

**A G E N D A**

**JAMES CITY SERVICE AUTHORITY**

**County Government Center Board Room**

**July 27, 2004**

**7:00 P.M.**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. CONSENT CALENDAR**

1. Minutes - June 22, 2004, Regular Meeting
2. Formal Acceptance of Water and Sewer Systems
3. Contract Modifications to Contract K00-083, JCSA Lift Station 1-2 Replacement and Powhatan Creek Force Main

**D. PUBLIC HEARINGS**

1. Authorization to Sell Property - 303 St. George's Boulevard (St. George's Hundred) and 1899 Jamestown Road (Cardinal Acres Drive)
2. Amendment to the Regulations Governing Utility Service - Independent Water System Connection Fee

**E. BOARD REQUESTS AND DIRECTIVES**

**F. ADJOURNMENT**

**AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 22ND DAY OF JUNE 2004, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A. ROLL CALL**

Jay T. Harrison, Sr., Chairman  
John J. McGlennon, Vice Chairman  
Michael J. Brown  
M. Anderson Bradshaw  
Bruce C. Goodson

Sanford B. Wanner, Secretary  
Frank M. Morton, III, County Attorney  
Larry M. Foster, General Manager

**B. CONSENT CALENDAR**

Mr. McGlennon inquired if the requested amendment to the FY 04 Operating Budget is in addition to the amendments made earlier to the James City County Budget for Hurricane Isabel expenses.

Mr. Foster stated that they are additional expenditures and that no further reimbursement is expected.

Mr. McGlennon made a motion to adopt the minutes on the Consent Calendar.

The motion passed by a unanimous voice vote.

1. Minutes - May 25, 2004, Regular Meeting
2. Budget Amendments – FY 04 Operating Budget

**RESOLUTION**

**BUDGET AMENDMENTS - FY 04 OPERATING BUDGET**

WHEREAS, the Federal Emergency Management Agency (FEMA) and Virginia Municipal League (VML) have provided \$400,000 to the James City Service Authority (JCSA) for Hurricane Isabel damage costs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the James City Service Authority, James City County, Virginia, that the FY 04 Operating Budget be amended and said funds appropriated for repair and replacement activities in the amounts as shown below:

Revenues:

FEMA	\$239,000
VML	<u>161,000</u>
	<u>\$400,000</u>

Expenditures:

Administrative Fund - Operating and Maintenance	\$130,000
Water Fund - Operating and Maintenance	40,000
Sewer Fund - Operating and Maintenance	<u>230,000</u>
	<u>\$400,000</u>

**C. BOARD REQUESTS AND DIRECTIVES**

Mr. Foster stated that the Virginia Marine Resources Commission will hold a public hearing on the proposed King William Reservoir on August 11 and 12 at Lafayette High School.

**D. ADJOURNMENT**

Mr. Goodson made a motion to adjourn.

The motion passed by a unanimous voice vote.

Mr. Harrison adjourned the Board at 7:47 p.m.

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Sanford B. Wanner  
Secretary to the Board

MEMORANDUM

DATE: July 27, 2004  
TO: The Board of Directors  
FROM: Larry M. Foster, General Manager, James City Service Authority  
SUBJECT: Formal Acceptance of Water and Sewer Systems

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Attached is a resolution formally accepting water and sewer systems constructed and contributed to the James City Service Authority by developers during FY 2004. The resolution lists the value of the infrastructure at the time of completion.

Staff recommends adoption of the attached resolution accepting the dedication of the infrastructure.

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Larry M. Foster

LMF/gb  
acceptance3.mem

Attachment

## RESOLUTION

### FORMAL ACCEPTANCE OF WATER AND SEWER SYSTEMS

WHEREAS, certain water and sewer infrastructures have been constructed by developers and dedicated to the James City Service Authority; and

WHEREAS, these water and sewer infrastructures have been constructed in accordance with technical requirements of the James City Service Authority.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, does formally accept the dedication of the water and sewer systems listed below, as of June 30, 2004.

