

RWSA BOARD OF DIRECTORS
Minutes of Regular Meeting
June 25, 2019

A regular meeting of the Rivanna Water and Sewer Authority (RWSA) Board of Directors was held on Tuesday, June 25, 2019 at 2:31 p.m. in the 2nd floor conference room, Administration Building, 695 Moores Creek Lane, Charlottesville, Virginia.

Board Members Present: Mike Gaffney, Tarron Richardson (left at 4:20 p.m.), Kathy Galvin, Lauren Hildebrand, Jeff Richardson, Liz Palmer.

Board Members Absent: Gary O'Connell.

Rivanna Staff Present: Lonnie Wood, Jennifer Whitaker, Phil McKalips, Liz Coleman, Scott Schiller, Austin Marrs, Andrea Terry, David Tungate, Michelle Simpson, Grace Hopkins, David Rhoades, Mike Ralston, Mike Haley, Dyon Vega, Bill Mawyer, Katie McIlwee.

Also Present: Kurt Krueger, RWSA counsel, members of the public and media representatives.

1. CALL TO ORDER

Mr. Gaffney called the June 25, 2019 regular meeting of the Rivanna Water and Sewer Authority to order at 2:31 p.m.

2. MINUTES OF PREVIOUS BOARD MEETINGS

- a. *Minutes of Regular Board Meeting on April 23, 2019*
- b. *Minutes of Regular Board Meeting on May 28, 2019*

Mr. Gaffney asked members if they had any comments or changes. There were none

Dr. Palmer moved that the board approve the minutes of the regular board meeting of April 23, 2019. The motion was seconded by Ms. Galvin and passed unanimously (5-0). Dr. Richardson abstained and Mr. O'Connell was absent from the meeting and the vote.

The approval of the minutes of the May 28, 2019 board meeting was deferred as there was not a sufficient quorum of Board members present who had attended that meeting.

3. RECOGNITIONS

- a. *Mr. Michael R. Davis*
- b. *Mr. Michael R. Haley*
- c. *Mr. Michael F. Ralston*

Mr. Gaffney read the resolution recognizing Michael R. Davis:

WHEREAS, Mr. Davis has served in a number of positions for the Rivanna Water and Sewer Authority since May of 2005, most recently as a Wastewater Operator; and

WHEREAS, over the same period in excess of 14 years, Mr. Davis has demonstrated

48 leadership in his field and has been a valuable resource to the authority and its employees; and
49 **WHEREAS**, Mr. Davis's understanding of the authority's operation and dedication and
50 loyalty to the authority has positively impacted the authority, its customers and its employees;
51 and

52 **WHEREAS**, the Rivanna Water and Sewer Authority Board of Directors is most grateful
53 for the professional and personal contributions Mr. Davis has provided to the Rivanna Water and
54 Sewer Authority and to its customers and its employees; and

55 **NOW, THEREFORE, BE IT RESOLVED** that the Rivanna Water and Sewer
56 Authority Board of Directors recognizes, thanks and commends Mr. Davis for his distinguished
57 service, efforts and achievements as a member of the Rivanna Water and Sewer Authority, and
58 presents this Resolution as a token of esteem, with its best wishes in his retirement.

59 **BE IT FURTHER RESOLVED** that this Resolution be entered upon the permanent
60 Minutes of the Rivanna Water and Sewer Authority.

61
62 **Dr. Palmer moved that the board adopt the resolution as read. The motion was seconded**
63 **by Ms. Galvin and passed unanimously (6-0). Mr. O'Connell was absent from the meeting**
64 **and the vote.**

65
66 Mr. Gaffney read the resolution recognizing Michael R. Haley:

67
68 **WHEREAS**, Mr. Haley has served in a number of positions for the Rivanna Water and
69 Sewer Authority since May of 1996, most recently as a Mechanic 2; and

70 **WHEREAS**, over the same period in excess of 23 years, Mr. Haley has demonstrated
71 leadership in his field and has been a valuable resource to the authority and its employees; and

72 **WHEREAS**, Mr. Haley's understanding of the authority's operation and dedication and
73 loyalty to the authority has positively impacted the authority, its customers and its employees;
74 and

75 **WHEREAS**, the Rivanna Water and Sewer Authority Board of Directors is most grateful
76 for the professional and personal contributions Mr. Haley has provided to the Rivanna Water and
77 Sewer Authority and to its customers and its employees; and

78 **NOW, THEREFORE, BE IT RESOLVED** that the Rivanna Water and Sewer
79 Authority Board of Directors recognizes, thanks and commends Mr. Haley for his distinguished
80 service, efforts and achievements as a member of the Rivanna Water and Sewer Authority, and
81 presents this Resolution as a token of esteem, with its best wishes in his retirement.

