

**RWSA BOARD OF DIRECTORS**  
**Minutes of Regular Meeting**  
**May 24, 2004**

A regular meeting of the Rivanna Water & Sewer Authority (RWSA) Board of Directors was held on Monday, May 24, 2004, at 2:04 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 (arrived at 2:40 p.m.) and Mr. Robert Tucker.

Authority Staff Present: Ms. Anne Bedarf, Mr. Bruce Edmonds, Ms. Kathy Ware, Mr. Norman Wescoat, Ms. Jennifer Whitaker, Mr. Robert Wichser, Mr. Lonnie Wood and Ms. Carol Wiles.

Also Present: Mr. David Hirschman – Water Resources Manager for Albemarle County, Ms. Nancy Barker – VHB Project Team, Mr. Aaron Keno and Mr. Tom Pursel – Gannett Fleming Project Team, Mr. Tony Kilbridge – Head coach, University of Virginia Men’s Rowing Crew, 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 Mr. Michael Gaffney on Monday, May 24, 2004 at 2:04 p.m., and a quorum was present.

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

Mr. Gaffney noted that Rivanna held its first RWSA and RSWA Employee Appreciation Day activity on May 19, 2004 at the South Rivanna Water Treatment Plant. He reported that the event was well attended by staff, and he was honored by the invitation to this event. On behalf of the Board and the community, Mr. Gaffney thanked all the employees of both Authorities for their great work during the past year.

Mr. Gaffney also noted that Mr. Tom Frederick, new Executive Director for RWSA and RSWA, was not able to attend today’s Board meeting due to previous work commitments, but he sent his regards. Mr. Gaffney also expressed confidence that Mr. Frederick had reviewed all the Board packet material and would be advised of the proceedings from this meeting.

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**1.0 Call To Order Cont.**  
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Mr. Gaffney further stated that Gannett Fleming staff were present today to give a status report on the Community Water Supply Plan. He commented that the Board and some members of the public would have preferred receiving the report prior to today's meeting. Mr. Gaffney added that he understood the reasoning for waiting until the meeting to acquire the material, and he was looking forward to Gannett Fleming's report.

**2.0 Minutes Of Previous Board Meeting**

Mr. Tucker moved, which was seconded by Mrs. Mueller, that the Board of Directors vote to approve the minutes of the regular RWSA Board meeting held on Monday, April 26, 2004. The motion was approved by a 3 – 0 vote. Mr. Brent abstained from the vote due to his absence from the April 26, 2004 meeting.

Mr. Tucker moved, which was seconded by Mrs. Mueller, that the Board of Directors vote to approve the minutes of the special joint meeting of the RWSA and RSWA Boards of Directors held on Thursday, May 13, 2004. The motion was approved by a 4 – 0 vote.

**3.0. Items From The Public**

Mr. Martin, Free Union, Virginia, commented that he understood that the Board would be provided or had already been provided with documents in preparation for today's Gannett Fleming presentation. He stated that Mr. Gaffney had referenced these documents in his opening comments. Mr. Martin then cited Section 2.2-3707(F) of the Virginia Freedom of Information Act as follows: "At least one copy of all agenda packets and, unless exempt, all materials furnished to members of a public body for a meeting shall be made available for public inspection at the times such documents are furnished to the members of the public body." He added that based on that provision of law, he was requesting that any documents that had been given to members of the Board for the purposes of this meeting also be presented to the public before beginning the presentation. He further stated that the material should be made available even if that required a meeting recess in order to make sufficient copies for the public. He reported that he had been requesting access to this material since last week, and he understood that the report was not available because it was still in preparation. Mr. Martin remarked that when he arrived at 1:15 p.m. today in order to preview the report in advance of the Board meeting, he was told that the document was still not available. He reiterated that his inability to obtain the Gannett Fleming report, which he understood also contained a water supply plan matrix, prior to the Board meeting was the reason for his current request for the material.

In response to Mr. Martin's comments, Mr. Tucker stated that the Board had not yet been provided with the requested material. Mr. Gaffney affirmed that the

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### **3.0 Items From The Public Cont.**

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documents to be provided to the Board would also be made available to the public. He added that he appreciated Mr. Martin's comments and assured him that in the future all Board packet material would be made available to the public as soon as RWSA staff had provided them to the Board.

Mr. Martin thanked the Board for its attention to this matter.

