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**RWSA BOARD OF DIRECTORS
Minutes of Regular Meeting
September 22, 2015**

A regular meeting of the Rivanna Water & Sewer Authority (RWSA) Board of Directors was held on Tuesday, September 22, 2015 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, Ms. Kathy Galvin, Mr. Maurice Jones - Presiding, Ms. Judith Mueller and Mr. Gary O'Connell.

Board Member Absent: Mr. Mike Gaffney.

Staff Present: Mr. Tim Castillo, Ms. Victoria Fort, Mr. Tom Frederick, Rich Gullick, Ph.D., Ms. Teri Kent, Mr. Doug March, Mr. Philip McKalips, Mr. Scott Schiller, Ms. Michelle Simpson, Ms. Andrea Terry, Ms. Jennifer Whitaker, Mr. Lonnie Wood and Mr. Jay Young.

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. Jones on Tuesday, September 22, 2015 at 2:15 p.m., and he noted that a quorum was present.

2.0 Minutes of Previous Board Meeting

a. Minutes of the Regular Meeting of the Board on August 25, 2015

Ms. Galvin moved that the Board of Directors approve the minutes of the regular meeting of the Board held on August 25, 2015. Mr. O'Connell seconded the motion. The motion passed by a vote of 6-0. Mr. Gaffney was absent from the meeting and the vote.

3.0 Executive Director's Report

Sugar Hollow Reservoir Update

Mr. Frederick provided an update regarding the Sugar Hollow Reservoir, and stated that Charlottesville had received some rain the previous evening, which generated curiosity as to

whether there had been any progress with the water levels. He stated that he did not have a good answer to that question, but as of midnight the previous night, the reservoir had risen 1/10 of one foot from the previous midnight. Staff had since indicated that the Sugar Hollow Reservoir levels had begun to fall again. He noted that the levels were now at -37 feet, putting the reservoir within about one foot of the lowest operable intake. Mr. Frederick stated that the measured flow released to the Moorman's River was already dropping below the calculated "natural inflow" even with the valve on the release structure fully open. He noted that this condition did not put them in violation of the permit, which anticipated that this would happen when reservoir water levels approached the bottom of the lowest operable intake. Mr. Frederick explained that there was simply not enough water in the reservoir flowing into the intake structure itself to meet the theoretical release requirement, so the permit stipulated that by leaving the valve fully open, the RWSA was fully compliant. He stated that the RWSA would not make any decision with respect to transfer of water to Ragged Mountain, certainly not as long as the valve was fully open as the permit actually required them to keep the transfer line closed. Mr. Frederick added that they would need to see some rain and see the reservoir begin to fill, before making any decisions regarding the transfer.

Bid Award for Treatment Chemicals

Mr. Frederick stated that on the Board's consent agenda was an item related to awarding contracts for water and wastewater treatment chemicals, and explained that the RWSA had for a number of years procured these chemicals through an annual competitive bid as informal quotes, based on legal advice provided several years ago. He stated that as part of a recent internal audit, reflecting the increasing cost and volume of chemicals needed over time, requested an updated legal opinion and was advised based upon the current RWSA Procurement Manual to seek formal award by the Board of Directors, as some chemicals exceeded \$100,000 per year in total cost. He noted that it was not definitive at the beginning of a fiscal year how much would be spent on chemicals, because the Authority was required to provide whatever the water demand required. Mr. Frederick stated that the quality of the water coming into treatment facilities dictated the quantity of chemicals used to meet drinking water standards at the water plant, or effluent quality standards at the water resource recovery facilities. He noted that he had mentioned in his report that if the Board preferred that the decisions continue be made administratively rather than at the Board level, staff could work on amending the procurement manual to authorize the Executive Director to award treatment chemical purchases.

Board Questions and Discussion on Executive Director's Report

Mr. Boyd asked if chemical costs were within budgeted amounts, as he did not recall seeing an amendment in the financial reports.

Mr. Frederick responded that the chemical expenses were well within the budgets approved – including the line item approved for chemicals – so it was not an issue of budget or finances, but that of what the procurement manual authorized and who was required to approve the contract award.

Mr. Krueger stated that the procurement manual required that for contracts of \$100,000 or less, the Executive Director had the authority to execute, but if contracts exceeded that amount, the Board would need to award. He noted that over time, history has shown that the RWSA was spending more than \$100,000 on chemical purchases per fiscal year.

Ms. Mueller stated that she would like for staff to bring back the procurement manual for amendment to provide the Executive Director with a higher level of authority, as chemicals were not likely to become any cheaper and the RWSA has had an increased level of activity at its operating plants.

Ms. Galvin agreed.

Mr. Boyd agreed also, and stated that this was an operating cost not a capital cost.

Mr. Frederick established consensus of the Board and stated that staff would bring the procurement manual revisions to a future Board meeting.

4.0 Items from the Public

Mr. Jones invited comments from the public.

Dr. Liz Palmer addressed the Board and stated that she wanted to discuss the Moorman's River and had been observing both the North and South Fork for about 19 years, on almost a weekly basis. She stated that she lived on the Mechum's River and was familiar with the formula used to calculate "natural inflow" for the release from Sugar Hollow to the Moorman's River. Dr. Palmer stated that the North Fork Moorman's River had been severely damaged in the 1995 flood but the South Fork Moorman's River had not, and during the 2000-2002 drought, the North Fork flow was not consistently visible from the ground surface as it approached the reservoir. She noted further that one could see the water bubbling up through the mud as the South Fork continued to flow into the reservoir. She said that about a week and half ago she hiked along the North Fork to the hunting lodge shortly after a heavy rain, and found water flowing "quite well" until she reached "the bottom", where it "started to mix with the groundwater" as it entered the reservoir. Dr. Palmer stated that the river appeared to decrease in flow, so she walked to the edge of the reservoir and was struck by how much more sediment had settled over the last few years. She opined that the North Fork had more erosion because of the 1995 flood. She stated there was no longer the "bubbling up" she had observed during the severe drought periods, and the sediment was now much thicker with the ground wet so it appeared the river flow was mixing with the groundwater and going into a mud field. Dr. Palmer stated that it was interesting to her that the North Fork was no longer an open channel to the reservoir. She stated that a pond had been installed at Mill Mountain, and she wondered if the flow at the South Fork may be down because of the pond.

