
BOARD OF DIRECTORS

Regular Meeting of the Board of Directors of Rivanna Water & Sewer Authority

DATE: February 24, 2015

LOCATION: Conference Room, Administration Building
695 Moores Creek Lane, Charlottesville, VA

TIME: 2:15 p.m.

AGENDA

1. **CALL TO ORDER**
2. **MINUTES OF PREVIOUS BOARD MEETING**
 - a) *Minutes of the Regular Meeting of the Board on January 27, 2014*
3. **RECOGNITION**
 - a) *American Council of Engineering Companies of Virginia Honor Award to Rivanna Water and Sewer Authority and Schnabel Engineering – New Ragged Mountain Dam*
4. **EXECUTIVE DIRECTOR'S REPORT**
5. **ITEMS FROM THE PUBLIC**
6. **RESPONSES TO PUBLIC COMMENTS- NO REPORT THIS MONTH**
7. **CONSENT AGENDA**
 - a) *Staff Report on Finance*
 - b) *Staff Report on Operations*
 - c) *Staff Report on Ongoing Projects*
 - d) *Engineering Services – Design of Odor Control for Moores Creek Advanced Water Resource Recovery Facility*
 - e) *Engineering Services –Wastewater Interceptor Flow Metering*
 - f) *Engineering & Construction – North Rivanna Water Main Repair*
 - g) *Construction Engineering Services – Crozet Water Line*
 - h) *Engineering Services – Crozet Ground Storage, Crozet “Waterball”, and Stillhouse Tank Improvements*
 - i) *Authorization to Hire Environment & Safety Manager*
8. **OTHER BUSINESS – NO OTHER BUSINESS THIS MONTH**
9. **OTHER ITEMS FROM BOARD/STAFF NOT ON AGENDA**

• 10. *CLOSED MEETING*

11. *ADJOURNMENT*

GUIDELINES FOR PUBLIC COMMENT AT RIVANNA BOARD OF DIRECTORS MEETINGS

If you wish to address the Rivanna Board of Directors during the time allocated for public comment, please raise your hand or stand when the Chairman asks for public comments.

Members of the public requesting to speak will be recognized during the specific time designated on the meeting agenda for "Items From The Public." Each person will be allowed to speak for up to three minutes. When two or more individuals are present from the same group, it is recommended that the group designate a spokesperson to present its comments to the Board and the designated speaker can ask other members of the group to be recognized by raising their hand or standing. Each spokesperson for a group will be allowed to speak for up to five minutes.

During public hearings, the Board will attempt to hear all members of the public who wish to speak on a subject, but it must be recognized that on rare occasion presentations may have to be limited because of time constraints. If a previous speaker has articulated your position, it is recommended that you not fully repeat the comments and instead advise the Board of your agreement. The time allocated for speakers at public hearings are the same as for regular Board meetings, although the Board can allow exceptions at its discretion.

Speakers should keep in mind that Board of Directors meetings are formal proceedings and all comments are recorded on tape. For that reason, speakers are requested to speak from the podium and wait to be recognized by the Chairman. In order to give all speakers proper respect and courtesy, the Board requests that speakers follow the following guidelines:

- Wait at your seat until recognized by the Chairman.
- Come forward and state your full name and address and your organizational affiliation if speaking for a group;
- Address your comments to the Board as a whole;
- State your position clearly and succinctly and give facts and data to support your position;
- Summarize your key points and provide the Board with a written statement, or supporting rationale, when possible;
- If you represent a group, you may ask others at the meeting to be recognized by raising their hand or standing;
- Be respectful and civil in all interactions at Board meetings;
- The Board may ask speakers questions or seek clarification, but recognize that Board meetings are not a forum for public debate; Board Members will not recognize comments made from the audience and ask that members of the audience not interrupt the comments of speakers and remain silent while others are speaking so that other members in the audience can hear the speaker;
- The Board will have the opportunity to address public comments after the public comment session has been closed;
- At the request of the Chairman, the Executive Director may address public comments after the session has been closed as well; and
- As appropriate, staff will research questions by the public and respond through a report back to the Board at the next regular meeting of the full Board. It is suggested that citizens who have questions for the Board or staff submit those questions in advance of the meeting to permit the opportunity for some research before the meeting.