#### **4.0 Consent Agenda**

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

- 4a) Staff Report on Finance
- 4b) Staff Report on Operations
- 4c) Staff Report on On-going Projects

Upon a motion by Mr. Tucker, and seconded by Mr. Brent, the Board of Directors by a 4 – 0 vote approved Items 4a), b), and c) of the Consent Agenda.

#### **5.0 Other Business**

In regards to **Item 5a), Permit Extension for University of Virginia Rowing Programs**, Mr. Gaffney asked Mr. Tony Kilbridge, Head Coach of the University of Virginia Men's Rowing Crew, to come forward at this time to report on this item.

Mr. Kilbridge stated that he was making this request on behalf of Mr. Kenneth Sauer, Head Coach of the University of Virginia Women's Rowing Crew, who was not able to attend today's meeting. He reported that University of Virginia rowing programs have a permit allowing the use of three gasoline-powered safety and coaching launches on the Rivanna Reservoir. He further stated that the permit has been extended on a yearly basis by the Board with the requirement that the rowing programs continue to research electric launches. Mr. Kilbridge added that although the coaching staff has been encouraged by the performance of the electric boat currently being tested, continued improvements in electric watercraft technology is still needed to meet their speed requirements. He commented that the University of Virginia rowing programs are requesting that the Board approve a one-year extension on this permit through August 2005. Mr. Kilbridge also stated that this extension would allow research to continue on electric powered launches, thereby improving their future boat options.

Upon a motion by Mrs. Mueller, and seconded by Mr. Tucker, the Board of Directors voted to approve a one-year extension of the University of Virginia

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rowing programs' permit to use non-electric safety and coaching launches through August 2005. The motion was approved by a 4 – 0 vote.

In regards to **Item 5b, Community Water Supply Plan Update**, Mr. Gaffney asked Ms. Jennifer Whitaker, Chief Engineer for RWSA, to come forward to present the update.

Ms. Whitaker first distributed to the Board copies of the following three documents prepared by the Gannett Fleming Project Team: PowerPoint® presentation, revised *Demand Analysis for the Urban Service Area*, and a stand-alone matrix.

Ms. Whitaker stated that the reports would be made available to the public and would also be posted to the RWSA website tomorrow. Mr. Gaffney further inquired if it would be possible to furnish copies of these reports for all members of the public in attendance at today's meeting. Ms. Whitaker responded that there had not been sufficient time to make additional copies of the documents for the public prior to the meeting, but that all the documents would be made available to the public after today's presentation, and it was at the Board's discretion as to how the distribution should be handled. Mr. Gaffney asked Mr. Krueger to advise on the legal requirements concerning public access to these documents. Mr. Krueger suggested that any members of the public in attendance at today's meeting, who would like to have a copy of this material, be allowed at the conclusion of the meeting to make their request at that time. Ms. Whitaker expressed agreement with Mr. Krueger's suggestion.

Ms. Whitaker thanked the Board for the opportunity to present a Water Supply Plan update today. She reported that Project Team members from Gannett Fleming present today were Mr. Aaron Keno, Project Principal, and Mr. Tom Pursel, Project Manager. She stated that Ms. Nancy Barker from VHB was also in attendance. Ms. Whitaker added that this was not the entire Project Team, as there were several individuals who contributed toward the advancement of this project, but they were the team members that could best answer questions at this stage of the plan.

Ms. Whitaker then proceeded with the Water Supply Status update as outlined in the PowerPoint® presentation prepared by the Project Team. She stated that the update would cover background information, an overview of Phase I work, a discussion on updated safe yield and demands analyses, an alternatives analysis review, and an overview of the action plan and implementation schedule. She also listed the following reports that were the basis for the Project Team's work to date and would be part of today's discussion: *Demand Analysis Report – 1997*, *Supply Analysis Report – 1997*, *Analysis of Alternatives – 2000*, *Recommended Alternatives – 2001*, and *Summary of Recommended Alternatives – 2001*.

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Ms. Whitaker commented that as a result of this preliminary work, the Board adopted a community water supply plan in October 2002.

Ms. Whitaker reported that after the adoption of the community water supply plan, RWSA staff quickly took action to implement the project. She stated that Phase II of this process involved issuing Request for Proposals, interviewing consulting firms, and awarding a new engineering contract. The contract was awarded to Gannett Fleming in September 2003. She added that the Contract Kickoff meeting was held in October 2003, the Safe Yield Study completed and reported at the January 2004 Board meeting and Phase I work approved by the Board in February 2004.