82 **BE IT FURTHER RESOLVED** that this Resolution be entered upon the permanent
83 Minutes of the Rivanna Water and Sewer Authority.

84
85 **Dr. Palmer moved that the board approve the resolution. The motion was seconded by Ms.**
86 **Galvin and approved unanimously (6-0). Mr. O'Connell was absent from the meeting and**
87 **the vote.**

88
89 Mr. Mawyer offered his congratulations to Mr. Haley.

90
91 Mr. Haley stated he looks forward to his retirement and would not be sitting on the couch.

92
93 Mr. Gaffney read the resolution recognizing Michael F. Ralston:

94
95 **WHEREAS**, Mr. Ralston has served in a number of positions for the Rivanna Water and
96 Sewer Authority since August of 1992, most recently as a Mechanic Helper; and

97 **WHEREAS**, over the same period in excess of 26 years, Mr. Ralston has demonstrated
98 leadership in his field and has been a valuable resource to the authority and its employees; and

99 **WHEREAS**, Mr. Ralston's understanding of the authority's operation and dedication and
100 loyalty to the authority has positively impacted the authority, its customers and its employees;
101 and

102 **WHEREAS**, the Rivanna Water and Sewer Authority Board of Directors is most grateful
103 for the professional and personal contributions Mr. Ralston has provided to the Rivanna Water
104 and Sewer Authority and to its customers and its employees; and

105 **NOW, THEREFORE, BE IT RESOLVED** that the Rivanna Water and Sewer
106 Authority Board of Directors recognizes, thanks and commends Mr. Ralston for his distinguished
107 service, efforts and achievements as a member of the Rivanna Water and Sewer Authority, and
108 presents this Resolution as a token of esteem, with its best wishes in his retirement.

109 **BE IT FURTHER RESOLVED** that this Resolution be entered upon the permanent
110 Minutes of the Rivanna Water and Sewer Authority.

111
112 **Dr. Palmer moved that the board approve the resolution. The motion was seconded by Ms.**
113 **Galvin and passed unanimously (6-0). Mr. O'Connell was absent from the meeting and the**
114 **vote.**

115
116 Mr. Mawyer offered congratulations to Mr. Ralston for a job well done.

117
118 Mr. Ralston stated that he and his wife hope to move to Myrtle Beach in a couple of years.

119
120 Mr. Mawyer remarked that it is not a coincidence that three retirements are occurring at the same
121 time as the Authority offers a voluntary early retirement program which all three gentlemen
122 accepted in December. He wished them all the best.

123
124 **4. EXECUTIVE DIRECTOR'S REPORT**

125 Mr. Mawyer stated that Rivanna had sent a condolence letter to the City of Virginia Beach for
126 the tragic event with loss of life. He stated they knew some of the people in the water and
127 wastewater department and are deeply touched, supportive, and sympathetic of their friends in
128 Virginia Beach.

129
130 Mr. Mawyer announced that 43-year employee Randy Jones, who retired two years ago, passed
131 away last week. He stated they are sorry and have expressed their condolences to his family.

132
133 Mr. Mawyer noted that, in response to the occurrence in Virginia Beach, they have enhanced
134 security with the following measures: County police officers present at Board meetings, locking
135 facility doors, active shooter training with an FBI agent coming tomorrow, and future controlled
136 access card system at all facilities.

137
138 Mr. Mawyer announced that June 30 is Drinking Water and Wastewater Professionals
139 Appreciation Day in Virginia and read the proclamation passed in the House of Delegates in

140 2016:

141

142 **HOUSE JOINT RESOLUTION NO. 88**

143 *Designating June 30, in 2016 and in each succeeding year, as Drinking Water and Wastewater*
144 *Professionals Appreciation Day in Virginia.*

145

146 (Agreed to by the House of Delegates, January 26, 2016; agreed to by the Senate, February 23,
147 2016.)

148

149 **WHEREAS**, before the implementation of reliable drinking water and wastewater
150 treatment, thousands of people in the United States died of waterborne diseases like cholera,
151 dysentery, typhoid, polio, and hepatitis each year; and

152 **WHEREAS**, the World Health Organization estimates that unsafe water supplies in
153 developing nations still cause approximately 1.8 million deaths annually; and

154 **WHEREAS**, technological advances by water and wastewater professionals have
155 improved the treatment of both drinking water and wastewater in the Commonwealth, the United
156 States, and the world; and

157 **WHEREAS**, access to clean drinking water is crucial to the health and safety of more
158 than 8.3 million Virginians; and