#### Water Dedications

<u>Development</u>	<u>Value</u>
Colonial Heritage - Section 1, Phase 1	\$ 198,635
Colonial Heritage Boulevard	142,850
Ford's Colony - Section 32B	140,480
Fenwick Hills - Phase 1	307,560
Lake Powell Forest - Phase 3	85,225
Powhatan Secondary - Section 7A	101,720
Powhatan Secondary - Section 7B	37,225
Powhatan Village - Phases 1, 2, & 3	171,895
Powhatan Woods - Section 2	165,875
Stonehouse - Section 5B, Phase 1	111,370
Stonehouse - Section 5B, Phase 2	46,050
Stonehouse - Section 5B, Phase 3	116,165
Wellington - Phase 3	150,860
Williamsburg Plantation - Section 5	77,240
Williamsburg Plantation - Section 6, Phase 1	30,900
Williamsburg Plantation - Sections 7 & 8	<u>37,850</u>
Totals:	<u>\$1,921,900</u>

Sewer Dedications

<u>Development</u>	<u>Value</u>
Colonial Heritage - Section 1, Phase 1	\$ 318,226
Colonial Heritage Boulevard	126,750
Ford's Colony - Section 32B	185,673
Fenwick Hills - Phase 1	604,416
Lake Powell Forest - Phase 3	126,064
Powhatan Secondary - Section 7A	173,750
Powhatan Secondary - Section 7B	44,419
Powhatan Village - Phases 1, 2, & 3	196,480
Powhatan Woods - Section 2	225,182
Stonehouse - Section 5B, Phase 1	446,348
Stonehouse - Section 5B, Phase 2	57,680
Stonehouse - Section 5B, Phase 3	70,779
Wallace Warehouse	5,790
Wellington - Phase 3	249,025
Williamsburg Plantation - Section 5	109,934
Williamsburg Plantation - Section 6, Phase 1	84,307
Williamsburg Plantation - Sections 7 & 8	<u>107,967</u>
Total - Sewer	<u>\$3,132,790</u>

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Jay T. Harrison, Sr.  
Chairman, Board of Directors

ATTEST:

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Sanford B. Wanner  
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 27th day of July, 2004.

acceptance3.res

MEMORANDUM

DATE: July 27, 2004

TO: The Board of Directors

FROM: Danny W. Poe, P.E., Chief Engineer - Wastewater

SUBJECT: Contract Modifications to Contract K00-083, JCSA Lift Station 1-2 Replacement and Powhatan Creek Force Main

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The James City Service Authority (JCSA) Lift Station 1-2 Replacement and Powhatan Creek Force Main project were initiated in conjunction with the Hampton Roads Sanitation District (HRSD) Monticello Avenue Interceptor Force Main project, in response to the planned development within the contributory sewershed. JCSA coordinated closely with HRSD to design and construct both projects simultaneously because they are interdependent. Additionally, once wastewater flows reach a certain threshold, HRSD has agreed to take ownership of Lift Station 1-2 and the Powhatan Creek force main. Consequently, the lift station and force main had to be designed and constructed to meet HRSD standards. One engineering firm, Michael Baker Jr., Inc., was selected to design both the HRSD and JCSA projects under separate contracts. This resulted in very favorable design and construction administration fees for both parties.

However, as design progressed, a more efficient and environmentally friendly alternative force main alignment was developed, and pipe corrosion protection measures, easement plats, and soils analysis were required, increasing the amount of work associated with the original scope of services. To date, the HRSD Monticello Interceptor Force Main project is complete, the Powhatan Creek Force Main (actually located in the Greensprings Plantation Drive corridor) is complete, and the Lift Station 1-2 replacement project is 88 percent complete.

The attached resolution authorizes the County Administrator to execute a contract change order for the design and construction administration contract with Michael Baker Jr., Inc., for the JCSA Lift Station 1-2 Replacement and Powhatan Creek Force Main project. This is necessary because the design and construction administrative services have exceeded the original Scope of Services included in our contract. When change orders individually or collectively exceed either 25 percent of the original contract amount or \$50,000, whichever is greater, Board approval is required. Five previous change orders have been processed totaling \$49,496. A sixth change order is pending in the amount of \$5,760, which will bring the total to \$55,256.

