

A G E N D A

JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS

County Government Center Board Room

September 12, 2006

7:00 P.M.

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. CONSENT CALENDAR**
 - 1. Minutes -
 - a. June 27, 2006, Regular Meeting
 - b. July 25, 2006, Regular Meeting
 - c. August 8, 2006, Regular Meeting
 - 2. AVID Medical, Inc. Performance Agreement
- D. BOARD REQUESTS AND DIRECTIVES**
- E. ADJOURNMENT**

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AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 27TH DAY OF JUNE 2006, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

John J. McGlennon, Chairman
Jay T. Harrison, Sr., Vice Chairman
James O. Icenhour
Bruce C. Goodson
M. Anderson Bradshaw

Sanford B. Wanner, Secretary
Leo P. Rogers, County Attorney
Larry Foster, General Manager

C. CONSENT CALENDAR

Mr. Foster provided an overview of the items on the Consent Calendar.

Mr. Goodson made a motion to adopt the items on the Consent Calendar.

On a roll call vote, the vote was AYE: Harrison, Icenhour, Goodson, Bradshaw, McGlennon (5).
NAY: (0).

1. Minutes - May 23, 2006 Regular Meeting
2. Setting a Public Hearing - Transaction Charge for Late Payment

RESOLUTION

SETTING A PUBLIC HEARING – TRANSACTION CHARGE FOR LATE PAYMENT

WHEREAS, the Board of Directors of the James City Service Authority desires to set a Public Hearing to receive public comment on a proposal to change the transaction charge for late payment to the Regulations Governing Utility Rates.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, will hold a Public Hearing on September 26, 2006, and request staff to review Section 32, General Rate Policy and Rate Schedule, Regulations Governing Utility Service and make changes to Section 32, F. 2. as indicated below, which will become effective October 9, 2006, if adopted:

Transaction charge for late payment. A transaction charge for late payment of 1.5 percent will be assessed on the balance due once the bill is delinquent and then every (30) days thereafter. The late charge will be added to a bill in the event the bill is not paid within (30) days following the date thereof.

BE IT FURTHER RESOLVED, that the proposed amendments be made part of this resolution.

3. Approval of Bridge Maintenance and Cost Sharing Agreement

RESOLUTION

APPROVAL OF BRIDGE MAINTENANCE AND COST SHARING AGREEMENT -

COLONIAL HERITAGE, LLC

WHEREAS, Colonial Heritage, LLC is developing a residential development known as Colonial Heritage and located in the Lightfoot area in James City County and the development will have numerous walking trails and other recreational amenities; and

WHEREAS, the James City Service Authority (JCSA) will provide public sewer service to the development and two of the planned sewer lines will require a bridge lending itself to a dual use as the support structure for a walking trail bridge; and

WHEREAS, JCSA staff in conjunction with representatives of Colonial Heritage, LLC have developed an agreement providing the terms for joint use of the sewer and walking trail bridge.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, authorizes the General Manager to sign the Bridge Maintenance and Costs Sharing Agreement defining the terms for the joint use of the sewer and walking trail bridge.

4. Adoption of the Virginia Retirement System (VRS) Retiree Health Insurance Credit Program

RESOLUTION

ADOPTION OF THE VIRGINIA RETIREMENT SYSTEM (VRS)

RETIREE HEALTH INSURANCE CREDIT PROGRAM

WHEREAS, James City Service Authority does hereby elect to provide the Health Insurance Credit Program as provided in the Code of Virginia Section 51.1-1402 for its eligible current and future retirees as defined in Article 5, Chapter 1 of Title 51.1 of the Code of Virginia; and

WHEREAS, James City Service Authority agrees to accept all liability for any current or future additional employer contributions and any increases in current or future employer contribution rates resulting from its election to provide the benefits of the Program to its retirees; and

WHEREAS, James City Service Authority elects to allow its eligible retirees to receive the benefits under the Program effective July 1, 2006.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of James City Service Authority, James City County, Virginia, hereby authorizes and directs John J. McGlennon, Chairman of the Board of Directors, James City Service Authority, and Sanford B. Wanner, Secretary of the Board of Directors, James City Service Authority, to execute any required contract in order that said eligible retirees of James City Service Authority may participate in the Health Insurance Credit Program as provided for in the Code of Virginia. In execution of any contract, which may be required, the seal of the Board of Directors of James City Service Authority, shall be affixed and attested by the Secretary, and said officers of the Board of Directors, James City Service Authority, are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by Board of Directors, James City Service Authority, for this purpose.

