

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 27TH DAY OF JULY 2010, AT 7 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. CONSENT CALENDAR

Mr. Goodson reviewed 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 –
 - a. May 25, 2010, Regular Meeting
 - b. June 22, 2010, Regular Meeting
2. Bid Award – Ironbound Water Storage and Booster Facility – \$725,000

RESOLUTION

BID AWARD - IRONBOUND WATER STORAGE AND BOOSTER FACILITY - \$725,000

WHEREAS, the plans and specifications for the Ironbound Water Storage and Booster Facility were publicly advertised and competitively bid with three firms submitting a bid; and

WHEREAS, Shaw Construction Corporation submitted the low bid and was determined capable of completing the project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby awards the Ironbound Water Storage and Booster Facility Improvements to Shaw Construction Corporation for a bid of \$725,000.

3. Contract Award – Small Jet Vector Truck – \$204,424

RESOLUTION

CONTRACT AWARD – SMALL JET VECTOR TRUCK – \$204,424

WHEREAS, funds are available in the James City Service Authority’s FY 2011 Capital Improvement Program budget for the purchase of a Small Jet Vector Truck; and

WHEREAS, cooperative purchasing procedure is authorized by Chapter 1, Section 5 of the James City County Purchasing Policy and the Virginia Public Procurement Act, and the Houston-Galveston Area Council issued a cooperative purchasing contract to Vac-Con as a result of a competitive sealed Invitation to Bid.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby awards the contract for the Small Jet Vector Truck to Vac-Con in the amount of \$204,424.

4. Formal Acceptance of Water and Sewer Systems – FY 2010

RESOLUTION

FORMAL ACCEPTANCE OF WATER AND SEWER SYSTEMS – FY 2010

WHEREAS, certain water and sewer infrastructures have been constructed by developers and dedicated to the James City Service Authority (JCSA); and

WHEREAS, these water and sewer infrastructures have been constructed in accordance with technical requirements of the JCSA.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, does hereby formally accept the dedication of the water and sewer systems listed below, as of June 30, 2010.

Water Dedications

<u>Development</u>	<u>Value</u>
Avid Medical Expansion	\$ 10,100
New Town – Block 8, Phase 1A	85,350
New Town – Block 8, Phase 1B	164,475
Pleasant Hill Carwash	45,070
Prime Outlets – Phase 7	125,550
Stonehouse Glen – Phase 2	223,850
Weatherly at White Hall	226,350
Windmill Meadows	258,350
WindsorMeade Villas	<u>128,705</u>
Total:	<u>\$1,267,800</u>

Sewer Dedications

<u>Development</u>	<u>Value</u>
New Town – Block 8, Phase 1A	\$ 116,570
New Town – Block 8, Phase 1B	227,360
Pleasant Hill Carwash	1,205
Prime Outlets – Phase 7	7,185
Stonehouse Glen – Phase 2	445,070
Stonehouse Presbyterian Church Sewer	54,000
Weatherly at White Hall	240,230
Windmill Meadows	947,835
WindsorMeade Villas	<u>128,615</u>
Total:	<u>\$2,168,070</u>

5. Virginia American Recovery and Reinvestment Act (ARRA) Contract

RESOLUTION

VIRGINIA AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) CONTRACT

WHEREAS, the James City Service Authority (JCSA) partnered with the Department of Mines, Minerals, and Energy (DMME) in applying for American Recovery and Reinvestment Act (ARRA) funds for energy conservation rebates; and

WHEREAS, the ARRA funding request was approved by the Department of Energy (DOE) and initially accepted through a Letter of Commitment (LOC); and

WHEREAS, the LOC does not explicitly “flow down” special provisions required by the DOE and Virginia which apply to all ARRA sub-recipients; and

WHEREAS, a contract that outlines JCSA’s participation in the Virginia Appliance Rebate Program is now required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby authorizes the General Manager’s signature on the Virginia ARRA contract.

6. Bank Resolution Amendment

RESOLUTION

BANK RESOLUTION AMENDMENT

BE IT RESOLVED that Towne Bank, Williamsburg, Virginia, be and it is hereby designated as depository for the James City Service Authority funds and that funds so deposited may be withdrawn upon a check, draft, note, or order of the Board of Directors; and

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

Larry M. Foster	OR	General Manager
Robert C. Middaugh, Jr.	OR	Secretary
Robert H. Smith	OR	Treasurer
Tara Woodruff		Assistant Treasurer

whose signatures shall be duly certified to these financial institutions and that no checks, drafts, notes, or orders drawn against these financial institutions 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 of 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.

