

**AGENDA**  
**JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS**  
**REGULAR MEETING**  
**COUNTY GOVERNMENT CENTER BOARD ROOM**  
**101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185**  
**November 13, 2024**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. PRESENTATION(S)**

1. Commendation for Service - David F. Osborne
2. EPA Lead and Copper Rule Revisions and Improvements
3. Fiscal Year 2024 Financial Statements Review for James City Service Authority - Cherry Bekaert

**D. PUBLIC COMMENT**

**E. CONSENT CALENDAR**

1. Authorization for Leave Payout
2. Minutes Adoption

**F. PUBLIC HEARING(S)**

1. Resolution of James City Service Authority Authorizing Amendment to Wetlands Restricted Area

**G. BOARD CONSIDERATION(S)**

**H. BOARD REQUESTS AND DIRECTIVES**

**I. GENERAL MANAGER'S UPDATE**

1. November 2024 Dashboard Report

**J. ADJOURNMENT**

1. Adjourn until 5 pm on December 10, 2024 for the Regular Meeting

## MEMORANDUM

DATE: November 13, 2024

TO: The Board of Directors

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

SUBJECT: Fiscal Year 2024 Financial Statements Review for James City Service Authority - Cherry Bekaert

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Staff of Cherry Bekaert, the James City Service Authority's auditor, will present an overview of the Fiscal Year 2024 financial statements as included in the Reading File.

MDP/ap  
FY24FinStmntRev-mem

Attachment:  
1. Reading File

## MEMORANDUM

DATE: November 13, 2024

TO: The Board of Directors

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

SUBJECT: Authorization for Leave Payout

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I am requesting authorization to offer staff a leave payout option, as the James City Service Authority (JCSA) did in December of the past two years. The leave payout recognizes staff for their hard work and provides an opportunity for staff to avoid losing earned paid leave.

The maximum payouts would be the same as last year and based on years of service: up to 10 years of service the maximum is \$3,000; 10 to 20 years of service the maximum is \$4,000; and 20 or more years of service the maximum is \$5,000. The leave payout includes the General Manager. The effective date would be December 27, 2024.

The estimated cost of the leave payout is \$150,000. The actual leave payout could be less based on the number of employees who elect it.

The attached resolution authorizes the payout and amends the Fiscal Year 2025 (FY 25) Water Fund and Sewer Fund budgets. The budget amendment consists of an appropriation from Unrestricted Net Position to the applicable portions of JCSA's FY 25 Water Fund and Sewer Fund budgets.

Staff recommends adoption of the attached resolution.

MDP/md  
AuthLeavePyout24-mem

Attachment

**RESOLUTION**

**AUTHORIZATION FOR LEAVE PAYOUT**

WHEREAS, the James City Service Authority (JCSA) desires to recognize staff for their work over the past year and provide an opportunity for staff to avoid losing earned paid leave; and

WHEREAS, staff recommends a one-time leave payout of vacation or paid time off based on years of service up to \$5,000; and

WHEREAS, the estimated cost for the leave payout is \$150,000, but the final cost could be less based on the number of employees who elect it.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, does hereby approve a one-time leave payout capped at \$5,000 effective December 27, 2024, and authorizes the use of Unrestricted Net Position for this purpose to be appropriated to the applicable portions of JCSA's Fiscal Year 2025 Water Fund and Sewer Fund budgets for a total of \$150,000.

\_\_\_\_\_  
Barbara E. Null  
Chair, Board of Directors

ATTEST:

\_\_\_\_\_  
Teresa J. Saeed  
Deputy Secretary to the Board

LARSON  
ICENHOUR  
MCGLENNON  
HIPPLE  
NULL

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 13th day of November, 2024.

AuthLeavePyout24-res

**MINUTES**  
**JAMES CITY SERVICE AUTHORITY BOARD OF DIRECTORS**  
**REGULAR MEETING**  
**COUNTY GOVERNMENT CENTER BOARD ROOM**  
**101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185**  
**October 8, 2024**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

Michael J. Hipple, Powhatan District  
John J. McGlennon, Vice Chair, Roberts District  
James O. Icenhour, Jr., Jamestown District  
Ruth M. Larson, Berkeley District  
Barbara E. Null, Chair, Stonehouse District

Scott A. Stevens, County Administrator  
Adam R. Kinsman, County Attorney  
M. Douglas Powell, General Manager

**C. PRESENTATION(S)**

None.

**D. PUBLIC COMMENT**

None.