Ms. Whitaker further stated that the factors currently driving the work on the plan differ significantly from the studies completed in the late 1990's to early 2000's. She added that these issues have necessitated that the original alternatives be re-evaluated and reformulated to include the lessons learned from the 2002 Drought, the Ragged Mountain Dam spillway upgrade, the current status of the Crozet Master Plan, operational/release practices, the updated demand study, and regional cooperation matters.

Ms. Whitaker asked Mr. Aaron Keno to come forward at this time and present the next element of the Water Supply Plan update. Mr. Keno began his presentation by apologizing for the possible confusion that was caused by furnishing the information today as opposed to submitting the material in advance of the meeting. He further stated that it was not the Project Team's intent to withhold the documents. He added that it was their objective to explain the material provided today in a manner that was understandable to this body and enable the Project Team to obtain the input needed to move forward with the next phase of the project. Mr. Keno commented that the presentation was also intended to be interactive and questions would be entertained anytime during the update. He then asked Mr. Tom Pursel to report on the January 2004 safe yield study.

Mr. Pursel stated that some of the key findings from that study indicated that reservoir storage does change over time due to factors such as sedimentation. He also reported that the effects of the 2002 and 1930 droughts of record depends on the operating parameters of the system, whether there is a minimum release, and the overall storage capacity of the system. Mr. Pursel added that the report also revealed that the 2002 safe yield figure was at 12.8 MGD, with a projection of 8.8 MGD safe yield in 2055 largely due to the effects of sedimentation occurring over time at the South Fork Rivanna Reservoir.

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Mr. Pursel also reviewed the updated demand analysis and methodology used during that process. He stated that water demand was projected through 2055 rather than the previous 2050 forecast. He also stated that the 1996 demand analysis was updated by utilizing data through 2003. Mr. Pursel pointed out that due to the 2002 drought and record precipitation amounts during 2003, the data from 2001 was used to project future demand figures rather than the 2002 and 2003 numbers. He commented that conservation measures would also be factored into the future demand rates utilizing recommended AWWA standards.

Mr. Gaffney inquired if long-term conservation projects were considered in the demand projections. Mr. Keno stated that water conservation adjustments are included in the demand figures. He added that drought management measures utilized during extreme drought situations to deliberately suppress water demand through regulatory actions are not included in the future projections and are considered artificial suppressions of water demand by AWWA standards.

Mr. Pursel further reported that the following four demand analysis methods were utilized and averaged during the demand projection process: production, population, Comprehensive Plan, and historic. He stated that this methodology resulted in an average daily demand projection of 18.7 MGD in 2055 for the urban system versus the previous study estimate of 19.5 MGD in 2050.

Mr. Pursel commented that the different estimates could be attributed to the additional demand data, different planning horizon, and water conservation measures.

Mr. Pursel next briefly reviewed the Crozet future water demand projections. He stated that the Crozet Master Plan estimates a future population of 12,000 with a 1.1 MGD average demand projection.

Next, Mr. Pursel displayed a slide from his presentation projecting a future deficit in water supply to meet water demands. Mr. Pursel reported that the deficit figure is calculated by subtracting the average daily water demand from the safe yield figure, and results in an urban system deficit in 2055 of 9.9 MGD. He noted that the average daily demand exceeds the water supply available during a drought of record, estimated to occur in approximately 2007/2008.

Mr. Pursel pointed out that the graphics depicted on the demand versus safe yield slide illustrated that safe yield declines over time due to sedimentation rates in the South Fork Reservoir. He then explained over the next several slides how water supply in the urban system could be supplemented to meet projected demands through the year 2017 by transferring excess supply in the Beaver Creek Reservoir from the Crozet system to the urban system.

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Mr. Pursel displayed a slide entitled *Raw Water System Schematic* and stated that Lake Albemarle and Beaver Creek Reservoir are potential additional water sources.

Mr. Keno continued the Water Supply Plan update with a review of the Source Water Alternatives. He stated that his discussion would cover the methodologies used, findings to date, and the action plan. He further stated that the raw water alternatives were based on a review of past studies. Mr. Keno added that those alternatives deemed to be reasonable were advanced to the next phase of the study. Some additional alternatives were identified through this process and reviewed with RWSA staff. The identification of a new pump storage location as an example of an additional alternative. Mr. Keno also noted that regional cooperation was a previously identified alternative that had not been advanced in the previous study, but was advanced during the Project Team's re-evaluation process.

