

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
June 8, 2021
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATIONS

D. PUBLIC COMMENT

E. CONSENT CALENDAR

1. Minutes Adoption
2. Contract Award - Sewer Lift Station Wet Well Cleaning - \$75,513
3. Resolution of Appreciation - Danny Poe

F. PUBLIC HEARING(S)

1. Public Hearing on Exemption to Disconnection Moratorium

G. BOARD CONSIDERATION(S)

1. Updated Coronavirus Response Resolution
2. CLOSED SESSION: Consideration of a personnel matter, the performance evaluation discussion of the General Manager of the JCSA, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia

H. BOARD REQUESTS AND DIRECTIVES

I. GENERAL MANAGER'S UPDATE

1. June Dashboard Report

J. ADJOURNMENT

1. Adjourn until 5 p.m. on July 13, 2021 for the Regular Meeting

ITEM SUMMARY

DATE: 6/8/2021

TO: The Board of Directors

FROM: Teresa J. Fellows, Deputy Secretary

SUBJECT: Minutes Adoption

ATTACHMENTS:

	Description	Type
☐	April 27, 2021 Budget Work Session	Minutes
☐	May 11, 2021 Regular Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	6/1/2021 - 3:46 PM

MINUTES
JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
April 27, 2021
1:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

None.

F. PUBLIC HEARING(S)

None.

G. BOARD CONSIDERATION(S)

1. James City Service Authority FY 2022 Budget Work Session

Mr. Powell addressed the Board noting he had no additional information since the Public Hearing two weeks earlier.

Mr. McGlennon congratulated Mr. Powell on the presentation. He noted the inclusion of the detailed supplemental information.

Mr. Powell confirmed that information was very detailed. He noted he would pass the congratulations on to Ms. Stephanie Luton, adding she was the main contributor to the document.

Ms. Larson asked if this budget would be adopted at the May 11, 2021 meeting.

Mr. Powell confirmed yes.

H. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour asked if work had begun in the White Oaks area.

Mr. Powell noted the work had not started to date. He further noted it was scheduled for this week or the following. Mr. Powell noted letters had gone out to citizens regarding the work.

Mr. Icenhour asked about the public's reaction to the work.

Mr. Powell noted it was good.

I. GENERAL MANAGER'S UPDATE

Mr. Powell noted he had no report.

J. ADJOURNMENT

1. Adjourn until 5 p.m. on May 11, 2021 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 3:45 p.m., Ms. Larson adjourned the Board of Directors.

MINUTES
JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
May 11, 2021
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

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

Ms. Larson noted the General Manager had requested a Closed Session for a property discussion be added to the Agenda.

A motion to Amend the Agenda was made by Michael Hipple, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

C. PRESENTATIONS

None.

D. PUBLIC COMMENT

None.

E. CONSENT CALENDAR

1. Minutes Adoption

A motion to Approve was made by John McGlennon, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, Larson, McGlennon
Absent: Sadler

The minutes Approved for Adoption included the following minutes:

-April 13, 2021, Regular Meeting

F. PUBLIC HEARING(S)

None.

G. BOARD CONSIDERATION(S)

1. Initial Contract Award - Kingswood Water Main Replacement - \$280,555 and Authorization for General Manager to Execute Final Project Contract

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

Mr. Powell addressed the Board noting the resolution in the Agenda Packet detailed the water main replacement project. He noted the procurement details of the contract. Mr. Powell recommended approval of the resolution.

Mr. McGlennon asked for clarification regarding the two different pipes.

Mr. Powell noted the pipe types were PVC and ductile iron. He further noted James City Service Authority's (JCSA) standards required larger pipes and sometimes the pipes that went deeper in the ground to be ductile iron. Mr. Powell noted the ductile iron pipes were more durable, but more difficult to install due to lack of flexibility.

Mr. McGlennon asked if ductile iron pipes were harder to maintain.

Mr. Powell noted ultimately the pipes were easier to maintain, adding that point was debatable. He further noted the ductile iron pipes were harder to break in his opinion.

2. Changes to the Regulations Governing Utility Service and Resolution of Appropriation for Fiscal Year 2022 Budget

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

A motion to Approve the budget was made by John McGlennon, the motion result was Passed. AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

Mr. Powell noted two resolutions were before the Board, which traditionally were presented in this format. He further noted one resolution addressed changes to regulations regarding proposed fee changes, which included grinder pumps. Mr. Powell noted the second resolution was the appropriation of the budget. He further noted no changes had been made to the budget since the Board's Work Session and recommended approval of both resolutions.

Mr. McGlennon asked if the motions were separate or together.

Mr. Powell noted separate motions.

CLOSED SESSION

A motion to Enter a Closed Session was made by John McGlennon, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

At approximately 6:48 p.m., the Board entered Closed Session.

At approximately 7:10 p.m., the Board re-entered Open Session.

A motion to Certify the Board only spoke about those items indicated that it would speak about in Closed Session was made by John McGlennon, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

1. Discussion or consideration of the acquisition of real property in James City County as a public water source, including an unsolicited confidential proposal, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body pursuant to Section 2.2-3711(A)(3) of the Code of Virginia; and the discussion or consideration of the investment of public funds to provide adequate public water supply, including an unsolicited confidential proposal and a water supply agreement with Newport News, where competition and bargaining are involved, where, if made public initially, the financial interest of the JCSA would be adversely affected pursuant to Section 2.2-3711(A)(6) of the Code of Virginia

H. BOARD REQUESTS AND DIRECTIVES

None.

I. GENERAL MANAGER'S UPDATE

1. May 2021 Dashboard

Mr. Powell noted with the Board's concurrence, he planned to initiate a public information campaign requesting JCSA water customers voluntarily refrain from irrigation until the water main on Route 5 was repaired. He further noted summer demands could increase and lower water pressure could result in the western part of JCSA's service area. Mr. Powell noted concern about adequate pressure and flow for fire protection during peak irrigation season. He further noted overall system-wide burden due to the Route 5 water main situation and the refrainment would help decrease the overall distribution stress. Mr. Powell noted if the voluntary restriction was implemented, the submeter fee on the monthly bill would be waived for all submeter customers during the time of the restrictions.

Mr. Icenhour asked about the restrictions and clarification.

Mr. Powell noted JCSA's message was to not irrigate at all. He further noted this was not a decision made lightly, but public safety was a concern.

Mr. McGlennon asked about the water main project timeline.

Mr. Powell noted June 30, 2021 as the projected completion date in the best case scenario. He further noted the project required local, state, and federal permits due to wetlands disturbance, and the time factor involved in the process. Mr. Powell noted June 30 was probably optimistic at this point.

Mr. Hipple asked about the fee being waived.

Mr. Powell noted the fee would be waived for customers who have a submeter. He further noted the fee was \$1.50 per month and was not cost-effective to address on an individual basis. Ms. Larson asked if the Board needed to take formal action. Mr. Powell noted no, adding he wanted a sense from the Board before proceeding with the campaign.

Ms. Larson noted it was a matter of safety.

Mr. Powell noted his second item focused on disconnections. He further noted JCSA's need to balance assisting customers financially impacted by the pandemic and resuming disconnections prior to balances reaching unmanageable levels. Mr. Powell noted an increase was shown in the Dashboard, adding just under 47% of the Coronavirus Aid, Relief, and Economic Security (CARES) Act money had been used. He further noted if disconnections were reinitiated, he was hopeful people would complete the necessary paperwork for the financial assistance. Mr. Powell noted JCSA's strong commitment to customers and payment options. He further noted if the Board was in agreement, a public hearing would need to be scheduled to reinitiate disconnections. Mr. Powell asked the public hearing be scheduled for the June 8, 2021 meeting.

Mr. Hipple asked if a flyer or door hanger had been used to notify customers of possible disconnection while also notifying them of the opportunity for funding through the CARES Act money.

Mr. Powell noted JCSA had done that once previously. He further noted that option would be done again for delinquencies before disconnection occurred.

Mr. Hipple asked about the response from the first round.

Mr. Powell noted the response was not what he had expected. He further noted it was in JCSA's interest, but more importantly in the customer's best interest that the funds be utilized.

Mr. Hipple asked if other County divisions could assist in notifying customers.

Mr. Powell noted that was a good idea to explore as an option. He further noted JCSA had notified all the customers affected, but added that was an additional step.

Mr. Icenhour noted the disconnection as an option could emphasize to people the need to apply for the funding. He further noted his surprise at the low percentage of funding use after round one.

Mr. McGlennon asked about the relationship between the amount of CARES Act funding and the number of delinquent accounts.

Mr. Powell noted the current arrears totaled \$509,000. He further noted the remaining CARES Act funding was \$168,000.

Mr. Icenhour noted after the CARES Act funding was exhausted, some customers would still need arrangements to be made.

Mr. Powell confirmed yes.

Mr. McGlennon asked if this number was higher than normal arrearage.

Mr. Powell noted this number was high compared to JCSA's normal arrearage. He further noted this number was not high compared to other jurisdictions, even factoring in the County's

size.

Mr. Hipple asked about the jurisdictions with higher delinquencies and what factors contributed to that point.

Mr. Powell noted demographics played a large part. He further noted a metric that was in the budget packet which illustrated the burden. Mr. Powell noted a formula was used based on a community's average income compared to its rates. He further noted JCSA was approximately 3.9% with the next closest locality at 9%. Mr. Powell noted the fees were low which placed less burden on the customer in comparison to other localities. He further noted that was a contributing factor in the lower delinquencies.

Mr. Hipple noted it would be interesting to see how the information broke down. He further noted the analysis could show a pattern.

Mr. Icenhour noted the Dashboard showed a spike in delinquencies in individual and corporate accounts.

Mr. Powell confirmed yes.

Mr. Icenhour noted possible small businesses as a factor.

