

RWSA BOARD OF DIRECTORS
Minutes of Regular Meeting
August 23, 2004

A regular meeting of the Rivanna Water & Sewer Authority (RWSA) Board of Directors was held on Monday, August 23, 2004, at 2:00 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 2:10 p.m.) and Mr. Robert Tucker.

Authority Staff Present: Ms. Anne Bedarf, Mr. Bruce Edmonds, Mr. Tom Frederick, Mrs. Mary Knowles, Ms. Michelle Simpson, Ms. Kathy Ware, Mr. Norman Wescoat,
Ms. Jennifer Whitaker, Dr. Robert Wichser and Mr. Lonnie Wood.

Also Present: Mr. Mark Graham – Albemarle County Community Development Director, Mr. Kurt Krueger – RWSA Attorney, Ms. Michele Leslie – The Nature Conservancy, 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, August 23, 2004 at 2:00 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.

2.0 Minutes Of Previous Board Meeting

Upon a motion by Mr. Tucker, and seconded by Mrs. Mueller, the Board of Directors by a 3 – 0 vote approved the minutes of the regular RWSA Board meeting held on Monday, July 26, 2004. Mr. Tucker abstained from the vote due to his absence from the meeting.

3.0 Executive Director’s Report

Mr. Frederick briefly commented on the items to be addressed during the Business section of today’s meeting. He stated that follow-up topics from the Community Water Supply Update included a discussion on the proposed amendments to the Gannett Fleming professional services contract and further discussion on an interim strategy to use the Beaver Creek Reservoir as a part of a broader drought management strategy. An update on The Nature Conservancy’s

program involving “in-stream” flows in the Rivanna watershed and a review of
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3.0 Executive Director’s Report Cont.
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Integrated Resource Planning as proposed by Albemarle County would also be discussed later in the meeting.

4.0 Items From The Public

Ms. Lois Rochester stated that her comments today were personal and not on behalf of any organization. She then read the following prepared statement:

“I’m delighted that Rivanna is working with The Nature Conservancy. This demonstrates that Rivanna takes seriously its responsibility to protect and enhance the environment as an integral part of its water supply mission. This sounds like a win-win opportunity.

“I’m also delighted that progress is being made on Integrated Resource Planning, which several of us have been supporting for a long time. I hope you will wholeheartedly endorse this effort.

“I’d like to shift to public involvement in water supply planning. Public involvement was extensive for the six years prior to the adoption of the 2002 Multi-step, Integrated Water Supply Strategy, but since then there’s been hardly any, even though major changes in the strategy are under consideration. I’m glad to see in Jennifer Whitaker’s report that at last a ‘Community/Information meeting’ will be scheduled for in September. Since it is already August 23 and the public needs considerable advance notice to prepare for such a meeting, I hope you will decide very soon on the date, time, location, and format of the meeting and that you will publicize it by all available means. I hope you will not only provide information but also have opportunities for questions and comments from the public both at the meeting and after the meeting. Important decisions are being made on a fast track. To build public confidence and consensus, the public must once again be brought into the discussion in a meaningful way.

“Speaking of decisions, many of us are unclear about the process that will be used to approve a revised Water Supply Plan. At the September public meeting we suggest that you clarify for the public whether you will officially adopt an entirely new plan or amend the 2002 plan. It would be most unfortunate to lose sight of the policy and management practices in the 2002 plan which, by design, are not being addressed by Gannett Fleming in its evaluation of Water Supply Alternatives. These include policies related to citizen participation, water conservation, watershed management and the environment. In addition, we would like to know if the ACSA Board, the Board of Supervisors, and the City Council will take official action on the new plan once it’s adopted by RWSA.

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4.0 Items From The Public Cont.

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“I’ve brought a few copies of Jack Marshall’s remarks on *Decision-making Process for the New Water Supply* which he presented at the April 18, 2000 RWSA Public Information Meeting. I’m suggesting that a revised version of this be presented to the public in September so that we all can have confidence in the process and know what to expect in the future.”

Mrs. Rochester added that she was pleased to see that the RWSA Board would be taking action today on adopting a resolution to commemorate Mrs. Treva Cromwell.

