

RWSA BOARD OF DIRECTORS
Minutes of Regular Meeting
November 25, 2002

A regular meeting of the Rivanna Water and Sewer Authority (RWSA) Board of Directors was held on Monday, November 25, 2002, at 2:07 p.m., in the Conference Room, Administration Building, 200 Franklin Street, Charlottesville, Virginia.

Board members present: Mr. William Brent, Dr. Richard Collins – Presiding, Mrs. Judith Mueller, Mr. Gary O’Connell (arrived at 2:20 p.m.), and Mr. Robert Tucker

Authority staff present: Mr. Lawrence Tropea, Mr. Lonnie Wood, Mr. Stephen Bowler, Mr. Richard Defibaugh, Mr. Norman Wescoat, Mr. Chuck Kent, Mr. Bruce Edmonds, Mr. Steven Miller 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, November 25, 2002 at 2:07 p.m., and a quorum was present.

2.0 Minutes Of Previous Board Meetings

In regards to Item 2a), draft Minutes of the regular meeting of the Board on October 28, 2002, Mr. Brent suggested that on page 13, paragraph 4, the last line beginning “By a vote of 4 to 1,” be amended to reflect that Dr. Collins voted “No” on the motion. A motion was made by Mr. Tucker, and seconded by Mrs. Mueller, that the Board of Directors vote to approve the minutes, with the proposed amendment, of the regular Board meeting held on Monday, October 28, 2002. By a vote of 4-0, the minutes were approved as amended.

3.0 Executive Director’s Report

Mr. Tropea reported on the following items:

RESERVOIR LEVELS / WATER DEMAND: Mr. Tropea stated that both the South Fork Rivanna and the Sugar Hollow reservoirs are now overflowing. He further stated that the Ragged Mountain reservoir system is about six feet below capacity due to its small drainage area of less than two square miles. He added that the overall reservoir system is at 92 percent capacity. Mr. Tropea reported that water consumption rates have not significantly increased since the City and the Albemarle County Service Authority recently lifted the water use restrictions.

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3.0 Executive Director's Report Cont.
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Mr. Tropea thanked Mr. Peter Savodnik of *The Daily Progress* and the other area reporters for their excellent coverage and support during the drought. He added, however, that the recent four-part editorials in *The Daily Progress* were disappointing. He stated that in a cooperative vein RWSA has written an Op-Ed article and submitted it to *The Daily Progress* which will help ensure understanding in our community. Mr. Tropea commented that he hoped RWSA would also be given the opportunity to discuss its future water supply plan and implementation efforts with the newspaper's editorial review board in the near future.

54-INCH EMERGENCY LINE REPAIR: Mr. Tropea reported that the emergency repair to the 54-inch discharge line at Moores Creek is currently underway and is proceeding as planned.

DIRECTOR OF WATER AND WASTEWATER OPERATIONS RECRUITMENT:

Mr. Tropea stated that RWSA is continuing its recruitment efforts for a Director of Water and Wastewater Operations. He stated that RWSA plans to hold a second round of interviews, probably in early December, and have one or two candidates then interview with a Board panel. Mr. Tropea added that RWSA anticipates completing the hiring process by January 1, 2003.

IN-STREAM FLOW RELEASES: Mr. Tropea reported that the in-stream flow releases have resumed because the South Fork Rivanna reservoir and the Sugar Hollow reservoir are both overflowing. He stated that RWSA would ensure that its voluntary 8 MGD in-stream flow release from the South Fork Rivanna reservoir, and the 400,000 gallons per day release from the Sugar Hollow reservoir to the Moormans River, are maintained as long as sufficient flows remain.

WATER WITHDRAWALS UPSTREAM FROM THE SOUTH FORK RIVANNA

RESERVOIR: Mr. Tropea stated that last week he met with the General Manager of the Farmington Country Club and had a very cooperative and positive discussion concerning water withdrawals. He further stated that during this meeting, he was informed of Farmington's substantial investments to improve their irrigation system and the water supply lines that supply drinking water in their community. Mr. Tropea also stated that they agreed to further discuss a voluntary agreement with RWSA. He added that RWSA has no legal authority to demand that Farmington comply with RWSA's desires, but he was optimistic that an agreement could be negotiated given the civic mindedness of Farmington officials. Mr. Tropea commented that RWSA still needs to meet with the staff at the Ivy Creek golf club concerning their water withdrawals and would keep the Board informed of future developments.