Mr. Hipple noted the available funding for small businesses and some funding was still left.

Mr. Powell noted the businesses constituted fewer in number, but a higher amount owed. He further noted residential was more spread out. Mr. Powell noted the Dashboard numbers for total arrearage were slightly less than the total \$509,000 based on the timeframe of 90 days.

Mr. McGlennon noted \$509,000 reflected customers who had not paid the last bill.

Mr. Powell noted the \$509,000 did not include customers who had not paid in the last 0-30 days. He further noted customers needed to be more than 30 days in arrears.

J. ADJOURNMENT

1. Adjourn until 5 pm on June 8, 2021 for the Regular Meeting

A motion to Adjourn was made by Michael Hipple, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

At approximately 7:21 p.m., Ms. Larson adjourned the Board of Directors.

ITEM SUMMARY

DATE: 6/8/2021

TO: The Board of Directors

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

SUBJECT: Contract Award - Sewer Lift Station Wet Well Cleaning - \$75,513

ATTACHMENTS:

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
James City Service Authority	Luton, Stephanie	Approved	5/20/2021 - 4:47 PM
Publication Management	Daniel, Martha	Approved	5/20/2021 - 4:49 PM
Legal Review	Kinsman, Adam	Approved	5/20/2021 - 4:58 PM
Board Secretary	Fellows, Teresa	Approved	6/1/2021 - 2:34 PM
Board Secretary	Rinehimer, Bradley	Approved	6/1/2021 - 2:46 PM
Board Secretary	Fellows, Teresa	Approved	6/1/2021 - 3:01 PM

MEMORANDUM

DATE: June 8, 2021

TO: The Board of Directors

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

SUBJECT: Contract Award - Sewer Lift Station Wet Well Cleaning - \$75,513

Seventy-five of James City Service Authority's (JCSA) 77 sewer lift stations have wet wells that receive and store wastewater flow until it reaches a pre-determined level and is pumped out. These wet wells require annual cleaning to remove grease, grit, and debris.

An Invitation for Bids was publicly advertised and six bids for the annual wet well cleaning were received as listed below.

<u>Firm</u>	<u>Amount</u>
WB&E Construction, Inc.	\$ 75,513
Atlantic Heating & Cooling	\$ 77,815
Stemmle Plumbing	\$ 84,500
Coastal Pipeline Services	\$ 104,100
Prism Contractors & Engineers, Inc.	\$ 127,250
East Coast Infrastructure, Inc.	\$ 177,848

WB&E Construction, Inc. was determined to be the lowest responsive and responsible bidder and has successfully completed work for the JCSA in the past.

The initial contract term is two years with four possible one-year renewals. The estimated value of all possible contract years is over \$100,000 and requires Board approval for contract award.

Staff recommends approval of the attached resolution awarding the \$75,513 contract for the Sewer Lift Station Wet Well Cleaning to WB&E Construction, Inc.

MDP/md
CA-SwrLftWWell-mem

Attachment

RESOLUTION

CONTRACT AWARD - SEWER LIFT STATION WET WELL CLEANING - \$75,513

WHEREAS, an Invitation for Bids for the Sewer Lift Station Wet Well Cleaning was publicly advertised and six bids was received and considered for award; and

WHEREAS, WB&E Construction, Inc. was determined to be the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby awards the contract for the Sewer Lift Station Wet Well Cleaning to WB&E Construction, Inc. in the amount of \$75,513.

Ruth M. Larson
Chairman, Board of Directors

ATTEST:

Teresa J. Fellows
Deputy Secretary to the Board

SADLER
ICENHOUR
HIPPLE
MCGLENNON
LARSON

VOTES

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 8th day of June, 2021.

CA-SwrLftWWell-res

ITEM SUMMARY

DATE: 6/8/2021

TO: The Board of Directors

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

SUBJECT: Resolution of Appreciation - Danny Poe

ATTACHMENTS:

	Description	Type
📎	Memo	Cover Memo
📎	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
James City Service Authority	Luton, Stephanie	Approved	5/20/2021 - 4:50 PM
Publication Management	Daniel, Martha	Approved	5/20/2021 - 4:52 PM
Legal Review	Kinsman, Adam	Approved	5/20/2021 - 4:59 PM
Board Secretary	Fellows, Teresa	Approved	6/1/2021 - 2:30 PM
Board Secretary	Carnifax, John	Approved	6/1/2021 - 2:58 PM
Board Secretary	Fellows, Teresa	Approved	6/1/2021 - 3:02 PM

M E M O R A N D U M

DATE: June 8, 2021
TO: The Board of Directors
FROM: M. Douglas Powell, General Manager, James City Service Authority
SUBJECT: Resolution of Appreciation - Danny Poe

Mr. Danny Poe, Chief Wastewater Engineer, is retiring effective May 31, 2021, after 23 years of dedicated service to the James City Service Authority (JCSA).

Attached is a Resolution of Appreciation for his significant contributions to the JCSA.

MDP/md
Apprec-DannyPoe-mem

Attachment

RESOLUTION OF APPRECIATION

DANNY POE

WHEREAS, Mr. Danny Poe has been employed by the James City Service Authority (JCSA) as Chief Wastewater Engineer from February 1998 through May 2021; and

WHEREAS, Mr. Poe is retiring effective May 31, 2021; and

WHEREAS, Mr. Poe has been involved in every wastewater project during his 23 years of service; and

WHEREAS, Mr. Poe has overseen tremendous growth in the system during his tenure. In 1998, JCSA had 11,440 sewer customers and 300 miles of sewer lines. Today, JCSA has 25,064 sewer customers and 447 miles of sewer lines; and

WHEREAS, Mr. Poe was the project manager for JCSA's Consent Order activities to address Sanitary Sewer Overflows in 76 lift station basins. He designed and implemented a successful rehabilitation and maintenance program that meets all federal and state requirements; and

WHEREAS, Mr. Poe was one of the primary developers of JCSA's Asset Management program that provides a comprehensive, information-based method to manage infrastructure life cycles and accurately forecast associated capital spending; and

WHEREAS, Mr. Poe assumed management responsibility for all wastewater related functions at JCSA, which has resulted in a more coordinated delivery of service and increased efficiency; and

WHEREAS, Mr. Poe's professionalism, work ethic, integrity, teamwork, and willingness to mentor others are examples for all employees.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority does hereby recognize Mr. Danny Poe and presents this resolution as a token of appreciation for his dedicated service to the James City Service Authority.

BE IT FURTHER RESOLVED that the Board of Directors offers its best wishes to Mr. Poe in his retirement.

Ruth M. Larson
Chairman, Board of Directors

ATTEST:

Teresa J. Fellows
Deputy Secretary to the Board

SADLER
ICENHOUR
HIPPLE
MCGLENNON
LARSON

VOTES

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Adopted by the Board of Directors of the James City Service Authority, James City
County, Virginia, this 8th day of June, 2021.

Apprec-DannyPoe-res

ITEM SUMMARY

DATE: 6/8/2021

TO: The Board of Directors

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

SUBJECT: Public Hearing on Exemption to Disconnection Moratorium

ATTACHMENTS:

	Description	Type
📎	Memo	Cover Memo
📎	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
James City Service Authority	Luton, Stephanie	Approved	5/20/2021 - 4:56 PM
Publication Management	Daniel, Martha	Approved	5/20/2021 - 4:59 PM
Legal Review	Kinsman, Adam	Approved	5/25/2021 - 3:52 PM
Board Secretary	Fellows, Teresa	Approved	6/1/2021 - 2:30 PM
Board Secretary	Rinehimer, Bradley	Approved	6/1/2021 - 2:50 PM
Board Secretary	Fellows, Teresa	Approved	6/1/2021 - 3:03 PM

MEMORANDUM

DATE: June 8, 2021

TO: The Board of Directors

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

SUBJECT: Public Hearing on Exemption to Disconnection Moratorium

The Board of Directors adopted a resolution on March 24, 2020 to enact and authorize certain policy and operational changes in response to the novel coronavirus. The resolution included a provision to suspend service disconnections during the emergency period unless the disconnection was required to protect James City Service Authority (JCSA) infrastructure or the health, safety, or welfare of the public.

The JCSA wants to achieve balance between the need to provide relief to customers financially impacted by the pandemic and the need to resume disconnections to prevent delinquent balances from reaching unmanageable levels. JCSA will continue the pre-pandemic policy of working with customers to prevent disconnections if at all possible. Customers will not be disconnected until they have been offered several options for relief grants and extended repayment options.

The purpose of the Public Hearing is to invite public comment on exempting the JCSA from the moratorium on utility disconnections for residential customers for the non-payment of bills and fees pursuant to Item 4-14.7.f. of the budget adopted during the General Assembly's Reconvened Special Session I, and enacted as 2021 Virginia Acts of Assembly Chapter 552 (April 7, 2021). The JCSA's accounts receivable arrearages exceed 1% of annual operating revenues and staff provided a written analysis stating facts to demonstrate such exceedance. JCSA's Fiscal Year 2020 operating revenue was \$18,177,551 and current accounts receivable arrearages are \$509,411 or 2.8% of operating revenue.

JCSA is working with our billing partner, Hampton Roads Sanitation District (HRSD), to publicize and implement the extended repayment plan program that allows customers to spread repayments over a period of time, from six to 24 months, that the customer believes is sustainable and affordable for their individual situation. In accordance with Item 4-14.7.b.5 of the State Budget, JCSA will attempt to establish a Repayment Plan with its customers prior to any disconnection of service and customers will not be disconnected if making timely payment under their Repayment Plan.

Within the Hampton Roads region, Chesapeake and HRSD have resumed disconnections, and several other municipalities are beginning to consider resuming disconnections this summer.

The attached resolution exempts the JCSA from the disconnection moratorium.