Mr. Bob Gilges spoke next. He complimented RWSA on the way the water release from the Sugar Hollow Dam was handled during Hurricane Charley as compared to what was experienced during Hurricane Isabel. This year RWSA planned ahead, the property owners were notified, and the water was released at the right time and at the right amount. Mr. Gilges thanked the Authority for conducting the water release in this manner. He also offered to provide RWSA with an updated list of property owners along the Sugar Hollow Reservoir if the Authority had a need for this information.

Mr. Gilges further commented that although the bladder and the Ragged Mountain alternatives are still being discussed, he had not seen any recent mention of the Mechums River Pump Station. He felt that if the Mechums River Pump Station was utilized, less water would be needed from the Moormans River. He did not want to see additional water taken from the Moormans River as it was already overtaxed. He asked that RWSA not dismiss his thoughts and to keep this option under consideration.

Mr. Gaffney thanked the members of the public who spoke today for their valuable input.

5.0 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.

- 5a) Staff Report on Finance
- 5b) Staff Report on Operations
- 5c) Staff Report on On-going Projects
- 5d) Staff Report on Community Water Supply Plan

Upon a motion by Mr. Tucker, and seconded by Mrs. Brent, the Board of Directors by a 4 – 0 vote approved Items 5a), b), c), d) and e) of the Consent

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6.0 Other Business

In regards to **Item 6a), Resolution to Commemorate Mrs. Treva Cromwell**,

Mr. Gaffney stated that Mrs. Cromwell, who died on July 29, 2004, served as chairwoman of the Rivanna Water & Sewer Board of Directors from 1979 to 1986 and was highly regarded in the community for her knowledge of water issues and contributions to watershed protection and environmental preservation. A resolution was before the Board today commemorating Mrs. Cromwell's distinguished service to RWSA and the community. Mr. Gaffney then read the resolution as follows: (Mr. O'Connell arrived to the meeting during the reading of the resolution)

“R E S O L U T I O N

WEREAS Mrs. Treva W. Cromwell was a passionate protector of the area's watershed and a selfless contributor to environmental preservation for the betterment of our community; and

WEREAS Mrs. Cromwell spearheaded City and County planning for joint water and sewer management while serving as chairwoman of the Rivanna Water & Sewer Authority from 1979 to 1986 and helped produce a study of Virginia's water laws at the state level; and

WEREAS Mrs. Cromwell's expertise was highly regarded and public leaders sought her assistance in both official and unofficial capacities on water issues; and

WEREAS Mrs. Cromwell helped found the Ivy Creek Natural Area, which not only protects the water quality of the Rivanna Reservoir but also provides multiple benefits to the community by protecting wildlife habitat and providing public access to this preserve; and

WEREAS Mrs. Cromwell was an active member of the League of Women Voters, and out of respect for her environmental contributions, the League created an award in her name for individuals who make significant contributions to environmental preservation; and

WEREAS the Board of Directors recognizes and appreciates Mrs. Cromwell's valuable leadership and expertise while serving as Chairwoman of the Rivanna Water & Sewer Authority and her contributions to the community on environmental preservation issues;

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Rivanna Water & Sewer Authority hereby commemorates Mrs. Treva W. Cromwell's distinguished service to the Rivanna Water & Sewer Authority and to the community as demonstrated by her knowledge, leadership and influence on water issues and her selfless devotion to the protection of the area's watershed, and extends its sincere condolences to her family."

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Cromwell's distinguished service to the Rivanna Water & Sewer Authority and to the community as demonstrated by her knowledge, leadership and influence on water issues and her selfless devotion to the protection of the area's watershed, and extends its sincere condolences to her family."

As there was no further discussion, Mr. Tucker moved, which was seconded by Mrs. Mueller, that the Board of Directors vote to adopt the Resolution to Commemorate Mrs. Treva W. Cromwell.

VOIE

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 **Agenda Item 6b), Discussion of The Nature Conservancy's Rivanna Conservation Program and Integrated Resource Planning**, Mr. Frederick summarized RWSA's dialog with The Nature Conservancy (TNC) as outlined in the Board report.