Sufficient funds exist in the budget to accommodate these additional services. A summary of the change orders to date follows:

<u>CO No.</u>	<u>Amount</u>	<u>Brief Description</u>
1	\$ 1,800	Geotechnical services to identify soil bearing capacities at the pump station site.
2	\$16,274	Additional engineering services to survey, map, and design the 20-inch force main along the revised alignment in the Greensprings Plantation Drive corridor instead of the environmentally sensitive Powhatan Creek corridor originally proposed.
3	\$ 3,080	Preparation of plats for the pump station property transfer from James City County to JCSA and easements for the force main.

4	\$ 00	Structural design modification to the pump station at JCSA's request.
5	\$27,842	Miscellaneous services to include force main corrosion-control design and testing, additional architectural services to improve the pump station aesthetics, additional site plan approval effort, force main directional drill alternative analysis, and additional construction phase engineering and inspection services for the force main.
6	\$ 5,760	Additional construction administration and inspection services relating to the pump station as a result of the contractor's five-month delinquency in completing construction.

Staff recommends approval of the attached resolution.

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Danny W. Poe, P.E.

CONCUR:

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Larry M. Foster

DWP/adw  
k00083.mem

Attachment

**RESOLUTION**

**CONTRACT MODIFICATION TO CONTRACT K00-083**

**JCSA LIFT STATION 1-2 REPLACEMENT AND POWHATAN CREEK FORCE MAIN**

WHEREAS, the County's Purchasing Policy requires the Board of Directors approval for contract changes that exceed 25 percent of any existing contract, or \$50,000, whichever is greater; and

WHEREAS, changes that exceed the stated threshold are necessary to provide the required design and construction administrative services under Contract K00-083 with Michael Baker Jr., Inc.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the James City Service Authority, James City County, Virginia, hereby authorizes the County Administrator or his designee to execute the necessary contract change document for additional construction administrative and inspection services for the Lift Station 1-2 Replacement and Powhatan Creek Force Main project, in the total amount of \$5,760. This brings the total of all change orders for the project to \$55,256.

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Jay T. Harrison, Sr.  
Chairman, Board of Directors

ATTEST:

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Sanford B. Wanner  
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 27th day of July, 2004.

k00083.res

MEMORANDUM

DATE: July 27, 2004

TO: The Board of Directors

FROM: Larry M. Foster, General Manager, James City Service Authority

SUBJECT: Authorization to Sell Property - 303 St. George's Boulevard (St. George's Hundred) and 1899 Jamestown Road (Cardinal Acres Drive)

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The James City Service Authority (JCSA) owns two parcels of property located at 303 St. George's Boulevard (St. George's Hundred) and 1899 Jamestown Road (Cardinal Acres Drive). Maps depicting the parcels are attached. The two parcels had water production facilities located upon them that have been demolished. Both parcels are located in established residential neighborhoods.

The County's Real Estate Assessment Office has appraised the properties at 303 St. George's Boulevard for \$32,000. In addition, the property located at 1899 Jamestown Road (Cardinal Acres Drive) has been appraised for \$20,000. The JCSA has not identified a future use for the property.

While not required, this meeting has been advertised as a public hearing on the sale of the two parcels. After receiving public comment, staff recommends that the Board approve the attached resolution authorizing the sale of the property.

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Larry M. Foster

LMF/gs  
parcelsale.mem

Attachments

**RESOLUTION**

**AUTHORIZATION TO SELL PROPERTY -**

**303 ST. GEORGE'S BOULEVARD (ST. GEORGE'S HUNDRED) AND**

**1899 JAMESTOWN ROAD (CARDINAL ACRES DRIVE)**

WHEREAS, the James City Service Authority (JCSA) has identified two parcels of property located at 303 St. George's Boulevard (St. George's Hundred) and 1899 Jamestown Road (Cardinal Acres Drive) that were previously used as water production facilities that are no longer in use; and

WHEREAS, the water production facilities that were located on the parcels have been demolished and no future use of the property has been identified.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, approves of the sale of the property with said property being sold for at least 90 percent of the appraised value as determined by the Office of Real Estate Assessment, and that the General Manager of the James City Service Authority is authorized to sign the appropriate documents associated with the sale of the two parcels.