Mr. Keno reported that approximate safe yield increases were identified for each of the Raw Water Supply Components for Alternatives with 9.9 MGD set as the target number. He referred to Table 1, which is included in the separate Matrix handout, and noted that 18 raw water supply components are listed that the Project Team identified as being reasonable and could be advanced to the step two phase of the project. He referred to a column indicating the estimated increase in 2055 safe yield for each component. Mr. Keno referred back to the slide presentation, which detailed the location of each of the water supply components.

Mr. Keno next reported on treatment alternatives for the identified water supply components. He stated that overall treatment plant capacity was determined through 2055 based on projected demand, but capacities at individual plants would vary depending on where the additional safe yield is added for each raw water alternative. He then reviewed the next slide that listed the combinations of water treatment plant improvements coupled with water supply components.

Mr. Keno also reported on the alternative formulation methodology and explained that all water supply options must meet the goal of providing 2055 safe yield of 18.7 MGD or match the 9.9 MGD deficit. He stated that determinations were made on which water supply options could meet the 9.9 MGD safe yield with a single modification or what reasonable combinations of options could accomplish that goal. The related water treatment plant improvements that would be needed over a 50-year planning period were also identified.

Mr. Keno noted that the above process resulted in 21 water supply/treatment alternatives. He commented that due to time constraints, he would not discuss each of the 21 alternatives. Mr. Keno added that the Project Team did not expect

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the material to be completely absorbed after today's presentation and stated that the Project Team would be willing to answer any questions that might arise after further review of the documents.

Mr. Tucker inquired if the total cost listed for each alternative included treatment plant upgrade expenses. Mr. Keno stated that the figures were preliminary but did include costs for both water supply and treatment improvements. He pointed out that improvements would be necessary even if no action were taken to expand the water supply, due to age of the infrastructure in the system and the 50-year planning period.

Mr. Keno next briefly discussed the new water supply alternatives, which included a re-evaluation of the Ragged Mountain Dam, Beaver Creek Dam release, additional storage at Sugar Hollow Dam, new pumped storage dam locations, and regional cooperation (Fluvanna/Louisa).

Mr. Keno reported on the action plan and schedule to move forward with the regulatory agencies. He stated that the reformulated alternatives methodology would be reviewed with regulators in early July. He stated that the ranking of alternatives would be completed and presented to the Board at the July 26, 2004 meeting. He commented that the material would be provided to the Board prior to the July meeting for their review and input. Mr. Keno also stated that the list of highest ranked items, as approved by the Board, would be presented to the regulators. He noted that the highly ranked alternatives would require a rigorous analysis and the development of support documentation for the permitting process.

Mr. Gaffney inquired if RWSA would know at the July 26, 2004 Board meeting what additional regulations Rivanna would encounter or would this information only be learned after the meeting with the regulators. Mr. Keno stated that RWSA would have a better understanding of the permitting process once the highly ranked alternatives have been identified.

Mr. Tucker asked if the intent of the July 26, 2004 Board meeting was to refine the list of highly ranked alternatives before meeting with regulators. Mr. Keno stated that it would be necessary to present the top six options to the regulators and bring them up to date on the new water supply plan information obtained since the last regulatory meeting. He added that after the meeting with regulators, and with their approval, the rigorous analysis of the highest ranked alternatives could commence. Mr. Keno noted that after that process, the highest ranked option would emerge that would support our permit application.

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In response to a question from Mr. Tucker, Mr. Keno discussed the water supply study and permitting schedule. He stated that the length of time for the Hydrologic Models and Review of Favorable Water Supply Alternatives task would depend upon the complexity of the preferred alternative and permit requirements. Mr. Keno stated that timelines would be discussed further at the July Board meeting once the highly ranked alternatives have been determined.

Mr. Gaffney asked for clarification of the cost listed for the regional cooperation alternative. Mr. Keno stated that the Project Team has recently received documentation from Louisa and Fluvanna on their project plans and costs. He further stated that an estimation could now be done on the costs involved with upsizing the project in order to satisfy the needs for the Rivanna system.

Mr. Tucker inquired if any of the water supply components exceeded the optimal safe yield number of 9.9 MGD for 2055. Mr. Keno stated that none of the alternatives were developed to extend beyond 2055. He added that some of the alternatives would possibly be easier to upsize beyond the 50-year planning schedule than others.

Ms. Whitaker announced that a sign-up sheet would be located on the table outside the conference room for anyone who would like to request copies of the Water Supply Plan update. She requested that an email or mailing address, as appropriate, be included. Ms. Whitaker added that due to the size of the PowerPoint® presentation, an email will be sent to those who request notification of the document's availability on the website.