Mr. Frederick stated that Phase I of TNC's modeling work involves a preliminary study of flow prescription numbers. Phase I is expected to be completed in September 2004 with recommendations by TNC based on preliminary data. TNC is using Gannett Fleming model data provided by RWSA for base information in developing the flow prescriptions. TNC has agreed to share Phase I results with RWSA in September.

Mr. Frederick next stated that Phase II work is expected to be completed in late 2005 or early 2006. Phase I flow prescriptions will be refined to reflect multiple climatic conditions, such as a drought year. TNC has subcontracted with a firm called Hydrologics to develop TNC's modeling and has agreed to provide RWSA a copy of the Hydrologics model for the cost of a license agreement, estimated not to exceed \$5,000. RWSA has also set aside as a contingency the possible review of this model by Gannett Fleming (estimated between \$10,000 and \$25,000 depending on the specific scope to be determined). RWSA could explore other

potential uses for the Hydrologics model due to its capability to simulate a number of “what-if” scenarios and define results as statistical probabilities.

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Mr. Frederick added that Phase III would be an implementation stage, adopted only with Board approval. TNC would assist with seeking grants or outside funding support to help defray implementation costs.

Mr. Frederick noted that attached to this report is a copy of Mr. Stephen Bowler’s memorandum dated June 18, 2004 concerning the concept of Integrated Resource Planning (IRP) as well as his understanding of TNC program. Also attached is a copy of a memorandum on IRP from Mr. Bowler to the Albemarle County Board of Supervisors dated August 31, 2001.

Mr. Frederick stated that IRP represents a collaborative approach to water supply planning that could be a productive tactic in collaborative decision making processes in the use of water resources. RWSA staff met with Albemarle County Community Development staff on August 6, 2004 to discuss this concept in more detail. During that meeting it was mentioned that IRP could be a resource used to obtain feedback from other agencies during the development of a drought management plan.

Mr. Tucker noted that Mr. Stephen Bowler had left his position as Natural Resources Manager with Albemarle County in order to obtain his doctorate degree. Ms. Susan Thomas will assume that position until a person is hired in a full-time capacity.

Mr. Gaffney then recognized Mr. John Martin who had asked that he be allowed to comment on this matter.

Mr. Martin stated that many felt this issue to be of vital importance. He asked that the Board vote to support this process, specifically as outlined on the last page of Mr. Stephen Bowler’s memorandum dated June 18, 2004.

Mr. Tucker moved, which was seconded by Mr. O’Connell, that the Board of Directors vote to support RWSA staff continuing to explore the potential use of a collaborative process described by IRP as outlined in the Executive Director’s Memorandum. The motion was approved by a 5 – 0 vote.

In regards to **Agenda Item 6c, Gannett Fleming Contract Amendment**, Mr. Frederick stated that since the original scope of services was developed between RWSA and Gannett Fleming, Inc., there have been a number of changes in the scope as reflected through findings of the safe yield analysis and the Board’s acceptance of the “Water Supply Alternatives Supplemental Evaluation”

report at the July 2004 Board Meeting. The scope items were reviewed to determine current needs for professional services. This review led to the

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development of a revised scope of services and fees reflecting the following recommendations:

- Addition of detailed scope for the evaluation of each of the “short list” alternatives with allowances for public participation during the process.
- Review of TNC modeling data on “in-stream” flows, expected to be available in September.
- Detailed design and construction engineering for the placement of flow control valves at the Sugar Hollow Reservoir and the Observatory Water Treatment Plant generator have been retained. Detailed design services being removed from the current contract amount include the South Fork Rivanna Reservoir dredging project, South Fork Rivanna Reservoir Dam modifications and Mechums Pump Station.

These recommendations would reduce the contract ceiling from \$1,081,735.00 to \$940,518.30.

At the time a final alternative is selected from the current Community Water Supply Plan update, a new contract amendment would need to be developed in order to define the professional services required during the permitting process.

