



Rivanna River Basin Commission Board Meeting

Tuesday, April 7th, 2026, at 1:00 P.M.

In Person Meeting at the TJPDC Water Street Center
407 E Water Street, Charlottesville, VA

AGENDA

Commissioners and Guests – [Join Zoom Meeting](#)

Meeting ID: 891 0167 2546 Passcode: 3@yULx

Item	Time	Description
1	1:00 - 1:05	Call to Order, Attendance, Read Electronic Meeting Notice
2	1:05 - 1:07	Approval of Agenda*
3	1:07 – 1:08	Approval of August 19, 2025, Meeting Minutes*
4	1:08 – 1:10	Approval of Remote Electronic Participation and All – Virtual Meeting Policy*
5	1:10 – 1:15	Comments from the Public: limit of 3 minutes per speaker Public are welcome to provide comment on Rivanna River Basin related topics.
6	1:15 - 1:45	General Assembly Updates – Ian Blair, <i>Wetlands Watch</i>
7	1:45 – 1:55	Elections of Officers* - Chair - Vice Chair - Treasurer
8	1:55 – 2:05	Potential Tenaska Payment to RRBC*
9	2:05 – 2:15	RRBC Strategic Planning Update – Isabella O’Brien
10	2:15-2:30	Roundtable <ul style="list-style-type: none"> • RRBC Conference 2026 Topics • Each Commissioner is invited to share updates related to the River/ River Basin from their jurisdiction. • Items for Next Meeting
11	2:30	Adjourn*

**Items that require action*

TJPDC fully complies with Title VI of the Civil Rights Act of 1964 in all programs and activities. TJPDC provides reasonable accommodations for persons who require special assistance to participate in public involvement opportunities. For more information, to request language translation or other accommodations, or to obtain a Discrimination Complaint Form, contact Lucinda Shannon at (434) 979-7310, lshannon@tjpd.org or visit the website www.tjpd.org.

NOTICE OF ELECTRONIC MEETING

This meeting of the Rivanna River Basin Commission is being held pursuant to Code of Virginia Subsection C of § 2.2-3708.3, which allows a public body to hold all-virtual public meetings. The meeting is being held via electronic video and audio means through Zoom online meetings and is accessible to the public. The method for holding this meeting shall not change unless a new meeting notice is provided. Should the electronic transmission fail, you may reach out to the TJPDC at remerick@tjpd.org.

Notice has been provided to the public through notice at the TJPDC offices, web site posting and agenda. The meeting is held pursuant to the Remote Electronic Participation and All-Virtual Meeting Policy as adopted by the Commission on April 10, 2025. The meeting minutes will reflect that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held. A recording of the meeting will be posted at www.rivannariverbasin.org within 10 days of the meeting.



Rivanna River Basin Commission

Board Meeting Minutes

August 19, 2025, from 1:00 to 2:30 P.M.

Rivanna River Basin Commission	Attendance
Ann Mallek, Albemarle BOS Chair	X
Bea LaPisto-Kirtley, Albemarle BOS	X
Lonnie Murray, Appointed Citizen	X
Lloyd Snook, Charlottesville City Council	X
Michael Payne, Charlottesville City Council	
Jason Halbert, Appointed Citizen	
Timothy Hodge, Fluvanna County BOS	X
Tony O'Brien, Fluvanna County BOS	X
Reese Peck, Appointed Citizen	X
Davis Lamb, Greene County BOS	
Francis McGuigan, Greene County BOS	
Alex Vidales, Appointed Citizen	
Steve Morris, Culpeper SWCD	X
Aaron Mills, Thomas Jefferson SWCD (incoming)	X
Staff/Public	
Isabella O'Brien, TJPDC	X

Materials in Packet: Agenda and April 10, 2025, Meeting Minutes

1. The Powers of the Chesapeake Bay Preservation Areas

At the time of the meeting starting, there was not yet a quorum present. Staff recommended moving the agenda to have the guest speaker share their presentation first while those who had confirmed attendance arrived. The commission welcomed Justin Williams, Heather Mackey, and Maura Christian from DEQ's Office of Watersheds and Local Government Assistance Programs for a presentation on the Powers of the Chesapeake Bay Act, specifically focusing on the regulatory powers enabled by the Act to local governments outside of Virginia's coastal zone.

2. Call to Order, Attendance, Read Electronic Meeting Notice

The Rivanna River Basin Commission (RRBC) Chair Ann Mallek, called the meeting to order at 1:40 p.m. The notice of electronic meeting was read, attendance was taken, and a quorum was determined.

3. Approval of Agenda and April 10, 2025, Meeting Minutes

The April 10, 2025, minutes were adopted through a motion by Timothy Hodges, seconded by Lonnie Murray. The agenda was adopted through a motion by Timothy Hodges, seconded by Lonnie Murray.

