

**A G E N D A**

**JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS**

**County Government Center Board Room**

**March 25, 2008**

**7:00 P.M.**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. CONSENT CALENDAR**

1. Minutes - February 26, 2008

**D. PUBLIC HEARINGS**

1. Extinguishment of Easement on Spencer Brothers Builders, Inc. and Kenneth C. and Mallory P. Spencer Properties
2. Cellular Tower - AT&T - 4600 Warhill Trail
3. Abandonment of Easement - Colonial Heritage

**E. BOARD CONSIDERATION**

1. Project Development Agreement - Long-Term Water Supply – Newport News Waterworks

**F. BOARD REQUESTS AND DIRECTIVES**

**G. 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 26TH DAY OF FEBRUARY 2008, 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**

James O. Icenhour, Jr., Chairman  
Mary Jones, Vice Chairman  
Bruce C. Goodson  
James G. Kennedy  
John J. McGlennon

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

**C. CONSENT CALENDAR**

Mr. Foster gave an overview of the Consent Calendar.

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

The motion passed by a unanimous voice vote.

1. Minutes – January 28, 2007, Regular Meeting
2. Affirmation of Well Pump Purchase

**RESOLUTION**

**AFFIRMATION OF PURCHASE OF WELL PUMP**

WHEREAS, James City Service Authority (JCSA) staff has determined that it is prudent to purchase a reserve Potomac Aquifer water pump for the Five Forks Water Treatment Plant from ITT Wet for \$120,515.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby ratifies this purchase as a prudent use of JCSA funds to ensure adequate water supply for JCSA customers.

**D. BOARD REQUESTS AND DIRECTIVES**

Mr. Goodson asked if the Service Authority was actively seeking cellular provider tenants for water towers.

Mr. Foster stated that it was made known that there was space on the tanks, and they were built to handle three providers. He noted that the County placed its facilities on the towers first, so other providers began building around the structures.

Mr. Goodson asked about the relocation of the cellular provider on the Season's Trace water tower.

Mr. Foster stated there were previous two providers on the tower, but the other one relocated elsewhere. He noted that there would be an action by the Board of Directors on March 25, 2008, related to the height waiver approved by the Board of Supervisors for the cellular antennae on this water tower.

**E. ADJOURNMENT**

Mr. Kennedy made a motion to adjourn.

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

At 9:31 p.m. Mr. Icenhour adjourned the Board to 7 p.m. on March 25, 2008.

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Sanford B. Wanner  
Secretary to the Board

MEMORANDUM

DATE: March 25, 2008

TO: The Board of Directors

FROM: Larry M. Foster, General Manager, James City Service Authority

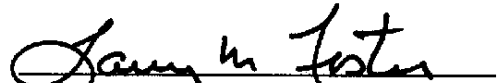
SUBJECT: Extinguishment of Easements on Spencer Brothers Builders, Inc. and Kenneth C. and Mallory P. Spencer Properties

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The Powhatan Office Park project has necessitated the realignment of James City Service Authority (JCSA) easements to correspond with actual utility main locations that cross properties owned by Spencer Brothers Builders, Inc. and Kenneth C. and Mallory P. Spencer rendering the existing easement unnecessary.

This meeting has been advertised as public hearings on extinguishing the easements on the two properties.

Since the easements are no longer needed, staff recommends that after opening the meeting for public comment, the Board approve the attached resolution authorizing the General Manager to sign the necessary documents extinguishing the JCSA easements on Parcels Nos. 47101000031C and 47101000031D.

  
Larry M. Foster

LMF/gb  
ExtingEasements\_mem

Attachments

**RESOLUTION**

**EXTINGUISHMENT OF EASEMENTS ON SPENCER BROTHERS BUILDERS, INC. AND**

**KENNETH C. AND MALLORY P. SPENCER PROPERTIES**

WHEREAS, the Powhatan Office Park project has necessitated the realignment of James City Service Authority (JCSA) easements to correspond with actual utility main locations that cross the properties; and

WHEREAS, there are existing JCSA Easements located on properties owned by Spencer Brothers Builders, Inc. and Kenny C. and Mallory P. Spencer that 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 authorizes the General Manager of the James City Service Authority to sign the appropriate documents extinguishing the easements on Parcel Nos. 47101000031C and 47101000031D.