Mr. Steve Collier of Cavalier Septic Service addressed the Board and stated that he was before them to follow up on concerns previously expressed regarding the after-hours charge at the RWSA Moores Creek facility. Mr. Collier stated that his company averaged 1,000 jobs per year of septic pumping, and he came to the facility three or four times per day. He stated his concern

with additional charges that had to be passed onto residential consumers, who were already paying about \$350 to have their tanks pumped, and he feared that many people would simply stop pumping their septic tanks because it was after hours. Mr. Collier noted that his company had to pump three tanks per day to break even, and if they had to pay after hours charges to RWSA, they would have to charge the homeowners more. He stated that he had spoken with three of the operators at the Moores Creek facility and since the system had become more automated, the operators did not have to be with the septic haulers, they simply opened the gate. Mr. Collier stated that the operators had indicated that the haulers were not intruding on them, and it was just their job to come open the gate.

Mr. Boyd stated that staff was proposing that the regular hours be extended until 5:30 p.m., and asked if this would be helpful to haulers.

Mr. Collier stated that based on his company's operating hours, RWSA's proposed extension of regular hours in the morning were "not a big issue" – but the evenings were "the biggest factor", with some nights going as late as 9:00 p.m. due to late calls from people with emergencies. He stated that many people could not afford the additional cost for having a septic company do the job, so they would "manually" remove the sewage and discharge it in the woods.

Mr. Foley asked what the hours would be that would make a difference.

Mr. Collier responded that after hours before 7:00 a.m. would be fine for his company, but other companies would be impacted. He stated that 7:00 p.m. or later would be acceptable for after hours to start in the evening. Mr. Collier noted that he was at the Moores Creek facility three to five times per day, so it was not a matter of him waiting until the end of the day.

Ms. Mueller asked who should be paying the extra cost that RWSA incurred, if the haulers did not want to pay it, as it certainly should not be the City of Charlottesville's rate payers.

Mr. Collier responded that he understood her point, but he wanted to know how much extra costs were actually involved, because with the old pit the operator had to stay with haulers 20 to 30 minutes while they unloaded their trucks.

Ms. Mueller stated that Mr. Frederick had provided what he thought the costs were.

Mr. Collier stated the haulers were wondering about the costs, as it appeared that it took less than a minute for an operator to open the gate and return to what he was doing.

Mr. Jones stated that the Board would be discussing the "after hours" septage fee issues later in the meeting, and asked Mr. Frederick to respond to Dr. Palmer's question about whether the ponds were having an impact on the river flow.

5.0 Responses to Public Comments

Mr. Frederick stated that he did not have enough information at present regarding Dr. Palmer's concern to be able to respond without further inquiry.

Dr. Palmer stated she could ask County staff to look at “what it was 10 years ago”.

Dr. Gullick stated that he had not seen the ponds, but typically once ponds were filled they would not make a change in the flow of creeks nearby.

Mr. Frederick commented that Dr. Gullick’s statement was what he would also presume.

Dr. Palmer opined that perhaps the water was reduced for watering gardens.

Dr. Gullick responded that people would be withdrawing from the creek to do so, in which case they might need a withdrawal permit from the state, adding that he could not say for certain scientifically without seeing it.

Mr. Frederick stated he could understand how an act of emptying a pond and later refilling it could change the pattern of stream flow, but he would find it difficult to believe that what Dr. Palmer was observing was permanently altering the total flow to the reservoir.

Dr. Gullick stated that if the pond were filled, it could actually help stream flow because the water would drain from the pond into a stream, unless the pond was clay-lined.

6.0 Consent Agenda

Mr. Jones asked if there were any items that Board members wanted to pull for comments or questions from the Consent Agenda.

- a) Staff Report on Finance*
- b) Staff Report on Operations*
- c) Staff Report on Ongoing Projects*
- d) Contract Award – Water and Wastewater Treatment Chemicals*
- e) Contract Award – Crozet Interceptor Odor Control*
- f) Work Authorization – Meadow Creek Interceptor Repairs*

Ms. Galvin moved to approve the Consent Agenda as presented. Mr. O’Connell seconded the motion, which passed by a 6-0 vote. Mr. Gaffney was absent from the meeting and the vote.

7.0 Other Business

- a) Public Hearing and Board Consideration of Proposed Amendment to Wholesale Rates and Debt Service Charges for FY 2015-16*

Mr. Frederick reported that in August, a preliminary rate resolution was adopted by the Board requesting staff to authorize the change in rates, which included an operating fee per thousand gallons and a debt service charge on the basis of a fixed monthly charge for both ACSA and the City. He stated that this change did not increase revenue to the RWSA; it simply changed the

structure of how the rates were charged to conform to the recently adopted Service Agreement amendment. Mr. Frederick stated that a public hearing should be held before the Board initiated deliberation on this matter.

Mr. Jones opened the public hearing.

Mr. Palmer expressed her approval of the proposal.

Seeing no other person wished to speak, Mr. Jones closed the public hearing and invited discussion by the Board.

Mr. Frederick asked Mr. Krueger to address with the Board related issues regarding the bond trustees' approval of the Service Agreement Amendment No. 1.

Mr. Krueger explained that Amendment No. 1, because it was an actual amendment to the service agreement, would require consent of the bond trustee. He stated that from a common sense perspective, it was assumed that the bond trustee would be ecstatic about charging flat rates for debt service because it eliminated the possibility of not collecting enough revenue due to low flows. Mr. Krueger stated that the trustee took a last-minute position that they needed an opinion that the amendment did not violate any of the requirements of Virginia law, and also wanted a certification that the amendment would have no material impact on bond holders. He stated that once RWSA understood the trustee's need, RWSA had engaged Draper Aden to provide that certification, but it would not be forthcoming until after October 1. Mr. Krueger noted that the Virginia Code §15.2-5136 had no provision or support in case law for adopting rates on a retroactive basis, and he would advise instead that the Board adopt the rates effective November 1, 2015, subject to the approval of the bond trustee to Amendment No. 1 of the service agreement.

Mr. Boyd asked if Mr. Krueger had considered a recommendation to postponing the vote.

Mr. Krueger stated that postponing the vote would also be an option, and either way would work.

Mr. O'Connell asked if there was a chance the bond trustee's approval might not be granted by November 1.

Mr. Krueger responded that he felt that chance was extremely remote, and the Board could hold the public hearing today but adopt the rates at their October meeting – or the Board could postpone both – but he felt it would be best to adopt the rates today, effective November 1, with the condition of the bond trustee approving Amendment No. 1.

Mr. Boyd asked how they would undo today's decision, if for some reason the bond trustee wanted to again postpone his approval.

Mr. Krueger stated that because the rates would be adopted subject to that approval, the Board could issue a new public notice, hold another public hearing, and adopt the rates again.