159 **WHEREAS**, treatment of the Commonwealth's average of more than 620 million gallons of
160 wastewater each day plays a critical role in reducing toxic chemicals and nutrient buildup in
161 Virginia's surface waters, such as the Potomac River and the Chesapeake Bay; and

162 **WHEREAS**, much of the drinking water and wastewater infrastructure in the United
163 States is located underground in millions of miles of pipes, unseen by the public; and

164 **WHEREAS**, thousands of water and wastewater industry professionals in the
165 Commonwealth dedicate their careers to keeping drinking water and treated wastewater clean
166 and free of disease-carrying organisms that can harm both humans and the environment; and

167 **WHEREAS**, the Virginia Section of the American Water Works Association and the
168 Virginia Water Environment Association (member association of the Water Environment
169 Federation), as well as the Washington Metropolitan Council of Governments, the Northern
170 Virginia Regional Commission, and the Virginia Rural Water Association, support the creation
171 of Drinking Water and Wastewater Professionals Appreciation Day;

172 **NOW, THEREFORE BE IT RESOLVED** by the House of Delegates, the Senate
173 concurring, That the General Assembly designate June 30, in 2016 and in each succeeding year,
174 as Drinking Water and Wastewater Professionals Appreciation Day in Virginia; and,

175 **BE IT RESOLVED FURTHER**, That the Clerk of the House of Delegates transmit
176 copies of this resolution to the Virginia Section of the American Water Works Association, the
177 Virginia Water Environment Association, the Washington Metropolitan Council of
178 Governments, the Northern Virginia Regional Commission, and the Virginia Rural Water
179 Association so that members of these organizations may be apprised of the sense of the General
180 Assembly of Virginia in this matter; and,

181 **BE IT RESOLVED FINALLY**, That the Clerk of the House of Delegates post the
182 designation of this day on the General Assembly's website.

183

184 Mr. Mawyer announced that they attended a meeting of the Crozet Community Advisory
185 Committee on June 12 to discuss a number of past, ongoing, and future projects, including dam

186 modifications. He stated they studied the water supply and believe the Beaver Creek Reservoir is
187 adequate to support Crozet for 50 years.

188
189 Mr. Mawyer announced that he would speak to the Chamber of Commerce on Monday, July 8,
190 about the long-term water supply plan.

191
192 Mr. Mawyer reported that this week they would be conducting work on the two large overflow
193 holding ponds that hold about 8.5M gallons each at the end of the wastewater treatment process.
194 He advised that, since the ponds hold sludge, there could be an odor in the area while the work is
195 being conducted and they have sent a letter to the Woolen Mills Association informing of this.
196 He stated the sludge is covered with about five feet of water, which they would pump in order to
197 assess the conditions of equipment in preparation for maintenance to occur later in the year.

198
199 Mr. Mawyer reported that all reservoirs are full, except for Sugar Hollow, of which they have
200 concerns since the water level has been dropping faster than it should. He stated they have been
201 making some adjustments in the releases to get it balanced and noted that their permit requires
202 them to release the same amount of water as flows in and the level should remain the same,
203 except for evaporation and seepage, and they are working with Department of Environmental
204 Quality to evaluate the situation.

205
206 Dr. Palmer asked when the evaluation would be complete.

207
208 Mr. Mawyer replied that the monitoring consists of mass balance calculations.

209
210 Ms. Jennifer Whitaker, Rivanna staff member, responded that they have done some work on
211 inflow calculations, which is the methodology they use under the current permit, and believe
212 they would want to make some modifications to the calculation when the permit is renewed,
213 specifically related to how the inflow to Sugar Hollow is calculated.

214
215 Dr. Palmer asked if this is based on the formula we had with the area vs. the Mechum gauge.

216
217 Ms. Whitaker confirmed this. She stated they would likely advocate for a switch to the
218 Moormans gauge for Sugar Hollow and to use a combination of the Mechums and Moormans
219 River gauge for the rest of the urban water system, with a little more complicated formula that
220 factors in rain amounts.

221
222 Dr. Palmer asked if they are thinking about going directly to the use of the Moorman's River
223 gauge for Sugar Hollow and not a combination.

224
225 Ms. Whitaker confirmed this. She stated they would use a scaling factor. She noted that Sugar
226 Hollow is very flashy, has a different topography than Mechums, and they are finding more
227 water when it rains and less when it is dry.

228
229 Dr. Palmer observed that water levels are currently high and at higher levels than they normally
230 would be in June. She asked if this is what they are seeing now or if it is specific to a particular
231 day.

232
233 Ms. Whitaker replied that they stopped spilling last week and they expected the reservoir to stay
234 about even, according to their calculations, though it dropped by a couple of feet over the course
235 of a week.