The agendas of Board meetings, and supporting materials, are available from the RWSA Administration Office upon request or can be viewed on the Rivanna website(s)

RWSA BOARD OF DIRECTORS
Minutes of Regular Meeting
January 27, 2015

A regular meeting of the Rivanna Water and Sewer Authority Board of Directors was held on Tuesday, January 27, 2015, scheduled at 2:15 p.m. in the 2nd floor conference room, Administration Building, 695 Moores Creek Lane, Charlottesville, Virginia.

Board Members Present: Mr. Ken Boyd, Mr. Tom Foley, Mr. Maurice Jones, Mr. Mike Gaffney – presiding, Ms. Kathy Galvin, Ms. Judith Mueller, Mr. Gary O’Connell.

Staff Present: Ms. Cynthia Burnett, Ms. Victoria Fort, Mr. Tom Frederick, Ms. Katie Karaffa, Mr. Doug March, Mr. Scott Schiller, Ms. Michelle Simpson, Ms. Andrea Terry, Ms. Jennifer Whitaker, Mr. Lonnie Wood.

Also Present: Mr. Kurt Krueger – RWSA Counsel, 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. Gaffney on Tuesday, January 27, 2015 at 2:35 p.m., and he noted a quorum was present.

2.0 Minutes of Previous Board Meeting

Mr. Jones abstained from the vote, noting his absence from the December 16, 2014 meeting. Mr. O’Connell made a motion to approve the minutes of the regular meeting of the Board held on December 16, 2014. Ms. Mueller seconded the motion, which was approved by a 6-0 vote, with Mr. Jones abstaining.

3.0 Executive Director’s Report – No Report This Month

Mr. Frederick introduced to the Board Ms. Katie Karaffa, RWSA’s Administrative Technician in the Engineering Department, who would be assisting in recording the Board meetings while there was a vacancy in the Executive Assistant position.

4.0 Items from the Public

Mr. Bill Emory stated that he was Secretary of the Woolen Mills Neighborhood Association and a resident of East Market Street. Mr. Emory expressed his appreciation for the work RWSA had

done in advance of the agenda item that considered an increase in the capital improvement plan toward odor reduction, and thanked the Albemarle County Service Authority and Charlottesville City Council for their resolutions in support of increased funding for odor control.

Ms. Robin Haynes stated that she was a local resident and thanked the Board for the progress made on the Rivanna Pump Station project, and for the study RWSA had done on odor control as well as the steps being taking to improve the quality of life for area residents.

5.0 Responses to Public Comments

Mr. Frederick acknowledged the “thank you” and compliments to RWSA received from Mr. Emory and Ms. Haynes and stated RWSA would be gracious in receiving them.

6.0 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:

- a) Staff Report on Finance
- b) Staff Report on Operations
- c) Staff Report on Ongoing Projects

With respect to item c), Mr. O’Connell asked if the floating bridge for the expanded Ragged Mountain Reservoir was still waiting to be installed.

Mr. Frederick responded that it was, and explained that to anchor and keep the floating bridge in place, the reservoir water level must reach a higher level than exists today. He did not recall the minimum water height required and asked if Mr. March could respond to that question.

Mr. March stated that the water level had to be within 10 feet of the full reservoir height.

Mr. Frederick clarified that RWSA had possession of the floating bridge, and as soon as the water level permitted, RWSA would install it.

Ms. Mueller made a motion to approve the Consent Agenda as presented. Mr. O’Connell seconded the motion, which was approved by a 7-0 vote.

7.0 Other Business

a. Odor Control for Moores Creek Advanced Water Resource Recovery Facility

Mr. Frederick reported that this subject had been introduced at the December RWSA Board meeting with a PowerPoint presentation by consultants present, and at the end of that discussion it was indicated that there were five odor sources identified at the wastewater treatment plant by the technical and scientific study that needed addressing. He stated that the primary clarifiers would be addressed with covers and scrubbers. The equalization basins would be addressed by

being taken permanently out of service, no later than when the new Rivanna pump station goes online, because the new pump station will have variable speed technology to dampen flow spikes. The biosolids storage was an open item that had not yet been fully resolved during the December discussion. The facility headworks would be addressed by covering and scrubbing; and the post-digestion clarifiers would be addressed by minimal expense associated with some piping in order to take those tanks permanently out of service. In order to remove the post-digestion clarifiers from service, thickening of the biosolids would be addressed through operational changes at other plant facilities, through a method that will result in minimal expense to the Authority.

