

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 OCTOBER 2013, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

ADOPTED

B. ROLL CALL

NOV 26 2013

James G. Kennedy, Chairman
James O. Icenhour, Jr., Vice Chairman
Mary K. Jones
John J. McGlennon
M. Anderson Bradshaw

Board of Supervisors
James City County, VA

Doug Powell, Assistant Secretary to the Board
Leo P. Rogers, County Attorney
Larry M. Foster, General Manager

C. CONSENT CALENDAR

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

The motion passed by a unanimous voice vote.

1. Minutes –
 - a. September 24, 2013, Regular Meeting
2. Irrevocable Election Not to Participate in Virginia Local Disability Program

RESOLUTION

**IRREVOCABLE ELECTION NOT TO PARTICIPATE IN
VIRGINIA LOCAL DISABILITY PROGRAM**

WHEREAS, by enacting Chapter 11.1 of Title 51.1 of the *Code of Virginia*, the Virginia General Assembly has established the Virginia Local Disability Program (“VLDP”) for the payment of short-term and long-term disability benefits for certain participants in the hybrid retirement program described in Virginia Code § 51.1-169; and

WHEREAS, for purposes of VLDP administration, an employer with VLDP-eligible employees may make an irrevocable election on or before November 1, 2013, requesting that its eligible employees not participate in VLDP as of the VLDP effective date of January 1, 2014, because it has or will

establish, and continue to maintain, comparable employer-paid disability coverage for such employees that meets or exceeds the coverage set out in Chapter 11.1 of Title 51.1 of the *Code of Virginia*, with the exception of long-term care coverage, by January 1, 2014 ; and

WHEREAS, it is the intent of the James City Service Authority (55455) to make this irrevocable election to request that its eligible employees not participate in VLDP.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the James City Service Authority, James City County, Virginia, that James City Service Authority irrevocably elects not to participate in VLDP because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees.

BE IT FURTHER RESOLVED that as an integral part of making this irrevocable election, James City Service Authority certifies that it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees.

- 3. Bid Award/Budget Amendment – Williamsburg Landing Emergency Waterline Replacement – \$255,760

RESOLUTION

BID AWARD/BUDGET AMENDMENT – WILLIAMSBURG LANDING EMERGENCY

WATERLINE REPLACEMENT – \$255,760

WHEREAS, on September 13, 2013, a major waterline traversing the Williamsburg Landing Community failed, causing extensive damage to approximately 300 feet of street; and

WHEREAS, because of multiple failures over the recent past, it was decided to replace approximately 500 feet of the waterline in the area of the failure; and

WHEREAS, it was determined prudent to address safety and convenience issues for residents by replacing approximately 500 feet of waterline in the area using emergency purchasing procedures; and

WHEREAS, the Fiscal Year 2014 budget did not include funding to cover the costs of addressing the Williamsburg Landing Waterline Replacement project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby awards the Williamsburg Landing Waterline Replacement Project to Toano Contractors, Inc. in the amount of \$255,760.

BE IT FURTHER RESOLVED that the Board of Directors hereby amends the Fiscal Year 2014 budget as follows:

<u>Revenue:</u>	
Reserve Funds	<u>\$255,760</u>
 <u>Expenditures:</u>	
Williamsburg Landing Waterline	<u>\$255,760</u>

Mr. Foster stated that he would like to update the Board of Directors on the status of the Williamsburg Landing waterline repairs. He stated that staff has been working with the Williamsburg Landing Management Team and has agreed to begin Phase II of the repairs in a slightly delayed fashion. It will be pushed back to the spring of 2014 in order to accommodate other construction that Williamsburg Landing has planned for that area.

D. PUBLIC HEARING

Mr. Bradshaw stated that he would be abstaining from the vote, due to a conflict of interest as he represents the contract purchaser.

1. Authorization for James City Service Authority (JCSA) General Manager to Sign a Quit Claim Deed for 1001 Penniman Road

Mr. Foster addressed the Board giving a summary of the memorandum included in the Agenda Packet.

As there were no questions for staff, Mr. Kennedy opened the Public Hearing.

1. Mr. Randy O'Neil, 109 Sheffield Road, addressed the Board in support of the JCSA.

As no one else wished to speak, Mr. Kennedy closed the Public Hearing.

Mr. McGlennon made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: Mr. Icenhour, Mr. Kennedy, Ms. Jones, Mr. McGlennon (4). NAY: (0). ABSTAIN: Mr. Bradshaw (1).

RESOLUTION

**AUTHORIZATION FOR JAMES CITY SERVICE AUTHORITY (JCSA) GENERAL MANAGER
TO SIGN A QUIT CLAIM DEED FOR 1001 PENNIMAN ROAD**

WHEREAS, the James City Service Authority (JCSA) acquired the James Terrace Water System from Sydnor Pump and Well in 1985; and

WHEREAS, it has been determined that the JCSA may have residual rights to property at 1001 Penniman Road (James City County Tax Map Parcel No. 4140300015) resulting from oversights in ownership transfers between Bethel Corporation, the original developer and Sydnor Well and Pump, original owner of the water system serving the neighborhood; and

WHEREAS, Mr. and Mrs. James Sherwood purchased 1001 Penniman Road from Benel Corporation on December 3, 1954, built a home on the parcel and lived there until recently; and

WHEREAS, Mr. Sherwood died in 1986 and Mrs. Sherwood, through her attorney, identified in a title search that the JCSA may have potential rights to the property and has asked that the JCSA quit claim these rights to remove any claim; and

WHEREAS, the JCSA had no knowledge of any property rights associated with the parcel nor did it have any intention to use the property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, after conducting a public hearing, hereby authorizes its General Manager to sign a Quit Claim Deed relinquishing any rights that it may have to the to 1001 Penniman Road (Parcel No. 4140300015).

E. BOARD CONSIDERATIONS – None

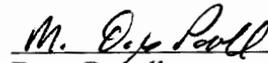
F. BOARD REQUESTS AND DIRECTIVES – None

G. ADJOURNMENT – to 7 p.m. on November 26, 2013.

Mr. Icenhour made a motion to adjourn.

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

At 7:11 p.m. Mr. Kennedy recessed the Board of Directors.



Doug Powell
Assistant Secretary to the Board