

**FLUVANNA COUNTY CITIZEN WATER COMMITTEE  
MEETING MINUTES**

**July 13, 2010**

**MEMBERS PRESENT:**

Joe Chesser, Board of Supervisors Representative  
Frank Pleva, Interim County Administrator  
John Robins, Public Works Director  
Darren Coffey, Planning and Community Development Director  
Gary Peterson, Chamber of Commerce  
Alan Batson, Chairman FUSD Advisory Board  
Richard Schwarz, LMOA  
George Fitz-Hugh, Economic Development Commission  
Elizabeth Franklin, Chair of Fluvanna Taxpayers Association  
Dennis Holder, Fluvanna Friends of Rural Preservation  
Scott Marshall, Chairman Economic Development Authority

**ALSO PRESENT:**

Jacques Ruch  
Al Muio  
Bill Hughes  
Neil Phillips  
Jerry Patchen  
Marvin Moss  
Keith Smith  
Bill Downer  
Garland Nuchols  
Mozell Booker  
Jake Alexander

**CALL TO ORDER & WELCOME**

Mr. Chesser, BOS liaison, called the meeting of July 13<sup>th</sup>, 2010 to order at 7:06 p.m. in the Historic Courthouse of Fluvanna County in Palmyra, Virginia.

**REVIEW AND ENDORSEMENT OF MINUTES**

Mr. Chesser asked if there were any changes to the July 8<sup>th</sup> minutes.

Mr. Holder suggested a correction and after general discussion and agreement on the proposed amendment, the minutes were endorsed by the committee.

**PUBLIC COMMENT**

None.

**FINALIZE RANKING OF ALTERNATIVES**

The committee discussed how to proceed with ranking the alternatives and whether the JRWA issue should be addressed first in order for the full committee to be able to more fairly consider the partnership alternatives.

Mr. Holder stated that he is authorized by his group to vote either one of two ways depending on the status of the JRWA.

Mr. Marshall was encouraging the committee to avoid advising the Board of Supervisors on the status of the JRWA.

Mr. Holder stated that there was no alternative for his group other than to dissolve the JRWA if any partnership option is to be pursued with Louisa County.

Mr. Chesser stated that he would not advocate for dissolving the JRWA because he wanted to explore partnership options, but agreed that the JRWA agreement would need to be renegotiated in order for a partnership to be agreed upon.

Mr. Robins reminded the committee that the JRWA holds the withdrawal permit currently and both counties would have to agree to dissolve the authority in order to regain county control of the permit.

Mr. Holder stated that he is asking for a strong statement of the committee's wishes to pass along to the Board.

Mr. Marshall passed out a proposed resolution for the committee's consideration. He then formally made the motion, seconded by Mr. Schwarz. Mr. Chesser asked for discussion.

Mr. Marshall withdrew his motion for purposes of further discussion and more easily amending it later in the meeting.

The committee ranked the alternatives based on a hand vote by committee members with the following priorities:

Committee's first choice – AquaVirginia split with Louisa based on Usage  
(Four votes for the 1<sup>st</sup> choice, two for the County is Broke, one for AquaVirginia Fluvanna Only)  
Committee's second choice – Free Enterprise split with Louisa based on Usage  
(Three votes for the 2<sup>nd</sup> choice, two for Aqua Fluvanna Only, one for Free Enterprise Fluvanna Only, and one for County is Broke)  
Committee's third choice – AquaVirginia Fluvanna Only  
(Two for 3<sup>rd</sup> choice, two for County is Broke, one for Free Enterprise with Louisa based on Usage, one for James on Rt. 600 with split Usage; the 2-2 tie on the third option resulted in a 5-2 tie break vote for the AquaVirginia Fluvanna Only)

Mr. Holder explained the rationale for his votes. The cross county plan went through the rural preservation area so it was automatically discounted by the Fluvanna Friends of Rural Preservation (FFRP). The other three plans received clear indications by the FFRP members on what was not desired which was partnering with AquaVirginia. The County is Broke plan received a slim majority of votes over the Free Enterprise plan. If there were a partnership that in no way involved the JRWA (because it was voided), then a Free Enterprise plan partnership would be the most favorable option. The FFRP does not think now is the time to pursue this due to the financial status of the county, but it is a good time for the County to better address this issue in a more holistic fashion that does not impact the rural preservation area.

Ms. Franklin reported that 75% of the FTA membership voted for the County is Broke plan, most of the remainder (20%) voted for the Free Enterprise plan with a few votes for other plans. The main factor for the vote was concern over fiscal responsibility. She stated that there were too many competing priorities. Many FTA members do not feel that the case has been made for this project – it is more of a want than a need. The 20% who supported the Free Enterprise plan liked the lower price tag that is more affordable. She stated that the FTA members volunteered concern over the JRWA without solicitation. She summarized the FTA's efforts to lead the initial and subsequent petition drives regarding a referendum on the JRWA. She encouraged the county's leaders to listen to the FTA's feedback given their level of effort and participation throughout this issue.

Mr. Marshall offered a new motion, seconded by Mr. Schwarz, as follows:

The Citizens' Water Committee believes that providing a source of water to the Zion Crossroads development area is vital to the economic growth and expansion of the tax base of Fluvanna County.

The Citizens' Water Committee offers seven alternatives; some of which may include a partnership of some form to be determined by the Board of Supervisors. These alternatives meet the objectives of the Fluvanna County Comprehensive Plan.

The Citizens' Water Committee recommends first, the AquaVirginia split with Louisa based on Usage option; second, the Free Enterprise split with Louisa based on Usage option; and third, the AquaVirginia Fluvanna Only option.

The Citizens' Water Committee would encourage the Board of Supervisors to take an approach that achieves the county goals while minimizing the financial burden on the residents of Fluvanna County.

The Citizens' Water Committee strongly recommends to the Board of Supervisors that the James River Water Authority agreement be renegotiated and readdressed.

Mr. Holder pointed out that the committee's charter stated the county should minimize pulling water from the Rivanna River.

Mr. Chesser called for the vote, which passed five to two.

Mr. Coffey asked the committee if they could quickly review the minutes to date.

Mr. Marshall stated for the record that the EDA had consensus for the AquaVirginia split with Louisa based on Usage option.

Ms. Franklin added that a number of FTA members stated an objection to an AquaVirginia plan.

The committee agreed that the above minutes were accurate.

#### **FINALIZE PRESENTATION FOR THE BOARD OF SUPERVISORS**

The committee then reviewed the proposed final slide presentation to the Board. They agreed to the basic framework and wording with more slides to be submitted to reflect committee member dissenting opinions and other concerns.

Mr. Chesser thanked everyone for their participation during this process, including the subcommittee's hard work.

Mr. Holder stated that if the Board listens to the committee at any level then the decision will be better than it would have been without this committee's work, and that the differences of opinion got us (the committee/county) to a better place.

Ms. Franklin echoed that sentiment. She stated that the committee's work has resulted in new plans for the Board to consider, saved tax payer dollars, and resulted in a better overall process.

#### **PUBLIC COMMENT**

None.

#### **ADJOURN**

There being no further business, Mr. Chesser adjourned the final Citizens' Water Committee meeting of July 13<sup>th</sup>, 2010 at 9:31 p.m.

Minutes recorded by Darren Coffey.