In regards to **Item 5c), Public Hearing on Proposed RWSA FY 2005 Budget**, Mr. Gaffney opened the Public Hearing at 2:55 p.m.

As there were no members of the public who signed up to speak on the proposed RWSA FY 2005 budget, Mr. Gaffney asked if any members of the public in attendance at today's meeting would like to speak at this time.

Mr. John Martin, Free Union, VA, stated that he had not intended to speak this afternoon concerning the budget, but following the presentation just made by Gannett Fleming, he felt compelled to raise a few points.

He commented that RWSA might want to consider adding additional funding in the its budget for Gannett Fleming to conduct natural system modeling. He noted that Gannett Fleming is a very competent company, but they are only tasked right now, as he understood, to do a hydrologic mass balance model, which they have done. He further stated that instream flow, environmental values, and integrated resource

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planning were not mentioned today, and these are values that the County and City governments place upon the watershed. Mr. Martin added that none of those principles have been evaluated or seem to be incorporated into this plan. He further commented that as evidenced by the sophisticated computer modeling contained in the Water Supply Plan Update, Gannett Fleming is capable of going beyond what has been done to date if they are charged with performing the additional work.

Mr. Martin also commented that he had heard that The Nature Conservancy has had contact with Rivanna, and they have expressed a willingness to assist Rivanna with this additional modeling. He stated that he did not know where the matter stood at this point, but he felt The Nature Conservancy was a very sophisticated organization and could provide some definite help to RWSA.

Ms. Liz Palmer, Albemarle County resident, stated that on a similar note to Mr. Martin's comments, we were told not too long ago that Gannett Fleming was going to study the Moormans River below the dam and the instream flow issue. She further stated that the company was going to examine the effects on the Moormans River using different flow scenarios. Ms. Palmer commented that nothing has been heard further on this subject.

Mr. Wood stated that Ms. Palmer was among the group of citizens who met with RWSA staff in early March concerning the Water Supply Plan. He further stated that the subject was discussed at that time. Mr. Wood commented that because this work was not included in Gannett Fleming's Scope of Services, RWSA felt it could not commit to undertaking this study due to funding issues. He added that he discussed this matter with Mr. Stephen Bowler to determine Albemarle County's interest in assisting with this project. He reported that Albemarle County is not in a position at this time to offer any funding for this study. Mr. Wood noted that this issue could be considered during the budget process.

Mr. Gaffney inquired as to the total cost and time frame involved with this study. Mr. Wood stated that he asked Mr. Bowler to prepare a report for the Board on this issue. Mr. Tucker suggested funding the project with surplus revenues if the Board agreed to move forward on this additional study. After further discussion, the Board agreed to postpone a funding decision until after Mr. Bowler's report to the Board.

Mr. O'Connell asked if there had been a response to Mr. Martin's comments concerning The Nature Conservancy's offer to assist with additional hydrologic modeling. Mr. Wichser stated that The Nature Conservancy had requested access to RWSA's database on stream flow data. He added that this modeling data was

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released to them about one and one-half months ago. Ms. Whitaker further stated that RWSA met with The Nature Conservancy staff to discuss each agency's modeling project. She reported that it was the conclusion of the group that it would probably not be advantageous for either party to move forward with a single model (encompassing both water supply and instream issues) due to the time frame. Ms. Whitaker further stated that The Nature Conservancy then requested to share stream flow data so that RWSA could proceed with its hydrologic model and The Nature Conservancy could then pull the data they needed for their instream model. She commented that it was a mutually agreed upon solution with their organizations.

In response from Mr. Gaffney's request for additional comments, Mr. Ridge Schuyler from The Nature Conservancy stated that his organization has been working cooperatively with RWSA. He commented that The Nature Conservancy would like to become better integrated with Gannett Fleming's work in order to achieve a model that works for both RWSA and his organization. The Nature Conservancy has \$50,000 to use for this project, and they are willing to pool these resources as they felt a cooperative effort would yield a better result for both organizations. Mr. Wood stated that RWSA would follow up with The Nature Conservancy's offer to assist with this project.