\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Directors

ATTEST:

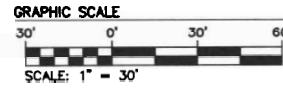
\_\_\_\_\_  
Sanford B. Wanner  
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 25th day of March, 2008.

ExtingEasements\_res

**GENERAL NOTES**

- THIS PLAT IS INTENDED FOR EASEMENT PURPOSES ONLY. PROPERTY LINES AS SHOWN WERE TAKEN FROM RECORD AND OTHER AVAILABLE INFORMATION AND DO NOT REPRESENT AN ACTUAL FIELD BOUNDARY SURVEY. THERE MAY BE EASEMENTS AND OTHER COVENANTS OF RECORD OTHER THAN SHOWN WHICH MAY AFFECT THIS PROPERTY. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.
- UTILITY EASEMENTS DENOTED AS "JCSA UTILITY EASEMENTS" ARE FOR THE EXCLUSIVE USE OF THE JCSA AND THE PROPERTY OWNER. OTHER UTILITY SERVICE PROVIDERS DESIRING TO USE THESE EASEMENTS WITH THE EXCEPTION OF PERPENDICULAR UTILITY CROSSINGS MUST OBTAIN AUTHORIZATION FOR ACCESS AND USE FROM THE JCSA AND THE PROPERTY OWNER. ADDITIONALLY, JCSA SHALL NOT BE HELD RESPONSIBLE FOR ANY DAMAGE TO IMPROVEMENTS WITHIN THIS EASEMENT, FROM ANY CAUSE.



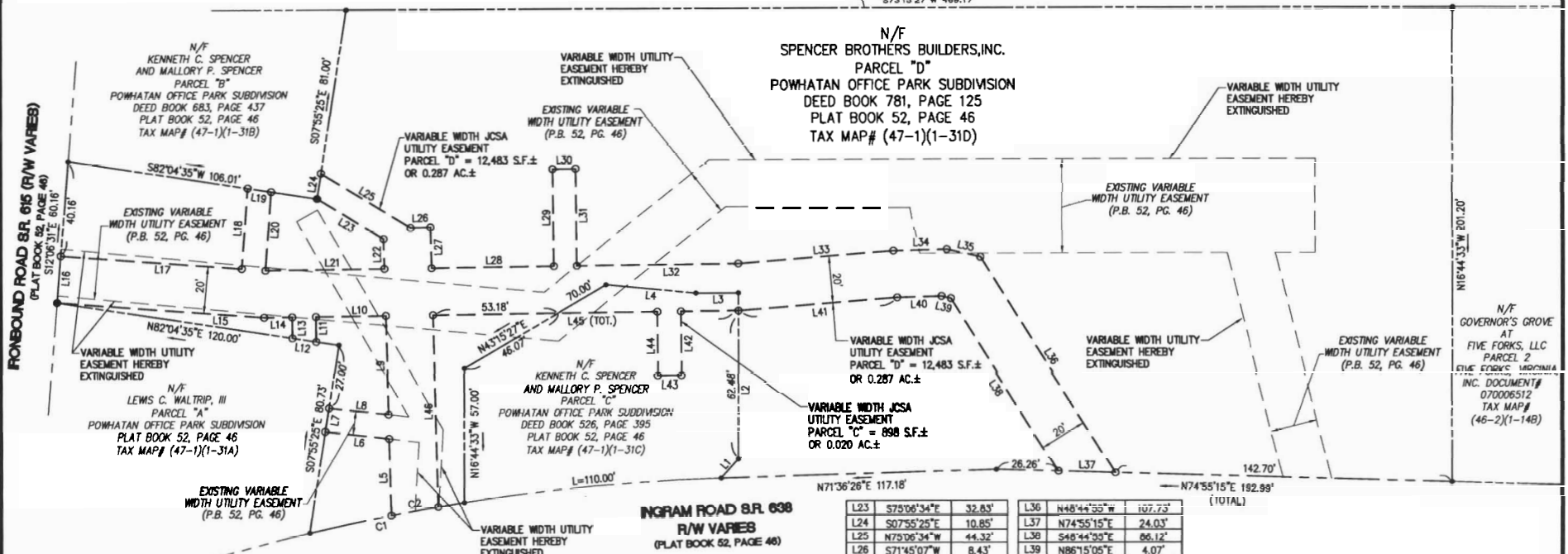
**VARIABLE WIDTH JCSA UTILITY EASEMENT AREA TABLE**

PARCEL "C" = 898 S.F.± OR 0.020 AC.±  
 PARCEL "D" = 12,483 S.F.± OR 0.287 AC.±  
 TOTAL AREA = 13,381 S.F.± OR 0.307 AC.±