MDP/md
PH-ExmptDisconMor-mem

Attachment

RESOLUTION

VERIFYING ACCOUNTS RECEIVABLE ARREARAGES THAT EXCEED 1% OF THE

JAMES CITY SERVICE AUTHORITY'S ANNUAL OPERATING REVENUES, AND

APPROVING THE ACCURACY OF SUCH EXCEEDANCE, AND EXEMPTING JAMES CITY

SERVICE AUTHORITY'S FROM THE MORATORIUM ON UTILITY DISCONNECTIONS

WHEREAS, Item 4-14.7.a. of the budget adopted during the General Assembly's Reconvened Special Session I, and enacted on April 7, 2021 as 2021 Virginia Acts of Assembly Chapter 552 (the "State Budget") prohibits utilities from disconnecting service to residential customers for non-payment of bills or fees unless an exemption is granted; and

WHEREAS, Item 4-14.7.f. of the State Budget creates a process by which the James City Service Authority (JCSA) can qualify for an exemption from the aforementioned moratorium provisions; and

WHEREAS, JCSA provided written analysis demonstrating accounts receivable arrearages that exceed 1% of the JCSA's annual operating revenues (the "Exceedance"); and

WHEREAS, the written analysis and all associated work papers and supporting facts verifying the Exceedance were available for public inspection; and

WHEREAS, the JCSA Board of Directors (the "Board") provided public notice of the opportunity to comment on the written analysis and verification of the Exceedance and the authorization of an exemption from the moratorium; and

WHEREAS, the Board conducted a public hearing at an open public meeting on June 8, 2021 to receive comments; and

WHEREAS, the Board finds that the Exceedance is verifiable and its accuracy should be approved.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the James City Service Authority that it is hereby verified that the Authority's accounts receivable arrearages exceed 1% of its annual operating revenues as presented in staff's written analysis and the accuracy of such exceedance is hereby approved.

BE IT FURTHER RESOLVED by the Board of Directors that JCSA is hereafter exempt from the moratorium provisions of clause 7.a. of Item 4-14 of the State Budget.

Ruth M. Larson
Chairman, Board of Directors

ATTEST:

Teresa J. Fellows
Deputy Secretary to the Board

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MCGLENNON
LARSON

VOTES

AYE NAY ABSTAIN ABSENT

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Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 8th day of June, 2021.

PH-ExmptDisconMor-res

ITEM SUMMARY

DATE: 6/8/2021

TO: The Board of Directors

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

SUBJECT: Updated Coronavirus Response Resolution

ATTACHMENTS:

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution
☐	Exhibit 1 Coronavirus Local Emergency JCSA Resolution March 24 2020	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
James City Service Authority	Luton, Stephanie	Approved	5/20/2021 - 5:02 PM
Publication Management	Daniel, Martha	Approved	5/21/2021 - 8:23 AM
Legal Review	Kinsman, Adam	Approved	5/25/2021 - 3:52 PM
Board Secretary	Fellows, Teresa	Approved	6/1/2021 - 2:30 PM
Board Secretary	Rinehimer, Bradley	Approved	6/1/2021 - 3:01 PM
Board Secretary	Fellows, Teresa	Approved	6/1/2021 - 3:02 PM

MEMORANDUM

DATE: June 8, 2021

TO: The Board of Directors

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

SUBJECT: Updated Coronavirus Response Resolution

The Board of Directors adopted a resolution on March 24, 2020 to enact and authorize certain policy and operational changes in response to the novel coronavirus. Although the states of emergency and disaster related to the virus still exist, the policy and operational modifications needed to mitigate the impact of the virus on necessary operations of James City Service Authority (JCSA) have changed.

The attached updated resolution verifies the JCSA's exemption from the disconnection moratorium, removes a previous suspension and change to the James City County Personnel Policies and Procedures Manual concerning extended timelines for claims and grievances, and updates the order of succession to reflect the recent retirement of Danny Poe, JCSA's long-time Chief Wastewater Engineer. A copy of the adopted March 24, 2020 resolution is included as an exhibit for reference.

MDP/md
UpdCornavirResp-mem

Attachment

RESOLUTION

UPDATE TO AUTHORIZATIONS TO ADDRESS A LOCAL EMERGENCY RELATED

TO CORONAVIRUS (COVID-19) AND SUPERSEDING A RESOLUTION

ADOPTED MARCH 24, 2020

WHEREAS, on March 24, 2020, the Board of Directors of the James City Service Authority (“JCSA”) adopted a resolution to enact and authorize certain policy and operational changes in response to the novel coronavirus (COVID-19) (the “virus”); and

WHEREAS, although the states of emergency and disaster related to the virus still exist, the policy and operational modifications needed to mitigate the impact of the virus on necessary operations of JCSA have changed; and

WHEREAS, on June 8, 2020, after a duly advertised public hearing, the Board of Directors verified that the JCSA’s accounts receivable arrearages exceed 1% of its annual operating revenues and approved such exceedance, thereby exempting JCSA from the moratorium provisions of Item 4-14.7.a. of the budget adopted during the General Assembly’s Reconvened Special Session I, and enacted on April 7, 2021 as 2021 Virginia Acts of Assembly Chapter 552; and

WHEREAS, the Board of Directors finds it necessary to continue to provide flexibility in managing JCSA operations during the period of emergency and disaster caused by the virus.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the James City Service Authority that a local emergency exists and the General Manager is authorized to enact such emergency staffing plans as he deems appropriate to respond to, and mitigate the effect of, the virus.

BE IT FURTHER RESOLVED that during the emergency and disaster caused by the virus, certain sections of the James City County Personnel Policies and Procedures Manual (the “Manual”), which was adopted *nunc pro tunc* for the JCSA by the Board of Directors, are hereby amended or suspended as more particularly described herein:

1. The following sections in Chapter 2, Employment, of the Manual are suspended in their entirety.
 - a. Section 2.5, to allow the JCSA to hire employees as needed without delay.
 - b. Section 2.8, to allow the JCSA to promote, transfer, reinstate, and other needed job changes without delay.
 - c. Section 2.13, prior to initiating a reduction in workforce.
 - d. Section 2.14, to eliminate certain requirements prior to reducing Limited Term or Other positions.

2. The following sections in Chapter 4, Compensation Plan, of the Manual are suspended in their entirety.
 - a. Section 4.7, to allow greater flexibility in setting wages for new, reinstated, and rehired employees.
 - b. Section 4.14(G), to suspend pay discrepancy complaint process timelines.
3. Section 4.10 in Chapter 4, Compensation Plan, of the Manual is amended by adding the following language: “Notwithstanding any limitations of the Manual, the General Manager may set the appropriate compensation for employees placed on an alternative schedule or on-call as part of any emergency staffing plan adopted under the Emergency Operations Plan. Such compensation may equal or approximate the amount an employee otherwise would earn. All compensation authorized hereunder shall be consistent with state and federal employment laws.”
4. The following sections in Chapter 5, Employee Benefits, of the Manual are suspended in their entirety.
 - a. Section 5.4, to allow the JCSA to publish new leave guidance and categories as Federal/State Legislation emerges.
 - b. Sections 5.6(C)(1) and (D) to allow Employee Assistance Counseling benefits to be extended to all staff and temporarily suspends the requirement to assist employees to access at least one fitness center.
 - c. Section 5.10 to allow the JCSA to temporarily suspend new requests for Employer Assisted Home Ownership program.

BE IT FURTHER RESOLVED that upon a declaration that residents of the County are ordered to stay at home or are otherwise prevented from coming to any JCSA office by federal, state, or local mandate, all deadlines, wherever found, including but not limited to the Virginia Code, the County Code, County Ordinances, the Manual, the JCSA Regulations, or otherwise, shall be tolled during such time.

BE IT FURTHER RESOLVED that the Board of Directors appoint the following persons as Deputy General Managers, who shall serve as the chief administrative officer of the JCSA in the following order of succession should the General Manager be unavailable to act: (1) Stephanie Luton, Assistant General Manager; (2) Michael Youshock, Chief Engineer (Water).

BE IT FURTHER RESOLVED that the General Manager is empowered and directed to restrict public from entering or congregating around JCSA-owned buildings, facilities, and real property in the least restrictive manner as reasonably necessary to ensure the health, safety, and welfare of the public and JCSA staff.

BE IT FURTHER RESOLVED that this resolution shall replace and supersede that resolution adopted by the Board on March 24, 2020 affirming an emergency staffing plan and authorizations to address a local emergency related to coronavirus.

BE IT FURTHER RESOLVED that the effect of this resolution shall automatically terminate upon action by the James City County Board of Supervisors ending the Declaration of a Local Emergency.

Ruth M. Larson
Chairman, Board of Directors

ATTEST:

Teresa J. Fellows
Deputy Secretary to the Board

SADLER
ICENHOUR
HIPPLE
MCGLENNON
LARSON

VOTES

AYE NAY ABSTAIN ABSENT

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Adopted by the Board of Directors of the James City Service Authority, James City
County, Virginia, this 8th day of June, 2021.

