

A G E N D A

JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS

County Government Center Board Room

March 27, 2012

7:00 P.M.

A. CALL TO ORDER

B. ROLL CALL

C. CONSENT CALENDAR

1. Minutes

a. February 28, 2012, Regular Meeting

D. PUBLIC HEARINGS

1. Restrictive Covenants on a James City Service Authority Parcel Adjacent to the James City/Williamsburg Community Center

2. Vacation of Easement - Williamsburg Pottery, 6692 Richmond Road

E. BOARD CONSIDERATION - none

F. BOARD REQUESTS AND DIRECTIVES

G. ADJOURNMENT to April 24, 2012 at 7 p.m.

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 28TH DAY OF FEBRUARY 2012, 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 G. Kennedy, Chairman
James O. Icenhour, Jr., Vice Chairman
Mary K. Jones
John J. McGlennon

Robert C. Middaugh, Secretary
Leo P. Rogers, County Attorney
Larry M. Foster, General Manager

C. CONSENT CALENDAR

1. Minutes
 - a. December 13, 2011, Regular Meeting
 - b. January 24, 2012, Organizational Meeting

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

The motion passed by a unanimous voice vote.

D. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon expressed appreciation to the JCSA for a job well done on repairing a water main break in his neighborhood and for repairing a problem caused by Verizon.

E. ADJOURNMENT

Mr. Kennedy made a motion to adjourn the Board of Directors until March 27, 2012.

The motion passed by a unanimous voice vote.

Robert C. Middaugh
Secretary to the Board

MEMORANDUM COVER

Subject: Restrictive Covenants on a James City Service Authority (JCSA) Parcel Adjacent to the James City/Williamsburg Community Center

Action Requested: Shall the Board approve a resolution authorizing of the establishment of restrictive covenants on James City Service Authority (JCSA) owned property located on the southeast corner of the James City/Williamsburg Community Center?

Summary: This meeting constitutes a public hearing on a proposal to place restrictive covenants on a JCSA owned property that is located at the southeast corner of the James City/Williamsburg Community Center and adjacent to the City of Williamsburg boundary. This item is linked to the similar resolution considered by the Board of Supervisors previously at the March 27, 2012 meeting. The covenants will establish a permanent buffer along the Williamsburg boundary and is part of an agreement between the City and County that provides sole ownership of the Community Center property to James City County.

After receiving public comment, staff recommends that the Board approve the resolution included in the Board packet authorizing the JCSA General Manager to sign the necessary documents establishing the covenants.

Fiscal Impact: N/A

FMS Approval, if Applicable: Yes No

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh _____

Attachments:

- 1. Memorandum
- 2. Resolution

Agenda Item No.: D-1

Date: March 27, 2012

MEMORANDUM

DATE: March 27, 2012

TO: The Board of Supervisors

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

SUBJECT: Restrictive Covenants on a James City Service Authority (JCSA) Parcel Adjacent to the James City/Williamsburg Community Center

This meeting has been advertised as a public hearing to receive comment on the placement of restrictive covenants on a parcel of property owned by the James City Service Authority (JCSA) that is located adjacent on the City of Williamsburg boundary and at the southeast corner of the James City/Williamsburg Community Center property. The property was transferred to the JCSA by a Quit Claim Deed dated June 29, 1998. The Board of Supervisors will consider similar covenants on the James City/Williamsburg Community Center property that is located adjacent to this parcel at its meeting earlier in the evening on March 27, 2012.

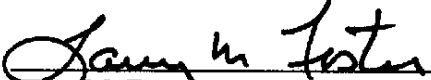
The JCSA parcel was purchased from the Commonwealth of Virginia and is identified as Parcel No. 4 on a plat entitled "Plat for Conveyance and Dedication or Right-of-Way containing 10.6927 AC. +/- in two parcels from the Commonwealth of Virginia, State Mental Health and Mental Retardation (Eastern State Hospital) to: Virginia Department of Transportation" dated July 1997, prepared by Paul C. Small, Land Surveyor. In summary, the covenants prevent any construction:

- Within 50 feet of the eastern property line of the parcel;
- Requires the preservation of the wooded buffer along the property line; and
- Requires approval by the City of Williamsburg for any structure located within 100 feet of the eastern property line.

The JCSA has no plans for the use of the parcel and therefore does not anticipate any issues associated with the placement of the proposed restrictive covenants on the parcel.