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Jay T. Harrison, Sr.  
Chairman, Board of Directors

ATTEST:

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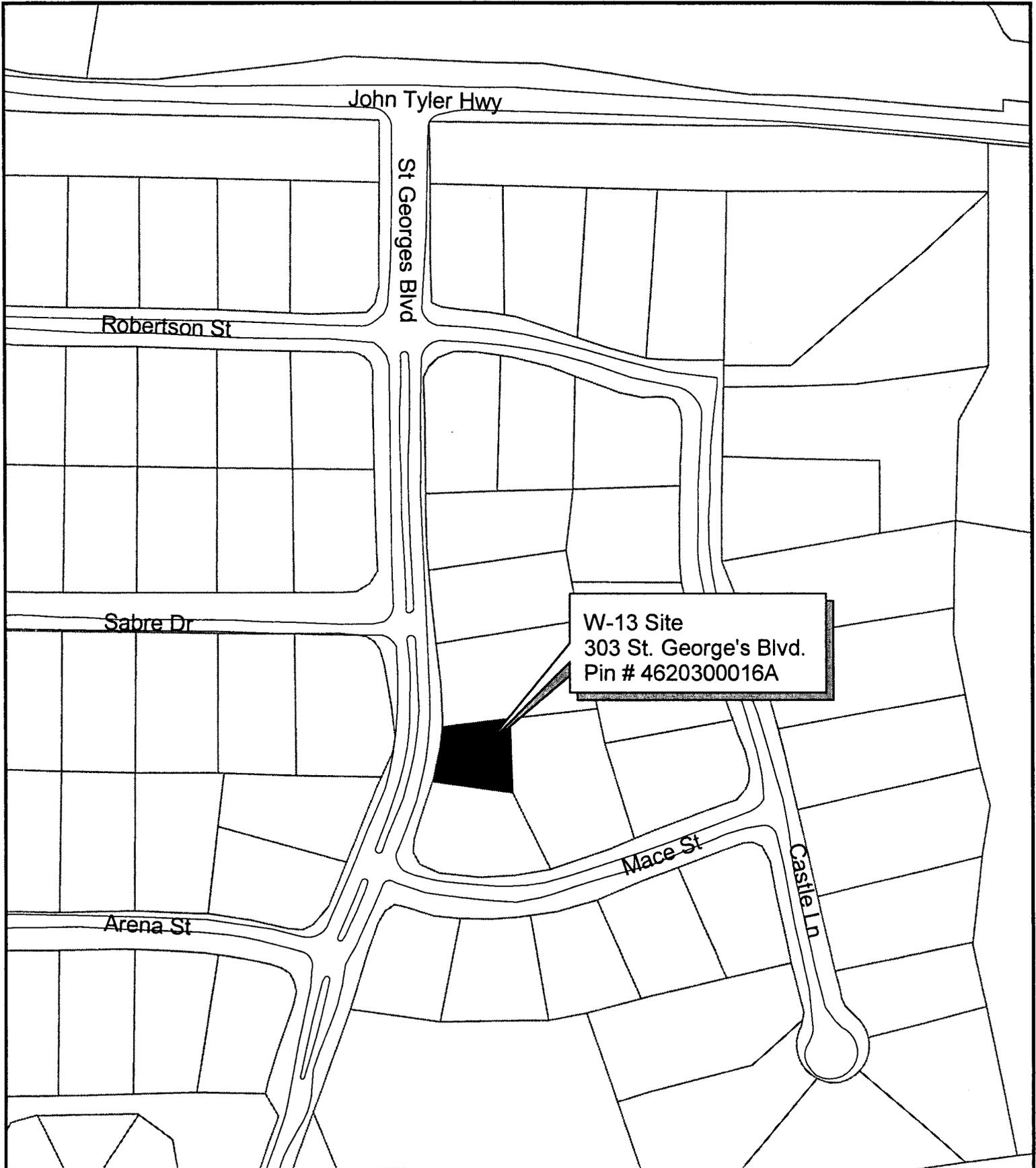
Sanford B. Wanner  
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 27th day of July, 2004.