236
237 Mr. Mawyer remarked that in some ways this is similar to the circumstances they had in 2017,
238 when South Rivanna Reservoir was letting out more water than was coming in. He stated they
239 are applying the lessons learned from that experience to stay on top of the situation at Sugar
240 Hollow. He stated the newspaper reported that rainfall was 5 inches greater than normal for this
241 year but ten inches below the totals of last year. He concluded his report.

242
243 Mr. Gaffney asked if there is anything new with Observatory.

244
245 Mr. Mawyer replied that they are working with UVA, plan to hold meetings with them, and Kurt
246 Krueger has spoken with their counsel about contracts and easements to get everyone on the
247 same page.

248
249 Dr. Palmer stated she has been getting questions about Lickinghole basin and asked if this has
250 ever been dredged.

251
252 Mr. Mawyer indicated it has not been dredged.

253
254 Dr. Palmer asked how often they conduct bathymetric studies as constituents have observed that
255 it appears to be full of sediment.

256
257 Mr. Mawyer replied that they would conduct a bathymetric study within the next six months, as
258 they have done for South Rivanna and Ragged Mountain Reservoirs.

259
260 Dr. Palmer asked how often they conduct these studies.

261
262 Ms. Whitaker replied that she believes this is the first one for which they've done a formal study
263 with a consultant, while in the past in-house staff has conducted informal studies so they do have
264 a volume number for comparison.

265
266 Dr. Palmer surmised that the number may not be very accurate.

267
268 Ms. Whitaker indicated that this is a possibility and she is interested to see the numbers.

269
270 Mr. Gaffney asked if they would refill the two ponds at Moores Creek they plan to drain for
271 maintenance with water or to let them fill up normally.

272
273 Mr. Mawyer replied that if the rain doesn't refill them they can fill them artificially with water
274 cannons to cover the sludge and keep the odors contained.

275
276 **5. ITEMS FROM THE PUBLIC**

277 Mr. Gaffney opened the meeting to the public.

278
279 Mr. Larry Miller, resident of Free Union, addressed the board. He stated he leases part of the
280 Buck Mountain property and asked the Board if they plan to continue leases in the future. He
281 stated he expects Andrea Terry to answer this question later in the meeting.

282
283 As no one else came forward to address the board, Mr. Gaffney closed this portion of the
284 meeting.

285
286 **6. RESPONSES TO PUBLIC COMMENTS**

287 Mr. Gaffney stated there was not a public comment held at the last meeting.

288
289 **7. CONSENT AGENDA**

290 *a. Staff Report on Finance*

291
292 *b. Staff Report on Ongoing Projects*

293
294 *c. Staff Report on Operations*

295
296 *d. Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing*

297
298 *e. Construction Change Order Authorization - Crozet Interceptor System Pump Station*
299 *Improvements Project- Anderson Construction*

300
301 *f. Construction Work Authorization - Sugar Hollow Transfer Flow Meter – G.L. Howard*
302 *Construction*

303
304 *g. Construction Contract Award – Scottsville Water Treatment Plant Finished Water Flow*
305 *Metering Improvements – Anderson Construction*

306
307 Mr. Gaffney asked board members if there were any items they would like to pull from the
308 consent agenda. There were none.

309
310 **Dr. Palmer moved that the board approve the Consent Agenda. The motion was seconded**
311 **by Ms. Galvin and passed unanimously (6-0). Mr. O’Connell was absent from the meeting**
312 **and the vote.**

313
314 **7. OTHER BUSINESS**

315 *a. Presentation: Buck Mountain Property Review; Andrea Terry, Water Resources Manager*

316 Mr. Mawyer informed the board that Ms. Terry is Water Resources Manager and has a long
317 history of working with the Buck Mountain property and the Ragged Mountain Dam project, for
318 which they were required to mitigate environmental impacts from the dam at the Buck Mountain
319 property. He invited guidance from the Board.

320
321 Ms. Andrea Terry recognized four Buck Mountain lease holders in the audience and thanked
322 them for attending and for continuing to work with the Authority. She pointed to the Buck
323 Mountain property on a map. She explained that, as a result of the water supply concerns of the

324 urban area back as far as 1977, 38 parcels were acquired through an agreement with landowners
325 or taken through eminent domain from 1984 – 1987, with the intent to build the Buck Mountain
326 Reservoir. She stated the authority owns 1,313 acres, which were acquired for \$6.95M, with
327 funds spent as early as 1981 on studies to evaluate the Buck Mountain alternative and to obtain
328 permitting and posted to that account through 1998. She stated the parcels range in size from 1–
329 160 acres and noted that deed restrictions were placed on 600 acres to prohibit development and
330 to protect the water quality of Buck Mountain Creek, which lies within the watershed of South
331 Rivanna Reservoir, as part of the Ragged Mountain Dam mitigation requirement.