UpdCoronavirResp-res

RESOLUTION

AFFIRMATION OF EMERGENCY STAFFING PLAN AND AUTHORIZATIONS

TO ADDRESS A LOCAL EMERGENCY RELATED TO CORONAVIRUS (COVID-19)

WHEREAS, on March 12, 2020, the Governor of the Commonwealth of Virginia declared a State of Emergency in the Commonwealth of Virginia in response to the spread of the novel Coronavirus (COVID-19) (the “virus”); and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency, beginning March 1, 2020, in response to the spread of the virus; and

WHEREAS, the Director of Emergency Management of James City County, Scott Stevens, declared a Local Emergency on March 13, 2020, due to the imminent threat of the virus; and

WHEREAS, at its meeting on March 17, 2020, the Board of Supervisors of James City County, Virginia, confirmed the Director of Emergency Management’s Declaration of a Local Emergency and amended the declaration to acknowledge that the virus constituted a “disaster” in James City County; and

WHEREAS, upon the declaration of Local Emergency, the General Manager enacted the James City Service Authority’s Emergency Operations Plan (the “JCSA EOP”); and

WHEREAS, the JCSA EOP calls for an emergency staffing plan to be put into effect to mitigate the impact of the virus on necessary operations; and

WHEREAS, the emergency staffing plan, as adopted or amended, may be inconsistent with certain provisions of the James City County Personnel Policies and Procedures Manual (the “Manual”), which was adopted *nunc pro tunc* for the JCSA by the Board of Directors; and

WHEREAS the Board of Directors finds it necessary to provide flexibility in managing necessary JCSA operations during the period of emergency and disaster caused by the virus.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the James City Service Authority, James City County, Virginia, that a local emergency exists and the General Manager is authorized to enact such emergency staffing plans as he deems appropriate to respond to, and mitigate the effect of, the virus.

BE IT FURTHER RESOLVED that during the emergency and disaster caused by the virus, certain sections of the Manual are hereby amended or suspended as more particularly described herein:

1. The following sections in Chapter 2, Employment, of the Manual are suspended in their entirety.
 - a. Section 2.5, to allow the JCSA to hire employees as needed without delay.
 - b. Section 2.8, to allow the JCSA to promote, transfer, reinstate, and other needed job changes without delay.
 - c. Section 2.13, prior to initiating a reduction in workforce.
 - d. Section 2.14, to eliminate certain requirements prior to reducing Limited Term or Other positions.

2. The following sections in Chapter 4, Compensation Plan, of the Manual are suspended in their entirety.
 - a. Section 4.7, to allow greater flexibility in setting wages for new, reinstated, and rehired employees.
 - b. Section 4.14(G), to suspend pay discrepancy complaint process timelines.
3. Section 4.10 in Chapter 4, Compensation Plan, of the Manual is amended by adding the following language: "Notwithstanding any limitations of the Manual, the General Manager may set the appropriate compensation for employees placed on an alternative schedule or on-call as part of any emergency staffing plan adopted under the Emergency Operations Plan. Such compensation may equal or approximate the amount an employee otherwise would earn. All compensation authorized hereunder shall be consistent with state and federal employment laws."
4. The following sections in Chapter 5, Employee Benefits, of the Manual are suspended in their entirety.
 - a. Section 5.4, to allow the JCSA to publish new leave guidance and categories as Federal/State Legislation emerges.
 - b. Sections 5.6(C)(1) and (D) to allow Employee Assistance Counseling benefits to be extended to all staff and temporarily suspends the requirement to assist employees to access at least one fitness center.
 - c. Section 5.10 to allow the JCSA to temporarily suspend new requests for Employer Assisted Home Ownership program.
5. The following section in Chapter 10, Diversity and Equal Opportunity, of the Manual is suspended in its entirety.
 - a. Section 10.10, to allow the JCSA flexibility in timelines for resolving discrimination and harassment claims; however, JCSA will comply with all state and federal employment laws.
6. The following general changes are hereby made to Chapters 7, Standards of Conduct, and 8, Grievance Procedure, of the Manual to provide additional time to gather facts and hold hearings consistent with health guidance: Each and every deadline shall be multiplied by a factor of three. For example, a five workday deadline shall be automatically changed to a 15-day deadline.


BE IT FURTHER RESOLVED that upon a declaration that residents of the County are ordered to stay at home or are otherwise prevented from coming to any JCSA office by federal, state, or local mandate, all deadlines, wherever found, including but not limited to the Virginia Code, the County Code, County Ordinances, the Manual, the JCSA Regulations, or otherwise, shall be tolled during such time.

BE IT FURTHER RESOLVED that the Board of Directors appoint the following persons as Deputy General Managers, who shall serve as the chief administrative officer of the JCSA in the following order of succession should the General Manager be unavailable to act: 1) Stephanie Luton, Assistant General Manager; 2) Danny Poe, Chief Engineer (Wastewater); and 3) Michael Youshock, Chief Engineer (Water).


BE IT FURTHER RESOLVED that the General Manager is empowered and directed to restrict the public from entering or congregating around JCSA-owned buildings, facilities, and real property in the least restrictive manner as reasonably necessary to ensure the health, safety, and welfare of the public and JCSA staff.

BE IT FURTHER RESOLVED that the JCSA shall not disconnect service during the period of emergency and disaster caused by the virus, unless such disconnection is required to protect JCSA infrastructure or the health, safety, or welfare of the public.

BE IT FURTHER RESOLVED that the effect of this resolution shall automatically terminate upon action by the James City County Board of Supervisors ending the Declaration of a Local Emergency.


Ruth M. Larson
Vice Chairman, Board of Directors

ATTEST:


Teresa J. Fellows
Deputy Secretary to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Directors of the James City Service Authority, James City County, Virginia, this 24th day of March, 2020.

COVID19-LocEmer-JCSA-res

ITEM SUMMARY

DATE: 6/8/2021

TO: The Board of Directors

FROM: Teresa J. Fellows, Deputy Secretary

SUBJECT: CLOSED SESSION: Consideration of a personnel matter, the performance evaluation discussion of the General Manager of the JCSA, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	6/1/2021 - 4:10 PM

ITEM SUMMARY

DATE: 6/8/2021

TO: The Board of Directors

FROM: M. Douglas Powell, JCSA General Manager

SUBJECT: June Dashboard Report

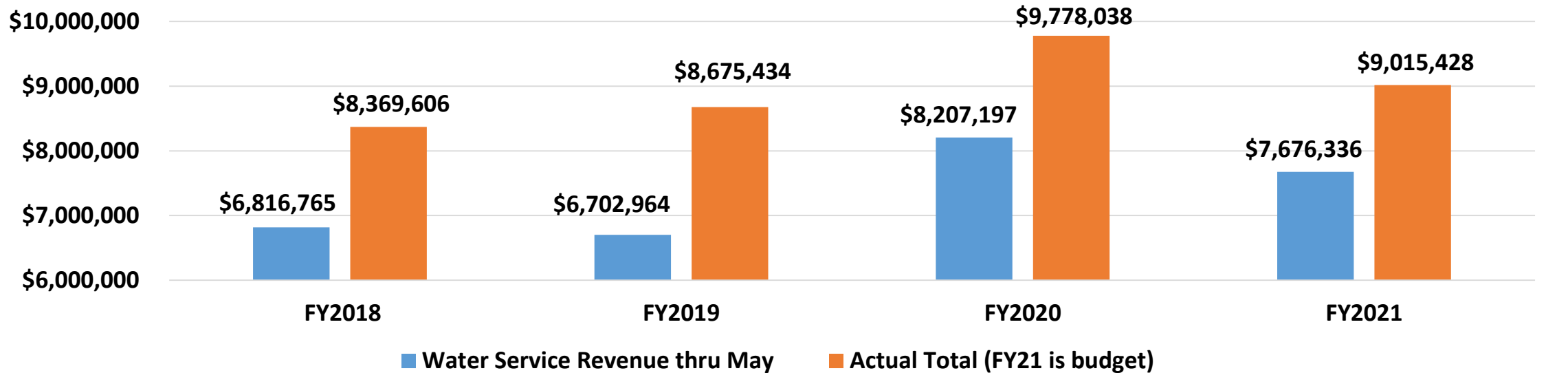
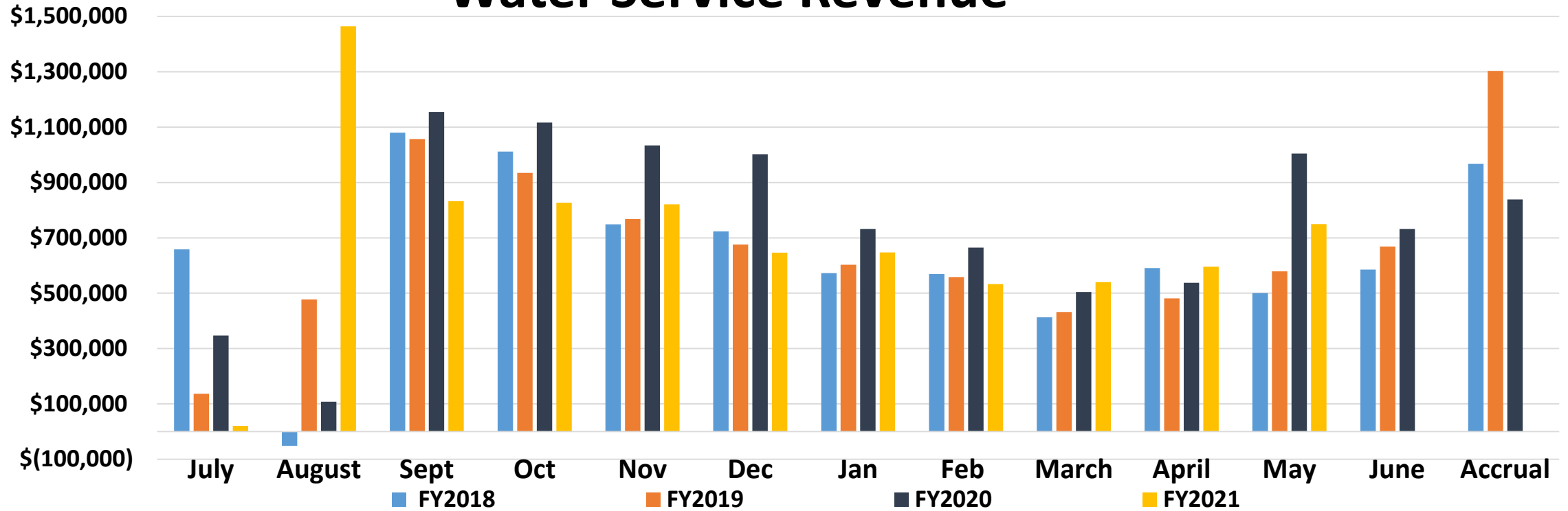
ATTACHMENTS:

Description		Type
	June Report	Exhibit

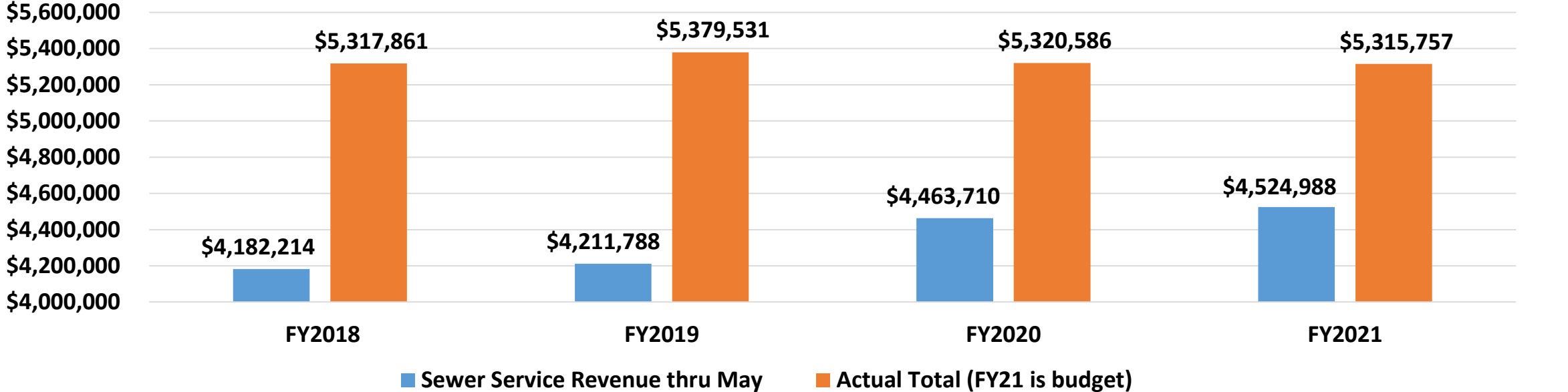
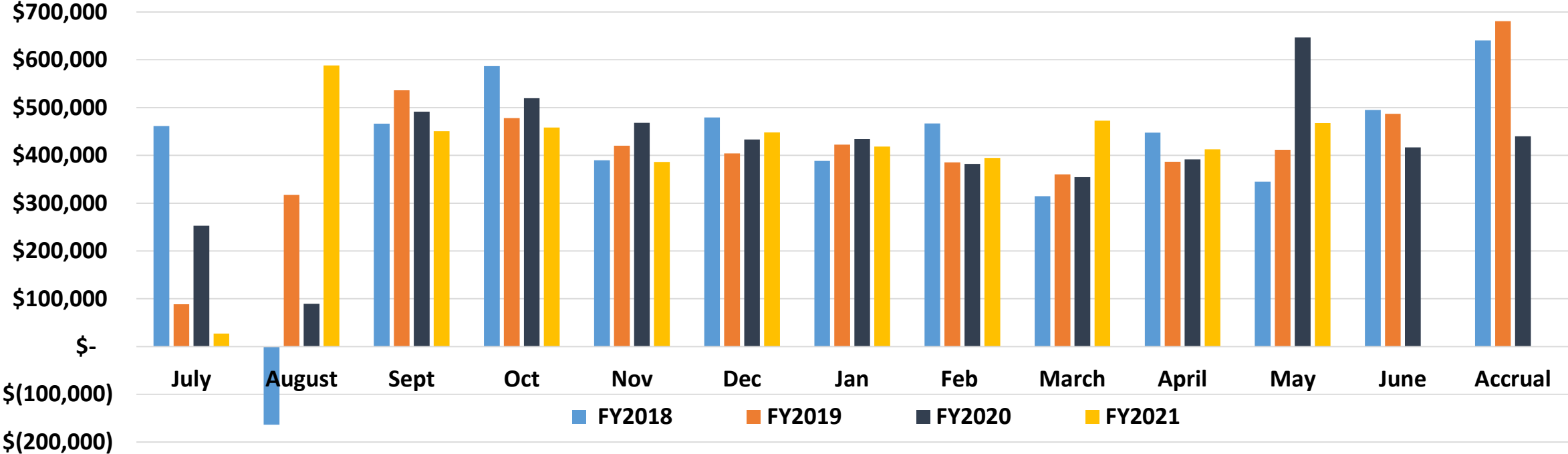
REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	6/8/2021 - 8:52 AM

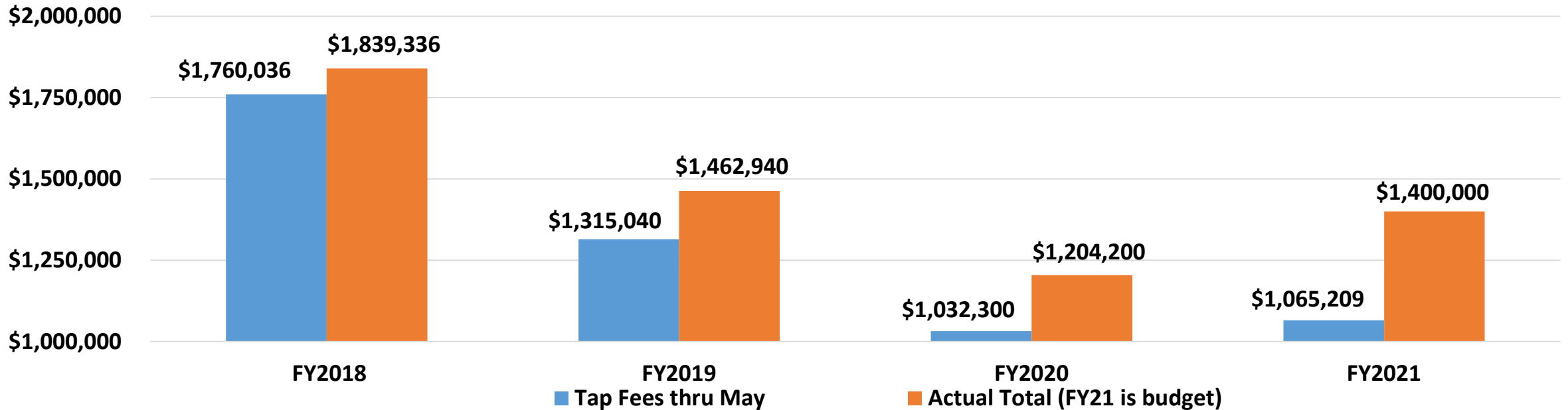
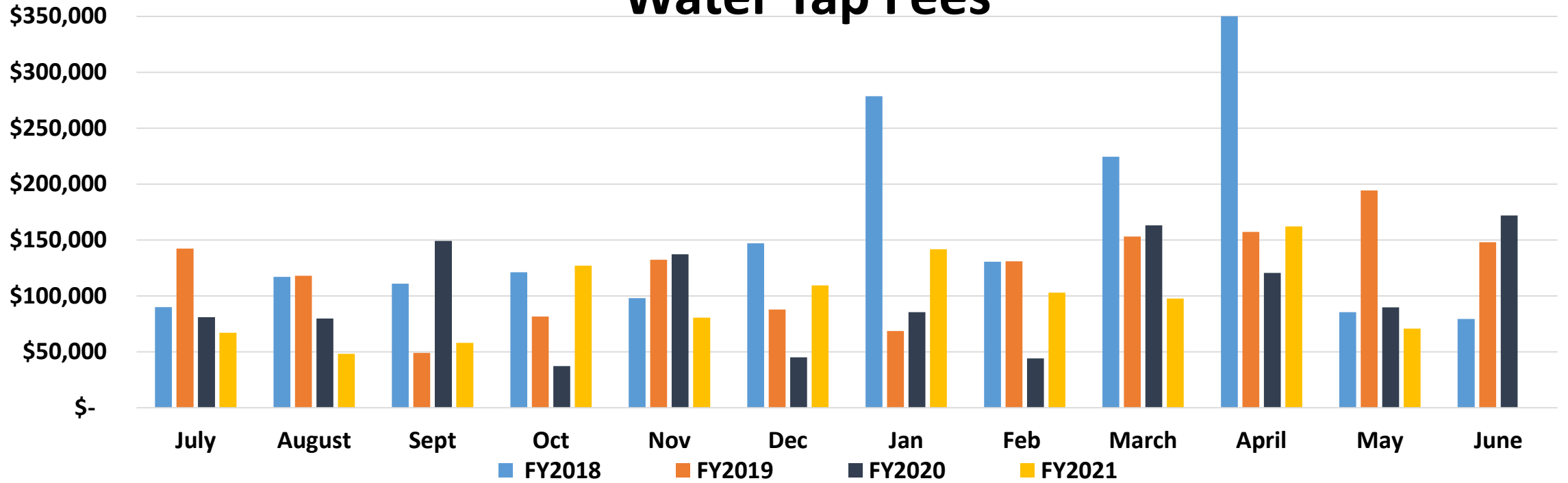
Water Service Revenue



