

**A G E N D A**

**JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS**

**County Government Center Board Room**

**September 26, 2006**

**7:00 P.M.**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. CONSENT CALENDAR**

1. Minutes – September 12, 2006, Meeting

**D. PUBLIC HEARING**

1. Setting a Public Hearing – Transaction Charge for Late Payment

**E. BOARD REQUESTS AND DIRECTIVES**

**F. ADJOURNMENT**

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**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 SEPTEMBER 2006, 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**

John J. McGlennon, Chairman  
Jay T. Harrison, Sr., Vice Chairman  
James O. Icenhour, Jr.  
Bruce C. Goodson  
M. Anderson Bradshaw

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

**C. CONSENT CALENDAR**

Mr. Foster provided an overview of the items on the Consent Calendar. Mr. Foster reminded the Board that the last meeting recessed to this meeting and gave an overview of the items on the Consent Calendar, including the Avid Medical Inc. Performance Agreement between Avid Medical, Inc., the James City County Economic Development Authority, and the James City Service Authority (JCSA), for which a \$700,000 Governor's Incentive Fund Grant was received by the Economic Development Authority, \$500,000 of the grant was allocated to the JCSA for the construction of an elevated water storage tank in the Stonehouse Commerce Park, and \$200,000 would be allocated to Avid Medical, Inc. to offset the costs of expansion. Mr. Foster recommended approval of the Consent Calendar.

Mr. Bradshaw requested Item No. 2, Avid Medical, Inc. Performance Agreement, be pulled for a separate vote to highlight this item.

Mr. Harrison made a motion to adopt the remaining items on the Consent Calendar including the amended minutes of June 27, 2006.

The motion passed by an unanimous voice vote.

1. Minutes -

- a. June 27, 2006, Regular Meeting
- b. July 25, 2006, Regular Meeting
- c. August 8, 2006, Regular Meeting

2. Avid Medical, Inc. Performance Agreement

Mr. Bradshaw highlighted this item, stating Avid Medical, Inc. provided a valued expansion with \$8 billion in capital expenses, which helped address the tax concerns of property owners and provided 303 new higher-paying jobs. Mr. Bradshaw also explained the water storage facility would not only serve this project but also part of the surrounding area.

Mr. Bradshaw made a motion to adopt the resolution.

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

**RESOLUTION**

**AVID MEDICAL, INC. PERFORMANCE AGREEMENT**

WHEREAS, Avid Medical, Inc. (AVID) has expressed a desire to expand its facility located in Stonehouse Commerce Park; and

WHEREAS, the Economic Development Authority (EDA) of James City County has received a \$700,000 grant from the Governor's Opportunity Fund; and

WHEREAS, the James City Service Authority (JCSA) is building an elevated water storage tank in Stonehouse Commerce Park that is necessary to provide adequate water flows and pressure for the Avid expansion; and

WHEREAS, the Performance Agreement requires that \$500,000 of the Governor's Opportunity Fund be used towards the costs of the water storage tank construction, which amount must be matched by the JCSA.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, authorizes its Chairman to sign the Performance Agreement between AVID, the EDA, and the JCSA which provides the terms for the contribution of the \$500,000 from the Governor's Opportunity Fund and the matching amount provided by the JCSA, both of which must be used toward the costs of the JCSA's Stonehouse Commerce Park Water Storage Facility.

**D. BOARD REQUESTS AND DIRECTIVES**

Mr. McGlennon directed compliments to Mr. Foster and the JCSA for efforts made during the water leak and mitigating the effects of the boil water policy. Mr. McGlennon commented that information going to the public may need to be improved and asked that the JCSA be able to address how to improve communication of this nature to citizens.

Mr. Foster stated the JCSA would assess communication resources and would use the County website to collect suggestions from citizens; stated the County worked together with the JCSA to provide response to the unfortunate event, and assessing the event to update its response plan.

Mr. Bradshaw complimented those who dealt with the response and commented that during the hurricane each household should have had several days of water on hand in preparation for the storm. Mr. Bradshaw stated that community members should tell their neighbors in the event of such emergencies, as the County may not be able to access each citizen directly.

Mr. Harrison reminded the viewing audience that it was still hurricane season and to be mindful of being prepared in case of emergency.

**E. ADJOURNMENT**

Mr. Icenhour made a motion to adjourn.