parcelsale.res



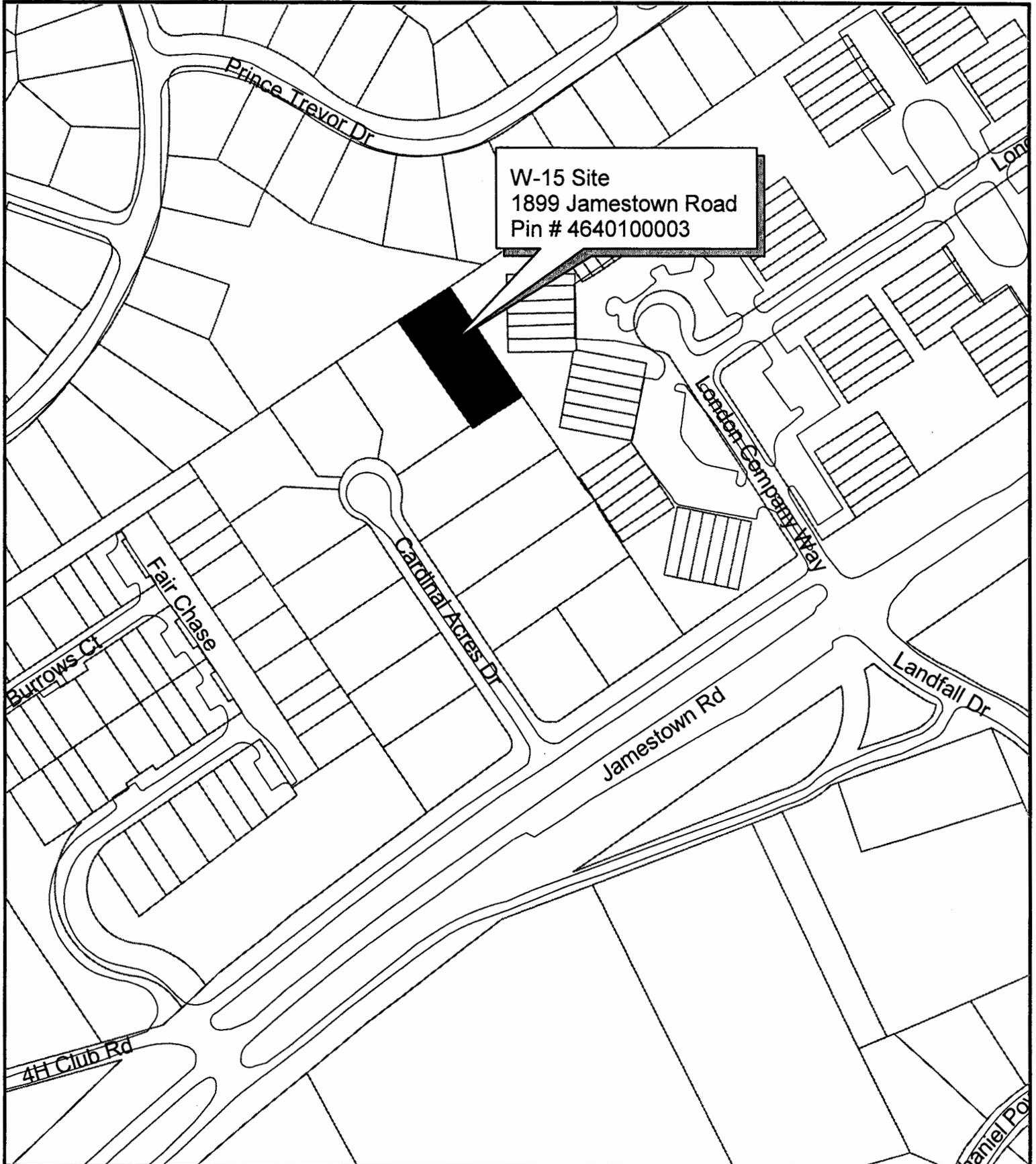
# Abandoned Well Lot W-13 in St. George's Hundred





