

**AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 26TH DAY OF MAY 2009, 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, Chairman  
John J. McGlennon, Vice Chairman  
Mary Jones  
James O. Icenhour, Jr.  
James Kennedy

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

**C. PRESENTATION – Easement Clearing Project**

Mr. Foster gave a presentation on the James City Service Authority's (JCSA) Easement Clearing Project. He stated that there were approximately 400 miles of sewer lines which needed to be cleared. He stated that the JCSA would clear approximately 200 miles of easements. He stated that the consent order from the Department of Environmental Quality (DEQ) and Environmental Protection Agency (EPA) required the clearing to ensure accessibility of the lines. He stated that they are required to have a sewer system evaluation study and that there was a need to be able to inspect it. He stated that maintenance and access required the clearing of the easements. Mr. Foster displayed photos of easements that needed to be addressed. He gave an overview of the phases of the clearing projects and generally where the clearing would take place. Mr. Foster gave a schedule for the project, which will be completed in roughly 24 months. He noted that adjoining property owners would be notified by the JCSA and the contractor. He stated that he had contacted the Friends of Powhatan Creek and the James City County Citizens Coalition (J4C) to inform them of the project.

Mr. Icenhour suggested that there was an attempt to notify the homeowners associations.

Mr. Foster stated that would be done.

Mr. McGlennon asked the cost estimate for the projects.

Mr. Foster stated that Phase 1 would cost approximately \$130,000. He stated that was a good cost, and that he hoped to maintain that cost in the second phase.

Mr. McGlennon stated that the photos appeared to be walking trails. He asked if it was explored to partner with homeowners associations to have them maintain the easements as trails.

Mr. Foster stated that he had not. He stated that they had partnered with the County's Parks and

Recreation division, but a partnership with homeowners associations could be considered for those communities that have them.

Mr. Wanner stated that often residents have planted vegetation in the easement. He stated that the plats display easements, but there have been difficulties in the past with clearing easements. He stated that residents plant in these areas at their own risk.

Mr. McGlennon stated that he felt communication ahead of time was very important.

Mr. Goodson asked if a garden was in the area, would it be demolished.

Mr. Foster stated that there were obstructions in the easement and that the property owner would be informed that it would be maintained as best it could. He stated that if a repair needed to be made, it would need to be cleared. He stated that many easements are on rear property lines and JCSA would do its best to maintain what is on the easement with the understanding that maintenance would be performed as needed. He stated that he was pleased with the contractor's sensitivity to this.

#### **D. CONSENT CALENDAR**

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

The motion passed by a unanimous voice vote.

1. Minutes –
  - a. April 22, 2009, Budget Work Session
  - b. April 28, 2009, Regular Meeting
2. Banking Services

### **RESOLUTION**

#### **BANKING SERVICES**

WHEREAS, a Request for Proposals (RFP) to provide banking services was publicly advertised; and

WHEREAS, upon evaluating the proposals, staff determined that TowneBank, Williamsburg, Virginia, was the most fully qualified bank and its proposal best suited the James City Service Authority's (JCSA) needs as defined in the RFP.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the James City Service Authority, James City County, Virginia, that TowneBank, Williamsburg, Virginia, be and is hereby designated a depository for the JCSA funds and that funds so deposited may be withdrawn upon a check, draft, note, or order of the Board of Directors;

BE IT FURTHER RESOLVED that all checks, drafts, notes, or orders drawn against said accounts be signed by one of the following:

Larry M. Foster, General Manager OR  
Sanford B. Wanner, Secretary OR  
Robert H. Smith, Treasurer OR  
Tara Woodruff, Assistant Treasurer;

that whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes, or orders drawn against said Bank shall be valid unless so signed.

BE IT FURTHER RESOLVED, that said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes, or orders so drawn, whether such checks, drafts, notes, or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes, or orders, or any such persons in their individual capacities or not, and whether such checks, drafts, notes, or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes, or orders, or the individual credit of any of the other officers or not. For cash investment purposes, the Bank is also authorized and directed to honor requests for the transfer of money from savings to checking, checking to savings, and transfers from checking or savings to purchase Certificates of Deposit, repurchase agreements, or to make other lawful investments when requested by Robert H. Smith, Treasurer; or Tara Woodruff, Assistant Treasurer. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank.

#### **E. BOARD REQUESTS AND DIRECTIVES**

Mr. Icenhour stated that he had discussed the concerns of Mr. David Mastbrook on the backflow prevention devices. He stated that he would like to discuss the frequency and cost of these inspections.

Mr. Foster stated that the Virginia Department of Health required annual inspections.

Mr. Icenhour asked for discussion that there was an inherent conflict of interest for the inspectors. He asked if there could be a list of inspectors who were separate from those doing the repairs, or to have employees of JCSA do those inspections.

Mr. Goodson asked that staff respond to the request before any interest.

Mr. Icenhour asked if staff could investigate this.

Mr. Goodson stated that he would like to discuss this. He asked if the inspection was required annually.

Mr. Foster stated that was correct. He stated that JCSA has established a practice of outsourcing to private industry to allow it to provide services. He stated that he felt it was similar to taking a vehicle to a mechanic. He stated that the JCSA felt the private businesses could be more effective. He said that the majority of the time, the owner has a relationship with a firm who sets up the irrigation system and shuts it

down in the winter. He stated that would create the most efficient system possible and that the relationship between the firm and the owner would be an incentive to make a proper diagnosis. He stated the failure rates are between one-in-five and one-in-seven.

Mr. Goodson stated that the cost was an issue.

Mr. Foster stated that the JCSA does not set the rates, but that he has seen rates of between \$35 and \$100.

Mr. McGlennon asked what mechanism was used for those property owners who did not get their backflow device inspected.

Mr. Foster stated that he was unaware of that, but that there were a few fail-safes to catch this practice. He stated that the plumbing permit required the backflow device and that there was an incentive for the submeter.

Mr. Goodson stated that the difference may be for those homeowners who do not have irrigation systems.

Mr. Foster clarified that it is required of businesses and homes with irrigation systems, but not homes without irrigation systems.

Mr. Goodson stated that staff should send a memorandum to respond to the request.

Mr. Foster stated that he would do so.

Mr. Icenhour asked about the status of the regional water supply planning and re-examine groundwater desalination options. He asked to consider how and when to make a formal application. He asked that staff do some research on latest technology for desalination. He stated that if it has improved significantly, the James River could become a resource.

Mr. Goodson responded as chairman of the Hampton Roads Planning District Commission (HRPDC) that other sources of water were being evaluated and that the desalination plant was part of that.

Mr. Foster stated that surface water desalination was going to be considered.

Mr. Goodson asked that before staff worked further on this, the results of the plan be submitted.

Mr. Icenhour stated that he wanted to make sure it was considered.

Mr. Foster stated that he was in the draft stages of water demands for the JCSA service area. He stated that the challenge would be meeting the demand with the output of a desalination plant.

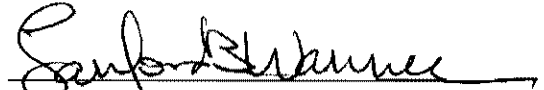
Mr. Goodson reminded the Board that he would not be in attendance on June 23, 2009.

**F. ADJOURNMENT** to June 23, 2009, at 7 p.m.

Mr. Kennedy made a motion to adjourn.

The motion passed by a unanimous voice vote.

At 9:43 p.m. Mr. Goodson adjourned the Board to 7 p.m. on June 23, 2009.

A handwritten signature in black ink, appearing to read "Sanford B. Wanner", written over a horizontal line.

Sanford B. Wanner  
Secretary to the Board

052609bod\_min