

**A G E N D A**  
**JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**November 26, 2019**  
**4:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. PRESENTATIONS**

**D. PUBLIC COMMENT**

**E. CONSENT CALENDAR**

1. Minutes Adoption

**F. PUBLIC HEARING(S)**

1. Authorization to Convey Easements at 115 and 122 Depot Street

**G. BOARD CONSIDERATION(S)**

**H. BOARD REQUESTS AND DIRECTIVES**

**I. GENERAL MANAGER'S UPDATE**

**J. ADJOURNMENT**

1. Adjourn until 5 p.m. on December 10, 2019 for the Regular Meeting

**ITEM SUMMARY**

DATE: 11/26/2019

TO: The Board of Directors

FROM: Teresa J. Fellows, Deputy Secretary

SUBJECT: Minutes Adoption

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**ATTACHMENTS:**

	Description	Type
	102219 BOD Regular Meeting	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/19/2019 - 1:06 PM

**MINUTES**  
**JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**October 22, 2019**  
**4:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

Michael J. Hipple, Powhatan District  
Ruth M. Larson, Vice Chairman, Berkeley District  
John J. McGlennon, Roberts District  
James O. Icenhour, Jr., Jamestown District  
P. Sue Sadler, Chairman, Stonehouse District

Scott A. Stevens, Secretary to the Board  
Adam R. Kinsman, County Attorney  
M. Douglas Powell, General Manager

**C. PRESENTATIONS**

None.

**D. PUBLIC COMMENT**

None.

**E. CONSENT CALENDAR**

A motion to Approve was made by John McGlennon, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

1. Minutes Adoption - September 24, 2019 Regular Meeting
2. Contract Award - Lift Station 6-6 Erosion Control - \$123,450

**F. PUBLIC HEARING(S)**

1. Easement Abandonment - Area of 4091 Ironbound Road

A motion to Approve was made by Michael Hipple, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Powell addressed the Board noting this easement abandonment was “fairly small” and in the Courthouse Green area with no real effect on the James City Service Authority (JCSA). He noted a new JCSA water service line would go there. He further noted staff’s recommendation for approval.

Ms. Sadler opened the Public Hearing.

As there were no speakers, Ms. Sadler closed the Public Hearing.

Mr. Icenhour asked what initiated this request, whether it had originated with the owner or JCSA.

Mr. Powell responded the property owner, but added usually this type of request was during new construction. He noted he was not sure what utility conflict had arisen to prompt the request.

Mr. Icenhour asked if the owner had initiated the request based on a need to do something now that had not been available previously.

Mr. Powell confirmed yes.

#### **G. BOARD CONSIDERATION(S)**

Mr. McGlennon noted his appreciation to the JCSA workers who were in his neighborhood recently repairing a broken water main. He further noted the miserable weather conditions that day.

Ms. Sadler noted she received continual comments on the great work that JCSA does in the community. She asked Mr. Powell to convey appreciation to all the JCSA employees.

Mr. Powell noted his appreciation for the comments and further noted he would convey them to JCSA employees.

Ms. Larson asked Mr. Powell about the water main break in Governor's Land last week and the repairs.

Mr. Powell noted it was a leaking valve at the entrance of Governor's Land. He further noted there was no redundancy in the development so if a break occurred at the entrance near Route 5, then an outage occurred for the entire neighborhood and club. Mr. Powell noted it had a significant impact. He further noted in this incident, while it was a leak and not a break, it still had to be repaired. Mr. Powell added the repair was done without turning off the water so there was no disruption of service in the community.

Ms. Larson thanked Mr. Powell for the work there and the Everbridge alerts. She noted Mr. Powell's contact with the homeowners association and the country club for the food service impact during the repair.

#### **H. BOARD REQUESTS AND DIRECTIVES**

None.

