

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 JANUARY 2008, 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

Bruce C. Goodson, Vice Chairman
Mary Jones
James O. Icenhour, Jr.
James G. Kennedy
John J. McGlennon

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

C. ORGANIZATIONAL MEETING

1. Organizational Meeting of the Board of Directors

Mr. Goodson opened the floor to nominations for Chairman.

Mr. McGlennon nominated Mr. Icenhour to serve as Chairman.

Ms. Jones seconded the nomination.

The motion passed by a unanimous voice vote.

Mr. Icenhour asked for nominations for Vice Chairman.

Mr. McGlennon nominated Ms. Jones to serve as Vice Chairman.

The motion passed by a unanimous voice vote.

Mr. McGlennon made a motion to adopt the organizational meeting resolution.

On a roll call vote, the vote was AYE: McGlennon, Goodson, Jones, Kennedy, Icenhour (5). NAY:

(0).

RESOLUTION

ORGANIZATIONAL MEETING OF THE BOARD OF DIRECTORS

WHEREAS, the Board of Directors of the James City Service Authority, James City County, Virginia, is desirous of establishing rules for the conducting of its business for the year of 2008.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the James City Service Authority, James City County, Virginia, that the following rules shall apply for the year 2008.

1. Regular meetings of the Board of Directors shall be held following the regular Board of Supervisors' meetings on the fourth Tuesday of each month, except in August and December when the Board meeting shall be held following the regular Board of Supervisors' meetings on the second Tuesday of such months. The meetings shall be held following the 7:00 p.m. Board of Supervisors meeting.
2. The 2009 organizational meeting shall be held on the fourth Tuesday in January 2009 following the 7:00 p.m. Board of Supervisors meeting.
3. The Board of Directors shall follow Robert's Rules of Order, Newly Revised 10th Edition, October 2000, and more specifically, the provisions which pertain to the "Conduct of Business in Boards," at page 469 et. seq., in particular, the AProcedure in Small Boards@ as follows:
 - a. Members are not required to obtain the floor before making motions or speaking, which they can do while seated.
 - b. Motions need not be seconded.
 - c. There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.
 - d. Informal discussion of a subject is permitted while no motion is pending.
 - e. The Chairman can speak in discussion without leaving the chair; and can make motions and votes on all questions.

D. CONSENT CALENDAR

Mr. Icenhour gave an overview of the Consent Calendar.

1. Minutes - December 11, 2007, Regular Meeting

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

The motion passed by a unanimous voice vote.

E. PUBLIC HEARING

1. Public Hearing - Change to the Regulations Governing Utility Service – Annual Grinder Pump Maintenance Agreement Charge

Mr. Foster stated the public hearing was advertised to raise the annual grinder pump fees from \$210 to \$300. He indicated that the additional fee would be applied to maintenance of the grinder pump can. He stated this proposal if approved would be incorporated into the maintenance agreement contract. He stated that \$60 would cover the cost of maintenance and \$30 would cover increased costs over time. He recommended approval of the resolution.

Mr. McGlennon stated this was based on a rough estimate of the maintenance.

Mr. Foster stated that this was based on previous records.

Mr. McGlennon stated that if the cost proposed was too much, the fee would be reduced.

Mr. Foster stated this was correct.

Mr. McGlennon stated this was elective.

Mr. Foster stated it was completely voluntary.

Mr. Goodson asked what damage would be covered.

Mr. Foster stated that occasionally the plastic accordion structure of the can gets damaged during installation, which can lead to grinder pump can failure at a later time.

Mr. Goodson asked if there was coverage for removing the can.

Mr. Foster stated this was correct.

Mr. Icenhour opened the public hearing.

1. Ms. Brenda Brown, 100 Mill Street Way, stated her support for the grinder pump maintenance agreement amendment.

2. Ms. Jean Wilson, 129 Harvest Circle, on behalf of Settler's Mill Homeowners Board of Directors, stated her community has the largest percentage of grinder pumps. She stated her appreciation for the help to get the issue resolved, and stated her support on behalf of the organization.

As no one else wished to speak to this matter, Mr. Icenhour closed the public hearing.

Mr. McGlennon made a motion to adopt the resolution. He noted that Settler's Mill and Kingswood were communities with a high number of grinder pumps.

The motion passed by a unanimous voice vote.