7. Optional Long-Term Care Insurance

RESOLUTION

OPTIONAL LONG-TERM CARE INSURANCE

WHEREAS, the Virginia Retirement System (VRS) is allowing local governments to participate in their optional long-term care insurance; and

WHEREAS, long-term care insurance may be beneficial to employees to protect their assets if they need long-term care in a nursing home, assisted living facility, or at home; and

WHEREAS, employees will be able to take advantage of group rates, payroll deduction, and guaranteed issue; and

WHEREAS, the benefit is 100-percent employee paid and revocable after three years.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the County Administrator to enter into an agreement with VRS to offer Long-Term Care Insurance.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby adopt the attached revision to Chapter 5, Employee Benefits, of the James City County Personnel Policies and Procedures Manual.

D. PUBLIC HEARINGS

1. Extinguishment of Easement – 5560 Williamsburg Landing Drive

Mr. Foster stated that this item was an extinguishment of an easement at 5560 Williamsburg Landing Drive, owned by Williamsburg Landing. He reviewed the location of the easement and stated the extinguishment was a result of relocation of a waterline. He recommended approval of the resolution following the public hearing.

Mr. Goodson opened the public hearing.

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

Mr. McGlennon made a motion to adopt the resolution.

The motion passed by a unanimous voice vote.

RESOLUTION

EXTINGUISHMENT OF EASEMENT – 5560 WILLIAMSBURG LANDING DRIVE

WHEREAS, after receiving comment at a public hearing held on July 27, 2010, the Board of Directors of the James City Service Authority determined that portions of the waterline easement located at 5560 Williamsburg Landing Drive, Parcel No. 4820100003 and identified on a plat prepared by AES Consulting Engineers, and dated June 23, 2010, are no longer needed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby extinguishes the above-mentioned easement.

2. Extinguishment of Easement – 3316, 3320, and 3324 Hillcrest Trail

Mr. Foster stated this easement is located in the Stonehouse development that was dedicated when the sewer line was relocated to a different area. He stated this was the formal extinguishment of the easement that would remove the liability on the three lots where the easement is located. He reviewed the location of the easement. He stated that there was no need to use these easements and recommended approval of the resolution following the public hearing.

Mr. Goodson opened the public hearing.

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

Mr. McGlennon made a motion to adopt the resolution.

The motion passed by a unanimous voice vote.

RESOLUTION

EXTINGUISHMENT OF EASEMENT – 3316, 3320, AND 3324 HILLCREST TRAIL

WHEREAS, after receiving comment at a public hearing held on July 27, 2010, the Board of Directors of the James City Service Authority determined that the sewer easement that was established by a subdivision plat, prepared by AES Consulting Engineers, and dated November 2, 2001, on Parcel Nos. 0540200008 (3316 Hillcrest Trail), 0540200009 (93320 Hillcrest Trail), and 0540200010 (3324 Hillcrest Trail) is no longer needed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby extinguishes the above-mentioned easements.

E. BOARD CONSIDERATIONS

1. Amend Section 32-D, Independent Water Systems Connection Fees to Increase the Fee from \$4,000 to \$8,000 (deferred from June 22, 2010)

Mr. Kennedy stated he would like to defer this item again in order to have a broader discussion with this matter included. He asked if there was any pressing matter that required immediate action.

Mr. Foster stated that there was one development that was nearly ready to pay the fee, which could occur before this matter was addressed by the Board.

Mr. Kennedy asked if the development would be subject to this fee change.

Mr. Foster stated that the development would not be subject to the fee change if the fee was paid before the Board approved the increase.

Mr. Kennedy asked if there was a way to put a freeze on the policy for a few months.

Mr. Rogers stated that the Board could not do that if the Board adopted the regulation. He stated that the Board could defer this item until August after the Board has had an opportunity to discuss Rural Lands and the Primary Service Area (PSA). He stated that when the Board meets with the Planning Commission, the Board could get a better idea of when it might take action.

Mr. Icenhour stated he felt a definite time should be established to act on this item. He stated staff should receive a clear idea about what should be discussed related to this item.

Mr. Goodson stated that discussion could be held at the joint meeting with the Planning Commission. Mr. Goodson asked if it was necessary to bring the JCSA into session during the work session.