#### **I. GENERAL MANAGER'S UPDATE**

Mr. Powell noted the January 31, 2020, retirement of Mr. Mike Vergakis, Chief Water Engineer for JCSA. He further noted upcoming opportunities to thank Mr. Vergakis for his many years of excellent service. Mr. Powell added that Mr. Vergakis had expressed interest in a part-time position. Mr. Powell noted his intention to include a part-time position in the Fiscal Year 2021 budget with an effective start date of July 1, 2020, unless there was a change of plans.

**J. ADJOURNMENT**

1. Adjourn until 4 p.m. on November 26, 2019, for the Regular Meeting

A motion to Adjourn was made by James Icenhour Jr, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 4:06 p.m., Ms. Sadler adjourned the Board of Directors.

**ITEM SUMMARY**

DATE: 11/26/2019

TO: The Board of Directors

FROM: M. Douglas Powell, General Manager

SUBJECT: Authorization to Convey Easements at 115 and 122 Depot Street

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**ATTACHMENTS:**

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution
☐	Plat - Exhibit A	Backup Material
☐	Plat - Exhibit B	Backup Material
☐	Easement Document	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
James City Service Authority	Powell, Doug	Approved	11/7/2019 - 8:23 AM
Publication Management	Burcham, Nan	Approved	11/7/2019 - 8:32 AM
Legal Review	Kinsman, Adam	Approved	11/7/2019 - 3:36 PM
Board Secretary	Fellows, Teresa	Approved	11/19/2019 - 1:12 PM
Board Secretary	Purse, Jason	Approved	11/19/2019 - 4:50 PM
Board Secretary	Fellows, Teresa	Approved	11/19/2019 - 4:50 PM

## MEMORANDUM

DATE: November 26, 2019

TO: The Board of Directors

FROM: M. Douglas Powell, General Manager, James City Service Authority

SUBJECT: Authorization to Convey Easements at 115 and 122 Depot Street

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James City County has requested that the James City Service Authority (JCSA) convey two permanent drainage easements for the purpose of constructing a stream restoration project. The project will require a 485.60-square-foot or 0.0111-acre easement be conveyed at 115 Depot Street, and a second easement of 4606.08 square feet or 0.1057 acre be conveyed at 122 Depot Street. 115 Depot Street is the location of Lift Station 6-8 and 122 Depot Street is the previous location of Lift Station 6-8 before it was abandoned and relocated to 115 Depot Street. Staff is comfortable with the conveyance of the easements as there will be no impact on JCSA operations.

Staff recommends that the Board approve the attached resolution authorizing the General Manager to sign the necessary documents to convey the easements as requested and depicted on the attached plats prepared by A. Morton Thomas and Associates, Inc. entitled, "Plat of Proposed Permanent Drainage Easement Across the Property of James City Service Authority PIN# 1240100026A" and "Plat of Proposed Permanent Drainage Easement Across the Property of James City Service Authority PIN# 1240100017C" both dated 10/08/2019.

MDP/md  
EasemtConv-DepotSt-mem

Attachments:

1. Resolution
2. Plats

## RESOLUTION

### AUTHORIZATION TO CONVEY EASEMENTS AT 115 AND 122 DEPOT STREET

WHEREAS, the James City Service Authority (JCSA) owns property located at 115 and 122 Depot Street, further identified as James City County Tax Map Parcel Nos. 1240100017C and 1240100026A, respectively (the "Properties"); and

WHEREAS, James City County desires to construct a stream restoration project in Toano that impacts the Properties; and

WHEREAS, James City County requires permission from JCSA to impact the Properties for the stream restoration project in the form of permanent drainage easements; and

WHEREAS, the Board of Directors of JCSA finds that conveyance of the permanent drainage easements on the Properties will not negatively affect operation of the utility facilities or utility services to customers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the JCSA, hereby authorizes the conveyance of permanent drainage easements to James City County as needed to further the Toano Stream Restoration Project and directs the General Manager to sign those documents necessary to convey the easements on 115 and 122 Depot Street as described.