D. PUBLIC HEARING

1. Property Disposal

Mr. Foster stated that the purpose of the public hearings is to dispose of seven properties, five of which are buildable for the construction of a home, of which two would be transferred to the Affordable Housing Program through the County's Housing and Community Development Department. Mr. Foster stated the two non-buildable properties would be offered to the adjacent property owners. Mr. Foster stated the property at 125 Riverview Plantation was buildable and was received by the James City Service Authority (JCSA) when the Riverview Plantation Home Owners Association acquired the water system from a private owner and transferred the system to the JCSA. Mr. Foster explained the homeowners association desired a return of the property when it was no longer used as a water production facility. Mr. Foster stated representatives were present to speak to the matter.

Mr. McGlennon opened the Public Hearing.

1. Mr. Ed Miller, 112 Four Mile Tree, Riverview Plantation, speaking on behalf of Riverview Plantation Homeowners Association, gave a brief history of the property and discussion with the JCSA regarding water provisions and land ownership. Mr. Miller stated the understanding of the Association was that the property would be returned to the Association once the Riverview well was taken out of service. Mr. Miller requested the Board delay action on the Riverview Plantation property to provide time for discussion on this issue.

As no one else wished to speak to this matter, Mr. McGlennon closed the Public Hearing.

Mr. Foster stated staff had no problem continuing dialogue with the Riverview Plantation.

Mr. Goodson made a motion to approve the resolution with an amendment to strike Riverview Plantation.

On a roll call vote, the vote was AYE: Harrison, Icenhour, Goodson, Bradshaw, McGlennon (5). NAY: (0).

RESOLUTION

PROPERTY DISPOSAL – SURPLUS PROPERTY

WHEREAS, the staff of the James City Service Authority has determined that the parcels listed below are no longer needed; and

<u>Parcel Number</u>	<u>Address</u>	<u>Acres</u>	<u>Buildable</u>
3110400030	107 Theodore Allen Drive	.229	Yes
4730500006A	495 Neck-O-Land	.264	No
4540200083	106-A Ware Road	.263	No
3910800005	120 Carriage Road	.663	Yes
311050089/a	220 Walker Drive	.97	Yes

WHEREAS, the Office of Housing and Community Development has agreed to reimburse the James City Service Authority the costs of the demolition of the buildings located 107 Theodore Allen Drive, 120 Carriage Road, and 120 Walker Drive in exchange for the property, the parcels would then be transferred to Habitat for Humanity and the Williamsburg Housing Authority for the construction of Affordable Housing units; and

WHEREAS, the remaining parcels will be offered for sale for at least ninety percent of the market value as established by the Office of Real Estate Assessment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby authorizes the General Manager to sign the appropriate documents necessary to dispose of the parcels as described above.

Mr. Foster stated before the recent rain between 7 and 7.3-million gallons of water were used per day, but since the rain, usage had dropped down to 4.5-million gallons per day.

Mr. McGlennon asked if the 7-million gallon mark was surpassed often.

Mr. Foster stated this level of water usage was not very common but with warmer weather, water usage would continue to be high.

E. ADJOURNMENT

Mr. Harrison made a motion to adjourn.

The motion passed by a unanimous voice vote.

At 9:13 p.m., Mr. McGlennon adjourned the Board.

Sanford B. Wanner
Secretary to the Board

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 25TH DAY OF JULY 2006, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

John J. McGlennon, Chairman
Jay T. Harrison, Sr., Vice Chairman - Absent
James O. Icenhour
Bruce C. Goodson
M. Anderson Bradshaw

Sanford B. Wanner, Secretary
Adam R. Kinsman, Assistant County Attorney
Larry M. Foster, General Manager

B. CONSENT CALENDAR

Mr. Foster provided an overview of the items on the Consent Calendar.