Mr. Frederick stated that in December staff had given the Board a preliminary budget of \$8.78 million, but offered the contingency that with respect to the storage of biosolids, staff was still in negotiation with McGill Environmental seeking a price to haul biosolids in the small dump trailers RWSA now owns that will fit within the solid dewatering building. He stated that since the December Board meeting, McGill's price had come back high enough that the economies of scale and return on investment were simply not present, so that option would not be recommended. Mr. Frederick stated that the consultant had recommended in December that if the building needed extension to receive large conventional dump trailers, the capital cost was estimated as \$1.4 million. He stated that within the past month staff had found a less expensive option, which the consultant had reviewed and agreed was a viable option. Mr. Frederick gave credit to the wastewater staff and RWSA's Mark Brownlee, who was very knowledgeable about trucking of wastes, for identifying a less expensive approach. Mr. Frederick stated that this new approach would require a capital expense of \$550,000, to provide custom-built trailers that would fit within the existing building, while providing the larger volume trailers needed for economical transportation of biosolids to McGill's compost facility. He stated that the revised cost estimate for the odor control project was now recommended as \$9,330,000, and he was seeking a motion for approval of the odor control project.

Ms. Mueller made a motion that the Board approve the odor control phase two project for incorporation into the 2014-19 Capital Improvement Program at a budget of \$9,330,000; further, that the Board recognized provisions of a wastewater projects cost allocation agreement executed in 2014 as the basis for RWSA splitting the cost of this project between ACSA and the City. Mr. O'Connell seconded the motion.

Mr. Boyd stated that there were five or six different pieces to the odor control project, and asked if it made any sense for them to be implemented in sequence to see what the results would be, in a phased approach so that the highest probability corrections were completed first.

Mr. Frederick stated that he was not recommending a phased approach, with the reason going back to how the scientific study was performed. Each of the six sources had already been evaluated separately through the threshold sampling and computer simulation modeling that Mr. Bowker had described to the Board in December, such that RWSA already knows with considerable confidence that all of these six sources must be controlled to achieve the goals of the odor control project. Mr. Frederick further stated he was not recommending a phased approach because citizens living near the facility desired the entire problem resolved. Citizens were very patient with RWSA when a phasing plan was started in 2007, and the consultant

warned then that with a phased approach there would likely remain an odor problem. Mr. Frederick stated that the biggest source of all was the primary clarifiers, and it was very clear from the technical data that it would go beyond the fence line on a frequent basis, covering most of the City of Charlottesville. He stated that it was also the most expensive source to treat, and his professional advice would be to not recommend phasing.

Mr. Boyd asked what the probability would be that RWSA spends the \$9 million and still have an odor problem.

Mr. Frederick responded that there was no such thing as perfection, but the scientific studies were about as good as they could get in terms of giving RWSA the best probable idea of where the odors would be controlled. He stated that enlisting the help of Mr. Bowker was something RWSA had insisted upon as part of quality control because RWSA wanted a high level of expertise, and he had a high degree of confidence in Mr. Bowker's judgment. Mr. Frederick said that the reason the consultant had said never to say "never" was that the study was based on how the plant normally operated, and if there were a mechanical equipment malfunction, there was always the chance of being outside of the study period conditions. He stated that RWSA would probably never have enough money to solve every possible situation that could ever occur, and there were always infrequent outlier events that cannot be fully controlled. He stated that he had a high degree of confidence in the expertise of Mr. Bowker that these measures would very largely resolve the odor issue.

Mr. Boyd said that he wanted to make sure that the engineers were "putting all the cards on the table" and "making sure they knew what they were getting into", as this Board routinely approves multi-million dollar projects. He stated that he was a bit nervous that they had a previous proposal – which was based on the best available science – that called for \$33 million to fix the problem, and he just wanted to make sure that RWSA would not feel remiss in a few years and still have an odor problem.

Mr. Frederick stated that he felt the recent analysis represented the best of current industry standard on how to evaluate odor sources and control measures, but there was no human standard that was ever absolutely perfect. He emphasized that the objectives had changed since 2007, at which time the consultant was asked to form a master plan to address every odor source, whereas this more recent evaluation was only to address sources that would be detected beyond the "fence line". He said that this meant staff made a conscious decision to change the objectives between 2007 and 2014 to save money, recognizing RWSA could not afford \$33 million. Mr. Frederick stated that a big part of the \$33 million estimate was to put covers over the wet weather holding ponds, and the actual recommendation was to build a new covered tank in place of those holding ponds. He stated that the most recent analysis suggested that wet weather was very infrequent, and if water was removed from the wet weather ponds as soon as possible after the rain event, they would not need to cover the holding ponds to meet a "fence line" standard. Mr. Frederick explained that the revised objective not only reduced a \$33 million plan to \$9.3 million, it was better aligned with the continued feedback RWSA receives from listening to what the citizens want – a "fence line" standard that was no longer a phasing plan, but a plan RWSA felt gave it the best chance to address all sources of odor that affected the community. He added that study technologies had improved since 2008.