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P. Sue Sadler  
Chairman, Board of Directors

ATTEST:

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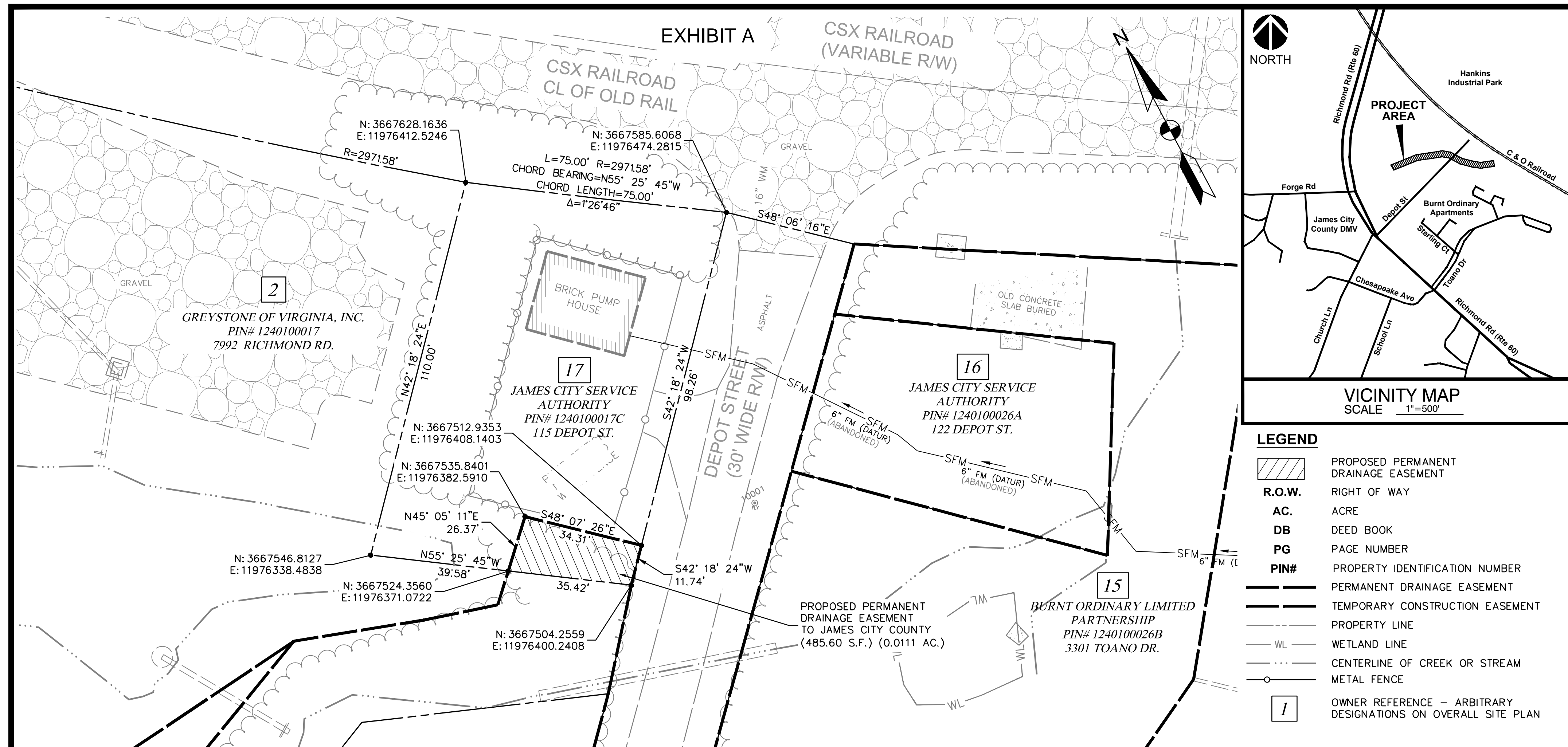
Teresa J. Fellows  
Deputy Secretary to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____

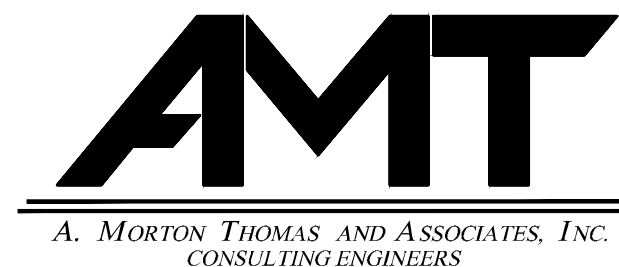
Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 26th day of November, 2019.