Mr. Boyd stated that the better course might be to postpone the adoption of the rates until the Board had the trustee's approval.

Ms. Galvin and Ms. Mueller responded that they felt the language was pretty clear.

Mr. O'Connell stated that if the trustee approval were delayed, the rate adoption would also be delayed.

Mr. Boyd commented that his concern was being required to hold another public hearing if there was some other delay, although he recognized there had not been much public interest today.

Mr. Krueger stated this wholesale rate adoption did not impact the rates that the ACSA and City set for the consumer, and the measure was actually making payments more "steady", and typically RWSA's wholesale rates did not get significant input unless the public perception was that it would impact them.

Mr. Jones stated that he was comfortable voting on the resolution, with the change in language that Mr. Krueger recommended.

Mr. Frederick sought to clarify the specific edits Mr. Krueger had recommended and offered that the phrase "effective October 1, 2015 as summarized in the table below" would be stricken in the resolution language and replaced with "effective November 1, 2015, and subject to approval by bond trustee of Amendment No. 1 to the service agreement prior to the effective date."

Mr. O'Connell moved to approve the resolution as amended. Ms. Galvin seconded the motion, which passed 6-0. Mr. Gaffney was absent from the meeting and the vote.

Mr. O'Connell noted that there had been some questions about the retail rates charged to customers, and clarified that these would not change when the new wholesale rates went into effect.

Mr. Frederick stated that this was true, and it was also true that RWSA's estimated revenue was not changing.

b) Public Hearing and Resolution for Certificate of Take from Woodbriar Associates – Water Main Relocation at North Fork Rivanna River Crossing

Mr. Jones noted that Item 7b had been removed from the agenda.

Mr. Frederick stated that the RWSA had received a fully executed easement from Woodbriar Associated yesterday, and it had been approved as to form by Mr. Krueger, so there was no longer a need to adopt a Certificate of Take.

c) Discussion on "After Hours" Septage Fees

Mr. Frederick stated that the consideration of extending regular hours for receiving septic wastes was a “bit of a give and take issue”, because RWSA was trying to maintain efficiencies with staff while sometimes asking operators to do multiple things at the same time. He emphasized that he took very seriously the requirements that RWSA had to operate the Moores Creek facility “24/7, 365” to produce an outstanding quality effluent going into Moores Creek, and if an operator missed an operating assignment because he was tending to other things, and this failed assignment caused an upset in the treatment facility, this could cause harm to the rivers and aquatic life. Mr. Frederick stated that when septic tanks and septic drainage fields were constructed in appropriate locations and were operating properly they could be very effective, and Albemarle County had done an excellent job in regulating them. He stated that it had been part of the Chesapeake Bay TMDL that the EPA issued that there is knowledge that septic tanks did not always operate at optimum efficiency – and when they don’t, they do harm to rivers. Mr. Frederick said that it was important that they be pumped out periodically and on certain schedules, to optimize their operation, and he appreciated the valued service that septic haulers provided and that RWSA operators provided, to ensure that only very clean water went into the river.

Mr. Frederick stated that in considering what hours would be considered “normal” and which would be considered “after hours,” it was important to clarify that waste could be brought in around the clock. He said that it was not a matter of someone being prohibited from coming in, the issue was at what hours there should be a higher charge for the interruption it required of plant operators from their regular duties. He stated that from 6:00 a.m.-6:00 p.m. shift there were typically two operators, and in theory two people could be put on the evening shift, but most of the time they were not fully staffed so the 6:00 p.m. to 6:00 a.m. shift was often managed by a single operator. Mr. Frederick noted that if one person was doing his or her job appropriately, that operator would be spending every bit of time operating the wastewater treatment plant and not attending to customer service or other types of interruptions.

Mr. Frederick stated that it was true RWSA had an automated facility now, but he hoped that when a wastewater operator was working alone at a plant at night and letting a septage hauler into the facility, he was monitoring the activity and aware if the septage hauler was properly discharging his waste and not in unauthorized areas of the plant. If an operator were only distracted for 45 seconds to go straight to the gate and open it, as Mr. Collier had suggested earlier in the meeting, the operator would not be paying attention to what the hauler was doing inside the facility. Mr. Frederick stated that during the day, the RWSA had multiple people including administrative staff present on site, but at night that was not the case. He stated that his expectation was that the operator may be able to attend to things close by, but should be very aware of what the septage hauler was doing, as many things could go wrong if an individual hauler started doing things in the wrong places in the facility. Mr. Frederick stated that there was a need for a financial incentive to limit night shift interruptions resulted in an operator not being able to effectively perform all the treatment plant duties – or possibly a need to pay a second operator to be on-call. He stated that if they were going to extend the hours without charging a premium price to haulers, they should expect higher personnel costs at the facility, and the question was who would pay for these additional costs. Mr. Frederick stated that if it was not passed on in the septage fees and charges, it ultimately fell back onto the wholesale rate charged to the ACSA and the City. He stated that it may not be easy to accommodate a 14 or 15-hour

regular day to please both Mr. Collier, who preferred extended hours in the evening, and the other septage haulers that had preferred extending the regular hours early in the morning.

Mr. Frederick stated that when he first came to RWSA and learned about its facility operating shifts, he observed that the shifts were different from other utilities from where he had worked previously – but he learned that the operators really liked WSA’s shift schedule, therefore, he was cautious and would continue to be cautious about making any change in the shift hours as a result of this issue.

Ms. Mueller stated that Mr. Collier had mentioned hauling waste from Nelson County, and asked if the RWSA was receiving septage waste from other localities.

Mr. Frederick responded affirmatively, but added that RWSA was charging higher rates for wastes from outside of Albemarle County: the rates were \$72 per 1,000 gallons during business hours and \$99 after hours for Albemarle County; but waste coming from outside the County was \$99 per 1,000 gallons during regular hours and \$138 after hours. He stated that to his knowledge there was not anyone else in the region other than RWSA treating septage waste, so it was probably important that RWSA continue to receive waste from outside the County.

Ms. Mueller referred to the difficulty of knowing when a tank truck entered the facility if the waste came from Albemarle County or from outside the County.

Mr. Foley asked if RWSA ever had to bring in additional staff as a result of the frequency of the septage dumping after hours.

Mr. Castillo replied that in the period just over one year that he had worked for RWSA, additional staff had not been called in to address septage waste receiving.

Mr. Foley stated that he understood that the interruption was the primary issue, but he also wanted to clarify the potential need for additional staff.

Mr. Castillo stated the concern that without a financial incentive to limit after hours use, there may be more trucks using the facility after hours, in which case staffing could become a problem.

