

**AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 27TH DAY OF JANUARY 2009, AT 4:00 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 G. Kennedy, Chairman, Stonehouse District  
Mary Jones, Vice Chair, Berkeley District  
Bruce C. Goodson, Roberts District  
James O. Icenhour, Jr., Powhatan District  
John J. McGlennon, Jamestown District

Sanford B. Wanner, County Administrator  
Leo P. Rogers, County Attorney

**C. BOARD DISCUSSIONS**

**1. James City Service Authority Department of Environmental Quality Special Order By Consent**

Mr. Larry Foster, General Manager, James City Service Authority (JCSA), introduced JCSA staff, including Mr. George Adams, Operations Administrator; Mr. Bill Harris, Superintendent of Wastewater Maintenance; and Mr. Danny Poe, Chief Engineer for Wastewater. Mr. Foster explained the Special Order by Consent which the Board authorized in September 2007. He stated that 14 Hampton Roads localities are involved in the Consent Order with the Hampton Roads Sanitation District (HRSD). He gave an overview of the sewer spills experienced by the JCSA. He reviewed the Consent Order action plan's requirements and noted what had been completed to date. He explained the evaluation process and system upgrade implementation. He reviewed Management, Operations, and Management (MOM) Plan recommendations and noted how each item would be addressed.

Mr. Foster gave an overview of the Sewer System Evaluation Survey (SSES) Plan. He noted the partnership of the JCSA with the HRSD in this process. He demonstrated the benefit of rehabilitation of the waterlines and explained the need for a Fats, Oils, and Grease (FOG) ordinance.

The Board and staff discussed the cost of the requirements of the Consent Order. Mr. Foster gave estimates on each of the requirements and projects, and stated that the JCSA has not had to pay any fines to date. Mr. Wanner stated that the Hampton Roads Planning District Commission (HRPDC) briefing noted that these are multi-million dollar expenses and that the customers needed to understand the requirements due to the financial investments required by this Consent Order.

The Board and staff discussed the differences in cost between system upgrades and regular system maintenance. Staff explained that maintenance requirements and time limits would dictate the ultimate cost.

Mr. McGlennon asked if there was knowledge of FOG contributed by private homes versus restaurants.

Mr. Foster explained that there were target areas to address FOG, including neighborhoods, and a public outreach program would help address this matter. He stated that the two biggest challenges would be FOG and eliminating extraneous water. He stated that a FOG ordinance would come forward in the near future.

The Board and staff discussed how other localities have researched and implemented a FOG ordinance.

Potential rate increases and a comparison to current rates were discussed.

Mr. Wanner noted that no water was spilled at pump stations during Hurricane Isabel due to investments in generators. He stated that when contractors cut lines, there is a process to seek reimbursement. He said clearing easements was a large part of the challenge with maintaining the lines.

#### **D. CLOSED SESSION**

Mr. Goodson made a motion to go into Closed Session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia for the consideration of a personnel matter involving the six-month performance evaluation of the County Administrator.

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

At 4:40 p.m. Mr. Kennedy recessed the Board into Closed Session.

At 5:31 p.m. Mr. Kennedy reconvened the Board.

Mr. McGlennon made a motion to adopt the Closed Session resolution.

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

### **RESOLUTION**

#### **CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

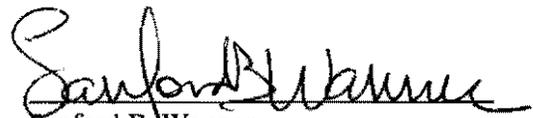
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(1) of the Code of Virginia, to consider personnel matters, the semi-annual performance evaluation of the County Administrator.

**E. BREAK**

Mr. Goodson made a motion to take a break.

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

At 5:32 p.m., the Board broke for dinner.

  
Sanford B. Wanner  
Clerk to the Board

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