

RWSA BOARD OF DIRECTORS
Minutes of Regular Meeting
July 3, 2003

A regular meeting of the Rivanna Water and Sewer Authority (RWSA) Board of Directors was held on Thursday, July 3, 2003, at 2:10 p.m., in the Conference Room, Administration Building, 695 Moores Creek Lane, Charlottesville, Virginia.

Board members present: Mr. William Brent, Mr. Michael Gaffney – Presiding, Mrs. Judith Mueller, Mr. Gary O’Connell and Mr. Robert Tucker.

Authority staff present: Mr. Lonnie Wood, Mr. Robert Wichser, Ms. Anne Bedarf and Mrs. Mary Knowles.

Also present: Mr. Kurt Krueger – RWSA Attorney, Mr. David Hirschman – Water Resources Manager for Albemarle County, 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 Mr. Michael Gaffney on Thursday, July 3, 2003 at 2:10 p.m., and a quorum was present.

Mr. Gaffney welcomed the Board members and members of the public who were in attendance at the meeting.

Mr. Gaffney stated that a lot has happened since the May Board meeting. He further stated that he felt no one in this room or in the community would have felt a few months ago that Mr. Larry Tropea would not be the Executive Director for the foreseeable future. He added that the situation has obviously changed. Mr. Gaffney commented that although the person in the Director’s position will change, RWSA’s challenges and goals remain the same. He also stated that the most important of those is the implementation of our water strategy that prepares our community for the future. He stated that many in attendance today have read the editorial in last Sunday’s paper and some have called him to comment on the article. He explained that it was written specifically for the community at large and not for those who attend these Board meetings every month. Mr. Gaffney added that the work and commitment of the Rivanna Water & Sewer Authority has not changed.

Mr. Gaffney stated that as was pointed out to him on Tuesday, only three points of the community water strategy were mentioned in Sunday’s editorial: expanding the South Fork Rivanna Reservoir, rebuilding the Mechums River pump station and the maintenance dredging of the South Fork Rivanna Reservoir. He further stated that the Board and the Authority’s commitment to all the goals in the water strategy is unwavering and includes those that were not mentioned Sunday:

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- Water Conservation;
- Protecting our watershed and addressing sediments at the source;
- Improving drought prediction and proactive reservoir management; and
- Maintaining instream flows.

Mr. Gaffney also stated that this Authority operates in the public eye within the laws of the Commonwealth of Virginia. He commented that RWSA counts on the diligence and input of the citizens of both the City and the County to help us make Rivanna the best utility it can be. He thanked the members of the public for assisting the Board by their attendance at this meeting.

2.0 Minutes Of Previous Board Meeting

Mr. Wood noted two corrections to the May 19, 2003 minutes. He stated that on page 5, fourth full paragraph, line 4, “full loan bond” should read “full bond.” He also stated that on page 12, Item 12.0 was changed to reflect the Board’s vote on adjournment as follows: “There being no further business, Mrs. Mueller moved the meeting be adjourned, seconded by Mr. Tucker. All members voted aye, and the meeting was adjourned at 5:26 p.m.” Upon a motion by Mr. Tucker, and seconded by Mr. O’Connell, the Board of Directors by a 5 – 0 vote approved the minutes of the regular Board meeting held on Monday, May 19, 2003, as corrected, and the minutes of the special joint meetings held on May 29, 2003 and June 9, 2003.

3.0. Items From The Public

There were no items from the public.

4.0 Consent Agenda

Mr. Gaffney asked if there were any other items that the Board members would like to pull for questions or further discussion from the Consent Agenda.

- 5a) Staff Report on Finance
- 5b) Staff Report on Operations
- 5c) Staff Report on Ongoing Projects
- 5d) Compensation Plan and New Positions
- 5e) Contract Status of O’Brien & Gere – (Community Water Supply)

Upon a motion by Mr. Brent, and seconded by Mrs. Mueller, the Board of Directors by a 5 – 0 vote approved Items 5a), b), c), d) and e) of the Consent Agenda.

5.0 Other Business

In regards to **Item 5a)**, Contract Approval – Vulnerability Assessment, Mr. Wood stated that RWSA was requesting Board approval of the contract with Tectonic Engineering Consultants. He further stated that RWSA conducted the RFP process with the City and

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Albemarle County Service Authority staff. He added that interviews were conducted by the Technical Committee who recommended that Tectonic Engineering Consultants be awarded the contract in the amount of \$68,000, which is well within the \$90,000 budgeted for this project in FY 2004.

Upon a motion by Mr. Tucker, which was seconded by Mr. Brent, the Board of Directors voted to approve the Vulnerability Assessment contract with Tectonic Engineering Consultants in the amount of \$68,000, as recommended by RWSA staff. By a 5 – 0 vote, the motion was approved.

In regards to **Item 5b)**, Contract Approval – Rivanna Pump Station Odor Control, Mr. Wood stated that Black & Veatch was awarded the original contract to provide a solution for the odor problems at the Rivanna Pump Station. He further stated that this contract is for Phase II design, bid and construction services in the amount of \$36,850, which is well within the \$150,000 budgeted for this project.