RESOLUTION**PUBLIC HEARING – CHANGE TO THE REGULATIONS GOVERNING UTILITY SERVICE –
ANNUAL GRINDER PUMP MAINTENANCE AGREEMENT CHARGE**

WHEREAS, the Board of Directors of the James City Service Authority (JCSA) conducted a public hearing on January 22, 2008, for a proposed change to the Annual Grinder Pump Maintenance Agreement to include the maintenance of the “Grinder Pump Can” as part of the Agreement; and

WHEREAS, the Board of Directors of the JCSA conducted a public hearing on January 22, 2008, for proposed change to the Annual Grinder Pump Maintenance Agreement Charge included in the Regulations Governing Utility Service.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby adopts a change to the Annual Grinder Pump Maintenance Agreement Charge of \$300 which will become effective February 1, 2008.

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

F. BOARD CONSIDERATIONS**1. Setting a Public Hearing - FY 2009 Utility Rates**

Mr. Bob Smith stated staff requested the Board of Directors to set a public hearing for April 22, 2008, in regard to FY 2009 Utility Rates. He stated the water rate increase was required to finance a water and treatment agreement with Newport News Water Works. He noted the rates that would be affected. Staff recommended approval of the resolution.

Mr. Icenhour stated the figures were set as a maximum required for the public hearing, but a lower rate could be adopted.

Mr. Smith stated this was correct.

Mr. Kennedy stated he felt there was a problem with irrigation in the County.

Mr. McGlennon stated there was a problem with irrigation, but he felt the three-tier system helped address this issue and create consistency in the overall policy. He stated it raised concerns for larger families and creates a burden in writing structure based on family size. He stated that the County should discourage unnecessary irrigation and felt that there was a good faith effort to address this concern. He stated that this was another cost of growth.

Mr. Kennedy stated that behaviors coupled with growth create a compounding problem.

Mr. McGlennon made a motion to adopt the resolution.

The motion passed by a unanimous voice vote.

RESOLUTION

SETTING A PUBLIC HEARING – FY 2009 UTILITY RATES

WHEREAS, the Board of Directors of the James City Service Authority desires to set a public hearing for the purposed utility rate changes to the Regulations Governing Utility Service.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the James City Service Authority, James City County, Virginia, that the Board of Directors will hold a Public Hearing on April 22, 2008, and request staff to review Section 32, General Rate Policy and Rate Schedule, Regulations Governing Utility Service and make changes to the rates, fees, and charges, as summarized below, which will become effective July 1, 2008, if adopted:

1. Residential Water Retail Service Rate (Inverted-Block Rate):

<u>Quarterly Consumption</u>	<u>FY 2008 Current Rate</u>	<u>FY 2009 Proposed Rate</u>
1st Block Less than 15,000 gallons	\$2.50 per 1,000 gallons	\$2.90
2nd Block More than 15,000 gallons but less Than 30,000 gallons	\$3.00 per 1,000 gallons	\$3.50
3rd Block More than 30,000 gallons	\$8.50 per 1,000 gallons	\$9.86
2. Commercial (Flat Rate)	\$3.00 per 1,000 gallons	\$3.50

3. Sewer System Facilities Charge:

A. Residential 5/8-inch meter	\$300 per Bathroom Fixture	\$400
B. Mixed-use structures such as apartments, townhouses, timeshares, and residential condominium projects:		
1) Individual meter	\$300 per Bathroom Fixture	\$400
2) Multi-building meters	\$300 per Bathroom Fixture	\$400
3) Master meter entire project	\$225 per Bathroom Fixture	\$325

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

2. Public Hearing - Regulations Governing Utility Service

Mr. Bob Smith stated that a public hearing was to be set on April 22, 2008, for the regulations regarding utility service. He stated staff did not plan for the amount of time to do the reviews and inspections for plans resulting in an increase in fee cost. He recommended approval of the resolution.

Mr. McGlennon made a motion to adopt the resolution.

The motion passed by a unanimous voice vote.

RESOLUTION**PUBLIC HEARING – REGULATIONS GOVERNING UTILITY SERVICE**

WHEREAS, the Board of Directors of the James City Service Authority desires to set a public hearing for proposed changes to the Regulations Governing Utility Service.