332

333 Dr. Palmer asked if it lies within the 100-year floodplain.

334

335 Ms. Terry replied that some of it does, but not all of it, and stated the Authority purchased the
336 parcels that would be flooded by the potential proposed reservoir. She confirmed that the
337 majority of the property lies within the 100-year floodplain.

338

339 Ms. Terry continued that they faced an environmental challenge when the James River
340 Spiny mussel, a state and federally listed endangered species, was found within the Buck
341 Mountain watershed. She stated that several bonds were issued during the 1980s and 1990s, of
342 which many have been refinanced, and it is difficult to confirm if all the debt has been retired.
343 She noted that any sale of the assets of the Authority would have to be approved by a majority of
344 the bond holders and Bank of New York/Mellon, the bond trustee, regardless of whether an asset
345 is still covered by a current bond issue.

346

347 Ms. Terry informed the board that the Buck Mountain surcharge was created in 1983 by a joint
348 resolution of all four public bodies and required the City and ACSA to charge a connection fee
349 ranging from \$200 - \$43K, with amounts collected transferred to Rivanna, with almost \$4M
350 collected since 1983. She stated the development of the Ragged Mountain Reservoir had
351 environmental impacts, including the inundation of two acres of wetlands and 11,500 linear feet
352 of stream, for which they had to mitigate. She stated the fact that mitigation performed in Buck
353 Mountain watershed which falls within the South Rivanna watershed is a benefit if they can
354 protect areas that flow to the South Fork Rivanna Reservoir.

355

356 Ms. Terry presented photographs of the Buck Mountain areas that underwent stream and buffer
357 restoration. She stated the buffers range from 100–200 feet on each side of the stream, they have
358 planted 40,000 trees on 93 acres, and have placed deed restrictions on those areas. She stated that
359 9 leaseholders hold leases on 390 acres, of which 8 parcels are in agriculture, cattle, or horses,
360 with the remainder used for quiet enjoyment. She noted that in 2012, they shortened lease terms
361 to two years, hold several water quality easements on parcels, and the leases generate
362 approximately \$1,600/year. She pointed to the buffer areas around the streams that have deed
363 restrictions on a map.

364

365 Dr. Palmer asked if there are any areas on leased lands with only a 100-foot stream buffer that
366 are being farmed.

367

368 Ms. Terry replied that some properties with 100-foot stream buffers were used for pasture. The
369 Authority adjusted the buffer to 400 feet in some places to help with ongoing operations of the
370 leaseholders.

371
372 Dr. Palmer asked for confirmation that there are some locations with cattle or corn that have 100-
373 foot buffers.

374
375 Ms. Terry confirmed this. She emphasized that the cattle are fenced out of the buffer and use
376 alternate water sources.

377
378 Mr. Gaffney asked if the buffer size was decided upon by the Authority.

379
380 Ms. Terry replied that the Soil and Water Conservation District requires only 35 feet, but the
381 Authority proposed to make them larger to gain approval of the mitigation plan from VDEQ and
382 ACOE.

383
384 Mr. Mawyer added that approval from DEQ was required for our mitigation plan on the Buck
385 Mountain property resulting from the environmental impacts of the Ragged Mountain Dam
386 project.

387
388 Dr. Palmer asked for confirmation that the water protection ordinance buffer is 100 feet for
389 perennial streams and 200 feet around a reservoir.

390
391 Ms. Terry confirmed this.

392
393 Mr. Krueger asked if there were people plowing and planting corn or if it is mostly hay.

394
395 Ms. Terry replied that it is hay and cattle.

396
397 Ms. Galvin asked for confirmation that there are no insecticides.

398
399 Ms. Terry confirmed this.

400
401 Dr. Palmer noted that fertilizer is used for hay.

402
403 Ms. Terry replied that it is kept out of the buffer areas.

404
405 Mr. Mawyer remarked that there are no applications of bio-solids on those farms.

406
407 Dr. Palmer asked if the leases prohibit this.

408
409 Mr. Terry replied that she doesn't believe so.

410
411 Mr. Krueger noted that leaseholders are required to abide by state, federal, and county
412 regulations.

414 Dr. Palmer asked if we can control bio-solids.

415

416 Mr. Mawyer confirmed we could.

417

418 Ms. Terry resumed her presentation. She stated the original leases ran anywhere from 20 years to
419 5 years, with varying costs, and in 2012 when we encumbered the land with deed restrictions,
420 staff conducted an analysis and determined that the lands should be leased at \$10 for pastureland,
421 \$3 for forest, and \$0 for the deed-restricted area, where no activity can take place other than
422 enjoyment of the land.