EasemtConv-DepotSt-res





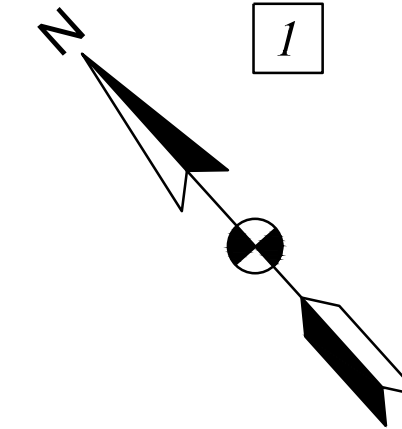
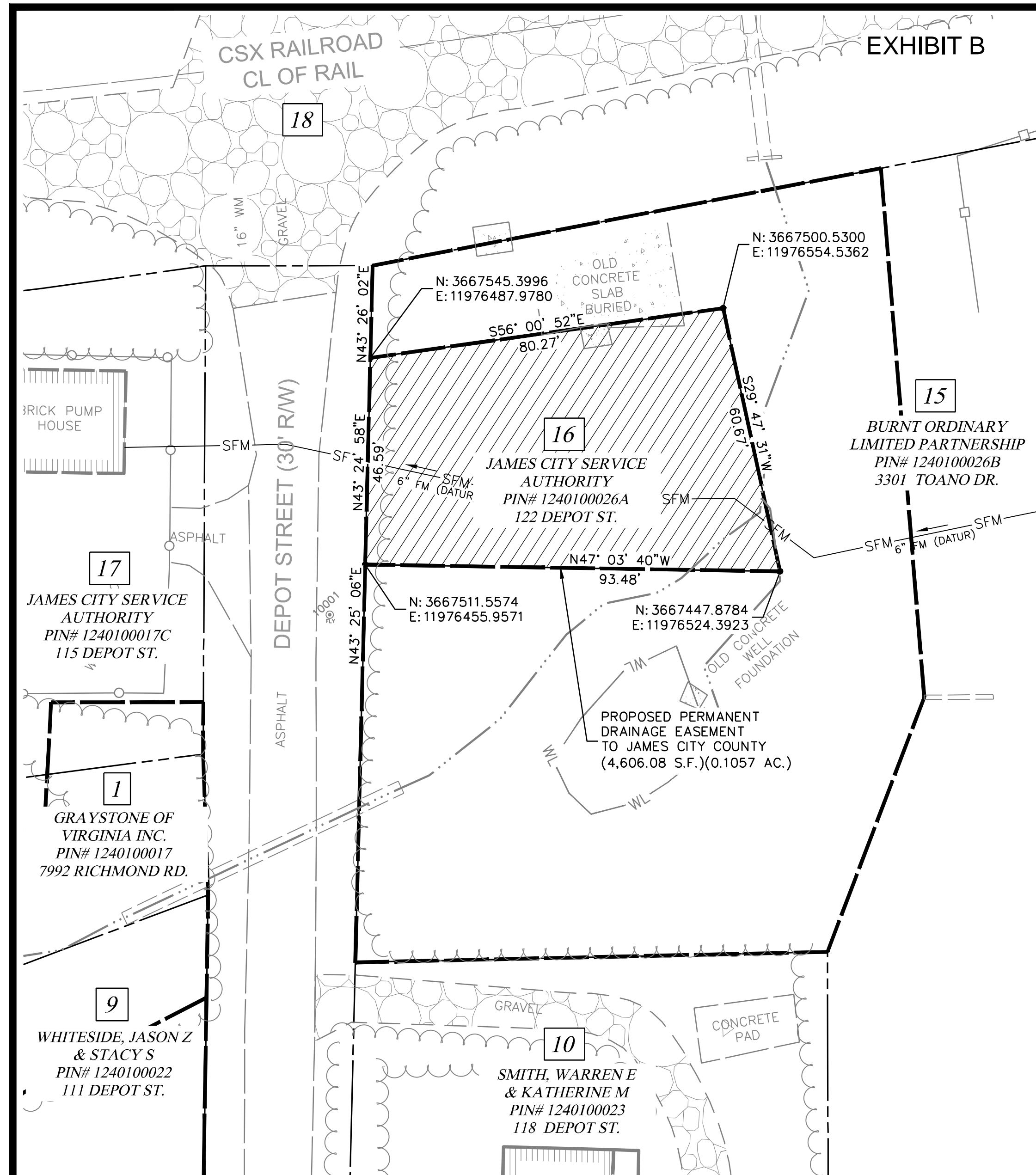
A. MORTON THOMAS AND ASSOCIATES, INC.  
ENGINEERS • PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS  
100 GATEWAY CENTRE PARKWAY SUITE 200 - RICHMOND, VA. 23236  
PH (804) 276-6231 - FAX (804) 276-6233



