

AGENDA
JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
December 12, 2023
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATION(S)

1. FY 2023 Financial Statements Review for James City Service Authority – Cherry Bekaert

D. PUBLIC COMMENT

E. CONSENT CALENDAR

1. Minutes Adoption

F. PUBLIC HEARING(S)

G. BOARD CONSIDERATION(S)

H. BOARD REQUESTS AND DIRECTIVES

I. GENERAL MANAGER'S UPDATE

J. ADJOURNMENT

1. Adjourn until 4 pm on January 9, 2024 for the Organizational Meeting

MEMORANDUM

DATE: December 12, 2023

TO: The Board of Directors

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

SUBJECT: Fiscal Year 2023 Financial Statements Review for James City Service Authority - Cherry Bekaert

Staff of Cherry Bekaert, the James City Service Authority's auditor, will present an overview of the Fiscal Year 2023 financial statements.

MDP/ap
FY23FinStmntRev-mem

MINUTES
JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
November 14, 2023
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

James O. Icenhour, Jr., Vice Chairman, Jamestown District
John J. McGlennon, Roberts District
Ruth M. Larson, Berkeley District
Michael J. Hipple, Powhatan 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. PRESENTATION(S)

None.

D. PUBLIC COMMENT

None.

E. CONSENT CALENDAR

1. Amendment to the Employment Agreement of the General Manager

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

2. Minutes Adoption

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

The minutes Approved for Adoption included the following meetings:

- o October 10, 2023, Regular Meeting

F. PUBLIC HEARING(S)

None.

G. BOARD CONSIDERATION(S)

1. Contract Award - Building Envelope Technical Support Services

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 that a Request for Proposals was publicly advertised for qualified and experienced firms to perform Building Envelope Technical Services on an as-needed basis. He stated two firms were selected as the most qualified firms: ESC Mid-Atlantic and TAM Consultants. Mr. Powell recommended approval of the resolution.

2. Authorization for Leave Payout and Budget Amendment

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 resolution authorized a leave payout option for James City Service Authority employees, adding the maximum would be based on years of service. He highlighted the eligibility requirements in the memorandum included in the Agenda Packet. Mr. Powell stated the estimated cost of the leave payout was \$153,500; however, the actual leave payout could be less based on the number of employees who elect it. He recommended approval of the resolution.

H. BOARD REQUESTS AND DIRECTIVES

None.

I. GENERAL MANAGER'S UPDATE

1. November 2023 Dashboard Report

Mr. Powell mentioned for public notification purposes to remind citizens to winterize their irrigation systems. He noted last year there were issues with irrigation systems freezing. Mr. Powell further noted a postcard would be forthcoming soon to all irrigation customers for reminder purposes. He stated the public meeting would be held tomorrow, November 15, 2023, for a discussion regarding grandfathered grinder pump service agreements. Mr. Powell mentioned if more than two Board members planned on attending the meeting tomorrow, he recommended continuance of this meeting until 4 p.m. tomorrow.

Ms. Sadler stated this meeting would remain open until 4 p.m. on November 15, 2023.

Mr. Powell advised the meeting tomorrow would be held in the Board Room in Building F.

There was no adjournment.

J. ADJOURNMENT

1. Adjourn until 5 pm on December 12, 2023 for the Regular Meeting

MINUTES
JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS
CONTINUATION OF REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185

November 15, 2023

4:00 PM

A. CALL TO ORDER

B. ROLL CALL

James O. Icenhour, Jr., Vice Chairman, Jamestown District - absent
John J. McGlennon, Roberts District - joined meeting at 4:05 p.m.
Ruth M. Larson, Berkeley District
Michael J. Hipple, Powhatan District
P. Sue Sadler, Chairman, Stonehouse District

M. Douglas Powell, General Manager

Ms. Sadler stated Mr. Powell would give a presentation. She advised no action would be taken at this meeting, adding there would be time for public comment. Ms. Sadler requested any individuals who desired to speak to fill out a speaker card and provide it to Ms. Teresa Saeed, Deputy Clerk to the Board of Supervisors. She turned discussion over to Mr. Powell.

Mr. Powell mentioned a Board quorum was present; therefore, this meeting would be conducted as a formal James City Service Authority (JCSA) Board of Directors (BOD) meeting. He requested individuals who completed a speaker card and chose to speak during the Public Comment section to address the Board at the podium providing their name and address for public record purposes, adding each individual had five minutes to speak. Mr. Powell highlighted the Agenda Packet details for the meeting noting the discussion was in relation to grandfathered grinder pump service agreements on the PowerPoint presentation. He reiterated a decision would not be made today on the subject matter; however, a decision was anticipated to be made in early 2024.