423

424 Dr. Palmer asked if it is used for hunting.

425

426 Ms. Terry replied affirmatively and stated it is also used for quiet enjoyment. She described
427 long-time leaseholders as really good stewards of the land who provide input on things the
428 Authority doesn't always see. She stated several people ride horses and use the land because it is
429 beautiful and they enjoy it, as well as for cattle operations.

430

431 Ms. Terry stated she would touch on some property management issues. She presented a photo
432 of a bridge the Authority owns on Allen Farm Lane, for which an assessment was conducted in
433 2006, and it was determined that work was needed on the piers at a cost of \$10K. She pointed to
434 a low water crossing beside the bridge that is used by trucks, on which they have worked with
435 lease holders as it can be rough and difficult to cross. She continued that they own a house that
436 was leased for around \$600/month, though it has not been leased for some time as it is no longer
437 in a condition to be rented.

438

439 Dr. Palmer remarked that she has been out to the site many times and asked if delivery trucks
440 have to run through the creek to reach the houses on the other side.

441

442 Mr. Mawyer replied that they are supposed to.

443

444 Mr. Gaffney asked how many houses are up there and if this is the only access.

445

446 Ms. Terry replied that there are two lease holders as well as some other houses. She stated the
447 map indicates there may be one additional access at the other end that used to be open and the
448 owner has closed the gate. Ms. Terry presented a photo of a pond on one of the properties, which
449 she stated has been having trouble with outflows getting dammed up for which they have put in
450 work and may need to put in more work. She stated they are working with the Virginia
451 Department of Conservation and Recreation to determine if they have an agricultural exemption
452 for the pond and, should maintenance be needed, it would cost around \$40K.

453

454 Mr. Mawyer remarked that they can take out the pond.

455

456 Ms. Terry continued that they have a lot of issues with people hunting out of season, trespassing,
457 and growing illegal substances for which they have worked with the Albemarle County police.

458

459 Ms. Terry presented the Board with options for the property. She stated the first is to continue to
50 retain, lease, and manage the property, though it is challenging and takes staff time. A second
461 option she presented is to sell properties that are not part of the 600 acres in deed restrictions,
462 with sales governed by the Code of Virginia.

463
464 Ms. Galvin asked why the reservoir is needed.

465
466 Ms. Terry replied that some feel that in the future environmental circumstances or laws could
467 change and they could have a reservoir.

468
469 Dr. Palmer remarked that some communities buy property upland from their watershed, which is
470 very expensive.

471
472 Ms. Galvin remarked that this is a conservation area, not a reservoir.

473
474 Dr. Palmer replied that it drains into the watershed.

475
476 Ms. Galvin clarified that it is not part of the future backup water supply, as they have a plan.

477
478 Mr. Gaffney remarked that the land is not part of their 50-year plan, though it could be in a 200-
479 year plan.

480
481 Dr. Palmer stated that a reason to keep it is to protect the watershed, which is why she asked if it
92 were in the floodplain.

83
484 Ms. Terry noted that the deed restrictions would remain with any sale of the property and they
485 were saying not to sell that part of the property.

486
487 Ms. Galvin asked if there are trails open to the public.

488
489 Ms. Terry replied that there are not.

490
491 Ms. Galvin asked if there is a long-term plan to turn the land into a recreation area.

492
493 Ms. Terry replied that this has been brought up in the past and Rivanna has stated it would not let
494 that happen.

495
496 Mr. Krueger stated they have to recognize that RWSA is a water utility versus what the County
497 is as a provider of public parks.

498
499 Ms. Galvin stated the land can be sold to the County for a recreational facility.

500
501 Mr. Krueger confirmed that in theory it can be sold to Albemarle County and developed into a
502 park, which would be up to the Board of Supervisors of the County.

503

504 Dr. Palmer remarked that Sugar Hollow is owned by the City and, in her opinion, is being
505 overused. She recognized that this land has other issues but that at least the leaseholders are
506 managing and protecting it and working with Rivanna. She stated she would like to have a bigger
507 discussion about the watershed in general.

508

509 Ms. Galvin remarked that they are using a lot of staff time to maintain this.

510

511 Dr. Palmer stated that a lot of water authorities maintain land in their watersheds.

512

513 Ms. Hildebrand remarked that those properties are usually directly adjacent or contiguous to the
514 reservoir and not this far away from it.

515

516 Ms. Terry replied that it probably varies and she is aware of some that are contiguous, though in
517 New York it is much greater.