PLAT OF PROPOSED PERMANENT DRAINAGE  
EASEMENT ACROSS THE PROPERTY OF  
JAMES CITY SERVICE AUTHORITY  
PIN# 1240100017C

JAMES CITY COUNTY, VIRGINIA

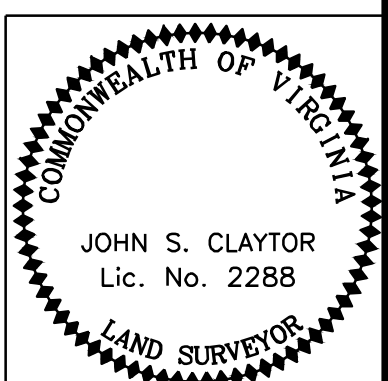
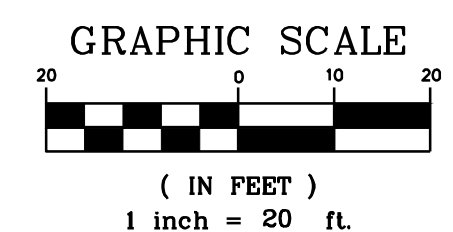
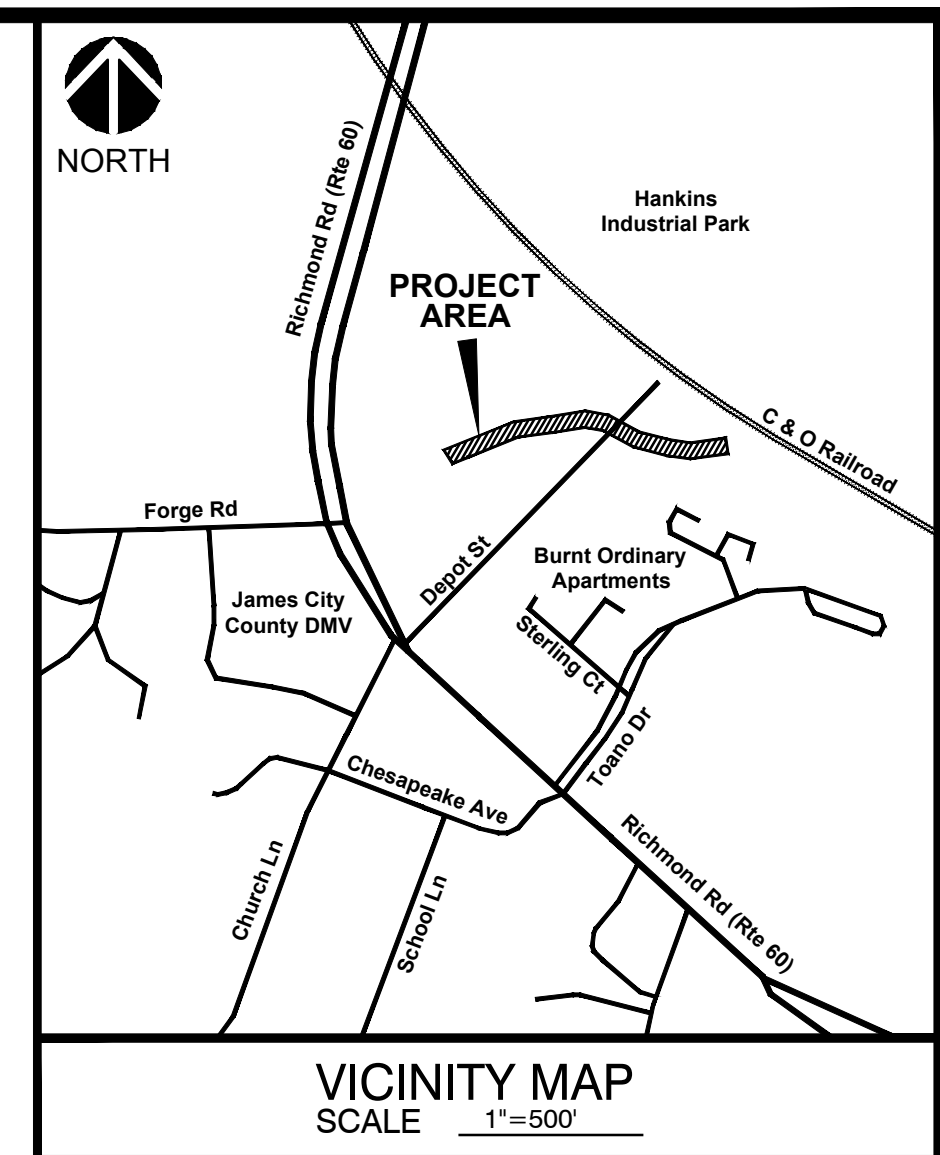
SCALE	CONTOUR INTERVAL	AMT FILE No.
1" = 20'	N/A	15-0127.006
DATE	TAX MAP No.	SHEET
10/17/2019	N/A	1 of 1