Mr. McGlennon inquired if anyone wished to remove an item from the Consent Calendar.

Mr. Bradshaw requested Item No. 2, Contract Authorization for Mooretown Road Waterline Extension, be removed from the Consent Calendar for a separate vote.

Mr. Goodson made a motion to adopt the remaining items on the Consent Calendar.

On a roll call vote, the vote was AYE: Icenhour, Goodson, Bradshaw, McGlennon (4). NAY: (0).

1. Bid Award Amendment – Wellvilla Construction, Inc.

RESOLUTION

BID AWARD AMENDMENT - WELLVILLA CONSTRUCTION, INC.

WHEREAS, on September 27, 2005, the Board of Directors awarded a construction contract to Wellvilla Construction, Inc., in the amount of \$623,016.23 for the installation of waterlines and drainage facilities to serve two water tanks that were planned for the Warhill Complex and Stonehouse Commerce Park; and

WHEREAS, the County's purchasing policy requires the Board of Directors approval when any single or cumulative increase to a fixed-price contract greater than 25 percent of the original contract, or \$50,000, whichever is greater; and

WHEREAS, as a result of oversights by the design engineer, additional costs exceeding the 25-percent benchmark must be incurred to successfully complete the project.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby authorizes an increase in the construction contract with Wellvilla Construction, Inc., to \$810,000 to cover the unanticipated costs.

3. Formal Acceptance of Water and Sewer Systems - FY 2006

RESOLUTION

FORMAL ACCEPTANCE OF WATER AND SEWER SYSTEMS - FY 2006

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, 2006.

<u>Development</u>	<u>Water Dedications</u>	<u>Value</u>
Brandon Woods - Phases 6, 7, & 8		\$ 60,400
Chesapeake Bank @ Lightfoot		18,550
Colonial Heritage-Section 1, Phase 3A		75,250
Colonial Heritage - Section 1, Phase 4		114,485
Colonial Heritage - Section 1, Phase 5		243,915
Colonial Heritage - Section 2, Phase 3		167,760
Colonial Heritage Blvd. Phase 2		103,525
Colonial Heritage Golf M. F.		32,460
Colonial Heritage Club House		29,950
Ford's Colony Section 12		261,330
Ford's Colony Country Club		101,595
Greensprings West - Phase 3C		40,250
Greensprings West - Phase 4C		6,720
Jamestown Hundred - Section 2		97,210
Lake Powell Forest - Phases 6 & 7		69,000
Landfall @ Jamestown - Phase 4		112,350
Landfall @ Jamestown - Phase 5		77,035
Monticello Woods - Phase 1B		83,800
Peleg's Point Water Main Extension		24,400
Powhatan Secondary - Section 7C		110,055
Powhatan Village - Phase 4		104,550
Powhatan Village - Phase 5		34,800
Powhatan Village - Phase 6		75,800
Retreat, The - Phase 1		987,880
Saint Bede's Catholic Church		105,750

Stonehouse - Section 7A, Phases 1 & 2	289,865
Wellington - Section 2	213,450
Wellington - Section 4	130,625
Wexford Hills - Section 3B	73,450
WindsorMeade Marketplace	159,300
WindsorMeade Way	162,710
Winter Park - Section 2	<u>72,200</u>