Mr. Foley stated that Board of Supervisors member Ann Mallek had received significant feedback from haulers and had expressed that she would like for the facility to be open to longer regular hours.

Ms. Galvin stated the City’s primary concern would be river health and asked if additional sanctions might be placed on households that did not properly address their septic waste.

Mr. Frederick responded that such sanctions would be beyond RWSA’s responsibilities, and added he was appalled to hear in Mr. Collier’s comments the idea that some companies might dump septage wastes in the river if RWSA’s regular hours were not extended. Without respect

to RWSA's hours, dumping in the river was illegal, and if it was known and reported to the appropriate enforcement agency, it could and should be prosecuted.

Mr. Boyd stated that the County had been concerned for a long time about encouraging good behavior, with the same concerns pertaining to solid waste disposal and illegal dumping, and it was concerning to hear that haulers might be dumping their loads on the side of the roads. He asked if there was any way that the RWSA could issue access to the haulers and track their usage, to determine who was on the premises.

Mr. Frederick explained that haulers had to open an account and prove credit-worthiness and received a confidential code upon approval, and the automated receiving station tracked who was using it and how many gallons they were discharging, so that the RWSA knew how to bill them. He stated that it was important that a plant operator be aware of what was going on at the plant, and there were just too many things that could go wrong if a hauler were not being watched.

Mr. Boyd suggested that perhaps RWSA could utilize a camera to see who the individual was, and they could be "buzzed in" and enter their code at the gate, and he was simply looking for alternatives to help encourage good behavior.

Dr. Gullick stated that staff members were often working alone, and he did not feel that it was appropriate to provide uncontrolled access to anyone. He stated that he did not think the difference between what staff was proposing and what Mr. Collier was requesting was as big a problem as the current discussion might indicate, and in June and July of 2015, he stated that approximately 80% of the "off hours" visits were in the morning – not in the evening – and in June 2015 there were 17 trucks in the evening versus 82 in the morning; in June 2014, there were 31 trucks in the evening versus 67 in the morning – and about half of those trucks in the evening were Cavalier's trucks. He stated that the actual surcharge was \$27 per 1,000 gallons, so a full truckload would be a \$60.50 surcharge per truckload. Dr. Gullick stated that Cavalier's loads were not a full 2,500 gallons, so their average surcharge was about \$29 per "after hours" visit – and he did not think that was unreasonable. He stated that reviewing all of Cavalier's "after hours" visits, the surcharge was about \$200 per month.

Mr. Boyd responded that he appreciated those statistics.

Mr. O'Connell asked for confirmation that the regular hours were proposed to be moved from the current 7:30 a.m. to 5:00 p.m. to new regular hours of 6:00 a.m. to 5:30 p.m.

Mr. Frederick confirmed that those were the proposed changes, for a total of two additional regular hours per day.

Dr. Gullick stated that for 2015, this would mean that 60% of the current after hours loads would fall under new regular hours, but for Cavalier Septic, none of their trucks came in during the mornings and weekends – they all came in during the evenings.

Mr. Boyd stated that based on what he had heard, it seemed that what staff was proposing was a reasonable compromise.

Mr. O'Connell suggested trying it for six months to see what effect it had.

Mr. Frederick stated that the Board adopted the rates for regular hours and after hours, but had previously delegated to the Executive Director to establish the business hours; in this case he would follow the consensus of the Board in setting the business hours, but no formal vote of the Board was required.

d) Presentation from StreamWatch on Stream Health Report

Mr. David Hannah, Executive Director of StreamWatch, addressed the Board and distributed a bacteria report from 2014. Mr. Hannah stated that the RWSA was one of nine community partners, and StreamWatch appreciated that collaboration in keeping waters clean. He stated that the mission of StreamWatch was to provide good, objective science in monitoring streams, and to provide that data to agencies like RWSA and to the general public. Mr. Hannah stated that the organization was highly dependent on volunteers and currently had 135 active volunteers, with the fall sampling season having begun on September 15. He reported that their long-term monitoring program included sampling and had been their core service since 2003, working closely with the Virginia Department of Environmental Quality. Mr. Hannah noted that this was StreamWatch's second annual report with both bacteria and benthic data, and they planned to continue them annually from this point forward. He stated that benthic monitoring has been performed in six prior biannual periods, and bacteria monitoring had begun in 2012 as a collaborative project with the Rivanna Conservation Society and the Rivanna River Basin Commission, and they partnered this year with the James River Association with more intensive staffing at several sites. Mr. Hannah stated that StreamWatch had issued a land use study in 2011 from data in the Rivanna River watershed, with the two biggest factors impacting stream health locally being the amount of impervious surface and the amount of forest cover. He added that the pristine undeveloped areas were the most sensitive to land use changes within the watershed. Mr. Hannah stated that the types of "bugs" and the percentage of each type found were indicative of the water quality of that particular stream.

Mr. Hannah showed data from 2012-2014 and a map that showed 49 of the 50 sites StreamWatch was monitoring throughout the watershed, with one landowner requesting that his location not be divulged. He stated that the categories of quality were very good, good, fair and poor – color coded on the map. Mr. Hannah stated that the streams rated as very good or good met the state standard for aquatic life as a determinant of water quality, and those ranked fair or poor did not. He stated that 64% of the streams in the last assessment did not meet the state standard, and 36% did meet the standard. Mr. Hannah presented the results from the previous five assessments done, stating that the current assessment's 64% figure was in the mid-range, having ranged from 62-73% of streams failing in past assessments, or an average of 67%. He stated that this was the first year they had been able to use all 50 sites, and there was a slight improvement over the previous year, in which 69% of streams had not met the standard. Mr. Hannah stated that no streams were assessed this year as very poor, and this was the first time in six assessments that this had happened, with Moore's Creek usually being poor. He noted that both Moore's Creek and Meadow Creek showed slightly improved scores, but they were cautious not to assume it was a trend. Mr. Hannah was somewhat encouraged that despite

population increases from 2003 to 2014, there had not been significant changes in water quality nor had there been any detectable trends. He noted that he did not feel they should be content with a 67% failure rate, and encouraged the community to do better.