518

519 Mr. Gaffney asked Ms. Terry if one of the reasons they are discussing this now is because the
520 two-year period for the leases is up and they need to approve another two years.

521

522 Ms. Terry replied that the leases roll on different two-year schedules. She explained that recently
523 Dr. Wellons asked if he could buy the land and lease it back and we thought it would be a good
524 idea to bring this forward to the Board now.

525

526 Dr. Palmer stated she would like to see the leases and the Board's options with respect to them,
527 and recognized that they must keep some of the properties. She expressed confidence in the
528 leaseholders and staff for their management of the land. She wondered if they can impose a
529 restriction on the use of bio-solids.

530

531 Ms. Terry stated the last time they did this was in 2012, that all of the leases are identical, and
532 she offered to check and get back with Dr. Palmer on the bio-solids question.

533

534 Mr. Mawyer remarked that, since seven years have passed since lease rates were set, it would be
535 prudent to look at the market value.

536

537 Mr. Gaffney expressed his preference to continue to maintain and lease the land and, should the
538 Board decide to consider something else, he would suggest they conduct a study first.

539

540 Ms. Galvin acknowledged that they have a strategic plan and wondered if there should be a
541 strategic plan for the organization's assets over time. She expressed an understanding of why
542 they possess the land, while also recognizing that Sugar Hollow is overused because there is a
543 crying need for recreation space and they are maintaining an asset that is not being used for a
544 general public good; other than to protect the watershed. She posed the question of whether or
545 not they should expand the land's purpose to public use.

546

547 Dr. Palmer remarked that some members of the Board of Supervisors have advocated for the
548 purchase of more land in the watershed to protect against sedimentation and she is responding to
549 some of those comments.

550
551 Mr. Gaffney asked if the majority of what they spend on the Buck Mountain property is for the
552 management of the deed-restricted area or if it is spread among all the property.

553
554 Ms. Terry responded that there are two parts to it: the mitigation area where there is ongoing
555 work with DEQ and Army Corps of Engineers to look at the deed restricted areas, which they
556 would have to do for another four years, and then there is the part with the lease holders. She
557 stated the bridge, house, and pond are assets which might involve big dollars, plus her time and
558 that of the attorney.

559
560 Mr. Gaffney recognized that assets, such as the house, can cause them to spend more money and
561 asked if they are costing anything now.

562
563 Ms. Terry replied that the dam is the one they might have to spend money on. She stated they
564 just conducted a review of the bridge and determined that it is in good shape.

565
566 Mr. Mawyer stated that once they receive the results of the consultant's annual inspection of the
567 buffer, required by DEQ, they would have to spend some money on mitigation. He stated they
568 haven't spent much money on the assets outside of the buffer and there are questions to be
569 resolved, such as what to do with the house and the pond.

570
571 Ms. Galvin expressed that she is trying to understand if the care and maintenance is for the land
572 to be a reservoir or as part of protecting the watershed. She emphasized that it is not part of the
573 water supply plan.

574
575 Mr. Mawyer informed her that it was part of the water supply plan until the spiny mussel took it
576 out of the plan, and it is now part of buffer management and mitigation.

577
578 Dr. Palmer remarked that she always thinks of this as protecting the watershed and not as a
579 potential future reservoir. She extolled the benefit of being able to do mitigation within their own
580 watershed.

581
582 Mr. Mawyer added that it would have been extremely expensive to find mitigation area if they
583 did not have the Buck Mountain property.

584
585 Dr. Palmer stated it was not only the expense but that they were actually putting in buffers in the
586 watershed to protect against sedimentation of a 260 square mile watershed that is a very big
587 portion of the 50-year supply.

588
589 Mr. Mawyer recalled that mitigation costs for Henrico County's Cob's Creek Reservoir located
590 in Cumberland County was \$18M to buy credits and lease property.

591
592 Mr. Richardson asked Mr. Gaffney to expand on the reasons for his earlier comment that he
593 supports having the Authority continue to maintain, manage, and lease the property.

594

595 Mr. Gaffney remarked that, for anything other than this option, they would need time to study.
596 He suggested they continue as is until they decide otherwise.
597

598 Mr. Richardson expressed his agreement with Mr. Gaffney that they should continue to maintain,
599 manage, and lease the property unless a long range plan study were to suggest something else.
600

601 Dr. Palmer stated she would love to know the status of the house and recalled that at one point
602 they thought it could be wonderful to have a police officer rent the Rivanna caretaker's house at
603 Sugar Hollow at a discount, until mold was discovered and it had to be ripped down. She
604 speculated that this house is in a similar condition.
605