Upon a motion by Mr. Tucker, and seconded by Mr. O'Connell, the Board of Directors voted to approve the following resolution detailing the proposed FY 2005 water and wastewater rates and the supporting budget to be effective July 1, 2004:

**RESOLUTION**

**ADOPTION OF THE RIVANNA WATER AND SEWER AUTHORITY  
BUDGET AND RELATED WATER AND WASTEWATER  
RATES FOR FISCAL YEAR 2005**

**WHEREAS**, the Authority has advertised and held a public hearing on May 24, 2004, on the proposed Fiscal Year 2005 budget and related rates in accordance with Section 15.2-5136.G of the Code of Virginia, as amended;

**THEREFORE, BE IT RESOLVED** that the Rivanna Water and Sewer Authority, Board of Directors hereby adopt the accompanying rates schedule effective July 1, 2004 and the Fiscal Year 2005 budget as summarized in the attached table.

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**WATER**

**URBAN AREA**

City - \$1.995 per 1000 gal.  
ACSA - \$2.422 per 1000 gal.

**RURAL AREAS**

Crozet Water - \$41,857/monthly  
  
Scottsville Water- \$32,794/monthly

**WASTEWATER**

**URBAN AREA**

City - \$1.543 per 1000 gal.  
ACSA - \$1.815 per 1000 gal.

**RURAL AREAS**

Glenmore Wastewater -  
\$17,262/monthly  
Scottsville Wastewater -  
\$21,302/monthly

**VOTE**

**AYES:** Mr. Brent, Mr. Gaffney, Mrs. Mueller, Mr. O'Connell and Mr. Tucker

**NAYS:** 0

**ABSENT DURING VOTE:** 0

**ABSENT DURING MEETING:** 0

In regards to **Item 5c), Proposed FY 2005 Personnel Changes**, Mr. Wood reported that most of the items were presented in detail in the budget except for the salary scale adjustment.

He stated that as noted in the cover letter on the budget, RWSA had originally proposed a 4 percent increase. He added this request was decreased to 3.5 percent. Mr. Wood explained that the increase was based on a comparative analysis over the last four to five years that indicated that RWSA's merit increases were not comparable to a majority of its associated agencies.

Mr. Wood further reported that the second item is a request for an across-the-board pay scale adjustment of 2.3 percent. He stated that the justification for this request is to keep our compensation plan competitive with the local and industry markets based on the Consumer Price Index.

Mr. Wood noted that during the recruitment process to fill new Engineering positions, it became apparent that our current engineering salary scales were too low. He stated that RWSA conducted a local salary survey of the City, County and Service Authority and compared it to our Engineering Department. He further

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stated that after analyzing the survey results, RWSA is recommending that the Engineering positions be increased as outlined in Item 3 of the report. Mr. Wood noted that the salary surveys are conducted using the current fiscal year information and do not include changes to compensation plans occurring on July 1.

Mr. Wood next reported that Item 4 is a request for two operator assistant positions at the South Rivanna Water Treatment Plant that was approved in the budget. He stated that he is requesting formal approval at this time as a personnel action.

Mr. Wood stated that the last item is to request the reclassification of a Water Operator to a SCADA Process Control Technician to reflect the skills acquired during the SCADA project.

Upon a motion by Mr. Brent, and seconded by Mrs. Mueller, the Board of Directors voted to approve the personnel-related changes for FY 2005 as recommended by Mr. Wood. The motion was approved by a 5 – 0 vote.

**6.0 Other Items From Board/Staff Not On Agenda**

There were no other items from the Board or staff not on the agenda.

**7.0 Closed Meeting**

Upon a motion by Mr. Brent, and seconded by Mr. Tucker, the Rivanna Water & Sewer Authority Board of Directors voted to enter into closed meeting as permitted under Section 2.2-3711.A.7 of the Code of Virginia to discuss legal issues related to certain contracts to which the Authority is a party. By a 5 – 0 vote, the motion was approved.

ATTENDEES: Mr. Brent, Mr. Gaffney, Mrs. Mueller, Mr. O'Connell, Mr. Tucker, Mr. Wood, and Mr. Krueger.

**8.0 Resumption of Open Meeting**

The Rivanna Water & Sewer Authority Board of Directors meeting reconvened at 3:46 p.m.

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

“**WHEREAS**, the Rivanna Water & Sewer Authority Board of Directors 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,

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**8.0 Resumption of Open Meeting Cont.**

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**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 Board of Directors 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. Tucker - Aye and Mr. Gaffney – Aye.

**9.0 Adjournment**

There being no further business, Mr. O'Connell moved the meeting be adjourned, seconded by Mr. Tucker. All members voted aye, and the meeting was adjourned at 3:47 p.m.

Respectfully submitted,

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Mr. Robert Tucker  
Secretary - Treasurer