Mr. Hannah reported that StreamWatch began monitoring bacteria levels in 2012, using a process with easy-gel and petri dishes to culture e-coli, a form of coliform bacteria that indicated the presence of other coliform bacteria. He stated that in their first three years of sampling, they focused on two areas – recreational sites on the main stem of the Rivanna and Moorman’s Rivers, and the Moore’s Creek watershed, which was impaired for both aquatic life and recreation due to the presence of bacteria. Mr. Hannah reported that there were hardly any problems with the main stem of the rivers, with just 2 out of 157 samples failing and both due to storm events, which was when bacteria levels were typically elevated. He stated that in the Moore’s Creek watershed, 20% of samples did not meet state standards, and Biscuit Run¹ and one of its tributaries had occasional high scores. Mr. Hannah noted that last year during the summer in Lodge Creek, a tributary of Moore’s Creek located in Charlottesville, there was an alarmingly high score, so StreamWatch notified the City and the DEQ immediately. He stated that the City’s Public Works Department performed a field investigation, with StreamWatch doing some additional sampling to identify the problem location, and through lateral dye testing the City was able to pinpoint a broken sewer lateral on private property. Mr. Hannah stated that the City worked with the property owner and within two weeks had resolved the issue.

Mr. Hannah reported that for 2015, since the results on the main stem of the Rivanna River had previously been good, StreamWatch discontinued some sampling sites but maintained sites at Riverview Park in Charlottesville and Crompton Boat Landing near Lake Monticello. He noted that they partnered with the James River Association for these two monitoring stations and together were able to perform weekly monitoring instead of monthly, and scores were posted on the Association’s website each Friday so that potential recreational users could see what the forecast was for swimming, fishing and boating. Mr. Hannah said that for other sites, they focused more on the urban area of Charlottesville and Albemarle, continuing to work the Moore’s Creek watershed with the same sites including Lodge Creek. He stated that they also monitored several sites on Meadow Creek and at Meade Park.

Mr. Hannah stated that results for 2015 would be completed in about a month, and the two sites on the Rivanna River had just a 14% failure rate, which were both after storm events when higher scores were expected. He noted that 16% of Moore’s Creek samples had failed, and in Meadow Creek and Meade Creek, 33% of samples had not passed the state standard, and in September the sample from Meadow Creek had an alarming score. Mr. Hannah stated that he had contacted Andrea Terry of the RWSA staff, the City, and the University because the sample was from very near the John Paul Jones Arena. He stated that StreamWatch had further monitored the Meadow Creek site twice after the routine sampling and the scores had settled down, with at least one other set of samples to be done in October. Mr. Hannah stated that the preliminary consensus opinion for the high reading was that there had been a pulse of raw sewage over a weekend. He reported that the City and University had looked at their infrastructure – with the City also using its cameras to look at its stormwater system. He reported that there have been no structural problems detected, and the theory was that a large

¹ Editor’s Note: Biscuit Run is a tributary of Moore’s Creek.

event at John Paul Jones over the weekend that included some RVs may have involved leakage of sewage. Mr. Hannah stated that this was very preliminary and they could not determine the source for certain, but more sampling would be done in October.

Mr. Hannah concluded his report and thanked the RWSA Board.

Mr. Boyd stated that some people had stopped him recently and mentioned that they had been “floating” the Rivanna River from the South Fork Reservoir to the Key West neighborhood and had seen hundreds of little “shellfish” that were dead and floating on the water, and he also stated that they had not caught as many fish as usual.

Ms. Terry stated that RWSA had received similar public inquiries, and coordinated with DGIF and DEQ to see if there was an issue. She said that DEQ had visited the site and performed some testing, but did not identify any event or major findings.

Mr. Hannah stated that he had not been aware of this complaint, but informed that there was a program through the Rivanna Conservation Society for river stewardship in which several people “floated” the river, then sent reports to the RWSA and other groups regarding issues observed.

Mr. Boyd stated that he was not really sure who should be notified when things like this were reported, such as the RWSA or the Parks and Recreation Department.

Ms. Terry stated that she had talked with Parks and Recreation about it, and if anything serious had been revealed with the state’s analysis, she would have notified the department.

Mr. Boyd asked what role StreamWatch would play in monitoring water quality levels.

Mr. Hannah responded that at this point they were not doing any monitoring of nutrient levels but macroinvertebrate data was being used by DEQ in the day to day job of identifying impaired waters, and would also be used in the TMDL² process to monitor over time the improvements in water quality. He stated that StreamWatch also collected habitat data – the physical description of sampling sites – and it was hoped that TMDL could use that information also. Mr. Hannah noted that he, Ms. Terry and others had been on the advisory committee for the TMDL process for the four local streams involved – Moore’s Creek, Meadow Creek, Lodge Creek and Schenk’s Branch. He stated that StreamWatch was not involved with the Hardware River, since their focus was the Rivanna River watershed only.

Ms. Galvin asked if the efforts related to TMDL may have had an impact on the fact that StreamWatch had not seen any significant changes in stream quality in spite of 17% population increase from 2003 to 2014.

Mr. Hannah responded that it was not possible to say definitively why, but it was possible that it was positively influenced by implementation of best management practices (BMPs) and public awareness.

² *Editor’s Note:* TMDL stands for “total maximum daily load” and represents a provision of the Clean Water Act whereby state agencies would identify waters impaired to meet its classified use, and then determine for impaired waters the maximum daily loading of affecting pollutants that would support classified uses, along with a strategy to reduce pollutant loadings to stay within this maximum.

Mr. Frederick responded that his “hunch” would be that BMPs were having a positive effect.

Mr. Foley asked if there was a way to correlate the effectiveness of BMPs to forest cover.

Mr. Hannah responded that there was a way, and StreamWatch could revisit or update the land use study it had done in 2011, which was based on the 2009 land use plan.

Mr. Foley stated that it would be helpful if it could be shown that forest areas had decreased and impervious areas had increased, and how that correlated to data on water quality.

Mr. Hannah opined that the key was not just in providing average data across the watershed, but correlating water quality to land use at the specific location where the land use had occurred and the health related to the stream at that location. He stated that the other thought was that development may have occurred where a stream was already in poor health.

Ms. Galvin suggested that the broader data could demonstrate the value of concentrated, more compact development.

Mr. Hannah responded that StreamWatch would like to be able to correlate over time the answer to Ms. Galvin’s suggestion.

Mr. Frederick thanked Mr. Hannah for the work that StreamWatch had performed, and opined that one of the things among best practices for wastewater utilities was being aware of how it was impacting the river, upstream and downstream. He stated that some progressive utilities perform such work through staff, so it was helpful for RWSA to have StreamWatch as a partner to provide that data. Mr. Frederick stated that in looking at the data, he was aware that the impacts of wastewater effluent occurred downstream after discharges assimilate with the flow in the stream, and he was seeing improving conditions downstream of RWSA’s discharge at appropriate points on StreamWatch’s map. He stated that it was encouraging information, and the downstream rating of “good” quality “spoke volumes” to what the RWSA, the City, the County, and Fluvanna County were doing – and it was unusual for the main stem of a river in this large of a watershed to have a “good” rating.