N/F  
 MORRISON DEVELOPMENT, LC  
 DOCUMENT# 970001330  
 TAX MAP# (47-1)(1-32)

N/F  
 FIVE FORKS, VIRGINIA, INC.  
 PARCEL 1  
 FIVE FORKS, VIRGINIA, INC.  
 TAX MAP# (46-2)(1-14)

VICINITY MAP  
 SCALE 1"=2000'



**LINE TABLE**

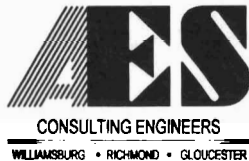
LINE	BEARING	LENGTH
L1	S24°51'23"W	10.97'
L2	S16°44'33"E	70.00'
L3	N73°15'27"E	18.00'
L4	N78°46'50"E	38.30'
L5	S18°14'53"E	32.75'
L6	N79°45'06"E	27.08'
L7	S07°55'25"E	10.01'
L8	S79°45'06"W	25.26'
L9	S18°14'53"E	41.88'
L10	N72°38'39"E	29.48'
L11	N17°21'21"W	10.53'
L12	N82°04'35"E	10.14'
L13	S17°21'21"E	8.87'
L14	N72°38'39"E	11.84'
L15	N77°36'05"E	87.37'
L16	S12°06'31"E	20.00'
L17	S77°36'05"W	76.41'
L18	S12°23'55"E	34.20'
L19	S82°04'35"W	10.03'
L20	N12°23'55"W	33.42'
L21	S72°38'39"W	50.15'
L22	S18°14'53"E	12.58'
L23	S75°06'34"E	32.83'
L24	S07°55'25"E	10.85'
L25	N75°06'34"W	44.32'
L26	S71°45'07"W	8.43'
L27	N18°14'53"W	17.28'
L28	S72°38'39"W	51.96'
L29	S17°21'21"E	41.16'
L30	S72°38'39"W	10.00'
L31	N17°21'21"W	41.16'
L32	S72°38'39"W	68.60'
L33	S68°43'26"W	65.91'
L34	S71°44'34"W	23.08'
L35	S86°15'05"W	14.63'
L36	N48°44'50"W	107.73'
L37	N74°55'15"E	24.03'
L38	S48°44'50"E	86.12'
L39	N86°15'05"E	4.07'
L40	N17°37'31"E	19.22'
L41	N6°41'26"E	67.49'
L42	N17°21'21"W	27.05'
L43	N72°38'39"E	10.00'
L44	S17°21'21"E	27.05'
L45	N72°38'39"E	95.67'
L46	N18°14'53"W	81.32'

**CURVE TABLE**

NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CH. BEARING
C1	4°24'02"	869.21	66.76	33.40	66.74	N82°09'22"E
C2	1°20'03"	869.21	20.24	10.12	20.24	N82°36'31"E

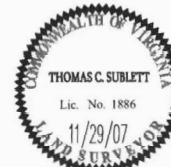
STATE OF VIRGINIA  
 CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY CIRCUIT  
 COURT THIS DAY OF 200  
 THE PLAT SHOWN HEREON WAS PRESENTED AND ADMITTED  
 TO THE RECORD AS THE LAW DIRECTS. @ \_\_\_\_\_ AM/PM  
 INSTRUMENT # \_\_\_\_\_

TESTE: BETSY B. WOOLRIDGE, CLERK



5248 Olde Towne Road, Suite 1  
 Williamsburg, Virginia 23188  
 (757) 253-0040  
 Fax (757) 220-8994

PLAT SHOWING A  
 VARIABLE WIDTH JCSA UTILITY  
 EASEMENT ON PARCELS "C" & "D"  
 POWHATAN OFFICE PARK SUBDIVISION  
 BERKELEY DISTRICT COUNTY OF JAMES CITY VIRGINIA