Mr. Frederick stated that RWSA is requesting that the Board of Directors authorize the Executive Director to execute Contract Amendment Nos. 2 and 3 with Gannett Fleming, Inc., amending the total contract ceiling from \$1,081,735.00 to \$940,518.30. A contingency of \$50,000 is also being requested to allow the Executive Director to make additional minor revisions to the scope as warranted to keep the detailed investigations moving on schedule.

Upon a motion by Mr. Brent, and seconded by Mrs. Mueller, the Board of Directors voted to authorize the Executive Director to execute Contract Amendment Nos. 2 and 3 with Gannett Fleming, Inc., as described above. The motion was approved by a 5 – 0 vote.

In regards to **Item 6d), Use of Beaver Creek Reservoir**, Mr. Frederick reported that the available safe yield from the existing Beaver Creek Reservoir exceeds both the current and the projected future water demand projections of the Crozet water system. Based on this finding, it is feasible, at least on an interim basis, to utilize a portion of the water in the Beaver Creek Reservoir to augment

supply to the Urban system during a drought situation.

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Mr. Frederick stated that it is recommended that the Board authorize RWSA to pursue the implementation of this interim strategy based on the following key objectives:

- The Beaver Creek Reservoir would only supplement the Urban system during a drought.
- The Beaver Creek Reservoir would reserve sufficient water at all times to meet the needs of the Crozet system, and these needs would be updated as growth occurs in the Crozet area.
- RWSA will remain committed to completing the current update of the Community Water Supply Plan by 2005.

Mr. Frederick then outlined the steps needed to be completed before this interim strategy could be implemented as follows: 1) Verifying what regulatory permits are required to implement the controlled releases from the Beaver Creek Reservoir that are requisite by this strategy; 2) evaluating the spillway control and flow measurement systems in place at the dam and downstream and the associated costs; and, 3) conducting a recreation use study of the area.

Mr. Frederick further stated that it is recommended that the Board authorize RWSA to pursue the implementation of this interim strategy by the completion of the three steps as identified above. A report summarizing these steps would be provided to the Board before requesting authorization to proceed with the remaining steps as outlined in the Board report.

Mr. Frederick also stated that a water release through natural stream flow would be the simplest method of implementing this interim strategy. The issue of the amount of water released into Beaver Creek that would be recaptured at the South Fork Rivanna Reservoir has not been confirmed. This percentage would need to be determined through release and stream flow measurements during the next drought. Mr. Frederick added that the use of natural stream releases limits the need for immediate capital improvements and could be a valuable interim resource to the community until the updated Community Water Supply Plan can be implemented.

Mr. Brent commented that the implementation of the Beaver Creek option does not lessen by “one-half step” the immediacy of obtaining a community water supply plan.

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Upon a motion by Mr. Tucker, and seconded by Mr. O'Connell, the Board of Directors voted to authorize RWSA to pursue the possible use of the Beaver Creek Reservoir as an interim strategy through completion of the three steps as outlined in the Executive Director's report to the Board. The motion was approved by a 5 – 0 vote.

7.0 Other Items From Board/ Staff Not On Agenda

Mr. Frederick reported that a Public Meeting on the Community Water Supply Plan Update would be held on Tuesday, September 21, 2004. The paperwork has been submitted to reserve the Monticello High School Auditorium for this meeting. Approval from the school is expected within the next two days. RWSA staff and consultants would be available for discussion with the public from 6:00 p.m. to 7:00 p.m. The meeting would commence at 7:00 p.m. until about 9:00 p.m.

Mr. Frederick stated that RWSA is requesting Board approval to conduct a special Board of Directors meeting on September 21, 2004 during the Public Meeting in order to gather public input on the Community Water Supply Plan Update.

Upon a motion by Mr. Tucker, and seconded by Mr. O'Connell, the Board of Directors voted to approve holding a special Board of Directors Meeting on Tuesday, September 21, 2004 at 7:00 p.m. at the proposed Monticello High School Auditorium site, for the purpose of gathering public input on the Community Water Supply Plan Update.

8.0 Closed Meeting

There was no need for a closed meeting.

9.0 Adjournment

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 2:44 p.m.

Respectfully submitted,

Mr. Robert Tucker
Secretary - Treasurer