In response to a question from Dr. Collins, Mr. Tropea stated that Farmington indicated a willingness to share their annual water withdrawal figures with RWSA. Mr. Tropea also

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stated that Farmington annually reports its withdrawals to the DEQ, and RWSA has access to this data. Dr. Collins indicated an interest in having this information periodically presented to the Board.

4.0 Items From The Public

There were no items from the public.

5.0 Consent Agenda

Dr. Collins asked if there were any items that the Board members would like to pull for discussion from 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) Status Report on Implementation of Approved Future Water Supply Plan
- 5f) Staff Report on Ragged Mountain Dam Rehabilitation
- 5g) Staff Report on South Fork Rivanna Dredging Project

In regards to Item 5a), Staff Report on Finance, Mrs. Mueller requested that a line be added to the financial report detailing the revenues generated from the drought rate from the previous month(s) in addition to the current month's figures. Mr. Wood replied that this would be done on future reports.

In regards to Item 5g), Staff Report on South Fork Rivanna Dredging Project, Mr. Brent inquired if the previously discussed time table of six months had been revised to one year. Mr. Tropea responded that RWSA expects to complete the project in approximately 9 to 12 months.

Dr. Collins inquired if the dredging technology, and the cost, would remain the same since the reservoir water level has now risen above the sediment bed. Mr. Tropea explained that the designated technology would still be effective under the current conditions, and he did not feel that this would adversely affect RWSA's ability to complete the project. He added that the dredging project would be a valuable learning experience for our engineers.

There was some discussion concerning a proposed sediment disposal site on Mr. Spotswood Connelly's property. Mr. Kent described the attributes of the site and the type of dredging operation we might undertake on the South Fork Rivanna reservoir at this location. Mr. Tropea noted that this might be a viable future option, but that RWSA would be concentrating solely upon the Panorama site for the present.

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5.0 Consent Agenda Cont.

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Dr. Collins further inquired as to how much additional water storage would be achieved from the planned dredging project. Mr. Kent replied that RWSA estimates the removal of 155,000 cubic yards of sediment and the addition of 30 million gallons of water storage capacity in the South Fork Rivanna reservoir.

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

6.0 Other Business

In regards to Item 6a), Executive Director Presentation on our Water Supply, Mr. Tropea gave a PowerPoint presentation on “The Plan For Meeting Our Future Water Supply Needs” (attached). In the presentation, Mr. Tropea described RWSA’s Mission, highlighted significant events/data from the “Drought of 2002,” displayed charts on the improved urban raw water storage situation and the daily water consumption levels. He also commented on water supply myths which are prevalent in our community and compared historical yearly water consumption rates which illustrate water consumption has decreased by 10 percent since 1999. Mr. Tropea then discussed the various steps involved in the implementation of the approved Water Supply Plan, RWSA’s fast-track focus, and gave a regulatory summary. He briefly went over the proposed Buck Mountain Reservoir option and explained why it is not currently a preferred option but is a key part of the 2050 Water Supply Strategy. Mr. Tropea concluded by stating that the water supply plan is sound, and it is the right plan for our community. He further stated that RWSA is committed to periodic reassessments of the plan in order to make it a “living strategy.” Mr. Tropea commented that the focus must now be on action and for the community to coalesce behind the approved plan.

Dr. Collins inquired as to how much additional storage capacity would result from the rehabilitation of the Ragged Mountain Dam. Mr. Tropea stated that it would depend upon a variety of factors, and that we will not know until the Spring of 2003 when the study is completed.

In response to a suggestion by Mr. O’Connell, Mr. Tropea stated that the presentation would be placed on the RWSA website and also made available to community organizations.

Dr. Collins commented on the need to include the issue of increasing water demand in the City and County’s comprehensive planning and approval processes.

In regards to Item 6b), Board Discussion on Public Outreach on Approved Water Supply Plan, Mr. Tropea stated that at the October Board meeting, the Board requested that RWSA staff develop some strategies for additional public outreach on the future water supply plan

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6.0 Other Business Cont.