No.	DATE	REVISION / COMMENT / NOTE	BY

Designed	Drawn
AES	RLS/JFS
Scale	1"=30'
Project No.	11/29/07
Drawing No.	9444

amwdsdw\gsp\p\9444-CSEA-EASEMENT-#PARCEL-D.dwg, 1/18/2008 12:16:50 PM, jmorris

**MEMORANDUM**


DATE: March 25, 2008  
TO: The Board of Directors  
FROM: Larry M. Foster, General Manager, James City Service Authority  
SUBJECT: Cellular Lease - AT&T - 4600 Warhill Trail

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This meeting has been advertised as a public hearing on a lease with AT&T for the location of cellular equipment on the new Warhill water tank. The James City Service Authority currently has a lease with AT&T for locating cellular equipment on the Season's Trace tank which will be razed within the next several months. Board approval will allow the existing lease to be moved to the new Warhill water tank which is approximately 500 feet away from the existing tank.

The terms of the lease have not changed except the new lease is modified to allow 768 square feet, including air space, for the location of the equipment building on the site and the provision of a 20-foot ingress/egress easement along the access road. The lease and easement are located on Tax Parcel Nos. 320100012A and 320100012B. The current lease is in its second five-year term. The lease arrangement with AT&T has been mutually beneficial.

After conducting a public hearing, staff recommends approval of the attached resolution approving the new lease.

  
Larry M. Foster

LMF/gb  
AT\_TLease\_mem

Attachment

**RESOLUTION**

**CELLULAR LEASE - AT&T - 4600 WARHILL TRAIL**

WHEREAS, the James City Service Authority (JCSA) has a lease with AT&T for the location of cellular equipment on the Season's Trace water tank which will be razed during 2008; and

WHEREAS, AT&T, JCSA staff, and the County Attorney have agreed upon the terms of a lease including an access/egress easement, which allows for relocating the above cellular equipment to the Warhill water tank.

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 on leasing the public property to AT&T, authorizes the General Manager to sign the appropriate documents associated with the lease allowing AT&T to move and locate cellular equipment onto the Warhill water tank site.

\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Directors

ATTEST:

\_\_\_\_\_  
Sanford B. Wanner  
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 25th day of March, 2008.

AT\_TLease\_res



EX. 20' JCSA  
UTILITY EASEMENT  
(D.B. 186, PG. 527)  
HEREBY EXTINGUISHED

COLONIAL HERITAGE  
NATURAL OPEN SPACE EASEMENT #21  
DEDICATED TO JAMES CITY COUNTY  
INSTR. #050020150  
**NEW AREA 192,779 S.F.(4.43 AC)**

100' RPA BUFFER

EX. 20' JCSA  
UTILITY EASEMENT  
(D.B. 186, PG. 527)  
HEREBY EXTINGUISHED

20' JCSA  
UTILITY ESM'T

20' JCSA  
UTILITY ESM'T

EX. 20' JCSA  
SEWER EASEMENT  
(D.B. 329, PG. 730)

COLONIAL HERITAGE  
NATURAL OPEN SPACE EASEMENT #26A  
DEDICATED TO JAMES CITY COUNTY  
INSTR. #050020150  
**NEW AREA 57,434 S.F.(1.32 AC)**

COLONIAL HERITAGE  
NATURAL OPEN SPACE EASEMENT #26B  
DEDICATED TO JAMES CITY COUNTY  
INSTR. #050020150  
**NEW AREA 16,459 S.F.(0.38 AC)**

100' RPA BUFFER

COLONIAL HERITAGE  
NATURAL OPEN SPACE EASEMENT #27  
DEDICATED TO JAMES CITY COUNTY  
INSTR. #050020150  
**NEW AREA 22,427 S.F.(0.51 AC)**

NATURAL OPEN SPACE AREA  
CHANGES DUE TO JCSA UTILITY  
EASEMENT ADJUSTMENT

# DETAIL 4

MEMORANDUM


DATE: March 25, 2008  
TO: The Board of Directors  
FROM: Larry M. Foster, General Manager, James City Service Authority  
SUBJECT: Abandonment of Easement – Colonial Heritage

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In conjunction with the development of Colonial Heritage in Williamsburg, the developer, Colonial Heritage, LLC, installed a sewer interceptor along the southeast edge of the property. The plat for the sewer line was recorded prior to the installation of the sewer line.