Mr. Frederick commented that he had wanted to watch data over time on Buck Mountain Creek, and when the riparian buffers were placed into protection by RWSA, site 17 was listed as “very good” and site 14³ was “good”. He was hoping to see site 14 improve to “very good” – but instead in StreamWatch’s 2015 report site 17 had dropped to “good”. He asked if Mr. Hannah had an explanation for this.

Mr. Hannah responded that he did not have an answer, but noted that several streams changed by one rating category compared to the previous assessment and none had jumped by more than one category. He suggested he would keep Mr. Frederick’s interest in Buck Mountain Creek in mind during future assessments.

³ **Editor’s Note:** StreamWatch Site 17 is Buck Mountain Creek upstream of the new riparian buffers, whereas Site 14 is Buck Mountain Creek downstream of these buffers.

Ms. Galvin asked if the Board could have access to maps of the streams over time to see which had changed most dramatically.

Mr. Hannah responded that he could, but what may be even easier would be to see a table, as was presented last year.

Ms. Galvin stated that the maps were helpful because it showed the geography and how stream health tied into land use patterns.

Mr. Hannah suggested that there was individual sampling site data available online also, and it sounded as though Ms. Galvin was interested in seeing how specific sites had performed over time.

Mr. Hannah thanked the Board and complimented Mr. Frederick and the RWSA for the great job they had been doing, confirming he receives positive statements about RWSA from the public.

e) Presentation on Reserves and Disposition of Fiscal Year 2014-15 Rate Center Results

Mr. Wood delivered a Powerpoint® presentation to the Board on RWSA's policies on financial reserves. He stated that there must be an engineer's feasibility report for each bond issued, generally evaluating the RWSA assets and stating that the project was consistent with the mission of the system and that there was enough revenue capability to make the pledge to make required debt service payments and other financial obligations of the issued new bonds. He stated that the engineer was already working on that report for the proposed Series 2015B bonds, so they were proposing combining that effort with a recent need that arose to make a certification to the Bond Trustee for the Service Agreement Amendment No. 1 to make the processes more efficient.

Mr. Wood stated that his presentation "stemmed from" questions at the last Board meeting regarding reserves and budget practices. He stated that in 2011, the Authority adopted financial policies regarding budgeting for operations, capital needs, debt policies and reserve policies, and he presented a graph showing reserve balances at the end of each fiscal year for the last five years. Mr. Wood noted that the balance had grown from 2011 to 2013 but had leveled off, and emphasized that it was "just a snapshot" – sometimes overall reserves declined when used for construction and legal expenses that occurred during the bond anticipation lawsuit for the Ragged Mountain Dam, which was eventually replenished when bonds were sold⁴. He stated that he wanted his presentation to focus most on the discretionary reserve, stating that there were six rate centers, and a deposit account for each center, whereby depreciation was collected, along with surpluses from operating revenues over expenses and other revenue sources. Mr. Wood stated that at the end of each year, a reconciliation was performed after the external audit that provided an assessment of what the year-end operating result was for each rate center, with any surpluses deposited into the respective account.

⁴ *Editor's Note:* RWSA's financial plan had anticipated issuing bonds at an earlier stage of the Ragged Mountain construction, but the issuance was delayed by court mandate after local citizens against the dam project proposed to sue to prevent the sale of bonds. One purpose for an organization like RWSA providing healthy reserves is to maintain its financial obligations when unanticipated or uncontrollable events occur.

Mr. Wood stated that the reserves were used primarily for capital projects, and over the last 10 years there had been \$160 million in capital expenses, with \$26.8 million funded from cash reserves. He noted that the RWSA's financial policy target was to fund 10% of capital expenses with cash and RWSA had exceeded that target, with 16.7% of capital needs funded from cash reserves. Mr. Wood stated that if RWSA had sold bonds in place of the cash reserves, the added interest costs would be estimated at approximately \$20 million over the next 30 years, for a present worth savings of about \$6.2 million. He also noted that this calculation was made in today's highly favorable interest rate market and would be more significant in a higher interest rate market. Mr. Wood stated that they also used reserves for operational needs, as in 2006 when the RWSA faced many costly line breaks, including the Sugar Hollow pipeline where scaffolding was needed to temporarily fix the line until a section could be permanently relocated farther from the Moorman's River at a total cost of \$200,000 in emergency unbudgeted spending. He further stated that in that same year there were also two major sewer line breaks that had to be paid for, with a few more the following year at a cost of \$250,000. Mr. Wood stated that without available reserves the choices would have been to raise rates mid-year or get an emergency loan, and with line breaks there was not time to apply for a loan, so this was a good use of reserves.

Mr. Wood stated that reserves also provided management flexibility, with the dewatering unit at the Moore's Creek plant in need of a major repair and a part arriving from Germany. He stated that RWSA was presently renting a centrifuge unit temporarily, which must be done in order to meet permit requirements and to be able to operate the water resource recovery facility, at a cost of about \$150,000 unbudgeted. Mr. Wood said that there was also a water line issue in the North Rivanna system, where the line there was in jeopardy because of streambank erosion. He stated that the estimated cost for that repair was about \$300,000. Mr. Wood reported that last year RWSA had to settle with a problem contractor on a capital project, at a cost of \$1.67 million, and there had also been a decision on composting at the plant and enough in reserves for the Board to have that flexibility without a rate increase. He stated that the reserves were always voted on by the Board for specific uses, and presented that of the \$9.5 million urban water discretionary reserve, \$2 million was already earmarked for CIP funding – and the \$7.7 million capital fund shown in his report was already down to \$4 million. Mr. Wood presented a graph prepared by Davenport and Associates, which illustrated a debt service ratio, and RWSA's bond indenture requirement was to have a 1:1 ratio in reserves to annual debt service, with RWSA policies set at 1.5:1. He noted that at the end of the June 2014, RWSA had a ratio of 2:1, so RWSA increased reserves for use on capital projects. Mr. Wood suggested that compared to national AA and AAA bond agencies, the RWSA had ~~a strong~~ debt service coverage – although there were stronger ones – and he referenced a graph that showed Rivanna in comparison to other state utilities. He noted the percentage of unrestricted cash as a percent of operating and maintenance costs, stating that Rivanna was just over 250%, with policies targeting 150-200% - with Fairfax and Loudoun driving some of those numbers up statewide.

