreme drought classification.

Mr. Tropea then described the urban water supply system, in which RWSA operates four water storage reservoirs – South Fork Rivanna, Sugar Hollow and two Ragged Mountain reservoirs. He also stated that RWSA operates three water treatment plants that supply finished water to the City and the Albemarle County Service Authority, who actually manage the water distribution system. He added that the reservoirs hold 1,676,000,000 gallons of drinking water, and they were about full in June 2002.

Mr. Tropea reported that our drinking water comes from precipitation, stream flow and groundwater, and the safe yield of our current water supply is reported to be about 12 MGD. He stated that this drought is redefining water supply across the state, and he believes that people will be discussing the drought of 2002 and reassessing their water supply safe yields based on the current conditions.

Mr. Tropea stated that our area is experiencing the largest rainfall deficit in Virginia over the last three years. He reported that the median daily stream flow for Mechums River near White Hall, Virginia, is at 0 cfs and should be at 21 cfs. He further stated that the median daily stream flow for the Rivanna River at Palmyra, Virginia, is at 22 cfs and should be at 180 cfs. Mr. Tropea added that shallow groundwater has been tremendously impacted, and shallow wells are failing across the Commonwealth.

He commented that with rainfall amounts below normal, stream flow at zero, and groundwater recharge into our reservoirs also at zero, equated to a water crisis. He stressed that water restrictions, while essential, cannot solve the problem of a lack of rain. He stated that efforts need to be directed toward a reduction in the daily water consumption, which has been the focus of Mrs. Judy Mueller and her team and Mr. Bill Brent and his team.

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Mr. Tropea displayed a diagram of the area's urban raw water storage system, which has experienced a steady decline due to lack of rainfall, instream flow, and groundwater. He

stated that the current reservoir level is at 54.6 percent of our usable water supply capacity. He further stated that during the last 30 days, the average water demand has been at 10.4 MGD and, at that consumption rate, and assuming zero rainfall, we would have about 88 days of water remaining in the reservoirs. Mr. Tropea added that by reducing the demand to 5 MGD, the amount of available drinking water is doubled. He commented that these calculations are based on the assumptions that there is no input to the system through rainfall and there are no emergencies, such as a major fire or major water leak.

Mr. Tropea stated that when he compared 2002 water use versus 2001, he learned that water consumption in July and August 2002 exceeded that of July and August 2001, despite the great amount of effort that has been spent communicating the water conservation message to the community. He further stated that during the four days prior to the City of Charlottesville and the Albemarle County Service Authority announcing Phase I Water Use Restrictions, water consumption averaged 13.24 MGD. He added that since that time, the rate has decreased to 10.4 MGD as compared to last year's rate of 11.51 MGD.

Mr. Tropea commented on the water supply situation in Virginia and stated that, to date, there are 172 water supplies in Virginia currently with mandatory water restrictions, and 282 water supplies are currently in voluntary restrictions.

Mr. Tropea stated that many positive actions have been taken in response to the drought. He further stated that voluntary water conservation was actually enacted in our area in October 2001. He added that the City of Charlottesville and the Albemarle County Service Authority did a great job on their "10 percent" campaign. He also stated that Phase 2 mandatory water use restrictions were enacted on September 20, 2002, and have been actively enforced by both the City and the Albemarle County Service Authority. He commented that there have been near weekly press releases, newspaper articles, and television reports, and the media response has been tremendous in getting the water conservation message to the public. Mr. Tropea added that he felt there was still a segment of the community that still did not understand the seriousness of the situation.

Mr. Tropea reported that RWSA has been part of a statewide drought emergency group, established by the Governor's office. He stated that assistance has been sought from the Governor's Drought Coordinator, Mr. David Paylor, who will be in Charlottesville on Friday for a briefing. Mr. Tropea further stated that DEQ has been asked to assist in eliminating withdrawals from our watershed for non-drinking water purposes. He commented that RWSA has also asked for technical assistance from the State Health Department.

