

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 12TH DAY OF AUGUST 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

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

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

C. CONSENT CALENDAR

Mr. Robert Smith gave an overview of the items on the Consent Calendar.

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

The motion passed by a unanimous voice vote.

1. Minutes – July 22, 2008, Regular Meeting
2. Contract Award – Engineering Services for Design of Conversion of Chlorine to Chloramines as a Primary Disinfectant

RESOLUTION

CONTRACT AWARD – ENGINEERING SERVICES FOR DESIGN OF CONVERSION OF

CHLORINE TO CHLORAMINES AS A PRIMARY DISINFECTANT

WHEREAS, the Water Master Plan provides for the purchasing of potable water from Newport News Waterworks as a key component of the strategy to meet the projected water demands for James City County; and

WHEREAS, interested engineering firms were invited to submit a Statement of Qualification as part of the process for selecting an engineering consultant to design the planned conversion improvements; and

WHEREAS, a five-member staff team negotiated a fee of \$379,309 for an agreed-upon Scope of Services to perform the engineering studies, evaluation, design, and support work required for these improvements to the James City Service (JCSA) Authority Central Water System.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby authorizes the award of a contract to provide engineering services for design of conversion of chlorine to chloramines as a primary disinfectant to Bucharth Horn Inc. in the amount of \$379,309 for the design services associated with the conversion improvements to the JCSA Central Water System.

3. Affirmation of Authorization to Pick-Up the Employees' Contribution to the Virginia Retirement System (VRS) for James City County, 5514, under §414(h) of the Internal Revenue Code – James City Service Authority

RESOLUTION

AFFIRMATION OF AUTHORIZATION TO PICK-UP THE EMPLOYEE'S CONTRIBUTION

TO VRS FOR JAMES CITY SERVICE AUTHORITY, 55455 UNDER § 414(h) OF THE

INTERNAL REVENUE CODE

WHEREAS, James City Service Authority (JCSA) provides its employees with tax deferral pursuant to § 414(h) of the Internal Revenue Code with respect to their member contributions to the Virginia Retirement System (VRS) by picking up member contributions to VRS; and

WHEREAS, VRS keeps track of such picked up member contributions, and treats such contributions as employee contributions for all purposes of VRS; and

WHEREAS, the Internal Revenue Service in Notice 2006-43 has provided transition relief for existing pick up arrangements provided that an authorized person takes formal action to evidence the establishment of the pick-up arrangement no later than January 1, 2009; and

WHEREAS, in order to avail itself of the protection given under Notice 2006-43, the JCSA desires to affirm its intention to establish and maintain a pick-up arrangement through formal action by its governing body.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the James City Service Authority, James City County, Virginia, that the existing member contribution pick-up arrangement is hereby affirmed as it relates to salary reduction elections in effect prior to the date of this resolution.

BE IT FURTHER RESOLVED that effective the first pay day on or after August 12, 2008, the JCSA shall pick up member contributions of its employees to VRS, and such contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code of the United States.

BE IT FURTHER RESOLVED that such contributions, although designated as member contributions, are to be made by the JCSA in lieu of member contributions.

BE IT FURTHER RESOLVED that pick-up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees.

BE IT FURTHER RESOLVED that member contributions made by the JCSA under the pick-up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as JCSA directly instead of having them paid to VRS.

BE IT FURTHER RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by the James City Service Authority directly instead of having them paid to VRS.

BE IT FURTHER RESOLVED that notwithstanding any contractual or other provisions, the contributions of each member of VRS who is an employee of the JCSA shall be picked up either through a reduction in the current salary of such employee or as an offset against future salary increases of such employee or as a combination of both at the option of the employer by the JCSA on behalf of such employee pursuant to the foregoing resolutions.

4. Formal Acceptance of Water and Sewer Systems – FY 2008

RESOLUTION

FORMAL ACCEPTANCE OF WATER AND SEWER SYSTEMS - FY 2008

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, 2008.

Water Dedications

<u>Development</u>	<u>Value</u>
Magnolia Place – Richmond Road	\$ 3,450
Minichiello Villas	3,800
Scott’s Pond – Section 2	386,050
Scott’s Pond – Section 3	251,520
Wellington – Section 5	<u>219,805</u>
Total:	<u>\$864,625</u>

Sewer Dedications

<u>Development</u>	<u>Value</u>
Chickahominy Road Sewer (3448)	\$ 21,080
Endeavor Drive Force Main	25,375
Greenmount Force Main	0
Magnolia Place – Richmond Road	28,160
Minichiello Villas	34,240
Scott's Pond – Section 2	1,188,245
Scott's Pond – Section 3	406,490
Wellington – Section 5	429,700
Whitehall Offsite Sewer	<u>181,515</u>
Total:	<u>\$2,314,805</u>

D. BOARD REQUESTS AND DIRECTIVES

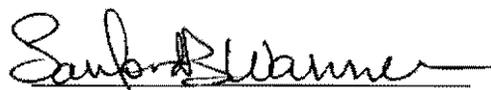
Mr. Smith commented on the outstanding credit rating that JCSA had received and noted that the bond sale would be moving forward beginning August 14, 2008, and anticipated a rate of less than five percent.

E. ADJOURNMENT

Mr. McGlennon made a motion to adjourn.

The motion passed by a unanimous voice vote.

At 11:09 p.m. Mr. Icenhour adjourned the Board.



Sanford B. Wanner
Secretary to the Board