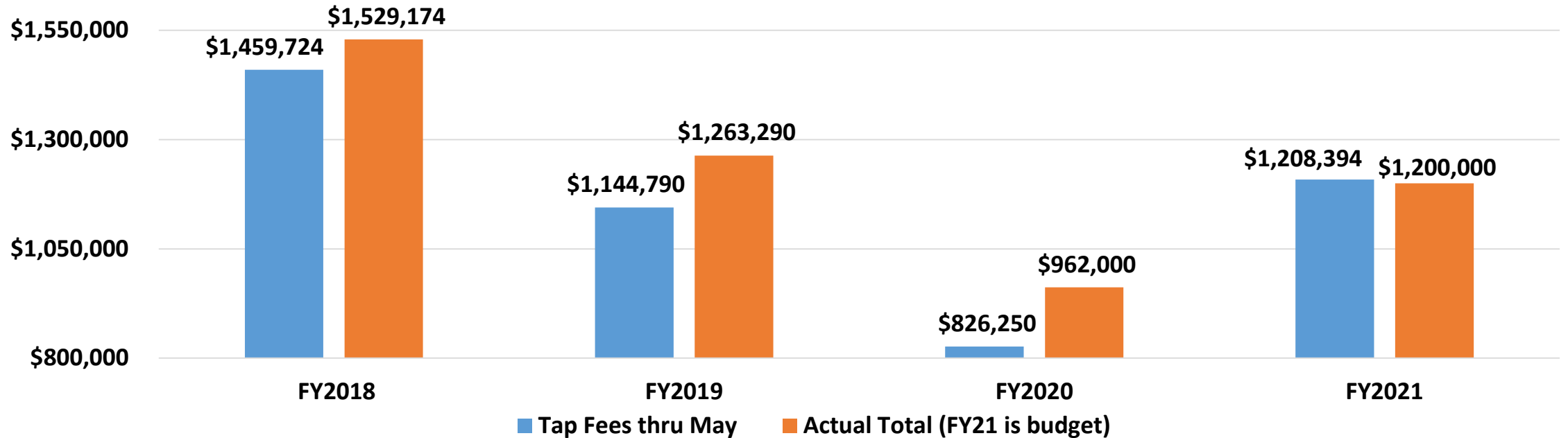
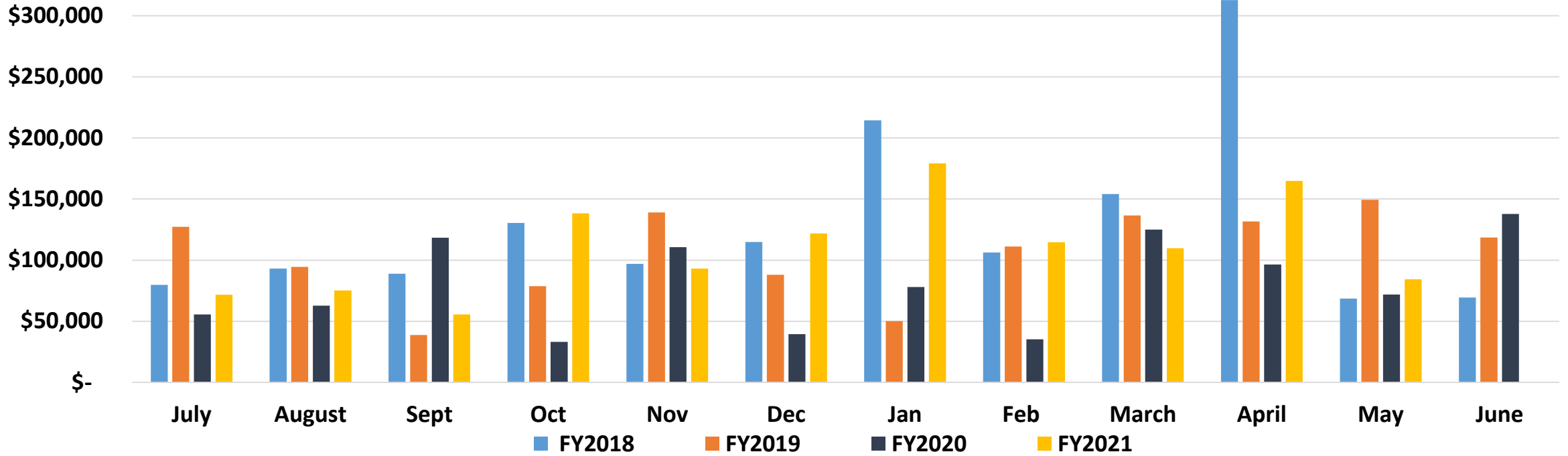
Sewer Service Revenue



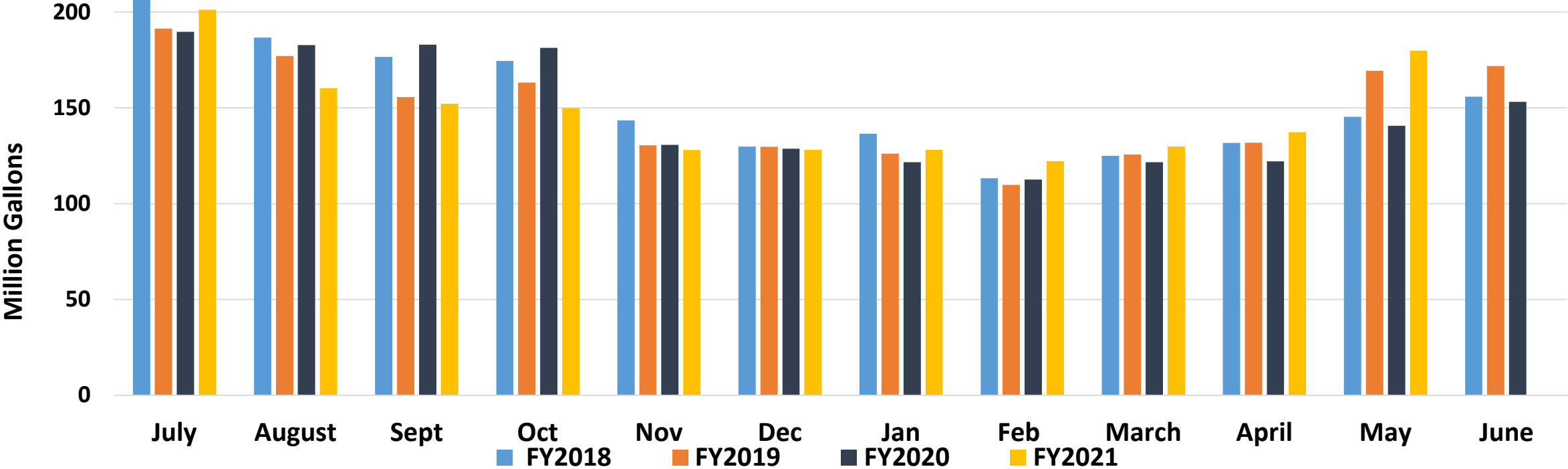
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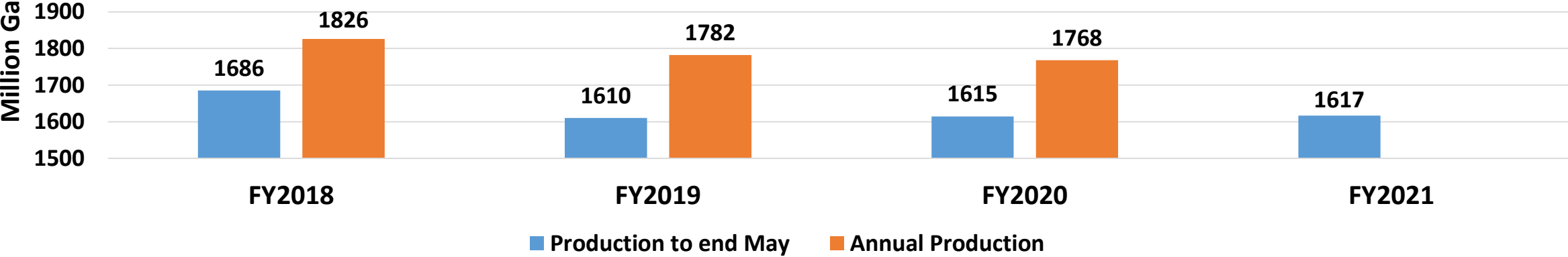
Sewer Tap Fees