4. Comments from Public

There were no comments from the public.

5. The Powers of the Chesapeake Bay Preservation Areas

The commission welcomed Justin Williams, Heather Mackey, and Maura Christian from DEQ's Office of Watersheds and Local Government Assistance Programs for a presentation on the Powers of the Chesapeake Bay Act, specifically focusing on the regulatory powers enabled by the Act to local governments outside of Virginia's coastal zone.

6. Staff Updates

Chesapeake Bay Agreement Update and Engagement Process

Staff informed the commission of the Chesapeake Bay Program's Beyond 2025 Initiative to plan for the future of the Watershed Agreement. The public comment period is open and there was a local leaders fact sheet shared.

TJPDC IJIA Program Updates

Staff shared details about the Septic Assistance Program, funded by DEQ's Infrastructure Investment and Jobs Act. The program supports low-income homeowners and is under review in DEQ's Office of Financial Management. Once the program begins, 35 septic projects are expected to be completed and submitted to the DEQ BMP Warehouse. The TJSWCD is partnering with the TJPDC and provides initial funding to homeowners. The Septic Assistance Program funding will supplement costs for low-income homeowners.

Chair Mallek and others noted similar work of the RRBC and importance of communication and outreach efforts to ensure resources are publicly available and effectively coordinated. Another board member noted potential issues of self-selection in the application process and the importance of targeting high-risk areas. Staff shared that the goal of this program is to promote more regular maintenance rather than a targeted approach.

Staff also shared information about 8 rain barrel workshops in 2025, which instruct members of the public on installing rain barrels to prevent excess runoff during storm events. These workshops are held in counties across the region and partners with SWCDs and local stewardship organizations. This program is also funded by the DEQ's Infrastructure Investment and Jobs Act as the TJPDC is allowed the pre-award cost.

Rivanna River Story Map

As part of the RRBC work plan, the TJPDC completed, with the support of an intern, a historical and water quality focused Rivanna River Story Map. Staff shared a link for commissioner review and notified commissioner that QR codes would be posted in parks across the watershed to make it accessible to the public.

RRBC Annual Conference

The conference will discuss water resilience, data centers, and droughts on September 24th from 9:30 – 2:30 at the Center at Belvedere. Staff discussed registration, the marketing schedule, speaker bios, and budget details.

7. Roundtable Discussion: Each Commissioner was invited to share updates from their jurisdiction.

Aaron Mills expressed excitement regarding the Septic program partnership between the TJPDC and TJSWCD. There was discussion about if a pump out could be required upon transfer of ownership on properties and putting on a legislative agenda. Other supervisors echoed that this would be a great idea and that maybe we should talk with realtors about whether this already occurs or could be a possibility.

Supervisor Mallek mentioned that at the next Albemarle County Board meeting, there will be a work session on the next phase of the Riparian Buffer Protection standards. Lonnie Murray finds it important to craft a strong ordinance in Albemarle County that would require performance criteria under resource management areas for streams that may disappear (there was a recent case with a homeowner burying a stream to then develop the area. This would help to close the loop hole so that performance criteria don't go away once the stream is removed.

Ann Mallek suggested it may be helpful to discuss the general assembly at the next full board meeting in March 2026.

There was also discussion about river access and visibility along trails. Bea Lapisto-Kirtley asked if it would be beneficial to have some areas cleared by trails so that the river was more visible to visitors. Lonnie mentioned that removing all vegetation creates more water pollution, as there is no barrier of vegetation to absorb excess nutrients and water running off into the stream. Alternatives to trees, like shrubs and native grasses like little bluestem may help to improve visibility while still providing a science based vegetative buffer. Lonnie also mentioned that having safe, accessible access points is a good way to help the community utilize the river. Aaron Mills remarked that the type of vegetation is really site specific based on soil and other conditions.

Fluvanna County is doing a sweep for tires in coming weeks.

8. Adjourn

The meeting concluded at 2:32pm. Commission meeting materials may be found at <https://rivannariverbasin.org/meetings-events/>.

RRBC REMOTE ELECTRONIC PARTICIPATION and ALL-VIRTUAL MEETING POLICY

This policy has two purposes. The first is to provide for the Rivanna River Basin Commission (RRBC) to permit a member to participate in a Commission meeting through electronic communication means from a remote location, and the second is to allow the Commission to conduct of all-virtual meetings, in the manner allowed by the Virginia Freedom of Information Act (FOIA) and as set out in this policy.