Total: \$4,240,420

Sewer Dedications

<u>Development</u>	<u>Value</u>
Brandon Woods - Phases 6, 7, & 8	\$ 117,640
Colonial Heritage - Section 1, Phase 3A	1,877,045
Colonial Heritage - Section 1, Phase 4	351,455
Colonial Heritage - Section 1, Phase 5	407,165
Colonial Heritage - Section 1, Phase 3	254,080
Colonial Heritage Golf M. F.	152,245
Colonial Heritage Club House	12,890
Ford's Colony - Section 12	404,740
Ford's Colony - Section 7 Sewer	83,465
Greensprings West - Phase 3C	59,690
Greensprings West - Phase 4C	16,120
Jamestown Hundred - Section 2	132,600
Kingsmill - Armstead Point	35,320
Lake Powell Forest - Phases 6 & 7	58,350
Landfall @Jamestown - Phase 4	63,495
Landfall @Jamestown - Phase 5	119,495
Monticello Woods - Phase 1B	103,395
Powhatan Secondary - Section 7C	189,275
Powhatan Village - Phase 4	110,385
Powhatan Village - Phase 5	55,545
Powhatan Village - Phase 6	107,520
Saint Bede's Catholic Church	6,640
Stonehouse - Section 7A, Phases 1 & 2	195,143
Wellington - Section 2	279,690
Wellington - Section 4	197,700
WindsorMeade Marketplace	111,540
WindsorMeade Way	161,650
Winter Park - Section 2	46,520
Yankee Candle Company	<u>49,345</u>

Total: \$5,760,143

2. Contract Authorization for Mooretown Road Waterline Extension

Mr. Bradshaw asked if the same water-conservation stipulations apply to York County customers served by this waterline extension as applied to James City County customers.

Mr. Foster stated the same rules would apply to York County customers.

Mr. Bradshaw requested that Mr. Icenhour ask the Regional Issues Committee to encourage York County to use the same water-conservation measures as James City County for the properties that are serviced by the James City Service Authority.

Mr. Bradshaw made a motion to approve the resolution.

On a roll call vote, the vote was AYE: Icenhour, Bradshaw, Goodson, McGlennon (4). NAY: (0).

RESOLUTION

CONTRACT AUTHORIZATION FOR MOORETOWN ROAD

WATERLINE EXTENSION

WHEREAS, it has been determined that a waterline extension along Mooretown Road between Ewell Industrial Park and Old Stage Manor is necessary to facilitate the expansion of existing and future businesses in the area; and

WHEREAS, a group of property owners and York County have agreed to participate in the estimated \$100,000 costs of extending the waterline; and

WHEREAS, an agreement has been developed establishing the percentage of contributions for each participant with the James City Service Authority's participation being 30.125 percent of project costs.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, acknowledges the benefits of the proposed waterline to existing and future customers and authorizes the General Manager to sign the contract establishing the terms for the waterline extension.

C. BOARD REQUESTS AND DIRECTIVES - None

D. ADJOURNMENT

Mr. Goodson made a motion to adjourn.

The motion passed by a unanimous voice vote.

At 7:35 p.m. Mr. McGlennon adjourned the Board.

Sanford B. Wanner
Secretary to the Board

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 8TH DAY OF AUGUST 2006, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

John J. McGlennon, Chairman
Jay T. Harrison, Sr., Vice Chairman
James O. Icenhour
Bruce C. Goodson - Absent
M. Anderson Bradshaw

Sanford B. Wanner, Secretary
Leo P. Rogers, County Attorney
Larry M. Foster, General Manager

B. CONSENT CALENDAR

Mr. Foster provided an overview of the item on the Consent Calendar.

Mr. McGlennon inquired if anyone wished to remove an item from the Consent Calendar.

Mr. Bradshaw made a motion to approve the item on the consent calendar.

1. Request for Proposal - Grinder Pump Maintenance

Mr. Harrison asked if grinder pump owners would be making payments to James City Service Authority (JCSA) for the services provided by the contractor.

Mr. Foster stated the grinder pump owners would pay the JCSA, who would then pay the contractor.

Mr. Bradshaw commended the Service Authority for exploring financial benefits as well as enhancing customer service.

Mr. Foster ensured the Board that customer service was the priority and that he would be personally monitoring this service.

On a roll call vote, the vote was AYE; Harrison, Icenhour, Bradshaw, McGlennon (4). NAY: (0).

RESOLUTION

REQUEST FOR PROPOSAL - GRINDER PUMP MAINTENANCE

WHEREAS, the Requests for Proposals for the Grinder Pump Maintenance contract has been advertised and one proposal has been received and reviewed; and

WHEREAS, Commonwealth Engineering & Sales, who submitted the only qualified and responsible proposal, has been determined capable of performing the work associated with the contract at a fair and reasonable price.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, awards the contract for Grinder Pump Maintenance to Commonwealth Engineering & Sales in the amount of \$169,960 for the first year with an adjustment at each annual renewal.