Mr. Rogers stated that the James City Service Authority (JCSA) would meet on August 10, 2010, and the matter could be deferred to that date.

Mr. Kennedy stated he did not anticipate that all the items previously discussed would be addressed at that meeting.

Mr. McGlennon stated he supported the decision to defer this item, but hoped that action on this item would not be delayed until all the issues related to Rural Lands were discussed.

Mr. Goodson stated this item would be deferred until August 10, 2010.

Mr. Foster noted that he would not be in attendance at the meeting on August 10, 2010.

2. Amendments to Section 34, Withdrawal Impact Mitigation Plan – Regulations Governing Utility Service

Mr. Foster stated that the JCSA was required by the Department of Environmental Quality (DEQ) to have a Withdrawal Impact Mitigation Plan that defines the process, procedures and philosophy for the mitigation of adverse impacts of existing wells resulting from JCSA groundwater withdrawals. He explained this proposal would amend Section 34 as required by the Department of Environmental quality groundwater withdrawal permits. He stated that the JCSA has mitigated over 170 claims over the last 12 years. He stated that no claim has elevated that far and believed that every claim has been dealt with quickly. He recommended approval of the resolution.

Mr. McGlennon made a motion to adopt the resolution.

The motion passed by a unanimous voice vote.

RESOLUTION

AMENDMENTS TO SECTION 34 WITHDRAWAL IMPACT MITIGATION PLAN –

REGULATIONS GOVERNING UTILITY SERVICE

WHEREAS, the James City Service Authority's (JCSA) Regulations Governing Utility Service – Section 34 establishes procedures to address adverse impacts on private wells resulting from JCSA permitted groundwater withdrawals; and

WHEREAS, a mitigation plan is required for all permitted groundwater withdrawals and the Virginia Department of Environmental Quality has dictated minor modification to the JCSA's Plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Director of the James City Service Authority, James City County, Virginia, hereby amends Section 34 of the Regulations Governing Utility Service to reflect those modifications shown on the attachment.

F. BOARD REQUESTS AND DIRECTIVES

Mr. Goodson asked for an update on water demands.

Mr. Foster stated that Mr. Wanner declared Stage I drought conditions last Tuesday and the water demands have been reasonably below the threshold. He stated that the recent heat wave pushed demands over the threshold very quickly. He stated demand is consistently in the 8-9 million gallons a day and the system was responding well to the demand. He stated that it was a concern of staff, but he did not anticipate going to

Stage II drought conditions, which would require mandatory prohibition of outside water use. He stated if there was a change in customer demand, it was minor.

Mr. Kennedy asked if there was a drop when outdoor irrigation was not permitted.

Mr. Foster stated demand dropped to roughly 6 million gallons a day.

Mr. Kennedy asked about the possibility of moving to twice-a-week irrigation. He stated that there was 4 million gallons a day for outdoor irrigation, which he felt was unacceptable. He asked if the Board would discuss this in the future.

Mr. Icenhour commented on water main breaks in Season's Trace and Ford's Colony. He asked if this was attributed to demand, high temperatures, or other factors.

Mr. Foster stated this could be attributed to extreme weather conditions and electrification of the waterlines from underground power lines which stress the integrity of the lines.

Mr. Icenhour thanked Mr. Foster and JCSA staff for the quick response to the waterline break. He asked if there was a way to track irrigation wells.

Mr. Foster stated that the JCSA has been tracking private wells since the early 1990s.

Mr. Icenhour asked if there was an increase in irrigation wells. He stated he had heard of interest lately due to the drought conditions and water restrictions.

Mr. Foster stated he has seen a slight increase. He stated that he saw this as an important reason to be conscientious of water rates.

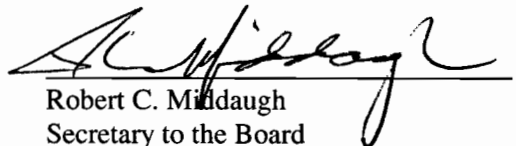
Mr. Foster expressed his appreciation for Mr. Wanner's leadership in the County.

G. ADJOURNMENT to August 10, 2010.

Mr. McGlennon made a motion to adjourn.

The motion passed by a unanimous voice vote.

At 8:13 p.m. Mr. Goodson adjourned the Board until August 10, 2010.


Robert C. Mindaugh
Secretary to the Board