Mr. Gaffney stated that at the December meeting he had commented that the dispersion model was effective in measuring current realities, but asked the consultant if it would be possible to develop a dispersion model showing expected results after all the currently recommended measures were implemented. He said that the response from Hazen and Sawyer was that they had already developed that model and confirmed that the dispersion circles remain inside the “fence line”, so if everything was done as planned, the odor would stay within the “fence line”. Mr. Gaffney stated that without actually doing the work, that was about as much assurance as the Board could possibly get.

Ms. Galvin stated that she appreciated staff’s efforts and how well they had articulated the history of the problem, and the cost reduction was due in large part to staff’s efforts to pinpoint what the problem was – and bringing in the expertise of Mr. Bowker was also appreciated because of his analysis and the way he presented it. She stated that his approach was a concerted attack on the key sources of the odors – so it was prudent, and did not “throw everything possible at the problem”, but was very targeted, based on analysis. Ms. Galvin stated that everything presented tells her it is going to work, as the current problem was not anyone’s imagination; it was mapped and documented as a large and pervasive problem. She stated that she and City Council were convinced that this was a very good investment, and something for which the community had been very patient in waiting. Ms. Galvin stated that this showed staff had been diligent in trying to be good stewards of the public’s money, having brought the cost down from \$33 million to \$9 million. She opined that this was a very positive investment, and the full Council was in support of it.

The motion was approved by a 7-0 vote.

b. Adoption of the 2014-19 Capital Improvement Plan

Mr. Frederick reported that the only change in the document since it had been introduced and discussed in December was the odor control project, and in changing it from the \$2 million placeholder reported in December, the budget shown in the current document was \$9.18 million. He stated that when the Board adopted the CIP, he would ask that they amend the odor control project budget in the document presently in front of them to \$9.33 million. Mr. Frederick stated that staff had also made the change in the name from “wastewater treatment plants” to “water resources recovery facilities” when revising the document submitted in December to the present document.

Ms. Mueller made a motion to approve the 2014-19 CIP, with the change in the odor control budget from \$9.18 million to \$9.33 million, as well as the name changes previously mentioned. Ms. Galvin seconded the motion.

Mr. Boyd stated that he had some questions about Table 3 in the document, which included information about the impact of rate changes, and asked if this was a 5% increase for ACSA ratepayers.

Mr. Wood stated that the table had two separate groups of debt service rate estimates – one for urban water and one for urban wastewater, and those were broken out by the two customers. He stated that for urban water, estimated rates were calculated by estimating the debt service need for the five-year CIP and then averaging those needs through graduated increases in each of the five years, also taking into account when existing debt retires. He stated that the average debt service rate increase for the City for urban water was five to six percent each year, and for ACSA it was two to three percent each year. These estimated debt service increases provided for the GAC project and all other projects in the CIP. Mr. Wood stated that for urban wastewater, there was an average debt service rate increase for the City of five percent, and for ACSA it was approximately five percent as well. He noted that the analysis was a representation of estimated debt service increases, and was not establishing any rates.

Mr. O’Connell noted that this was only the wholesale debt service, not the increase in the retail customer rate¹. He indicated that ACSA was in the process of establishing the recommended retail rate.

Mr. Frederick stated that this was not the entire wholesale rate for RWSA either, it was just the debt service component.

Mr. Boyd asked if there was anything discretionary at all in the CIP, as it seemed to be related mostly to required maintenance projects or mandated regulations.

Mr. Frederick stated that the discretionary projects were Board-directed projects to the staff and were decisions that the Board had already made.

Mr. Boyd commented that it would include things like odor control.

Mr. O’Connell added that it would also include GAC.

Mr. Frederick stated that one could make the argument that GAC had ties to regulatory requirements; examples of other discretionary projects besides odor control would include the study to update the wastewater forecasts associated with the wastewater cost allocation agreement; and the wholesale water metering connected to the Ragged Mountain Dam agreement. These latter two projects were considered discretionary in the sense that they were binding contractually upon RWSA only because of local decisions between the ACSA and City.