Mr. Brent asked Mr. Wichser if the Woolen Mill community was informed and in support of the technology and design being proposed. Mr. Wichser stated that RWSA staff worked with Ms. Patti Shields and an architectural representative from the Woolen Mills Neighborhood Association. He further stated that three technologies were presented to the group, and the carbon scrubbing system was selected based on its long-range reliability and overall maintenance record.

Mr. O’Connell inquired if RWSA had plans to update the Neighborhood Association on this phase of the project. Mr. Wichser stated that an update was emailed to the community, which included an analysis of the technical alternatives along with RWSA’s ultimate mission and goal of the project. He further stated that copies of the latest study were also distributed to the community representatives.

Upon a motion by Mr. O’Connell, which was seconded by Mr. Tucker, the Board of Directors voted to approve the Rivanna Pump Station Odor Control contract with Black & Veatch in the amount of \$36,850, as recommended by staff. By a 5 – 0 vote, the contract was approved.

In regards to **Item 5c)**, Contract Approval – Financial Advisor Services, Mr. Wood stated that during one of the budget work sessions, a discussion was held concerning RWSA’s need for a financial advisor to assist with future financial planning. He further stated that he felt a financial advisor was also needed to help with normal financial transactions, such as refinancing and new bond money analysis. Mr. Wood also stated that Rivanna had been using the Public Resources Advisory Group as their financial advisor, but due to the age of the contract with that firm, RWSA decided to develop a new RFP and initiate a new bid

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process. He commented that during the ensuing RFP process, the top three candidates were interviewed by a panel composed of Mr. Gaffney, Mr. Robert Huff – RWSA Auditor, and himself. He reported that the panel is recommending that Davenport & Company, LLC be selected as the Authority's financial advisor. Mr. Wood added that this firm is also the County's financial advisor. He explained that this is a multi-year contract, subject to review and approval by legal counsel.

In response to a question from Mr. O'Connell, Mr. Wood stated that the firm would first work on the refunding of Rivanna's existing 1993 bonds to take advantage of the current low rates.

Mr. Gaffney asked Mr. Wood if he saw any conflict with awarding the contract to this firm since they also advise the County. Mr. Wood stated that he asked this question directly to Davenport & Company who stated that they have had similar relationships in other localities and assured him that potential conflicts would not influence their advisory role with either entity.

Upon a motion by Mr. Tucker, which was seconded by Mr. O'Connell, the Board of Directors moved to approve the Financial Advisory Services contract with Davenport & Company, LLC as recommended by RWSA staff. By a 5 – 0 vote, the motion was approved.

7.0 Other Items From Board/Staff Not On Agenda

Mr. Wood reported that the Invitation to Bid on the Stillhouse Mountain tank painting project would go out this weekend. He stated that the project would have a small impact on the system. He added that while Mr. Chuck Kent was still employed at Rivanna, he met with the Technical Committee and they were able to resolve those issues. Mr. Wood further stated that this is the last project under the old bond money that was issued in 2000, and he believed that it was budgeted for \$270,000.

Mr. Wood introduced Ms. Jennifer Whittaker, who was present at the meeting. He stated that she has been hired as RWSA's new Chief Engineer and will begin her employment the first part of August. He also stated that Ms. Whittaker was the Assistant City Engineer and came highly recommended. Mr. Wood and the Board members welcomed her to Rivanna.

8.0 Meeting Recess

Mr. Tucker moved, which was seconded by Mr. O'Connell, that the Rivanna Water & Sewer Authority Board of Directors meeting be recessed at this time and be reconvened 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 to discuss personnel matters. The meeting was recessed at 2:23 p.m.

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9.0 Resumption of Open Meeting

The RWSA Board of Directors meeting was reconvened at 3:26 p.m.

10.0 Closed Meeting

Upon a motion by Mr. Tucker, and seconded by Mr. Brent, the Rivanna Water & Sewer Authority 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 under Section 2.2-3711.A.1 of the Code of Virginia to discuss a proposed modification to the terms of employment of a senior staff member of the Authority. By a 5 – 0 vote, the motion was approved.

ATTENDEES: Mr. Brent, Mr. Gaffney, Mrs. Mueller, Mr. O’Connell, Mr. Tucker, Mr. Graham (RWSA Board of Directors), Mr. Krueger and Mr. Wood (part of the meeting).

11.0 Resumption of Open Meeting

The Rivanna Water & Sewer Authority Board of Directors meeting reconvened at 4:00 p.m.

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

“**WHEREAS**, the Rivanna Water & Sewer Authority Board of Directors and the Rivanna Solid Waste Authority Board of Directors has convened a special joint 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 2.2-3712.D 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 hereby certifies 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, Mr. Gaffney, called for a roll call vote:
Mr. Brent – Aye, Mrs. Mueller – Aye, Mr. O’Connell – Aye, Mr. Gaffney – Aye, and
Mr. Tucker – Aye.

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12.0 Adjournment

There being no further business, Mr. Tucker moved the meeting be adjourned, seconded by

Mr. O'Connell. All members voted aye, and the meeting was adjourned at 4:01 p.m.

Respectfully submitted,

Mr. Robert Tucker
Secretary - Treasurer