The placement of the covenants on the parcel is part of a three-party agreement that includes the City of Williamsburg, James City County, and the JCSA. The agreement provides for the transfer of ownership for the entire parcel on-which the James City/Williamsburg Community Center is located to the sole ownership of James City County.

After conducting the required public hearing it is recommended that the Board approve the attached resolution authorizing the General Manager to sign all documents associated with placing covenants on the above described parcel.


Larry M. Foster

LMF/nb
RCovenParc_mem

Attachment

RESOLUTION

RESTRICTIVE COVENANTS ON A JAMES CITY SERVICE AUTHORITY (JCSA) PARCEL

ADJACENT TO THE JAMES CITY/WILLIAMSBURG COMMUNITY CENTER

WHEREAS, the property on which the James City/Williamsburg Community Center is jointly owned by the City of Williamsburg and James City County; and

WHEREAS, James City County and the City of Williamsburg have agreed on the terms for the transfer of sole ownership of the property to James City County; and

WHEREAS, part of the agreement includes the placement of a restrictive covenant on a parcel of property owned by the James City Service Authority (JCSA) that will preclude any construction on a 50-foot buffer, preserve the wooded buffer in the buffer, and require approval by the City of Williamsburg for any construction within 100 feet of the eastern property line of the parcel and along the City of Williamsburg boundary; and

WHEREAS, the JCSA has no plans for the use of the parcel and has identified no impediment to the placement of the covenants on the property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, having conducted a public hearing on the proposed placement of a restrictive covenants defined in a Quit Claim Deed dated June 29, 1998, on the parcel, hereby authorizes its General Manager to sign all documents necessary to implement the covenants defined in the above referenced Quit Claim Deed.

James G. Kennedy
Chairman, Board of Directors

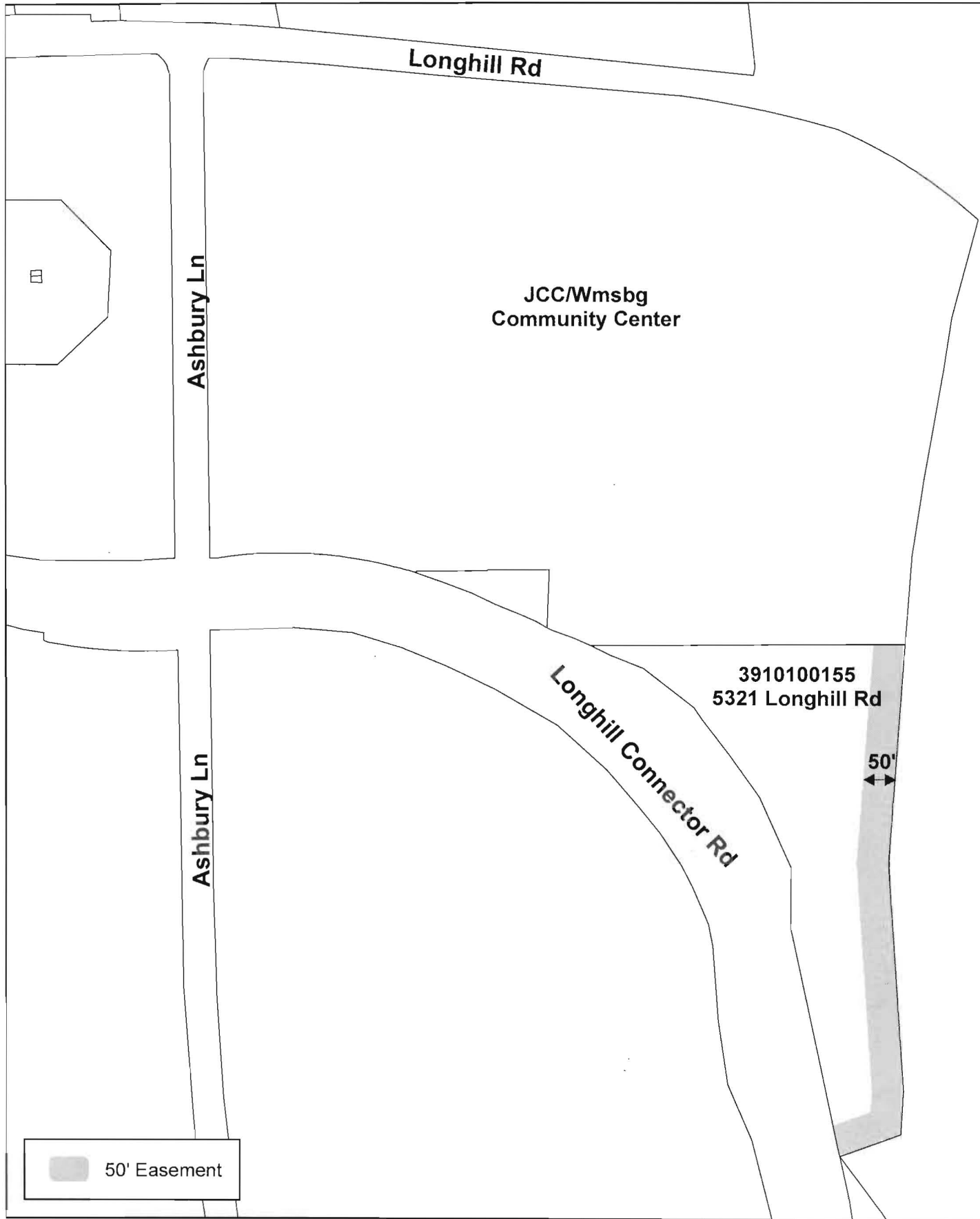
ATTEST:

Robert C. Middaugh
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 27th day of March, 2012.

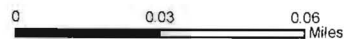
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James City County - Real Estate Assessment Division - Mapping/GIS Section



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be. If discrepancies are found, please contact the Real Estate Assessment Division of James City County, Mapping/GIS Section.

1 inch = 200 feet



MEMORANDUM COVER

Subject: Williamsburg Pottery – 6692 Richmond Road – Vacate Easement

Action Requested: Shall the Board approve the resolution authorizing the vacation of an easement at 6692 Richmond Road – Williamsburg Pottery identified as James City County Real Estate Tax Parcel No. (24-3)(1-24)?

Summary: It has been determined that two sewer clean-outs serving new buildings at the Williamsburg Pottery located at 6692 Richmond Road are encroaching on a James City Service Authority (JCSA) easement. It is more practical to vacate 93 square feet in the encroachment area than to relocate the sewer clean-outs. Vacating the nominal area of the JCSA easement will not impact the JCSA’s ability to maintain the existing utilities located within its easement.

Staff recommends approval of the attached resolution.

Fiscal Impact: Not applicable.

FMS Approval, if Applicable: Yes No

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh _____

Attachments:

- 1. Memorandum
- 2. Resolution
- 3. Plat

Agenda Item No.: D-2

Date: March 27, 2012

MEMORANDUM

DATE: March 27, 2012

TO: The Board of Directors


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

SUBJECT: Williamsburg Pottery – 6692 Richmond Road – Vacate Easement

This meeting has been advertised as a public hearing to receive comment on vacating 93 square feet of easement located on the parcel at 6692 Richmond Road. The easement area proposed to be vacated is located at the rear of the structures now under construction at the Williamsburg Pottery as indicated on the attached plat prepared by AES, Consulting Engineers.

When the Williamsburg Pottery installed two sewer laterals serving the new structures that are under construction, the building's sewer clean-outs slightly encroached on the James City Service Authority (JCSA)'s easement. Discussions between representatives of the JCSA and AES, Consulting Engineering resulted in a collective agreement that it was simpler to vacate the JCSA's easement than to relocate the sewer clean-outs. The encroachments occurred at two locations and require a total of 93 square feet of easement be vacated – 65 and 28 square feet respectively. The JCSA has resolved that vacating the easement will not impair its ability to maintain utility lines in the easement.

After opening the public hearing and receiving public comment, it is recommended that the Board approve the attached resolution authorizing that the above-referenced areas of easement be vacated.


Larry M. Foster

LMF/gb
PoteryVacEas_mem

Attachments

RESOLUTION

WILLIAMSBURG POTTERY – 6692 RICHMOND ROAD – VACATE EASEMENT

WHEREAS, Williamsburg Pottery Properties, LLC, the owner of a parcel located at 6692 Richmond Road identified as James City County Real Estate Tax Parcel No. (24-3)(1-24) and the James City Service Authority (JCSA) have agreed that vacating a total of 93 square feet of an existing JCSA utility easement in two areas, defined on a plat dated February 3, 2012, and prepared by AES, Consulting Engineers, is more practical than relocating two building sewer clean-outs that were inadvertently installed on a JCSA easement; and

WHEREAS, the Board of Directors of the JCSA conducted a public hearing to receive comment on the proposed easement vacation on March 27, 2012.