Mr. McGlennon inquired about water usage for the last few weeks due to increasing temperatures.

Mr. Foster stated that for the month of July, there was a record usage of 6.1-6.2 million gallons per day and though the first few days of August showed a demand that exceeded this amount, he felt comfortable that the Service Authority would be able to meet water demands.

Mr. Bradshaw made a motion to recess to September 12, 2006.

The motion passed with a unanimous voice vote.

Mr. McGlennon recessed the Board of Directors to 7:00 p.m. on September 12, 2006, for a meeting with AVID Medical and the Economic Development Authority regarding an elevated water storage tank at Stonehouse Commerce Park.

Sanford B. Wanner
Secretary to the Board

MEMORANDUM

DATE: September 12, 2006

TO: The Board of Directors

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

SUBJECT: AVID Medical, Inc. Performance Agreement

Avid Medical, Inc. (AVID), which is located in the Stonehouse Commerce Park, has expressed a desire to enlarge its existing facility and increase the number of jobs at the company. The approximate value of the expansion and the additional jobs will be \$8 million and 303 respectively. This will increase the approximate value of the existing facilities to \$17.7 million and total jobs to 661 employees.

Recently, the Economic Development Authority (EDA) of James City County received a \$700,000 grant from the Governor's Opportunity Fund that must be used as an incentive to retain AVID in James City County and the Commonwealth by offsetting some of the costs of AVID's expansion in exchange for certain development assurances.

The James City Service Authority (JCSA) is constructing an elevated water storage tank, at an estimated cost of \$3 million, in Stonehouse Commerce Park to improve water supply and pressure in the area. The water storage facility is necessary to facilitate fire protection and water flows for the planned expansion of AVID and the neighboring areas.

A Performance Agreement has been developed between AVID, the EDA, and the JCSA that provides that \$500,000 of the Governor's Opportunity Fund grant will be used toward the costs of construction of the water storage tank. The JCSA must, in turn, provide a matching amount towards the construction of the elevated water storage tank. The Agreement has several provisions that address the creation of job and capital investment for AVID's expansion that do not affect the JCSA. One of the provisions requires that AVID reimburse the EDA based on defined criteria if the job creation and investment do not reach certain levels.

From the perspective of the JCSA, the practical effect of entering into the Performance Agreement will be to accept a \$500,000 grant from the Commonwealth to be used towards the construction of the already-approved elevated water storage facility in the Stonehouse Commerce Park.

Staff recommends approval of the attached resolution authorizing the Chairman to sign the Performance Agreement.


Larry M. Foster

LMF/gb
AVIDagreement.mem

Attachment

RESOLUTION

AVID MEDICAL, INC. PERFORMANCE AGREEMENT

WHEREAS, Avid Medical, Inc. (AVID) has expressed a desire to expand its facility located in Stonehouse Commerce Park; and

WHEREAS, the Economic Development Authority (EDA) of James City County has received a \$700,000 grant from the Governor's Opportunity Fund; and

WHEREAS, the James City Service Authority (JCSA) is building an elevated water storage tank in Stonehouse Commerce Park that is necessary to provide adequate water flows and pressure for the Avid expansion; and

WHEREAS, the Performance Agreement requires that \$500,000 of the Governor's Opportunity Fund be used towards the costs of the water storage tank construction, which amount must be matched by the JCSA.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, authorizes its Chairman to sign the Performance Agreement between AVID, the EDA, and the JCSA which provides the terms for the contribution of the \$500,000 from the Governor's Opportunity Fund and the matching amount provided by the JCSA, both of which must be used toward the costs of the JCSA's Stonehouse Commerce Park Water Storage Facility.

John J. McGlennon
Chairman, Board of Directors

ATTEST:

Sanford B. Wanner
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County,
Virginia, this 12th day of September, 2006.

AVIDAgreement.res