The motion passed by a unanimous voice vote.

At 10:35 p.m., Mr. McGlennon adjourned the Board.

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Sanford B. Wanner  
Secretary to the Board

**The purpose of this charge is to defray the cost incurred in clerical and bookkeeping activities, the turning on of services and/or meter reading required for each new account or transfer of account.**

2. Transaction charge for late payment. ~~A transaction charge for late payment of 10% of the current bill balance due, shall be added to a bill in the event that the bill is not paid within thirty (30) days following the date thereof.~~ *A transaction charge for late payment of 1.5% will be assessed on the balance due once the bill is delinquent and then every 30 days thereafter. The late charge will be added to a bill in the event the bill is not paid within 30 days following the date thereof.*

**The purpose of this charge is to defray the cost associated with the rebilling of accounts not paid on a prompt basis.**

3. Interest charge for late payments with a lien. An interest charge for late payment of 8 percent simple interest on the principal (delinquent amount) due, shall be added to any account when a lien has been placed upon real estate. Such lien on any real estate may be discharged by the payment to the Authority of the total lien amount, penalty, and the interest which has accrued to the date of the payment.
4. Restoration of service charge. Where service has been terminated on account of the nonpayment of any bill, a restoration of service charge of \$30.00 (\$100.00 for a single service wastewater customer not on metered water service) shall be paid before service is restored, except as defined in Section 17 (A)(2).

**The purpose of this charge is to defray the expenses of terminating and restoring service, including clerical and bookkeeping activities.**

5. Meter test deposit. A test of a water meter shall be done at the request of a water customer upon payment of a meter test deposit as defined in Section 11. If the meter is found to be 3 percent or more fast then the deposit shall be refunded. If inoperable or 25 percent or more slow, the deposit shall be credited against a revised billing. The deposit shall be determined by meter size, as follows:

| <u>Meter size</u> | <u>Deposit</u> |
|-------------------|----------------|
| 5/8" - 2"         | \$30           |
| 3" and over       | \$80           |

6. Fire hydrant charge. For customer-requested hydrants installed under the provisions of Section 21, there shall be an installation cost of actual cost plus an allowance of 25 percent for overhead. The applicant shall deposit with the Authority an estimated fee prepared by the Authority, subsequently adjusted at the completion of the installation with costs exceeding the estimate billed or, in case the estimate exceeds the cost, refunded to the applicant.

MEMORANDUM

DATE: September 26, 2006  
TO: The Board of Directors  
FROM: Robert H. Smith, Assistant Manager, James City Service Authority  
SUBJECT: Regulations Governing Utility Service – Transaction Charge for Late Payment

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This meeting has been advertised as a public hearing on a proposal to change the “Regulations Governing Utility Service” concerning transaction charge for late payment of the utility bill. This proposal would change the transaction charge for late payment from 10 percent of the customer’s most recent billing to 1.5 percent, after the bill is delinquent and every 30 days thereafter.


The Hampton Roads Utility Billing System (HRUBS) is currently upgrading its billing software program. The proposed late payment calculation method would standardize the JCSA with its partner in HRUBS – the Hampton Roads Sanitary District at a cost saving of \$13,700. There will be a modest decrease in late payment penalty revenue which would have no adverse impact on the customer and a manageable impact on the budget.

After conducting a public hearing staff recommends approval of the attached resolution.

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Robert H. Smith

CONCUR:

  
Larry M. Foster

RHS/nb  
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Attachment

**RESOLUTION**

**REGULATIONS GOVERNING UTILITY SERVICE –**

**TRANSACTION CHARGE FOR LATE PAYMENT**

WHEREAS, the Board of Directors of the James City Service Authority conducted a Public Hearing on September 26, 2006, for a proposed change of the transaction charge for late payment to the Regulations Governing Utility Service.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby adopts change to Section 32, F. 2. as indicated below, which will become effective October 9, 2006.

Transaction charge for late payment. A transaction charge for late payment of 1.5 percent will be assessed on the balance due once the bill is delinquent and then every 30 days thereafter. The late charge will be added to a bill in the event the bill is not paid within 30 days following the date thereof.

BE IT FURTHER RESOLVED, that the proposed amendments be made part of this resolution.

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John J. McGlennon  
Chairman, Board of Directors

ATTEST:

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Sanford B. Wanner  
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 26th day of September, 2006.

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