LEGEND	
	PROPOSED PERMANENT DRAINAGE EASEMENT
	RIGHT OF WAY
<b>AC.</b>	ACRE
<b>DB</b>	DEED BOOK
<b>PG</b>	PAGE NUMBER
<b>PIN#</b>	PROPERTY IDENTIFICATION NUMBER
	PERMANENT DRAINAGE EASEMENT
	TEMPORARY CONSTRUCTION EASEMENT
	PROPERTY LINE
	WETLAND LINE
	CENTERLINE OF CREEK OR STREAM
	WOODEN FENCE
	METAL FENCE
<b>1</b>	OWNER REFERENCE - ARBITRARY DESIGNATIONS ON OVERALL SITE PLAN

#### SURVEY NOTES:

1. THIS TOPOGRAPHIC SURVEY WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF, JOHN S. CLAYTOR, L.S. FROM AN ACTUAL GROUND SURVEY MADE UNDER MY DIRECT SUPERVISION; THAT THE ORIGINAL DATA WAS OBTAINED ON FEBRUARY 16, 2018; AND THAT THIS PLAT, MAP, OR DIGITAL GEOSPATIAL DATA INCLUDING METADATA MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.
2. THIS FILE IS REFERENCED TO THE VDOT 2014 COORDINATE SYSTEM, NAD83 DATUM, SOUTH ZONE, US SURVEY FEET, GROUND COORDINATE VALUES. THIS COORDINATE BASIS IS ACHIEVED BY TAKING VIRGINIA STATE PLANE COORDINATE AND MULTIPLYING BY THE SCALE FACTOR OF 1.000054093.
3. THE ELEVATIONS DEPICTED IN THIS FILE ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88).
4. THE HORIZONTAL AND VERTICAL COORDINATE SYSTEMS REFERENCED IN THIS FILE WERE ACHIEVED WITH RTK-GPS SURVEYING TECHNIQUE UTILIZING MULTIPLE AND REDUNDANT OBSERVATIONS VERIFIED TO BE ACCURATE AND WITHIN THE STANDARD ESTABLISHED IN 18 VAC 10-20-382 FOR TOPOGRAPHIC SURVEYS PLOTTED TO A SCALE OF 1" = 40'.
5. THE SURVEYOR WAS NOT PROVIDED A TITLE REPORT. EASEMENTS AND OTHER ENCUMBRANCES OF RECORD MAY NO BE DEPICTED HEREON, AND MAY BE DISCLOSED IN SUCH A REPORT.
6. UNDERGROUND UTILITIES, SUCH AS GAS, WATER, POWER DISTRIBUTION AND TELECOMMUNICATIONS WERE DESIGNATED BY MISS UTILITY TICKET #A803600193-00A, AND LOCATED IN THE AGREED SCOPE OF SERVICES.



