

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 24TH DAY OF JULY 2007, 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

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

Sanford B. Wanner, Secretary
Leo P. Rogers, County Attorney
Robert H. Smith, Acting General Manager

C. CONSENT CALENDAR

Mr. Bradshaw made a motion to adopt the item on the Consent Calendar.

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

1. Minutes – June 26, 2007, Regular Meeting

D. PUBLIC HEARINGS

1. Easement Abandonment – 8800 Pocahontas Trail

Mr. Foster stated the abandonment was requested by the Grove Christian Outreach Center because the easement limits the development of the property. He stated the easement is not needed as a result of the sewer service is being provided by an alternate route.

Mr. Harrison asked if the plans for the parcel were known.

Mr. Foster stated the plans were not known at this time, but the easement is in the middle of the property, so it limits development if the easement remains.

Mr. Harrison asked if the Grove Christian Outreach Center owned the property.

Mr. Foster stated that Grove Christian Outreach Center was the contract purchaser of the property and requested abandonment of the easement.

Mr. Harrison opened the Public Hearing.

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

Mr. Goodson made a motion to adopt the resolution.

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

RESOLUTION

EASEMENT ABANDONMENT - 8800 POCAHONTAS TRAIL

WHEREAS; Grove Christian Outreach Center has purchased the property located at 8800 Pocahontas Trail and has requested the abandonment of the unused sanitary sewer easement located on the parcel; and

WHEREAS; the James City Service Authority has determined that the easement is not needed as a result of sewer service being provided by an alternate route and has recommended that the Board authorize the abandonment of the easement.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby authorizes its General Manager to sign the necessary documents to abandon the sanitary sewer easement located on the property located at 8800 Pocahontas Trail and defined on a plat prepared by E. J. Kelly, Inc., dated July 2, 1981.

2. Vacation of Easement – 5699 and 5711 Richmond Road

Mr. Foster stated this resolution vacated two easements of approximately 1,900 square feet and 2,200 square feet at Prime Outlets. He pointed out the easement and stated with the redevelopment of Prime Outlets, the utilities would be rerouted. He explained redevelopment eliminated a need for these easements and by vacating them the development area would be unencumbered for the redevelopment. Staff recommended approval of the resolution.

Mr. Icenhour asked if this would affect parking or retail space.

Mr. Foster stated this would not affect buildings or parking put in during redevelopment.

Mr. Harrison opened the Public Hearing.

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

Mr. McGlennon made a motion to adopt the resolution.

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

RESOLUTION

VACATION OF EASEMENTS – 5699 AND 5711 RICHMOND ROAD

WHEREAS, Williamsburg Outlet Mall, LLC has petitioned to have two easements located on property at 5699 Richmond Road (Parcel No. 3310100033G) and 5711 Richmond Road (Parcel No. 3310100033D) vacated; and

WHEREAS, the James City Service Authority has determined that the easement is not needed as a result of the utility lines being relocated and new easements provided in the redevelopment of the property.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby authorizes its General Manager to sign the necessary documents to vacate the easements located on the property at 5699 and 5711 Richmond Road and identified on a plat dated June 22, 2007, prepared by Landmark Design Group.

E. BOARD REQUESTS AND DIRECTIVES

Mr. Harrison asked that Mr. Foster respond to Mr. Fang's disputed water meter fee as discussed in the Board of Supervisors Public Comment section.

Mr. Foster explained that the dispute is due to a misinterpretation of the water metering fee schedule. He stated that Mr. Fang's appeal of his water meter rate uses the cost intended to address commercial industrial meters. Mr. Foster stated he could see the misinterpretation, so staff planned to go back to the printed material and clarify the cost. He stated that residential water meters hold a specific fee and it has clearly been the Board's intention and practice to base residential water meter fees on a per-fixture rate. Mr. Foster stated that Mr. Fang's case required a larger meter due to the number of fixtures.

Mr. Bradshaw stated he felt the intent of the policy was clear, and if written materials were unclear, they needed to be revised.

Mr. Foster stated staff would clarify the fees in written materials.

Mr. Harrison stated this has been the first time that this issue has been brought to the attention of the Board. He recommended staff edit its publication, but stated the fee imposed was common practice.

Mr. Goodson stated the policy was clear as to residential versus business use, but the publication was unclear.

Mr. Foster stated this was correct, and explained that because of the number of fixtures, a 3/4-inch meter was required, but interpretation was based on a fee of \$300 per fixture since this was a residential development.

Mr. McGlennon asked for clarification that the resident had to get a larger meter than is standard for a residence, but since it was a residential development, the fee was based on the number of fixtures.

Mr. Bradshaw stated with more fixtures comes more water demand, which requires more infrastructure and a higher charge.

Mr. Bradshaw stated the printed materials may be unclear or could be misinterpreted, but he felt staff was correct in application of the fee.

Mr. McGlennon stated that the fee imposed was a clear interpretation of the policy.

Mr. McGlennon stated he would have no objection to having an opportunity for public comment from Mr. Fang for three minutes.

Mr. Fang stated Newport News charges per water meter and that an upgrade would only cost the difference in price between water meter sizes.

Mr. Foster stated there would have to be some justification for the size of the water line.

Mr. Goodson quoted the policy which established a \$300 per fixture fee for single-family residences.

Mr. Fang stated this was correct, but based on printed material, the cost of a larger water meter applied rather than the number of fixtures.

Mr. McGlennon asked about overall water usage in the County.

Mr. Foster stated water demand has dropped recently and the JCSA is able to meet demands.

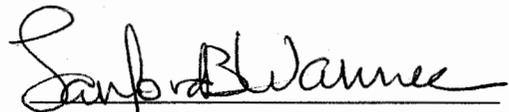
Mr. McGlennon asked about enforcement of the water regulations.

Mr. Foster stated there have been nearly 500 warnings and four or five citations, with one prosecuted and some pending prosecution.

Mr. McGlennon made a motion to adjourn.

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

At 9:51 p.m., Mr. Harrison adjourned the Board of Directors until 7 p.m. on August 14, 2007.


Sanford B. Wanner
Secretary to the Board