Construction of the sewer line was more difficult than anticipated requiring the installation of the sewer lines in a slightly different alignment than had been plated. As a final step to transfer the sewer line to the James City Service Authority (JCSA), Colonial Heritage has recorded a plat dedicating the easement for the final location and asked that the JCSA abandon the areas included in the original easement.

After receiving public comment, staff recommends that the Board approve the attached resolution authorizing the General Manager to sign the appropriate documents releasing the rights to the original easement area.

  
Larry M. Foster

LMF/gb  
CHEasmnt\_mem2

Attachments

**RESOLUTION**

**ABANDONMENT OF EASEMENT – COLONIAL HERITAGE**

WHEREAS, the owners/developers of Colonial Heritage in Williamsburg recorded a sewer easement on the southern portion of the development that was not used due to construction challenges in the area where the easement was plated; and

WHEREAS, the sewer line was installed in an alternate location with a separate easement being provided for the new location, making the original easement unnecessary.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, having conducted the required public hearing, authorizes the General Manager to sign the appropriate documents to abandon the unused easement area that was previously provided by Colonial Heritage, LLC, the developer.

\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Directors

ATTEST:

\_\_\_\_\_  
Sanford B. Wanner  
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 25th day of March, 2008.

CHEasmnt\_res2

## M E M O R A N D U M

DATE: March 25, 2008

TO: The Board of Directors

FROM: Larry M. Foster, General Manager, James City Service Authority

SUBJECT: Project Development Agreement - Long-Term Water Supply - Newport News Waterworks

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Water demand projections for the James City Service Authority (JCSA) reflect a need for 10 million gallons per day in 2040. The JCSA Groundwater Withdrawal Permit issued by the Department of Environmental Quality allows for an average daily withdrawal of 7.9 million gallons of water. The term of the permits ends in 2012 with the JCSA staff intending to renew at current levels upon expiration.

James City County has supported Newport News in its efforts to obtain permits to build the King William Reservoir since 1993 with a plan of purchasing 4 million gallons per day of the reservoir's 20 million gallon per day of safe yield. The project is estimated to cost \$250 million and projected to be completed in the 2020 timeframe. Newport News has determined that it has adequate water to supplement the JCSA groundwater to meet James City County's water needs until the King William Reservoir or another water supply project is available.

Staffs of Newport News and JCSA have developed a Project Development Agreement that provides the terms for the JCSA to purchase water from the City of Newport News. A copy of the agreement is attached. The overarching terms of the agreement are as follows:

- The JCSA can purchase 5 million gallons of water per day on an annual average unless certain drought benchmarks as defined in the Newport News Drought Management Plan are met, at which point the available water will be reduced based on the benchmarks.
- Average daily water for peak demands can be as high as 6.5 million gallons per day.
- The JCSA will pay Newport News \$50 million for the water in two installments - \$25 million by December 31, 2008, and the remaining \$25 million (subject to an inflation clause) by June 30, 2019.
- JCSA will be responsible for and will pay 20 percent of the operating and fixed costs of the project annually.
- Newport News will treat the water based on costs of treatment with the first-year costs beginning at \$.70 per 1,000 gallons.
- The provision of the water is not dependent on the construction of the King William Reservoir.

Staffs of both localities have worked diligently to craft an agreement that is fair and meets the needs of both communities. With this in mind, staff recommends the Board approve the attached resolution authorizing the Chairman to sign the Project Development Agreement providing the terms for the JCSA to purchase water from the City of Newport News.

  
Larry M. Foster

LMF/nb  
WtrAgrmt2\_mem

Attachments

**RESOLUTION**

**PROJECT DEVELOPMENT AGREEMENT - LONG-TERM WATER SUPPLY -**

**NEWPORT NEWS WATERWORKS**

WHEREAS, the James City Service Authority (JCSA) has determined that additional water supply is needed to meet long-term demands; and

WHEREAS, staffs of JCSA and the City of Newport News have developed an agreement providing the terms for the JCSA to purchase supplemental water from the City of Newport News.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby authorizes its Chair to sign the appropriate documents providing the terms for the water purchase and expresses its appreciation to the City of Newport News for its cooperation in meeting the water needs of James City County.

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Bruce C. Goodson  
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 25th day of March, 2008.

WtrAgrmt2\_res