A. MORTON THOMAS AND ASSOCIATES, INC.  
ENGINEERS • PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS  
100 GATEWAY CENTRE PARKWAY SUITE 200 - RICHMOND, VA. 23236  
PH (804) 276-6231 - FAX (804) 276-6233



PLAT OF PROPOSED PERMANENT DRAINAGE  
EASEMENT ACROSS THE PROPERTY OF  
JAMES CITY SERVICE AUTHORITY  
PIN# 1240100026A

JAMES CITY COUNTY, VIRGINIA

SCALE	CONTOUR INTERVAL	AMT FILE No.
1" = 20'	N/A	15-0127.006
DATE	TAX MAP No.	SHEET
10/08/2019	N/A	1 of 1

Prepared by/Return to:  
Maxwell Hlavin, Esq. (VSB 86066)  
101-D Mounts Bay Road  
Williamsburg, VA 23185  
(757) 253-6612

**Tax Parcel No. 1240100017C  
1240100026A**

**Consideration: \$10.00**

**THIS DEED IS EXEMPT FROM RECORDATION TAX PURSUANT TO SECTIONS  
58.1-811A(3) AND (C)(5) OF THE CODE OF VIRGINIA, 1950, AS AMENDED**

**DEED OF EASEMENT**

This DEED OF EASEMENT is dated the \_\_\_\_ day of \_\_\_\_\_, 2019, by and between the JAMES CITY SERVICE AUTHORITY, a political subdivision established under the Virginia Water and Waste Authorities Act (Va. Code § 15.2-5100 *et seq.*), hereinafter called “Grantor,” and the COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of the Commonwealth of Virginia, hereinafter called “Grantee.”

**WITNESSETH:**

FOR TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor grants and conveys with GENERAL WARRANTY unto Grantee, its successors and assigns, the following rights in and to certain real property situate, lying, and being in James City County, Virginia, to-wit:

The privilege and easement, in perpetuity, over, under, upon, and across the lands of Grantor indicated as “PROPOSED PERMANENT DRAINAGE EASEMENT TO JAMES CITY COUNTY (485.60 S.F.) (0.0111 AC.)” on a plat titled “PLAT OF PROPOSED PERMANENT DRAINAGE EASEMENT ACROSS THE PROPERTY OF JAMES CITY SERVICE AUTHORITY, PIN# 1240100017C,” dated 10/08/2019 and prepared by A. Morton Thomas and Associates, Inc., which plat is attached to this Deed of Easement as Exhibit A and made a part hereof.

AND

The privilege and easement, in perpetuity, over, under, upon, and across the lands of Grantor indicated as “PROPOSED PERMANENT DRAINAGE EASEMENT TO JAMES CITY COUNTY (4,606.08 S.F.)(0.1057 AC.)” on a plat titled “PLAT OF PROPOSED PERMANENT DRAINAGE EASEMENT ACROSS THE PROPERTY OF JAMES CITY SERVICE AUTHORITY, PIN# 1240100026A,”

dated 10/08/2019 and prepared by A. Morton Thomas and Associates, Inc., which plat is attached to this Deed of Easement as Exhibit B and made a part hereof.