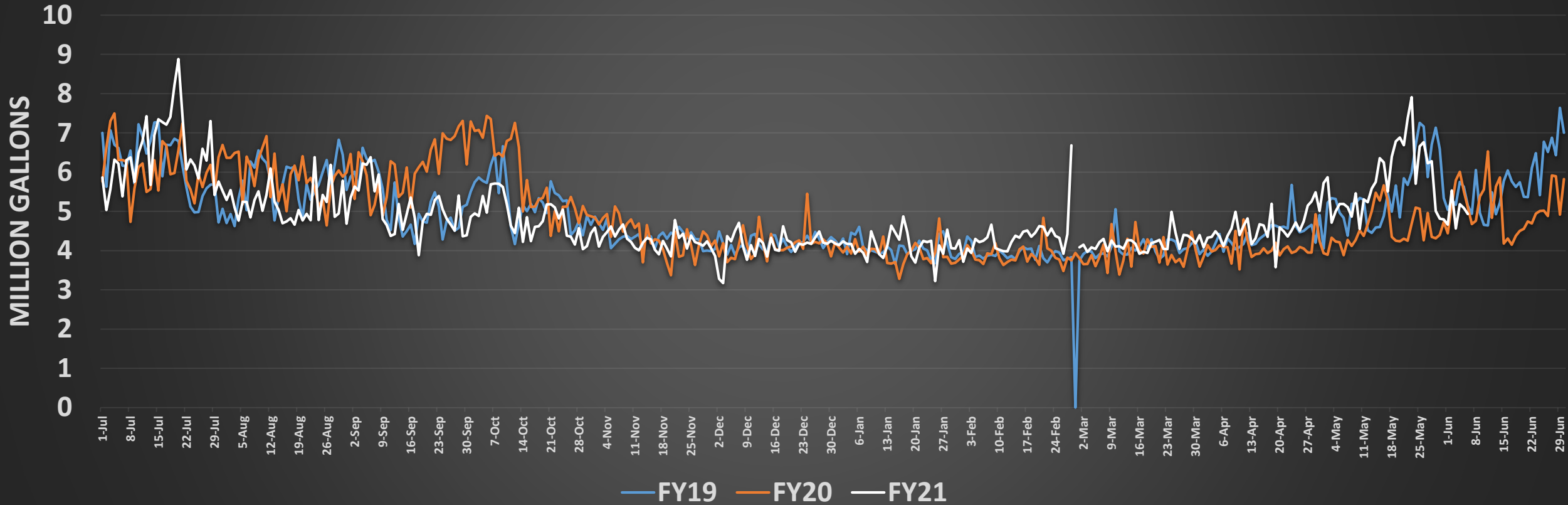
Monthly Water Production



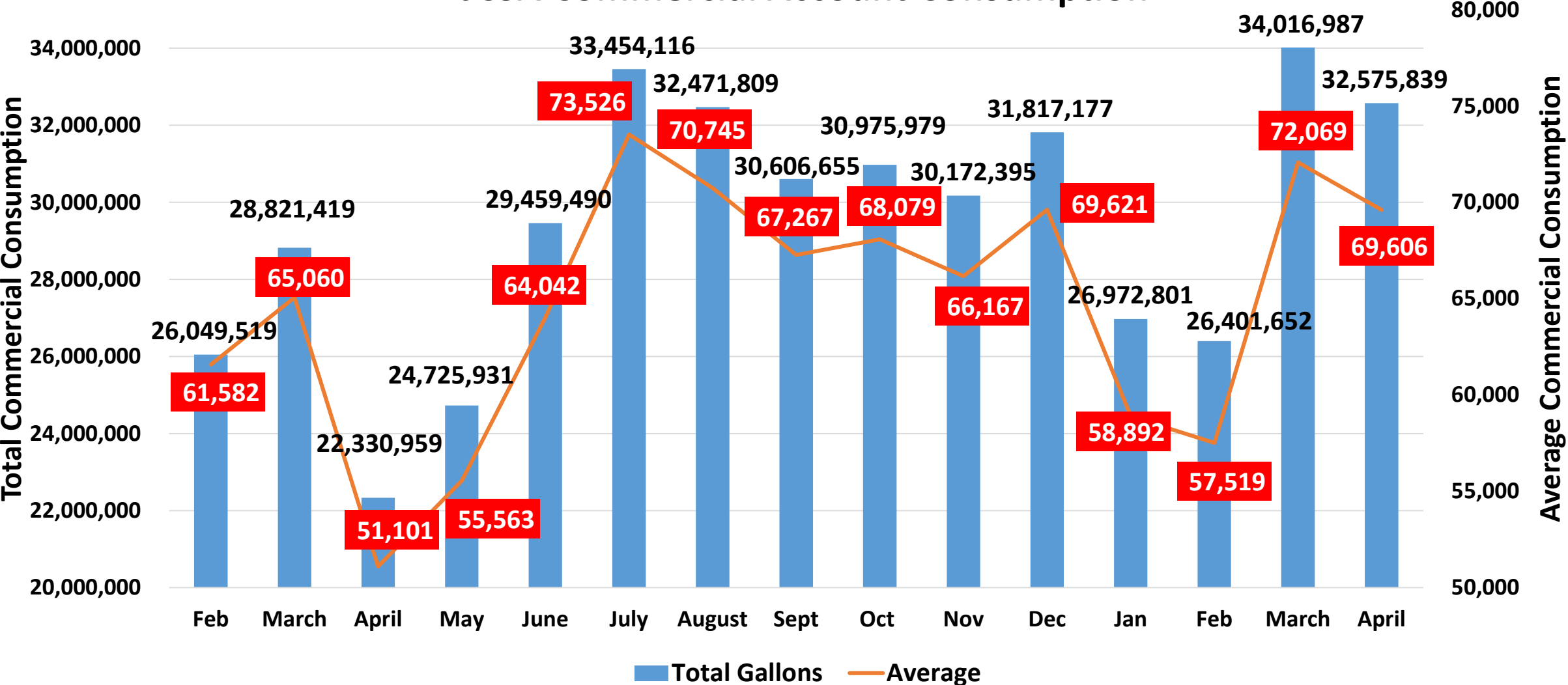
Annual Production



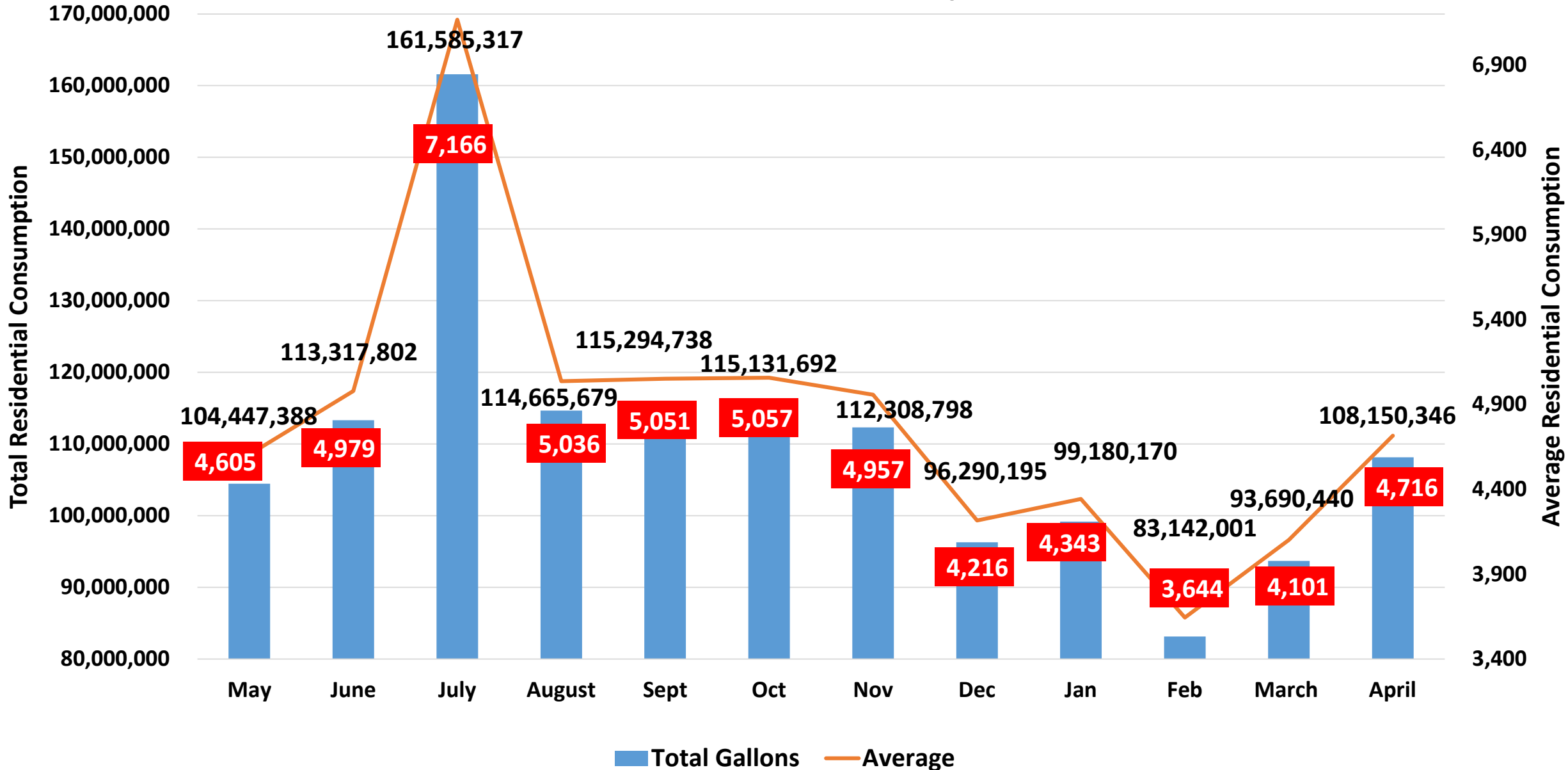
Daily Water Production



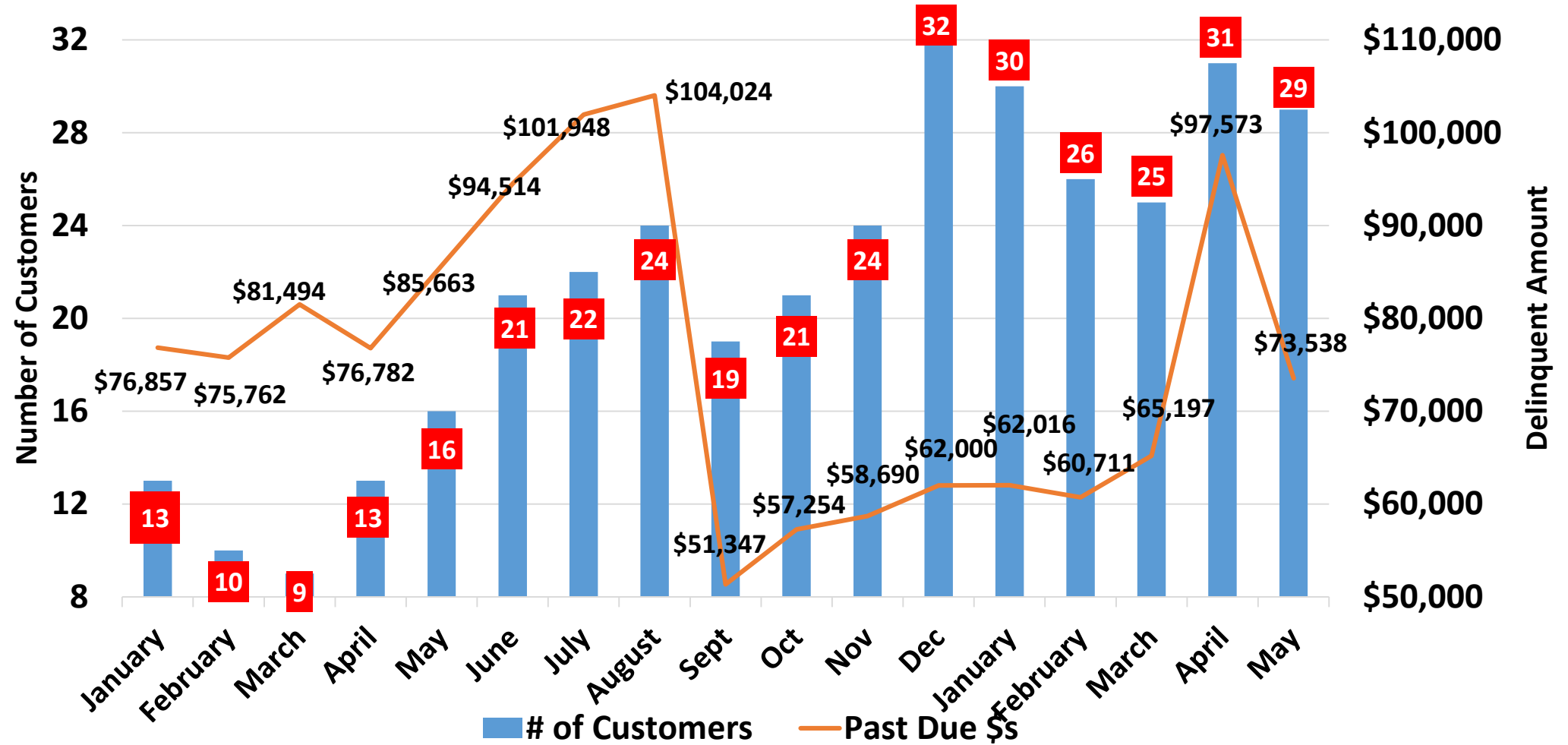
JCSA Commercial Account Consumption



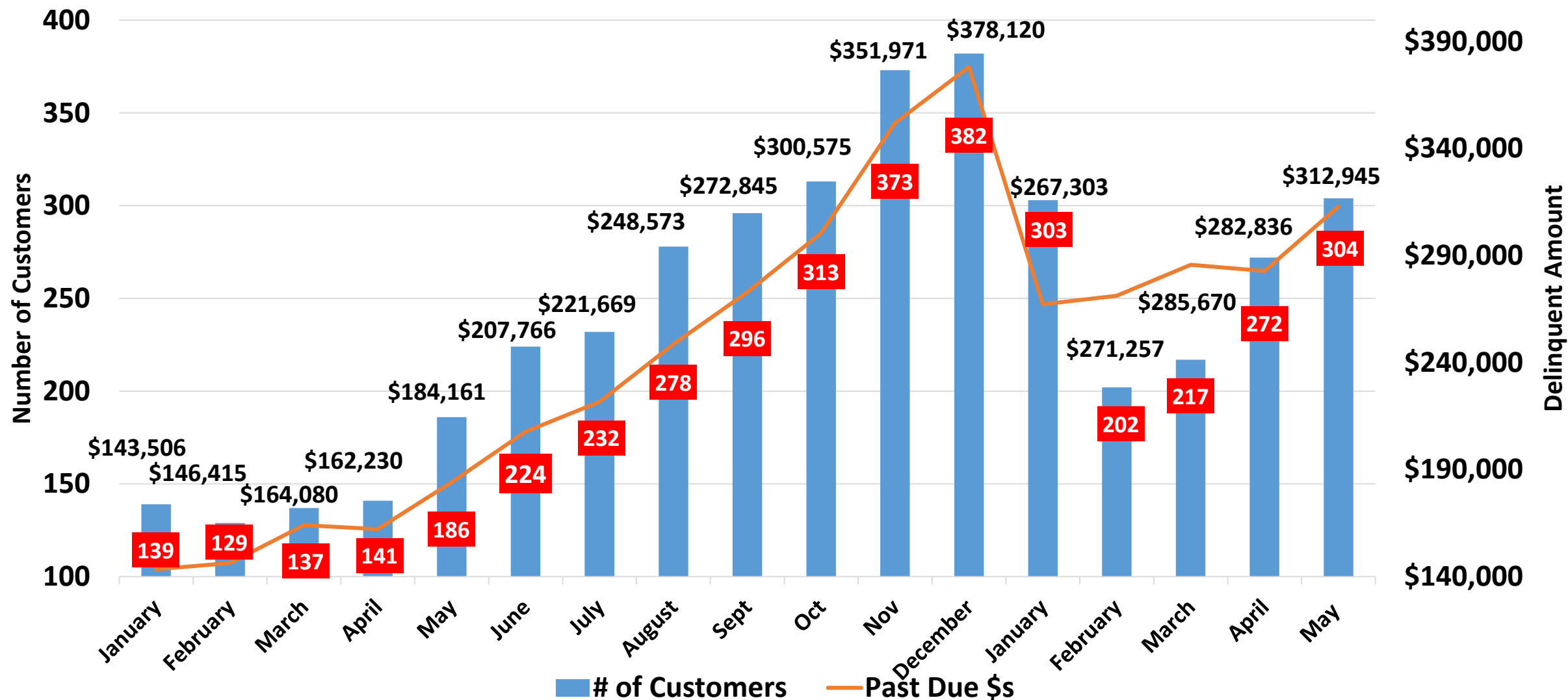
Residential Account Consumption



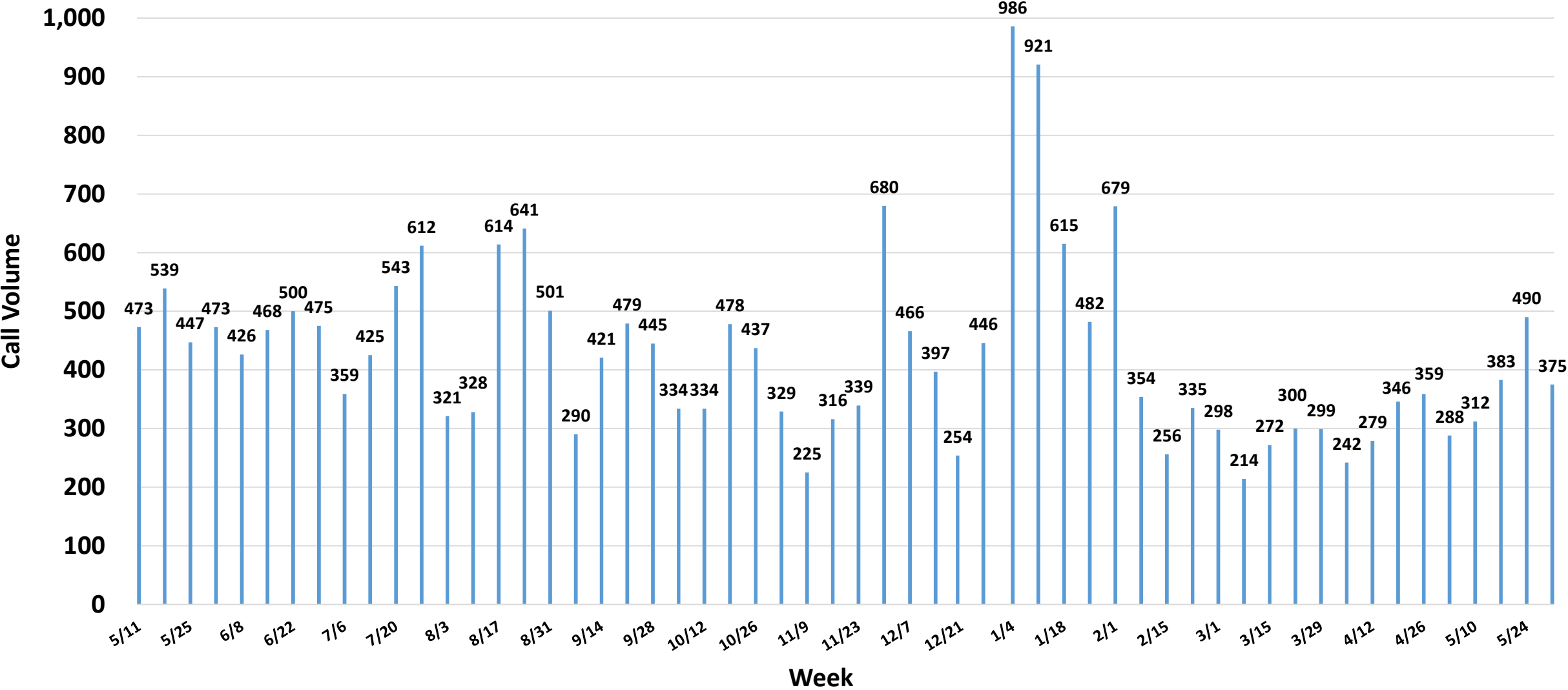
Delinquent Commercial Accounts Over \$500 and Over 90 Days



Delinquent Residential Accounts Over \$300 and Over 90 Days



Customer Service Call Volume



ITEM SUMMARY

DATE: 6/8/2021

TO: The Board of Directors

FROM: Teresa J. Fellows, Deputy Secretary

SUBJECT: Adjourn until 5 p.m. on July 13, 2021 for the Regular Meeting

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	6/1/2021 - 3:47 PM