

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 18TH DAY OF DECEMBER, NINETEEN HUNDRED NINETY-FIVE, AT 5:35 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Stewart U. Taylor, Chairman
Robert A. Magoon, Jr., Vice Chairman
Perry M. DePue
Jack D. Edwards
David L. Sisk

David B. Norman, Secretary
Robert H. Smith, Treasurer
Frank M. Morton, III, County Attorney
Larry M. Foster, General Manager

B. WORK SESSION - Water Rate Structure

Mr. Larry M. Foster, General Manager, James City Service Authority, stated that currently, the County has a uniform rate for all customers, and presented an alternative water rate structure that provided for higher rates as water use increased.

Board and staff discussion followed.

Mr. Taylor recessed the Board of Directors until its regular meeting scheduled after the Board of Supervisors' 7:00 p.m. meeting, at 6:00 p.m.

**C. MINUTES - November 20, 1995
December 4, 1995**

Mr. Taylor asked if there were corrections or additions to the minutes.

Mr. Sisk made a motion to approve the two sets of minutes.

The motion passed by unanimous voice vote.

D. CONSENT CALENDAR

Mr. Taylor asked if any Board member wished to discuss the Consent Calendar.

Mr. Sisk made a motion to approve the Consent Calendar.

The motion passed by unanimous voice vote.

1. Newport News Waterworks - Water Expansion Agreement - Mounts Bay Road Waterline Loop

RESOLUTION

WATER EXTENSION AGREEMENT MOUNTS BAY ROAD WATERLINE LOOP

- WHEREAS, Busch Properties desires to extend a waterline within the Kingsmill Development referred to as the Mounts Bay Road Waterline Loop; and
- WHEREAS, Newport News Waterworks provides water services in this area and requires an Agreement with the James City Service Authority prior to approving the extension of its water system; and
- WHEREAS, Busch Properties has agreed to pay Newport News Waterworks \$3,196 in associated fees for the waterline extension.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes its Chairman to sign an Agreement with Newport News Waterworks providing the terms for the extension of the Mounts Bay Road Waterline Loop.

E. BOARD REQUESTS AND DIRECTIVES

Mr. Magoon asked whether citizen complaints regarding high water bills had been received.

Mr. Foster explained that citizens are billed quarterly and the last two to three billing periods covered extreme heat and dry conditions during July and August.

Mr. Taylor made a motion to convene into a joint executive session with the Board of Supervisors pursuant to Section 2.1-344(A)(7) of the Code of Virginia to consult with legal and staff members on litigation, at 8:37 p.m.

The motion passed by unanimous voice vote.

Mr. Taylor reconvened the Board of Directors at 8:50 p.m.

Mr. DePue made a motion to approve the executive session resolution.

The motion passed by unanimous voice vote.

RESOLUTION

MEETING DATE: December 18, 1995

CERTIFICATION OF EXECUTIVE MEETING

- WHEREAS, the Board of Directors of the James Service Authority, (Board) has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and
- WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such executive meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, hereby certifies that, to the best of each member's knowledge; (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and, (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board.

Mr. DePue made a motion to approve the Nice Properties Company resolution.

The motion passed by unanimous voice vote.

RESOLUTION

NICE PROPERTIES CO., v. JAMES CITY COUNTY

WHEREAS, Nice Properties, Co., and James City County and the James City Service Authority have been involved in a dispute over the value of 68 acres of property acquired in 1983 by a certificate of condemnation; and

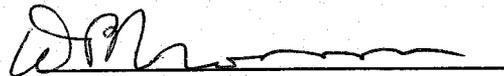
WHEREAS, the parties have now agreed on all issues in dispute.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby approves the payment of the sum of \$200,000 to Nice Properties, Co., to resolve all outstanding issues between the parties.

Mr. Taylor made a motion to adjourn.

The motion passed by unanimous voice vote.

The Board adjourned at 8:51 p.m.



David B. Norman
Secretary to the Board