Mr. Boyd asked if the \$3.5 million for dredging was still necessary in the CIP.

Mr. Frederick responded that at the Board’s discretion, staff had put that dredging project completely on hold and has not spent any funds on the project since that Board decision. However, dredging was still in the CIP because it still exists as a contractual obligation of

¹ Editor’s Note: The debt service rate is only one component of RWSA’s wholesale rate and is related to the CIP, the other component being the operating rate to cover day-to-day expenses such as personnel, electricity, chemicals, and maintenance of equipment. The entire RWSA wholesale rate, which is the sum of debt service and operating rates, is then only a component of the ACSA retail rates, as the ACSA must cover its own expenses (personnel, billing and customer service, pipeline and meter maintenance, and other customer services) in determining the retail rate. When RWSA publishes an estimated increase in its wholesale debt service rates, it does not establish the percent increase that ACSA will adopt in its retail rate.

RWSA in the Ragged Mountain Dam Agreement. In order for it to be removed from the CIP, he opined that the Ragged Mountain Dam Agreement should be amended to delete the dredging requirement and duly executed by all parties to that agreement, being the ACSA, the City and RWSA.

Mr. Boyd stated that the RWSA Board had to make choices, and it seemed to him that the higher priority was odor control; he advocated he favored removing dredging from the CIP to lower the total cost of the CIP.

Mr. Frederick stated that in FY15 and FY16, there was no money proposed to be spent on dredging. He noted that by FY17 the RWSA Board may have discretion to continue to delay the project, but to remove it as a contractual obligation still required the approval of the other two parties to the Ragged Mountain Dam Agreement.

Ms. Galvin stated that Mr. Boyd's points were well-taken, but she opined that there were other issues that needed to be resolved first. She stated that many other issues had been resolved over the last year, but at this point in time she saw no urgency to the dredging matter.

Mr. Frederick stated that there was a study going on currently with DeNatale consultants, who were looking at reservoir water quality and how best to achieve it – and it made prudent sense to allow the study to run its course, which was due for completion early in 2016. He stated that the study results would address the most cost-effective methods to achieve healthy and clean reservoirs from a water quality perspective, and that might lead to further discussion about whether dredging was needed.

Mr. Gaffney stated that the \$3.5 million was budgeted for dredging in the CIP, but that did not require that RWSA to presently set aside the funds specifically for dredging in RWSA's cash management decisions.

Mr. Frederick confirmed that Mr. Gaffney's statement was correct.

Mr. O'Connell stated that the only "allocation" had been what was previously spent on the legal and engineering work associated with the PPEA solicitation already performed.

Mr. Boyd asked how the dredging budget affected RWSA's retaining of cash reserves.

Mr. Wood stated that he kept track of the reserves by rate center, so that reserves were available if a capital project within a specific rate center were to require increased funding. He explained that having a dredging budget in the CIP with no financial activity would generate reserves in the urban water rate center, but as future CIPs add other urban water projects, the reserves if not required for dredging could be shifted to those projects, reducing debt funding for those projects. He stated that the CIP was "always a living document" that would expand or contract, and it actually went down this year.

The motion to approve the 2014-19 CIP was approved by a 7-0 vote.

c. Reimbursement Resolution for CIP Funding

Mr. Wood reported that the reimbursement resolution was pretty standard practice after the CIP was adopted, and it accomplished two primary things: it preserved RWSA's ability to use tax-exempt revenue bonds to fund projects, and it was the Board's official intent to do that if necessary. He stated that some of the projects use taxable bonds, and the revolving loan funds were considered taxable and thus would not apply to this resolution, but this resolution reserved the ability to do so with the current CIP. Mr. Wood stated that the resolution also provided RWSA with the ability to reimburse itself, such as for temporary financing and payback of cash reserves. He stated by example that the bond sale for the dam project was delayed by litigation, requiring the use of substantial reserves to make several monthly payments to the contractor early in construction, but because a reimbursement resolution had been adopted, RWSA was able to reimburse itself to restore its reserves when the bonds could finally be sold. He stated that bond issuance still must be brought to the Board for approval, but this resolution provides staff with the ability to use the tax-exempt bonds and allow for reimbursement.

Mr. Foley moved to approve the reimbursement resolution as recommended by staff. Mr. O'Connell seconded the motion, which passed by a 7-0 vote.