Mr. Wood reported that the RWSA was formed under the Water and Waste Authorities Act, and he could not find anything in the code section that indicated that RWSA had to adopt a budget – just an annual report – but the four-party agreement, the trust agreement, and various finance agreements required RWSA to have a budget adopted by the Board. He noted that historically, the RWSA prepared monthly financial statements in which it attempted to explain monthly

variances, and stated that the budget was prepared on a cash basis. Mr. Wood stated that he had asked the auditors if they had seen authorities like RWSA use a budget control mechanism like an appropriation, and the auditors responded it was very unlikely and that some authorities still did not prepare a budget. He presented a section of RWSA's financial policies adopted in 2011, which addressed for what reserves would be used – such as rate stabilization, so RWSA wholesale rates did not have to be increased for emergency spending or lower than estimated actual flows. Reserves or special revenue were also used for one-time needs instead of recurring needs. The policies also addressed preparing the annual budget based on balancing estimated revenue with targeted expenditures, using historical performance, and taking into consideration trends and regulatory environmental activities. RWSA had prepared a monthly financial statement showing the progress of budget estimates compared to actuals; and had prepared an annual financial statement at the end of the year. Mr. Wood presented an example of a budget without amendments and a budget with amendments, noting line items that had run over budget. He stated that amendments “forced” revised budgets to equal spending, making it more difficult at the end of the year to compare actual expenses against the initially adopted budget .

Mr. Foley asked if there were any similar agencies that budgeted as RWSA did.

Mr. Wood responded that the ACSA prepared budgets similarly.

Mr. O'Connell stated that the ACSA did not have a formal amendment process, and handled budgeting much as the RWSA did.

Mr. Boyd asked if a depreciation reserve was identified separately within the budget.

Mr. Wood stated that depreciation expenses were included in RWSA's total discretionary reserves, but that he could review the accounting records and account for what part of the discretionary reserves resulted from depreciation. He recalled that there had been a question about Amendment No. 1 to the Service Agreement and how it would affect the generation of additional reserves, and explained that the Authority built into the CIP growth rate the reserve amount – which still allowed for a planned reserve increase based on capital spending.

Mr. Frederick stated that the Board had asked if a fixed monthly charge would result in more or less reserves, and he indicated first that estimated reserves in the budget would not change. He stated that in actuality, because the Authority tended to err slightly on the conservative side in budgeting estimated revenues, the actual revenues at the end of a budget year were more often greater than estimated than less, so the unintended consequence of having fixed charges might be less actual reserves than what had resulted in the past. Mr. Frederick stated that the actual reserves that did accumulate had been used to benefit the ACSA and City, either through cash to reduce borrowing for future capital projects, or by increasing debt service coverage, which was required by bond covenants to increase as the amount of debt increased.

Mr. Boyd reiterated that his question pertained to “actual depreciation”, which he defined as specific reserves for future replacement of equipment that had a life expectancy.

Mr. Foley stated that if RWSA provided what Mr. Boyd had suggested, RWSA could separately monitor and measure for replacement of equipment – so they knew specifically how much of this special reserve were used in equipment replacement.

Mr. Wood responded that RWSA most of the equipment that RWSA operated and therefore replaced at the end of its useful life was fixed assets and replacement occurred through a construction contract under the CIP.

Mr. Boyd stated that a simple solution might be a separate fund for something like vehicles.

Mr. Wood confirmed that RWSA had a vehicle replacement fund.

Mr. Boyd commented that he did not identify in the budget document an equipment replacement fund.

Mr. Wood referenced again that RWSA did not buy significant equipment for replacement that wasn't part of a capital project, and if RWSA repaired an asset, such as a pump, those expenses were already anticipated in the operating budget.

Mr. Frederick stated that most of RWSA's mechanical equipment assets were like "brick and mortar" or fixed in place, not mobile assets.

Mr. Foley noted that it was more like repair and replacement, rather than "equipment replacement".

Mr. Wood stated that RWSA bought small equipment, but when a pump was replaced it was usually part of a capital project – using depreciation in reserves to offset the purchase.

As the Board had no further questions on Mr. Wood's presentation, Mr. Frederick referred back to the item at the Board's last meeting that was on the table when the Board began asking questions about budgeting and reserves. The Board had authorized the bathymetric survey for Sugar Hollow but had deferred making a decision if they wanted to amend the budget to cover the expense. He noted that the field work had been completed within the past month. He indicated that the Board had wanted to wait until Mr. Wood's presentation to decide if they wanted to adopt a budget amendment, then he summarized from Mr. Wood's presentation that there was no requirement in the Virginia Water and Waste Authorities Act that required the Board to take any further action. Mr. Frederick then asked the Board for direction how they wanted to address this issue.

Mr. O'Connell stated that in the Board packet there was an action to transfer more funds, and asked if staff needed action on that point.

Mr. Frederick stated that staff was not recommending further action and the matter presently before the Board was the result of a question from the Board and was the Board's discretion.

Mr. Foley clarified that he was asked if the Board wanted establish a policy on amending the budget as opposed to following staff's recommendation.

Mr. Frederick clarified that staff was communicating to the Board that no further action was required by law on amending the budget for the bathymetry expense, but further action on that matter was at the "pleasure" of the Board. The matter brought to the Board for action by staff was the annual reconciliation of reserves to rate centers for the end of the fiscal year completed June 30, 2015.

Mr. Wood presented the RWSA's year-end reconciliation, with cash results at \$279,390. He stated that after the audit at the end of the year, RWSA staff compared the operating cash account to the starting cash and then allocated any surplus to the six rate centers. He stated that two rate centers had a deficit this year, therefore, reserves allocated to those two centers in prior years would be reduced accordingly to "replenish the operating fund", and reserves would be increased to the four rate centers that had surpluses for the year. Mr. Wood noted that this closely resembled what was presented to the Board in July, so the Board's action today was simply to authorize the transfers.