606 Mr. Mawyer summarized the Board's guidance as being to optimize and maintain what they
607 have, to look at the market value of leases, and to develop a longer-range plan for use of the
608 property, which would probably involve discussions with the County as a future public facility.
609

610 Mr. Mawyer reported that they have received calls over the last six weeks about dumping on
611 Buck Mountain property in Free Union that is leased to the Johnson family by the Authority. He
612 presented a photo of the property and pointed out a polygon-shaped fill site the Johnsons are
613 completing on their own property, not on Rivanna's property. He stated Albemarle County's
614 erosion control staff has visited the site multiple times to confirm they are doing this properly
615 and have permits. He noted that the owner had the property surveyed and staked to make sure the
616 filling operation did not occur on Rivanna property.
617

618 Mr. Gaffney asked for confirmation that these RWSA parcels are leased by the Johnsons.
619

620 Ms. Terry and Mr. Mawyer confirmed that all three parcels are leased.
621

622 Mr. Richardson asked for confirmation that the leases have restrictions that would not allow
623 anything like what is happening on their own property.
624

625 Ms. Terry confirmed this.
626

627 Mr. Gaffney remarked that if they were to sell them then they would not have the creek.
628

629 Mr. Mawyer confirmed this. He stated the deed restrictions in the buffer would follow the
630 property and development is not allowed in the buffer.
631

632 Dr. Palmer remarked that they don't know if the buffer is 100 or 200 feet.
633

634 Ms. Terry speculated that the buffer may have been more than 200 feet, though it doesn't come
635 up to the parcel line between Rivanna and the Johnson property.
636

637 Mr. Krueger remarked that, theoretically, they could put more restrictions on the land that lies
638 within the mitigation restriction and that what they are doing is balancing between restrictions
639 that might protect water quality but which would cause a decline in the value of the land.
640

641 Ms. Galvin indicated that they should not consider anything until they revisit the lease terms.

642

643 Mr. Gaffney remarked that they don't need a vote.

644

645 Mr. Krueger remarked that no vote essentially puts them with Option 1.

646

647 **9. OTHER ITEMS FROM BOARD/STAFF NOT ON AGENDA**

648 There were no other items.

649

650

651 **10. CLOSED MEETING: (JOINT SESSION WITH THE RSWA)**

652 **At 3:33 p.m., Dr. Palmer moved that the Board of Directors of the Rivanna Water and**
653 **Sewer Authority enter into a joint closed meeting with Rivanna Solid Waste Authority**
654 **Board to discuss confidential personnel matters, as permitted by Section 2.2-3711A.1. of the**
655 **Code of Virginia. The motion was seconded by Ms. Galvin and passed unanimously (6-0).**
656 **Mr. O'Connell was absent from the meeting and the vote.**

657

658 Dr. Richardson left the closed meeting at 4:20 p.m.

659

660 The Board returned to open session at 4:34 p.m. Mr. Krueger read the following closed meeting
661 certification:

662

663 **WHEREAS,** the Rivanna Water and Sewer Authority Board has convened a joint closed
664 meeting with the Rivanna Solid Waste Authority on this date, pursuant to an affirmative
665 recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act
666 and,

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

670 **NOW THEREFORE BE IT RESOLVED,** that the Rivanna Water and Sewer Authority
671 hereby certifies that, to the best of each member's knowledge, only public business matters
672 lawfully exempted from the open meeting requirements by Virginia law were discussed in the
673 executive meeting to which this certification resolution applies and only such public business
674 matters as were identified in the motion convening the closed meeting were heard, discussed, or
675 considered by the Rivanna Water and Sewer Authority.

676

677 **Dr. Palmer moved that the Board adopt the resolution to certify the closed meeting. The**
678 **motion was seconded by Ms. Galvin and passed unanimously (5-0). Mr. O'Connell and Dr.**
679 **Richardson were absent from the meeting and the vote.**

680

681 **Dr. Palmer moved that the Boards of the Rivanna Solid Waste Authority and Rivanna**
682 **Water and Sewer Authority approve a 4.5% salary increase for Executive Director Bill**
683 **Mawyer. The motion was seconded by Ms. Galvin and was passed by the RWSA Board**
684 **unanimously (5-0). Mr. O'Connell and Dr. Richardson were absent from the meeting and**
685 **the vote.**

686

687 **11. Adjournment**
688 **At 4:35 p.m., Ms. Galvin moved to adjourn the meeting of the Rivanna Water and Sewer**
689 **Authority. The motion was seconded by Mr. Richardson and passed unanimously (5-0).**
690 **Mr. O'Connell and Dr. Richardson were absent from the meeting and the vote.**

691
692
693 Respectfully submitted,



Mr. Jeff Richardson
Secretary-Treasurer

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696
697
698
699