Mr. Tropea reiterated that RWSA is open to any idea or suggestion.

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Mr. Tropea stated that we cannot make it rain so it is necessary to further reduce water consumption. He added that the City and the Albemarle County Service Authority might still need to adopt additional water use restrictions. Mr. Tropea commented that the

restrictions that have been adopted to date are probably the most comprehensive anywhere in the country. He also stated that our “Doomsday” water supply plan is in the process of being fine-tuned, but he hoped that it would never have to be implemented.

Mr. Tropea commented that he was reluctant to discuss the “Doomsday Water Supply Plan” in detail because he felt the community’s focus should be on reducing water demand. Mr. Tropea then went on to explain several elements of the plan, including use of the “heel” of water in the bottom of the South Fork Rivanna Reservoir below the water intake. He added that RWSA is proceeding to maximize production at the North Fork Rivanna Water Treatment Plant by taking water from the Chris Greene Lake. He further stated that RWSA would be looking for additional water sources to divert to the reservoirs, investigating the possibility of constructing supplemental wells and evaluating the reuse of the highly treated wastewater. Mr. Tropea commented that there are about 15 other options included in this plan, but that none of the strategies will be successful unless water consumption is greatly reduced. He added that there are significant costs with each and every option, which will have to be recovered, through a rate increase.

Mr. Tropea stated that, in the longer term, the State could assist by investing in a more comprehensive network of groundwater observation wells and stream gauges to better predict future droughts. He also stated that the State could identify ways to intelligently speed up the approval process for new drinking water facilities. He commented that the lesson our community is learning from the current drought is that water is essential to our lives, our economy and our lifestyle.

Dr. Collins thanked Mr. Tropea for his presentation and asked the Board if they had any comments they wanted to make at this time. Mrs. Mueller distributed copies of a newspaper article from the Washington Post, as background information for the Board on related water issues. Mrs. Mueller added that she felt the community could further reduce its water consumption, as the rates on Saturday and Sunday were 7.6 MGD and 7.4 MGD. Dr. Collins inquired as to the possible reasons why water consumption was down on weekends. Mr. Tropea stated that the water demand had decreased the last two weekends, and this weekend it was down even further. He further stated there was a home football game this weekend, and we were all surprised that the demand was as low as it was. He stated that it appears that the weekday water use in our community is greater due to water use in offices and businesses. He speculated that a number of employees work in the urban service area, and use water at work, then commute to areas outside the urban service area at night and the weekends. He added that he felt that students’ consumption may also be lower on the weekends with classes not being in session. He commented that he felt part of the reduction

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was also driven by residents being more conscious about water use while they were at home on the weekends. Mrs. Mueller added that there are a number of persons who come into the community Monday through Friday to work and then leave the urban water system area over the weekend.

In response to a question from Mr. O'Connell, Mr. Tropea replied that currently the water consumption rate is at 10.4 MGD. He added that if we could reduce the rate to 5 MGD, which is just under 50 percent, the water supply could be stretched from 88 to 183 days.

Dr. Collins welcomed Mr. Brent to the meeting, and Mr. Brent took his place on the Board.

Mr. O'Connell stated that he felt it would be worthwhile for everyone in the community to view Mr. Tropea's presentation in order to convey the water conservation message to those residents who have not yet adopted water conservation measures as part of their lifestyle. Mr. Tucker added that it might be helpful if the correlation between water consumption and remaining days of supply could be better communicated to the community.

Mr. Brent stated that he was not present for the first part of the meeting, but that he was pleased to report that our water use restrictions are being supported by the courts. He added that the Judge remarked in today's proceedings that this was a very serious situation and then proceeded to assess a hefty fine on a violator.

Dr. Collins then offered to read an excerpt from the Washington Post article concerning Frederick, Maryland: "Though the city has been growing rapidly for decades, it had not added any water storage since the 1960's. And while the city had a process for calculating how much new development it could sustain, that system clearly broke down, city officials acknowledge."