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for further discussion at the November Board meeting. He reported that RWSA staff have

developed the following four concepts for Board consideration:

- Water Supply Summit or Water Supply Town Meeting
- Brochure on The Water Supply Plan
- Increased Use of the Website
- Special Newspaper Insert

Mr. Tropea then distributed copies of a draft brochure on The Water Supply Plan for Board input. The Board agreed to provide comments to Mr. Tropea after they had reviewed the draft material.

A discussion ensued on the other three concepts proposed by RWSA staff. Mr. Tucker stated that he would place more emphasis on the options that would reach the most citizens on a regional basis, such as a special newspaper insert, and he suggested using the brochure as a billing insert.

Mr. O'Connell stated he knew of four other organizations that have discussed holding a water summit, and he felt that RWSA was the logical choice to sponsor such a meeting. Mr. Tucker expressed agreement with Mr. O'Connell's comments and felt that RWSA should be in a leadership role for this area.

Dr. Collins commented that he felt there was a need to better inform the public about the institutional structure and financial relationships between the Albemarle County Service Authority, Albemarle County, the City of Charlottesville and RWSA. Mr. O'Connell stated that he felt a comparison of the area's water rates with other localities in the state would give the residents a better perspective on water rates and help prepare the community for a future water rate increase that would be needed to fund the future water supply plan.

Mr. O'Connell suggested using the television media as a public outreach tool and volunteered the use of City staff in the production of a program on urban water supply issues. Mrs. Mueller added that the schools could also be utilized in an outreach campaign.

Dr. Collins then gave the members of the public in attendance at the meeting an opportunity to respond to the Board's discussion on public outreach strategies.

Mr. John Martin, Free Union, stated that he thought the water summit was a tremendous idea and was clearly needed. He further stated that, as a citizen, he felt the meeting was important enough that it should be hosted by the two elected governments of this community, the Charlottesville City Council and the Albemarle County Board of Supervisors.

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6.0 Other Business Cont.
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Mrs. Lois Rochester stated that, as a follow-up to her comments at the October Board meeting, she was delighted with the suggestions under discussion today and she felt that as many methods as possible should be utilized. She further stated that written information is

helpful, but that verbal messages and a summit meeting are also needed to give citizens an opportunity to learn, ask questions and provide input.

Mr. John Via inquired if the town meeting would be open to the public as well as community organizations, and the Board responded in the affirmative.

Mrs. Sally Thomas, speaking on behalf of the Planning District Commission, stated that the Planning District Commission is planning to hold a water summit to discuss a wide range of water issues and that the Nature Conservancy is also looking at this subject. She further stated that meeting discussions should not be limited to RWSA water supply matters, but should also include integrated water resource planning and groundwater issues.

Mrs. Thomas also stated that Monticello High School students have produced a very good video on the local water situation, and she suggested that it be used as part of the outreach campaign.

In regards to Item 6c), Emergency Authorization for Future Water Supply Improvements, the Board agreed to move this item for discussion in closed session, in order to obtain advice from legal counsel during the closed session.

In regards to Item 6d), Proposed Schedule for the 2003 RWSA Board of Directors meetings, Mr. Tucker made a motion, which was seconded by Mrs. Mueller, that the Board of Directors vote to approve the Proposed Schedule for the 2003 RWSA Board of Directors meetings. By a vote of 5-0, the motion was approved.

7.0 Other Items From Board/Staff Not On Agenda

Mr. O'Connell distributed copies of correspondence that would be sent out with the City's utility bills and a response letter on the rate increase being mailed to City residents. He also distributed copies of an Ordinance adopted by Charlottesville City Council approving the City's water rate increase. He pointed out that Item 2 of the Ordinance states that the new City water rates would expire on March 18, 2003 unless amended by City Council prior to that date. The last item distributed by Mr. O'Connell was a copy of a Resolution in support of RWSA's long-term water supply plan that was formally adopted by the Charlottesville City Council on November 18, 2002. Mr. O'Connell called the Board's attention to the following statement in the Resolution:

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7.0 Other Items From Board/Staff Not On Agenda Cont. November 25, 2002

"NOW, THEREFORE, BE IT RESOLVED by the Council for the City of Charlottesville that the Council hereby endorses and approves the *Multi-Step, Integrated Water Supply Strategy – Urban Water Service Area*, dated October 28, 2002. The City representatives on the Rivanna Water and Sewer Authority are hereby directed to engage in comprehensive and strategic planning for an adequate water supply to serve the future needs

of this community, based on the comprehensive plans, master plans, land use regulations and growth projections, as may be amended from time to time, of the City of Charlottesville, Albemarle County and the University of Virginia.”