POLICY:

It is the policy of Rivanna River Basin Commission (RRBC) that individual members of the RRBC may participate in RRBC meetings by electronic communication as permitted by subsection B of § 2.2-3708.3 of the *Code of Virginia*. This policy shall apply to the entire membership without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

In order for an individual member to participate from a remote location as authorized by § 2.2-3708.3 B, a quorum of the Commission must be physically assembled at the primary or central meeting location. When such individual participation is due to a personal matter, set out in section A.4, below, such participation is limited to two meetings per calendar year or 25 percent of the meetings held per calendar year, rounded up to the next whole number, whichever is greater.

Further, it is the policy of the RRBC that the Commission may hold all-virtual public meetings pursuant to subsection C of § 2.2-3708.3 of the *Code of Virginia*. Such all-virtual public meetings are limited to two meetings per calendar year or 50 percent of the meetings held per calendar year, rounded up to the next whole number, whichever is greater. An all-virtual public meeting may not be held consecutively with another all-virtual public meeting.

This policy shall apply to the Commission and to all committees created by or under the authority of the Commission.

REMOTE ELECTRONIC PARTICIPATION BY COMMISSION MEMBERS:

"Remote participation" means participation by an individual member of a public body by electronic communication means in a public meeting where a quorum of the public body is otherwise physically assembled.

"Electronic communication" means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

A. Notification of Inability to Attend Because of Disability, Medical Condition, Location or Personal Matter

In advance of the meeting at which remote participation is requested, the member shall notify the Chair or Executive Director that he or she is unable to attend the meeting

- 1) due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance;
- 2) because a family member's medical condition requires the member to provide care for such family member;
- 3) because such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or
- 4) due to a personal matter. The member must identify with specificity the nature of the personal matter and may not use remote participation due to personal matters more than two meetings per calendar year, or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

B. Quorum Physically Assembled; Approval of Remote Electronic Participation

A quorum of the Commission must be physically assembled at the primary or central meeting location. The Commissioners present must approve of the remote electronic participation in order for the member to participate remotely; however, the decision shall be based solely on the criteria in Section A, without regard to the identity of the member or items that will be considered or voted on during the meeting.

C. Record of Action

The Commission shall record in its minutes the remote location from which a member participated. The minutes also shall reflect the specific nature of the personal matter; the disability or medical condition; the fact that a family member's medical condition that required the member to provide care for such family member, thereby preventing their physical attendance; or that that such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting. If the absent member's remote participation is disapproved because participation would violate this policy, the disapproval shall be recorded in the Commission's minutes with specificity.

ALL-VIRTUAL MEETINGS:

"All-virtual public meeting" means a public meeting (i) conducted by the RRBC or its committees (hereinafter public body), using electronic communication means, (ii) during which all members of the public body who participate do

so remotely rather than being assembled in one physical location, and (iii) to which public access is provided through electronic communication means.

When holding an all-virtual public meetings, the RRBC or committee shall follows the requirements of this policy, other meeting requirements under FOIA, and the following statutory requirements:

- 1) An indication of whether the meeting will be an in-person or all-virtual public meeting is included in the required meeting notice along with a statement notifying the public that the method by which a public body chooses to meet shall not be changed unless the public body provides a new meeting notice in accordance with the provisions of § 2.2-3707;
- 2) Public access to the all-virtual public meeting is provided via electronic communication means;
- 3) The electronic communication means used allows the public to hear all members of the public body participating in the all-virtual public meeting and, when audio-visual technology is available, to see the members of the public body as well. When any member of the RRBC or any of its committees has audio-visual technology available, and electronic communication is being used to establish a quorum, that member shall be considered absent from any portion of a meeting during which visual communication with the member is voluntarily disconnected or otherwise fails or during which audio communication involuntarily fails;
- 4) A phone number or other live contact information is provided to alert the public body if the audio or video transmission of the meeting provided by the public body fails, the public body monitors such designated means of communication during the meeting, and the public body takes a recess until public access is restored if the transmission fails for the public;
- 5) A copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of a public body for a meeting is made available to the public in electronic format at the same time that such materials are provided to members of the public body;
- 6) The public is afforded the opportunity to comment through electronic means, including by way of written comments, at those public meetings when public comment is customarily received;
- 7) No more than two members of the public body are together in any one remote location unless that remote location is open to the public to physically access it;
- 8) If a closed session is held during an all-virtual public meeting, transmission of the meeting to the public resumes before the public body votes to certify the closed meeting as required by subsection D of § 2.2-3712;

9) The public body does not convene an all-virtual public meeting (i) more than two times per calendar year or 50 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, or (ii) consecutively with another all-virtual public meeting; and

10) Minutes of all-virtual public meetings held by electronic communication means are taken as required by § 2.2-3707 and include the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held. If a member's participation from a remote location pursuant to this subsection is disapproved because such participation would violate the policy adopted pursuant to subsection D, such disapproval shall be recorded in the minutes with specificity.