8.0 Other Items from Board/Staff not on Agenda

Mr. Frederick reported that before them was a Board report for a contract award for composting of biosolids and water plant sludges to McGill Environmental of Waverly, Virginia. He noted that McGill had performed this service to RWSA under a contract that would soon expire. He stated that the prices were near the prices held over the past five years; there was an increase of \$1 per wet ton on biosolids and a decrease of \$1 per ton on water plant sludges, and since RWSA's biosolids tonnage exceeded the tonnage of water plant sludges, the result was a slight increase – but overall it was a good negotiated rate. Mr. Frederick stated that the new contract was for one year, with the option to renew for four additional years; associated with that is the possibility for an annual increase in fees limited to a CPI index. He noted that in canvassing for potential bidders for this project, he found that there were no other firms that would offer composting of biosolids to RWSA operating in Virginia. Mr. Frederick stated that Spotsylvania County was identified, but this county had chosen not to accept material from outside their boundaries. He expressed concern about being able to maintain these prices over time given the limited competition in the market, but fortunately this negotiation had been successful.

Mr. Gaffney suggested that the joint City-County committee on long-range solid waste solutions do some further research on other options for future composting.

Mr. O'Connell asked if the end-result commercial compost was sold.

Mr. Frederick responded that RWSA's contract did not limit what McGill could do with the compost as long as they produce a Class A material² and abide by the law. He stated that he

² **Editor's Note:** The class of material was established by EPA regulations on biosolids, and RWSA's permit with DEQ for the Moores Creek Advanced Water Resource Recovery Facility required that the generated biosolids be either Class A or B. RWSA's compost achieved the higher standard of Class A.

understood McGill was both selling material in bulk to farmers and bagging some for sale in retail stores. RWSA had previously determined it could obtain a better contract price to allow McGill to market and sell the compost however they so choose.

Mr. Foley moved to approve the contract as presented. Mr. O'Connell seconded the motion, which passed 7-0.

Mr. Frederick reported that with respect to the Route 29 Solutions projects, VDOT had indicated that they would award a contract in February, and RWSA had already been in contact with the low bidder to understand as much as they were willing to share about their proposal to relocate the 12-inch waterline on U.S. 29 between the South Fork Rivanna Bridge and Hollymead Town Center. He stated that staff would continue to closely coordinate with VDOT and the successful contractor, and at some point he may need to come before the Board to amend the CIP to include "betterment" costs to increase the size of the relocated pipe to 24-inch, conforming to RWSA's master plan for future service to the Places 29 area.

9.0 Closed Meeting

Mr. Foley made the following motion for a Closed Meeting:

RESOLVED that the Board of Directors of the Rivanna Water and Sewer Authority enter into a closed meeting to discuss a prospective candidate for employment as permitted by Section 2.2-3711.A.1 of the Code of Virginia, and to receive legal advice from counsel regarding property issues with respect to Buck Mountain and the Rivanna Interceptor pump station as permitted by Sections 2.2-3711.A.3 and A.7 of the Code of Virginia.

Mr. O'Connell seconded the motion and the motion was approved by a 7-0 vote. The RWSA Board went into closed session at 3:12 p.m.

Resumption of Open Meeting

The Rivanna Water and Sewer Authority Board of Directors meeting resumed in open session at 3:52 p.m. Mr. Boyd made a motion that the Rivanna Water and Sewer Authority Board of Directors vote to approve the following resolution, seconded by Mr. O'Connell:

WHEREAS, the Rivanna Water and 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 2.2-3712.D of the Code of Virginia requires a certification by the Rivanna Water and Sewer Authority that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rivanna Water and 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, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered in the closed meeting by the Rivanna Water and Sewer Authority.

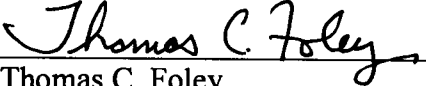
Mr. Krueger called for a roll call vote: Ms. Mueller – aye; Mr. Jones – aye; Ms. Galvin – aye; Mr. Gaffney – aye; Mr. Foley – aye; Mr. Boyd – aye; and Mr. O’Connell – aye. The motion passed by a 7-0 vote.

10.0 Adjournment

Ms. Galvin made a motion to adjourn the meeting. Mr. O’Connell seconded the motion, which passed by a 7-0 vote.

The meeting adjourned at 3:53 p.m.

Respectfully submitted,


Mr. Thomas C. Foley
Secretary - Treasurer