C. PRESENTATION(S)

1. Information for Grandfathered Grinder Pump Customers

Mr. Powell stated in the 1980s-1990s there were a number of customers who paid JCSA \$300 for maintenance for their grinder pumps. He noted these customers were under the impression that future maintenance expenses would not occur. Mr. Powell further noted to date there were no written agreements found. He mentioned over time JCSA started charging new customers for grinder pump service agreements, adding in 2005, the JCSA BOD established that grandfathered grinder pump service agreements would not convey with the sale of property. He advised a total of 107 grandfathered agreements remained. Mr. Powell stated that in April 2023, he notified the Board of the intent to revise the grinder pump program and end the program in 2028. He noted changes included coverage of pump and motor only and required grandfathered customers to begin paying. Mr. Powell further noted in July 2023, customers received written correspondence informing them of the changes and the intent to end the program in 2028. He stated by the end of August 2023, 55% of grandfathered customers returned their applications to

continue service. Mr. Powell indicated in September 2023; the BOD paused implementation of changes to the grandfathered program which meant grandfathered customers were still covered by the program at no charge; however, only the pump and motor were covered. He advised the JCSA grinder pump program would end for all customers on August 31, 2028. Mr. Powell highlighted various reasons for the changes to the program on the PowerPoint presentation. He concluded the presentation and hoped it helped customers better understand the reasons for the changes to the program.

D. PUBLIC COMMENT

1. Mr. Lee Scruggs, 3322 Derby Lane, addressed the Board referencing an implicit agreement providing sewer services for properties located in the public water and sewer district. He questioned housing development in areas that required grinder pumps. Mr. Scruggs expressed his dissatisfaction with putting the responsibility of this infrastructure on homeowners. He referenced lift stations and questioned future decisions on those. He elaborated on his point in further detail noting he was not in support of the changes to the JCSA grinder pump program.

2. Mr. Mike Sloan, 2527 Manion Drive, addressed the Board noting there were various valid points Mr. Powell made; however, his issue was with the breach of contract. He noted the County made an agreement to these customers and should adhere to it.

3. Mr. Stan Dykstra, 3215 Derby Lane, addressed the Board noting he had expressed his concerns previously in addition to all documentation regarding the contract on the subject matter. He mentioned a concern with a comparison made during the presentation. Mr. Dykstra stated the County had approved the grinder pumps as a way to generate revenue. He noted he was a longtime County resident and taxpayer and requested the County hold up its end in the agreement.

4. Ms. Marion Paine, 3305 Ash View, addressed the Board noting her concern was not so much regarding the current grandfathered contract but more so future consideration regarding the grinder pumps. She expressed her concern with individuals in the community on a fixed-income and the affordability aspect when the grinder pump came to the end of its operational life.

5. Mr. Johnstuart Guarnieri, 212 Fairfax Way, addressed the Board noting the JCSA liability aspect regarding these grinder pumps. He mentioned his concern with housing development in these areas requiring grinder pumps as there were no alternative options. Mr. Guarnieri expressed the inequitable aspect of this matter.

6. Mr. Richard Schauffler, 3041 Heritage Landing Road, addressed the Board noting a positive collaborative relationship over the years regarding the subject matter until recently. He mentioned a disarray process with various written and oral correspondences on the matter. Mr. Schauffler elaborated on that point in further detail. He inquired about the number of grinder pumps in the County, what time period were the grinder pumps permitted, which subdivisions were affected, etc. Mr. Schauffler pointed out there were public utility programs to provide essential services at a subsidized rate for low-income citizens. He expressed his concern with implementing these changes and the future safety of water quality if County residents could not afford to maintain and/or replace their grinder pump. Mr. Schauffler questioned if accommodations would be made for those residents who could not afford to maintain and/or replace their grinder pump. He touched on pump replacement maintenance and the costs associated were not as significant as suggested and discussed that point in further detail.

7. Mr. Michael Halladay, 3037 Heritage Landing Road, addressed the Board noting he was Mr. Schauffler's neighbor. He indicated he was not a part of the grandfathered service agreement as he paid for his grinder pump service agreement. Mr. Halladay questioned discussion on only the grandfathered aspect of these grinder pumps and the lack of public hearings on the subject until now. He mentioned he had an informative discussion with Mr. Powell and he provided private

sector firm recommendations; however, none of the firms offered a grinder pump replacement policy. Mr. Halladay stated JCSA records indicated he had five pump replacements over the past five years, adding he did not believe it was that many but referenced the rebuilt nature aspect Mr. Schaufler referred to earlier. He requested the Board postpone action on changes to the grinder pump program for various factors addressed regarding this matter.

Ms. Sadler asked Mr. Powell if he had any further discussion.

Mr. Powell reiterated the Board's intent was action would not be taken until early 2024; however, he noted he would include this as an Agenda item for a future JCSA BOD meeting for further consideration. He further noted once the date had been established, he would provide public notification.

Ms. Sadler thanked Mr. Powell for coordinating this informational meeting. She thanked the citizens for their participation and attendance. She asked Mr. Powell how the public would be notified of the established date for the future JCSA BOD meeting regarding consideration on this matter.

Mr. Powell replied the public would receive written correspondence.

Ms. Larson addressed the concerns related to the disarray process citizens had experienced regarding the matter. She stated she had knocked on doors in Drummond's Field for citizen input on the subject matter, adding she received extensive information and feedback. Ms. Larson advised based on citizen feedback, she and her colleagues requested to deviate from the initial process.

Ms. Sadler thanked Ms. Larson. She mentioned the Board valued citizen input and it was of vital importance to put forth consideration regarding the feedback.

E. ADJOURNMENT

1. Adjourn until 5 p.m. on December 12, 2023, for the Regular Meeting

A motion to Adjourn was made by Ruth Larson, the motion result was Passed.

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

Ayes: Hipple, Larson, McGlennon, Sadler

Absent: Icenhour Jr.

At approximately 4:36 p.m., Ms. Sadler adjourned the Board of Directors.