Grantor and Grantee agree these easements are subject to the following conditions and covenants:

A. The easements shall be for the purpose of access and for constructing, installing, maintaining, inspecting, operating, protecting, replacing, repairing, changing the size of, and removing improvements as part of the County's stormwater system, in particular related to the County's Toano West Stream Restoration Project, site plan number SP-19-0062, as amended (the "Project"), such improvements including, but not limited to, pipes, mains, manholes, inlet structures, pumps, vegetated structures, rock sills, retaining walls and related facilities (collectively, the "Facilities"). Grantee may improve or disturb the easement area for the purposed of such access. Prior to termination of the Project, the disturbed easement area shall be graded and reseeded by Grantee.

B. Grantee shall have the right, but not responsibility, to trim, cut, and remove trees, shrubbery, or other natural obstructions on, under, or over the easement which interfere with or threaten Grantee's access to, or the efficient and safe operation, construction, or maintenance of the Facilities. All brush, branches, and other debris resulting from Grantee cutting, trimming, or clearing shall be removed from the lands of Grantor and disposed of by Grantee.

C. Grantee and its agents shall have full and free use of the easements for the purposes named, and shall have all rights and privileges reasonably necessary to the utilization of the easements, including a right of ingress to and egress from the easements where least damage to Grantor's property will occur from such access, which right of access shall be exercised only when reasonably necessary, and a limited right use to adjoining land of Grantor where necessary to the use and enjoyment of Grantee's right in the easements; provided, however, that such right to use

adjoining lands of Grantor shall be exercised only during periods of actual construction or maintenance of the Facilities, and shall not be construed to allow Grantee to erect any Facilities of a permanent nature on such adjoining land. All damages to any such adjoining lands of Grantor caused by use of the easements by Grantee pursuant to this provision shall be repaired by Grantee at its expense, and restored as nearly as possible to their original condition.

D. Grantor may use the easements for any purpose not inconsistent with the rights hereby granted; however, such use shall not interfere with Grantee's access to, or the safe and efficient construction, operation, or maintenance of the Facilities, and further provided that such use is not inconsistent with any laws, ordinances, or codes pertaining to the construction, operation, or maintenance of the Facilities.

E. Grantor covenants that it has the right to convey the easements and that the person executing this deed has authority to sign on behalf of Grantor. The easements and other rights granted herein are and shall be subject to any and all easements, covenants, restrictions, and conditions of record affecting the property.

F. The easements and covenants set forth in this deed shall run with the land and shall be binding on Grantor and Grantee, their heirs, successors and assigns.

[Remainder of page intentionally left blank]

WITNESS the following signature hereunto duly authorized:

GRANTOR: JAMES CITY SERVICE AUTHORITY

\_\_\_\_\_  
By: M. Douglas Powell  
Title: General Manager

STATE/Commonwealth of \_\_\_\_\_  
City/County of \_\_\_\_\_, to-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2019, by M. Douglas Powell as General Manager of the James City Service Authority.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_  
Notary Registration No. \_\_\_\_\_

GRANTEE: THE COUNTY OF JAMES CITY, VIRGINIA

Acceptance of this Deed of Easement is approved and, pursuant to a Resolution of the Board of Supervisors of James City County, Virginia, duly adopted on the 14<sup>th</sup> day of July 2015, this conveyance is hereby accepted on behalf of Grantee.

\_\_\_\_\_  
By: Scott Stevens  
Title: County Administrator

STATE/Commonwealth of \_\_\_\_\_  
City/County of \_\_\_\_\_, to-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2019, by Scott Stevens as County Administrator of James City County, Virginia.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_  
Notary Registration No. \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
COUNTY ATTORNEY

**ITEM SUMMARY**

DATE: 11/26/2019

TO: The Board of Directors

FROM: Teresa J. Fellows, Deputy Secretary

SUBJECT: Adjourn until 5 p.m. on December 10, 2019 for the Regular Meeting

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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/19/2019 - 4:15 PM