# Abandoned Well Lot W-15 in Cardinal Acres

200 0 200 Feet



## MEMORANDUM

DATE: July 27, 2004

TO: The Board of Directors

FROM: Larry M. Foster, General Manager, James City Service Authority  
Leo Rogers, Acting County Attorney

SUBJECT: Amendment to the Regulations Governing Utility Service - Independent Water Systems Connection Fee

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This meeting has been advertised as a public hearing to receive public comment on a proposal to amend the James City Service Authority's (JCSA) Regulations Governing Utility Service to allow for the assessment of an Independent Water System Connection Fee. When originally discussed, the fee was referred to as a Rate Equalization Fund fee. As the discussion progressed, staff determined that a more appropriate term for the fee is Independent Water System Connection Fee.

Over the past several years, it became increasingly evident that the JCSA was experiencing a substantial financial deficit on the operation and maintenance of independent water systems. Consequently, the JCSA commissioned Municipal & Financial Services Group (MFSG) in the Fall of 2003 to study the matter. MFSG confirmed that the costs to operate the six independent water systems owned by the JCSA exceed the revenues generated. This deficit is subsidized by the customers served by the Central Water System. MFSG recommended a fee of \$4,000 per lot or residential unit ("lot") for any lots created in the future in order to address the issue of the deficits experienced by lots served by independent water systems. At a Work Session held on December 16, 2003, the Board agreed in concept to impose such a fee.

Section 19-57 of the County's Subdivision Ordinance requires that the developer of any major development (six lots or more) install a water system to serve the development and upon completion turn the water system over to the JCSA. This requirement was incorporated into the Subdivision Ordinance to promote the health, safety, and welfare of the community and the County by: 1) ensuring that an adequate water supply with a qualified dependable operator is available for the homes served by the water system; 2) ensuring an adequate and dependable flow of water to provide fire protection; 3) providing a level of protection to the aquifer supporting the JCSA's and County's efforts to safeguard the groundwater system; and 4) precluding the JCSA and County from having to incur the expense of retrofitting a neighborhood with a public water system should a private water system or private wells fail to serve the homes. In the late 1970s, the County incurred significant expense constructing water lines to serve the Sandhill neighborhood after several of the private wells serving individual homes failed.

While different options have been discussed, staff recommends a \$4,000 per lot Independent Water System Connection Fee. At its meeting on January 27, 2004, the Board decided that the fee should be imposed at the time the JCSA accepts the dedication of the facilities of the independent system. This is the point at which the JCSA actually begins incurring expenses related to operating the system and connections will typically begin shortly thereafter.

Should the independent water system be connected to the Central Water System, staff recommends funds being held in the dedicated account be used to pay the construction costs to connect to the Central Water System. Any remaining monies would continue in the fund and be used as needed to offset operating costs of other independent systems.

Amendment to the Regulations Governing Utility Service - Independent Water Systems Connection Fee

July 27, 2004

Page 2

Staff's position is consistent with the JCSA imposing a uniform connection fee for all users of an independent water system. The connection fee of \$4,000 per lot was determined based on the additional JCSA costs for collectively operating all independent water systems. All connection fees are to be set aside in an account for the JCSA to provide service to independent water systems. As such, staff believes that the funds in this account will have a collective rather than individual purpose.

It has come to the attention of the JCSA that Delegate G. Glenn Oder requested an opinion from the Attorney General's Office on the legal authority of the JCSA imposing the Independent Water System Connection Fee as proposed. By a letter dated June 10, 2004, Delegate Oder received an opinion from the Chief of the Opinions Section at the Attorney General's Office confirming the JCSA's authority to impose the proposed fee. A copy of that opinion is included in the Board's Reading Folder.

Staff recommends, after receipt of public comment, approval of the attached resolution amending the JCSA's Regulations Governing Utility Service by establishing a \$4,000 Independent Water System Connection Fee for each lot of a residential development requiring an independent water system and incorporating the provisions discussed above.