Mr. O'Connell moved to approve the transfer as presented. Ms. Galvin seconded the motion, which passed 6-0. Mr. Gaffney was absent from the meeting and the vote.

f) Resolution - Series 2015B Bond Issue

Mr. Wood reported that the RWSA was at a point with several of its projects where it needed to finance them with some new bonded debt. Projects included: the GAC project and related water treatment plant projects for the urban, Crozet and Scottsville water systems; the wholesale metering project; the first part of the Observatory Water Treatment Plant project; and repair of the rafters of a ground storage tank. He stated that the total cost for those projects was estimated as \$36.5 million, but some other sources of funding had already been provided for some of those expenses, to include the Series 2012A bond, mainly for the Crozet and Scottsville GAC project, and some cash reserves. Mr. Wood stated that when subtracting those other sources, the net required for new bond proceeds was \$30.9 million. He stated that in addition to this new need for funds, RWSA staff identified an older bond from 2005 that had a call date approaching and RWSA would benefit by refinance it, saving about \$4 million in cash flow savings over the next 20 years, or \$2.9 million in today's dollars, a 14.4% savings. Mr. Wood stated that adding the funding need for the new projects to the refinancing, along with some estimated bond issuance expenses, capitalized interest and underwriting fees, the total request was for a \$51.2 million bond issue. He stated that in July, the Authority applied to the Virginia Resource Authority (VRA) for the fall Pooled Loan Program and were accepted, and the program was used in 2012 and was similar to the RLF that had been completed in May.

Mr. Wood stated that before the Board was a resolution in a "not to exceed amount" because the pricing would not be confirmed until late October and the VRA would not close on the new bond until November. He stated that the market may end up as a discount market or a premium market, which was why the request was for a not to exceed amount, based on the VRA's analysis. Mr. Wood stated that there were three documents that needed to be considered and

approved by the Board: the resolution authorizing the issuance of the bonds in the amount not to exceed \$54,760,000, and the resolution allowed the Executive Director to make some decisions during the closing pricing process; the supplemental trust that accompanied every bond issue, amending the RWSA's agreement with the trustee and bringing these bonds in as parity debt with all other bonds; and a financial agreement with between the VRA and the RWSA, with terms for the costs.

Ms. Galvin asked if the Board needed to make three separate motions.

Mr. Krueger stated that the single resolution before the Board in its packet approved all three items.

Mr. Boyd asked if the re-funding included extension of terms.

Mr. Wood responded that he would be able to separate the debt service in the new bond to make sure the terms were not extended for the refinanced portion of the bond.

Mr. Boyd asked what the going rate was at this time.

Mr. Ted Cole, with Davenport and Company,⁵ stated that the true interest costs for the entire financing was estimated at about 3.4%, fixed for the entire term.

Mr. Krueger stated that the Board's action would be a motion to adopt the resolution authorizing the issuance of bonds set forth in the resolution in the packet.

Mr. Boyd moved to adopt the resolution. Ms. Galvin seconded the motion.

Mr. Krueger called for a roll call vote: Mr. Jones – aye; Ms. Galvin – aye; Ms. Mueller – aye; Mr. Gaffney – absent; Mr. Foley – aye; Mr. Boyd – aye; and Mr. O'Connell – aye. The motion passed by a 6-0 vote.

g) Resolution – “Imagine a Day Without Water”

Ms. Teri Kent stated that the Value of Water Coalition has urged localities across the nation to engage citizens in its October 6-8 campaign to educate and inspire people around the essential value and importance of water in everyday life, called “Imagine a Day Without Water.” She opined that too often the complex process and infrastructure involved in bringing water from nature to tap and back to nature was largely taken for granted – and was largely invisible yet crucial. Ms. Kent stated that this campaign was an effort to help people connect with the value of water in daily life, and she presented a list of activities planned by the ACSA, the City of Charlottesville Public Works Department, and the RWSA. She stated that the kickoff event would include an educational component involving school-age children, and “op-ed” piece, and resolutions to local government entities, as well as a resolution for consideration by the RWSA Board. Ms. Kent thanked Mr. O'Connell for initiating this idea to honor the Value of Water

⁵ Editor's Note: Davenport and Company has been contracted by RWSA to provide financial advice.

campaign at the local level, and for his invitation to have all three entities coordinate the joint effort.

Ms. Mueller stated that the op-ed piece suggested as a template by the national organization was a “no” to her, as the template from the campaign was not very well written.

Ms. Kent and Mr. Frederick agreed, and Mr. Frederick stated that Ms. Kent had drafted a proposed Letter to the Editor that was completely different.

Ms. Kent read the following resolution into the record:

**RESOLUTION PROCLAIMING
IMAGINE A DAY WITHOUT WATER
OCTOBER 6-8, 2015**

WHEREAS, water is essential for everything we do in life; and

WHEREAS, we need water to make a cup of coffee, fight fires, swim on a hot summer day, or consume a glass of water, or even take a bath; and

WHEREAS, most sectors of our economy rely on water, and without water our economy would grind to a halt; and

WHEREAS, while nature provides water, it takes pipes, pumps, treatment plants, and people working 24/7 to deliver clean, safe water to our homes and businesses, and then remove and treat wastewater so it can safely be returned to the environment; and

WHEREAS, water infrastructure is largely invisible, because it is out of sight, and out of the minds of most people, and needs our attention; and

WHEREAS, the staffs of the Albemarle County Service Authority, City of Charlottesville, and Rivanna Water and Sewer Authority have joined to work together to locally promote “Imagine a Day Without Water” with each of the three governing boards adopting this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Rivanna Water and Sewer Authority Board of Directors hereby proclaims October 6-8, 2015 as “Imagine a Day Without Water” to help Albemarle and Charlottesville residents and customers of public water service recognize the value of safe, clean water to our community.

Mr. Foley moved to adopt the resolution as presented. Mr. O’Connell seconded the motion, which passed 6-0. Mr. Gaffney was absent from the meeting and the vote.

8.0 Other Items from Board/Staff not on Agenda

Mr. Boyd stated that the RWSA had made the decision to have value engineering done on a number of projects over a certain amount, and he would like to see a report as to whether that had saved them any money, to see if it was something they wanted to continue to do.

9.0 Closed Meeting

Mr. Foley moved, seconded by Mr. O’Connell, to adopt the following resolution:

RESOLVED that the Board of Directors of the Rivanna Water and Sewer Authority enter into a closed meeting to discuss a potential property acquisition matter as permitted by Section 2.2-3711.A3 of the Code of Virginia. The motion passed by a vote of 6-0. Mr. Gaffney was absent from the meeting and the vote.

The RWSA Board went into closed session at 4:17 p. m.

Resumption of Open Meeting

The Rivanna Water and Sewer Authority Board of Directors meeting was resumed in open session at 4:32 p.m. Ms. Mueller entered the following resolution, seconded by Mr. Foley:

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 by which the closed meeting was convened 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 – absent; Mr. Foley – aye; Mr. Boyd – aye; and Mr. O’Connell – aye. The motion passed by a 6-0 vote.

10.0 Adjournment

Ms. Mueller moved to adjourn the RWSA Board meeting. Mr. Foley seconded the motion, which was approved by a vote of 6-0.

There being no further business, the meeting adjourned at 4:34 p.m.