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 JCSA to sign the appropriate documents to vacate the easement area as identified on the above-referenced plat.

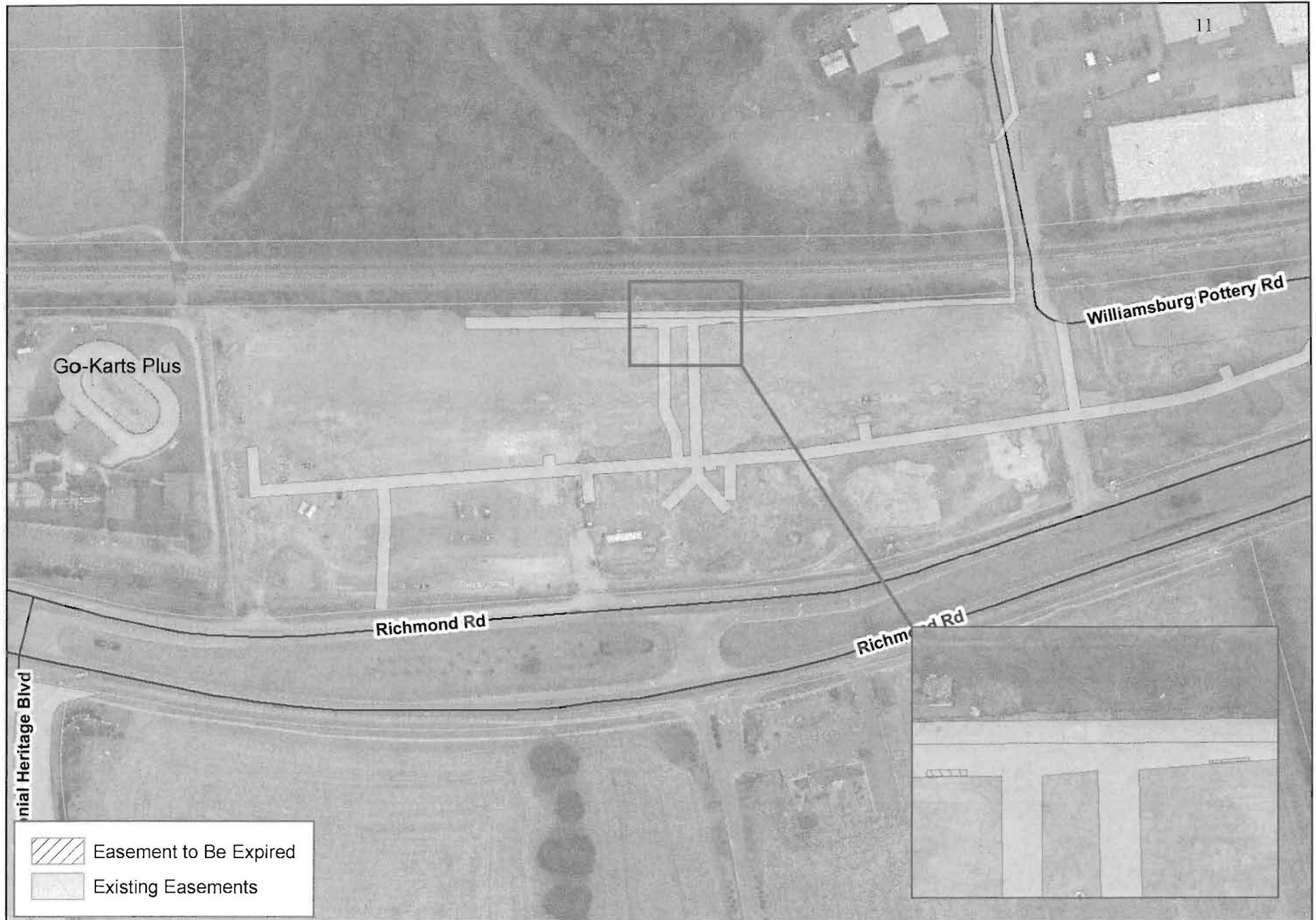
James G. Kennedy
Chairman, Board of Directors

ATTEST:

Robert C. Middaugh
Secretary to the Board

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 27th day of March, 2012.

PotteryVacEas_res



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. James City Service Authority is not responsible for its accuracy or how current it may be.

The Pottery

0 200 400 800 Feet