The policy replaces the Remote Electronic Participation and All-Virtual Meeting Policy adopted on April 10th, 2025.

Updates to and readoption of this policy shall occur at least once annually.



Rivanna River Basin Commission

POB 1505, 401 E. Water Street, Charlottesville, VA 22902 www.tjpd.org
(434) 979-7310 phone • info@tjpd.org email

RESOLUTION

ADOPTING THE DONATIONS ACCEPTANCE PROCEDURE

WHEREAS, Article 17 of the Rivanna River Basin Commission bylaws grant the commission the "Power to seek, receive and expend donations"; and

WHEREAS, the approved RRBC 2023- 2027 Strategic Work Plan identified assessing the opportunity for a donations fund to support programming and projects that represent that values of the RRBC; and

WHEREAS, Article 3 Section 7 of the Rivanna River Basin Commission bylaws allows for funds to be accepted by the Commission by affirmative vote or by following such other procedure as may be established for the commission to conduct its business; and

WHEREAS, such other procedure has been recommended by staff to accept donations under \$1000 without affirmative vote to support programming, marketing, and matching funds to support grants furthering the values of the RRBC; and

WHEREAS, individual donations above the specified \$1000 amount shall be brought before the commission to vote on acceptance and direction for the donations use ; and

WHEREAS, the fiscal agent shall report to the commission annually a report of gifts and donations offered and accepted, the names of donors, the respective contributions, and disbursements of such gifts and donations; and

THEREFORE, BE IT RESOLVED, that the Rivanna River Basin Commission approves the recommended Donations Acceptance Procedure attached to this document.

Adopted this 14th day of April 2023.

Rivanna River Basin Commission Donations Acceptance Procedure

RRBC Bylaws Enabling Development of Such Procedure

Article 3: Powers and Duties

Section 7: “Seek, apply for, accept, and expend gifts, grants, and donations, services, and other aids, from public or private sources. Other than those from member jurisdictions and those appropriated by the General Assembly, funds may be accepted by the Commission only after an affirmative vote by the Commission or by following such other procedure as may be established by the Commission for the conduct of its business.”

Section 9: “Develop rules and procedures for the conduct of its business as necessary to carry out its purpose and mission, including but not limited to, selecting a Chair and Vice Chair, rotating chairmanships, calling meetings and establishing voting procedures. Rules and procedures developed pursuant to this subdivision shall be effective upon an affirmative vote of a majority of the Commission's members.”

Donations Acceptance Procedure

- 1. The Rivanna River Basin Commission is empowered under the provisions of Article 3, Section 7 to seek and accept donations of money and resources from public or private sources in support of purposes and activities conducted under the auspices of the RRBC (Rivanna River Basin Commission). All moneys received as gifts and donations shall constitute a permanent special fund. No portion of this fund derived from contributions and designated for support of the RRBC may be used for any other purpose. Any interest earned on such money shall remain in the fund described herein. Any moneys so accepted shall be deposited by the fiscal agent in the commission fund to be available for expenditure by the commission for the purposes designated in the following sections.*
- 2. If individual donations are below 1,000 dollars, the funds may be accepted without affirmative vote from the commission and designated for the following specified purposes; matching federal and state grants that further the values identified by the Rivanna River Basin Commission, supporting project funding and administration identified by the commission, in funding marketing of materials related to the RRBC's goals and values.*
- 3. All individual donations received that are greater than \$1,000 shall be brought before the commission for acceptance and direction for its use.*
- 4. The fiscal agent to the RRBC shall report to the commission annually a full report of all gifts and donations offered and accepted, the names of the donors, the respective amounts contributed by each donor, and all disbursements of such gifts and donations of this special fund.*



Declaration of Restrictive Covenants

Rivanna River Basin Commission Payment.

Expedition shall contribute Five Thousand Dollars (\$5,000) annually to the Rivanna River Basin Commission (RRBC), established pursuant to Chapter 5.6 of Title 62.1 of the Code of Virginia, 1950, as amended, to exercise the powers and perform the duties set forth therein, including any successor entity operating under a different name but with substantially the same purpose "to provide guidance for the stewardship and enhancement of the water and natural resources of the Rivanna River Basin." Va. Code § 62.1-69.46. Expedition's obligation to make such annual payments (a) is subject to approval by the executive board or full RRBC to receive such payments and (b) shall commence upon Commercial Operation Date, shall continue only during the operational life of the Project, and shall terminate upon the earlier of (i) the permanent cessation of the Project's operations or (ii) the permanent dissolution or cessation of operations of the RRBC or substantially similar successor.