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 April 22, 2008, and request staff to review Section 32, General Rate Policy and Rate Schedule, Regulations Governing Utility Service and make changes to the rates, fees, and charges, as summarized below, which will become effective July 1, 2008, if adopted:

1. Set the Plan Review Fee Schedule as follows:

	<u>Proposed</u>	<u>Existing</u>
<u>Special Use Permits</u>		
Wireless Communication Facilities (New)	\$50	\$0
<u>Site Plans</u>		
<u>Administrative Review</u>		
Residential Structures (Multifamily)	\$300	\$200 plus \$5 per unit
Mixed-Use Structures	\$300	\$200 plus \$5 per Residential unit
Utility Easement Plat Review (New)	\$300	\$0
<u>Planning Commission Review</u>		
Residential Structures (Multifamily)	\$300	\$200 plus \$5 per unit
Mixed-Use Structures	\$300	\$200 plus \$5 per Residential unit
Utility Easement Plat Review (New)	\$300	\$0
<u>Amendment to an Approved Plan</u>		
Residential Structures (Multifamily)	\$150	\$50 plus \$2 per unit
Nonresidential Structures	\$150	\$50 plus \$0.001 per Sq. ft. of building area
Mixed-Use Structures	\$150	\$50 plus \$2 per Residential unit plus \$0.001 per sq. ft. of nonresidential area
Utility Easement Plat Review (New)	\$150	\$0
Each additional review after second re-submission (New)	\$150	\$0

	<u>Proposed</u>	<u>Existing</u>
<u>Subdivision Plan Review</u>		
No Public Improvements Required	\$75	\$25
Public Improvements Required	\$300 plus \$5 per lot	\$150 per plan plus \$25 per lot for each over 2
Wastewater Pumping Station	\$2,000	\$1,500
Well Facility	\$3,000	\$1,500
Each additional review after second re-submission	\$150	\$0
2. Conceptual Plan for Water and Sewer (New)		
General	\$100	\$0
Master Utility Plans and Modeling	\$300	\$0
Each additional review after second re-submission	\$150	\$0

3. Set Inspection Fee for water and sewer lines:

Inspection Fee for Water and Sewer Lines. There shall be a fee for the inspection by the service authority of public water and sewer installations. Such a fee shall be ~~\$1.43~~ \$2.87 per foot for every foot of water main and sewer main constructed and shall be submitted at the time of filing an application for a land disturbance permit.

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

3. Budget Amendments - FY 2008 Capital Improvements Program

Mr. Smith stated there was a budget amendment for FY 2008 for the construction of water-related structures to accommodate water purchased from Newport News. He stated this item came forward at this time to allow for the projects to be completed when the water was available, and the cost was \$2.8 million. Staff recommended approval of the resolution.

Mr. Goodson made a motion to adopt the resolution.

The motion passed by a unanimous voice vote.

RESOLUTION

BUDGET AMENDMENTS – FY 08 CAPITAL IMPROVEMENTS PROGRAM

WHEREAS, the Board of Directors of the James City Service Authority desires to fund the construction of water projects to accommodate purchased water from Newport News.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby adopts the funding transfers as shown below:

From:

Future Water Supply	<u>\$2,847,445.00</u>
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To:

Conversion to Chloramines	\$2,172,112.00
Stonehouse (W-25) Improvements	174,999.60
Stonehouse (W-26) Improvements	150,333.40
Route 199 (B-32) Booster	50,000.00
Ironbound Road (B27) Improvements	<u>300,000.00</u>
Total	<u>\$2,847,445.00</u>

G. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon asked that batter backups for grinder pumps could be evaluated and asked for a memorandum on this item.

Mr. McGlennon asked that the Water Conservation Committee revisit conservation efforts in the County.

Mr. Foster stated he supported the three-tier rate increases and predicted that the County would see private irrigation wells.

Mr. Kennedy stated the Service Authority budget was based on a certain amount of irrigation occurring.

Mr. Foster recommended the Board recess into closed session.

Mr. Icenhour asked if both closed sessions could be held simultaneous.

Mr. Wanner stated that was correct.

Mr. Icenhour recessed the Board.

H. CLOSED SESSION

Mr. Foster recommended that the Board of Directors hold a closed session.

Mr. McGlennon made a motion to go into closed session pursuant to Section 2.2-3711(A)(7) of the Code of Virginia for the consideration of a specific legal matter requiring the provision of legal advice.

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

Mr. Icenhour recessed the Board into closed session.

At 10:26 p.m., Mr. Icenhour reconvened the Board of Directors.

Mr. McGlennon made a motion to adopt the certification resolution.

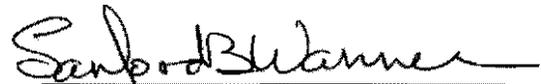
(0). On a roll call vote, the vote was AYE: McGlennon, Goodson, Jones, Kennedy, Icenhour (5). NAY:

I. ADJOURNMENT

Mr. McGlennon made a motion to adjourn.

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

At 10:27 p.m. Mr. Icenhour adjourned the Board to 7 p.m. on February 26, 2008.



Sanford B. Wanner
Sanford B. Wanner
Secretary to the Board