Dr. Collins stated that he felt that our task was to provide measures by which the growth of this community would be well matched to an adequate, safe, and decent potable water supply. He added that water demand must be at a sustainable level that comes not only from meteorological events, but the storage capacity and the ability to add to the water supply in a timely fashion. Dr. Collins commented that his point was not to stop growth, but, as planners, we need to look at the issues of how much water we can reasonably expect to store and have available for future growth over the next 30 years.

In response to a question from Dr. Collins, Mr. Tropea replied that the target date for the completion of the four-foot crest control project for the South Rivanna Reservoir is 2006 but RWSA would try to complete it sooner. He also stated that he hoped a consciousness would build in the community about the value of water so that as restrictions are lifted, water conservation becomes routine and not legally mandated.

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Mr. O'Connell stated that he felt the message coming out of the meeting today needed to signal that everyone in this community – individuals and businesses who are on the urban drinking water system – have got to begin thinking seriously about how to reduce their water use by 50 percent or the water will run out in 90 days. He added that this water conservation effort would either be done voluntarily by the community, or the "Doomsday" approach would need to be implemented by the government. Mr. O'Connell commented that

additional water use restrictions may be necessary if we do not further reduce water demand. Mr. Brent stated that if the reservoirs are not replenished over the winter months, he was concerned with the impact this would have on the community next summer.

7.0 Other Items From Board/Staff Not On Agenda

Mr. Brent stated that it appeared that he would need to be in court on the fourth Monday of each month as long as water use restriction violations occur. He asked if the Board could consider altering the meeting date. Mr. Tropea responded that the Board would investigate the matter further.

8.0 Meeting Recess

Upon a motion by Mr. Tucker, and seconded by Mr. O'Connell, the Board of Directors voted to recess the RWSA meeting at this time and reconvene after the conclusion of the Rivanna Solid Waste Authority Board of Directors meeting, at which time they would enter into a closed meeting. By a vote of 5-0, the motion was approved.

9.0 Reconvene Meeting

Upon a motion by Mr. Tucker, and seconded by Mrs. Mueller, the Board of Directors voted to reconvene the open meeting. By a vote of 5-0, the motion was approved.

10.0 Closed Meeting

Upon a motion by Mr. Tucker, and seconded by Mrs. Mueller, the Board of Directors of the Rivanna Water & Sewer Authority voted to enter into a Closed Meeting for matters pertaining to personnel issues as authorized by Section 2.1-344 (A) (1) of the Code of Virginia. By a 5-0 vote, the motion was approved.

Attendees: Mr. Brent, Dr. Collins, Mrs. Mueller, Mr. O'Connell, Mr. Tucker, and Mr. Krueger.

11.0 Resumption of Open Meeting

Upon a motion by Mr. Tucker, and seconded by Mrs. Mueller, the Board of Directors voted to approve termination of the Closed Meeting and reconvened the open meeting. By a 5-0 vote, the motion was approved.

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11.0 Resumption of Open Meeting

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Mr. Tucker made the following motion, which was seconded by Mr. O'Connell:

"WHEREAS, the Rivanna Water & Sewer Authority has convened a special closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Rivanna Water & Sewer Authority Board of Directors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rivanna Water & Sewer Authority Board of Directors 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 were heard, discussed or considered by the Rivanna Water & Sewer Authority Board of Directors."

There being no further discussion, Dr. Collins, Chairman, called for a roll call vote:
Mrs. Mueller – Aye, Mr. O'Connell – Aye, Mr. Tucker – Aye, Mr. Brent – Aye and
Dr. Collins – Aye.

12.0 Adjournment

Upon a motion by Mr. Tucker, and seconded by Mrs. Mueller, the meeting was adjourned at 4:22 p.m.

Respectfully submitted,

Mr. Robert Tucker
Secretary - Treasurer