Mr. O’Connell reported that the City’s new zoning ordinance, likely to be adopted next spring, would increase housing densities and probably add population to the City. He added that as part of their master plan, the University of Virginia’s expects to spend at least a half a billion dollars in new building construction over the next three years. He commented that the water supply plan will need to be reassessed, as these factors will likely impact Charlottesville’s future water supply needs.

In response to a question from Mr. Tucker, Mr. O’Connell stated that he did not believe that the impact of the zoning changes, and new building construction by the University of Virginia, would necessitate slowing down implementation of the current water supply strategy. He added that a reassessment of the University’s water needs would probably need to be undertaken in the future to ensure the validity of our long-term water supply plans.

Mr. O’Connell also pointed out that in the Resolution, City Council has noted that any changes in RWSA’s capital requirements, requiring City funding, would need City Council approval.

8.0 Closed Meeting

Upon a motion by Mr. Tucker, and seconded by Mr. O’Connell, the Board of Directors voted to enter into a closed meeting for consultation with legal counsel, employed or retained by a public body, regarding specific legal matters requiring the provision of legal advice by counsel under Section 2.1-344 (A) (7) 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, Mr. Krueger and Mr. Tropea.

9.0 Resumption of Open Meeting

Upon a motion by Mr. Tucker, and seconded by Mr. O’Connell, the RWSA Board of Directors voted to approve termination of the Closed Meeting and reconvened the open meeting at 4:00 p.m. By a 5-0 vote, the motion was approved.

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9.0 Resumption of Open Meeting Cont.

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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 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.

Dr. Collins stated that the matters under discussion in the closed session concerned Agenda Item 6c), Emergency Authorization for Future Water Supply Improvements. He reported that the Board decided not to take action on that item at this time, but he did assure the Executive Director that the Board is very much interested in continuing to move that process forward as quickly as allowed under applicable requirements. He also stated that Mr. Tropea would be providing further documentation for the December 2002 Board meeting, and the Board would be further considering the matter at that time.

10.0 Meeting Recess

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

11.0 Reconvene Meeting

Upon a motion by Mr. Brent, and seconded by Mr. O'Connell, the Board of Directors voted to reconvene the RWSA Board of Directors meeting at 4:08 p.m. By a vote of 5-0, the motion was approved.

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12.0 Joint Closed Meeting

Upon a motion by Mr. Tucker, and seconded by Mr. Brent, the Board of Directors voted to enter into a joint closed meeting with the Rivanna Solid Waste Authority Board of Directors 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, Mr. Graham of the Rivanna Solid Waste Authority Board of Directors, Mrs. Mueller, Mr. O'Connell, Mr. Tucker, Mr. Krueger, and Mr. Tropea (portion of the meeting).

13.0 Resumption of Open Meeting

Upon a motion by Mr. Brent, and seconded by Mr. O'Connell, the RWSA Board of Directors voted to approve termination of the joint Closed Meeting and convened the open meeting at 6:00 p.m. By a 5-0 vote, the motion was approved.

Mr. Tucker made the following motion, which was seconded by Mr. Brent:

"WHEREAS, the Rivanna Water & Sewer Authority has convened a special joint closed meeting with the Rivanna Solid Waste Authority Board of Directors 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.

Upon a motion by Mrs. Mueller, seconded by Mr. Tucker, the Board of Directors voted to approve an increase in Mr. Tropea's annual compensation package of \$5,000 in his capacity as Executive Director of both the Rivanna Water & Sewer Authority and the Rivanna Solid Waste Authority, which is retroactive to October 1, 2002, and a one-time \$2,500 bonus to

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13.0 Resumption of Open Meeting Cont.

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recognize Mr. Tropea's exemplary performance principally during the recent water drought. By a vote of 5-0, the motion was approved.

14.0 Adjournment

Upon a motion by Mrs. Mueller, and seconded by Mr. Tucker, the meeting was adjourned at 6:10 p.m.

Respectfully submitted,

Mr. Robert Tucker
Secretary - Treasurer