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Larry M. Foster

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Leo P. Rogers

LMF/LCR/gb  
indepwtrfee3.mem

Attachment

## RESOLUTION

### AMENDMENT TO THE REGULATIONS GOVERNING UTILITY SERVICE -

#### INDEPENDENT WATER SYSTEMS CONNECTION FEE

- WHEREAS, on December 16, 2003, staff and consultants presented the Board of Directors with a Cost of Service Study prepared by Municipal & Financial Services Group (MFSG) demonstrating that the costs to operate exceeded revenues for the six Independent Water Systems owned by the James City Service Authority (JCSA); and
- WHEREAS, MFSG recommended the establishment of a fee on water connections, serving new Independent Water Systems, the proceeds of which as well as any investment income would be used to offset the costs of operating the Independent Water Systems established after August 1, 2004; and
- WHEREAS, MFSG determined that a fee of \$4,000 per connection is necessary to offset the costs over revenues for Independent Water Systems; and
- WHEREAS, the proceeds from the connection fee will be deposited in a dedicated Independent Water System Fee Account and used to offset the operating deficit of the water system; and
- WHEREAS, Section 15.2-5136 (G) of the Code of Virginia requires that a public hearing be conducted on any proposal to implement or increase an existing water fee; and
- WHEREAS, the notice of public hearing, to be held on July 27, 2004, appeared in the May 15 and 24, 2004, in the *Daily Press*; and
- WHEREAS, by a letter dated June 10, 2004, the Attorney General's Office issued an opinion confirming the authority of the JCSA to impose an Independent Water System Connection Fee; and
- WHEREAS, the JCSA proposes to amend the Regulations Governing Utility Service in order to promote the health, safety, and welfare of the community and the County by: 1) ensuring that an adequate water supply with a qualified dependable operator is available for the homes served by the water system; 2) ensuring an adequate and dependable flow of water to provide fire protection; 3) providing a level of protection to the aquifer supporting the JCSA's and County's efforts to safeguard the groundwater system; and 4) precluding the JCSA and County from having to incur the expense of retrofitting a neighborhood with a public water system should a private water system or private wells fail to serve the homes.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby amends the James City Service Authority's Regulations Governing Utility Service by adding Section 32-D as follows:

The developer of any Independent Water System for which the development plans are submitted after August 1, 2004, in accordance with the provisions of Section 19-57, Water

Facilities of the Subdivision Ordinance, shall be required to pay a per lot or residential unit Independent Water System Connection Fee of \$4,000 to the JCSA for each lot or residential unit created by the subdivision prior to the JCSA accepting the facilities for operation and maintenance.

The monies collected shall be placed in a dedicated account; the proceeds and investment returns will be used to offset the costs of operating the Independent Water Systems created after August 1, 2004. Should it become financially practical to connect an Independent Water System constructed under these provisions to the JCSA Central Water System, the monies deposited in the account for such system shall be used to offset the costs of constructing the infrastructure to connect the two water systems. Any balance of the funds will remain in the JCSA account and be used to offset the operating deficits of the Independent Water System created after August 1, 2004.

1. Contractual Agreement. Any developer (person, corporation, or partnership of an Independent Water System) that is to be dedicated to the JCSA shall enter into an agreement with the JCSA prior to approval by the JCSA of the Independent Water Facility submission. The contract shall set forth, at a minimum, the following:
  - a. The location, size, and capacity of the facilities to be constructed;
  - b. The developer's obligation to comply with the requirements of the JCSA regulations Section 29.A.2; and
  - c. The obligation of the developer to dedicate and the JCSA to accept the facilities pursuant to Section 29.A.4. of the JCSA regulations and after payment of the Independent Water Connection Fee set forth in Paragraph D above.
2. System Facility Charge Exemption. Any lots created after August 1, 2004, which are to be served by an Independent Water System, shall be exempt from the Water System Facilities Charge set forth in Section 32.c.1 of the Regulations Governing Utility Service.

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Jay T. Harrison, Sr.  
Chairman, Board of Directors

ATTEST:

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Sanford B. Wanner  
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 27th day of July, 2004.