**E. CONSENT CALENDAR**

1. 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, Null

The minutes Approved for Adoption included the following meetings:

- September 10, 2024, Regular Meeting

**F. PUBLIC HEARING(S)**

1. Proposed Amendments to the Regulations Governing Utility Service

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, Null

Mr. Powell addressed the Board noting that staff proposed three amendments to the Regulations Governing Utility Service. He highlighted the revisions to include: 1) adding language requiring minor subdivisions to connect to James City Service Authority (JCSA) infrastructure; 2) removing the requirement for replacement structures to pay connection fees; and 3) updating the hydrant meter language to limit the amount of time that could be used at the same location and adding language indicating that the user was responsible for damage as a result of use. Mr. Powell mentioned two notable impacts regarding Proposed Amendment Item No. 3 which was that JCSA had one customer who perpetually used hydrometer as their source of water and seasonal nurseries that were connecting to fire hydrants. He noted from a staff standpoint that permanent and/or semi-permanent connections to a fire hydrant was not an appropriate use. Mr. Powell further noted staff recommended approval of the attached resolution and welcomed any questions the Board might have.

Ms. Larson asked if these users were aware of the proposed changes.

Mr. Powell replied he believed the JCSA customer was aware; however, he was unsure about the nurseries.

Ms. Larson asked Mr. Powell how these users would be notified of the changes.

Mr. Powell replied JCSA had record of these users and notification would be provided upon approval of the proposed amendments.

Ms. Null opened the Public Hearing.

Ms. Null closed the Public Hearing as there were no speakers.

**G. BOARD CONSIDERATION(S)**

None.

**H. BOARD REQUESTS AND DIRECTIVES**

Mr. McGlennon noted he had a question pertaining to the Dashboard. He mentioned he noticed a significant increase in delinquencies. He asked Mr. Powell if that was due to the recent changes in billing.

Mr. Powell confirmed yes, particularly with commercial customers. He noted the increase occurred last month with a slight downward trend this month. Mr. Powell indicated JCSA staff had reached out to both commercial and residential customers who were delinquent. He indicated there have not been any disconnections since the new billing system had been implemented. Mr. Powell mentioned challenges and limitations with new state laws in relation to disconnections. He advised delinquent notifications had been sent out and disconnections would start next week. Mr. Powell anticipated a decrease in those numbers in the next month or two.

Ms. Larson requested Mr. Powell look into Venmo as a payment option for the new JCSA billing system.

Mr. Powell replied he would.

Mr. Icenhour asked about an insurance claim that was denied. He asked for an update on that.

Mr. Powell replied that was still currently unresolved.

Mr. Icenhour requested Mr. Powell keep the Board updated on that situation.

**I. GENERAL MANAGER'S UPDATE**

1. October 2024 Dashboard

Mr. Powell advised he had no further updates.

**J. ADJOURNMENT**

1. Adjourn until 5 pm on Wednesday, November 13, 2024 for the Regular Meeting

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

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

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

At approximately 5:07 p.m., Ms. Null adjourned the Board of Directors.

## MEMORANDUM

DATE: November 13, 2024

TO: The Board of Directors

FROM: Andrew Dean, Counsel to the James City Service Authority

SUBJECT: Agreement to Amend JCSA Wetland Restricted Area

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As part of the Development of New Town Sections 4, 7, 8, and 9, the Developers New Town Associates and AIG Baker were required to create various restrictive covenants on wetland areas located on developer-owned property. A portion of the impacted wetlands subject to the restrictive covenants extended onto the property that is now owned by the James City Service Authority ("JCSA"). Accordingly, JCSA recorded wetlands restrictive covenants to cover the portion of wetlands restricted area that extended onto JCSA property. In order to retrofit the existing Tewning Road Best Management Practices ("BMP"), a portion of the wetland restricted area on JCSA property must be modified.

In order to modify the restricted wetlands area, JCSA must amend the wetlands restrictive covenants recorded on the JCSA Tewning Road property. The United States Army Corps of Engineers, and the Department of Environmental Quality have all approved the proposed amendment to the JCSA restrictive covenants.

I have attached a draft of the proposed First Amendment to the Declaration of Restrictions of James City Service Authority, James City County, Virginia, and the proposed plat showing the revision of the relevant wetlands restricted area.

Attached is a resolution authorizing the General Manager of JCSA to execute the documents necessary to amend the JCSA Wetlands Restricted Area.

Staff recommends adoption of the resolution.

AD/ap  
JCSAWtIndAgr-mem

Attachments:

1. Resolution
2. Draft of Proposed First Amendment to Declaration of Restrictions, JCSA Wetland Restricted Areas
3. AES Consulting Engineers Plat Showing Proposed Revision of Wetland Restricted Area



**RESOLUTION**

**AGREEMENT TO AMEND DECLARATION OF RESTRICTIONS OF**

**JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA**

WHEREAS, the James City Service Authority (the “JCSA”) currently owns property delineated on the Development of New Town, Sections 4, 7, 8, and 9, James City County, Virginia as shown on that plat recorded in the land records for the City of Williamsburg and the County of James City at Instrument #190005897; and

WHEREAS, the JCSA desires to record a First Amendment to the Declaration of Restrictions of James City Service Authority James City County, Virginia thereby amending the Wetland Restricted Area to facilitate the retrofit of the Tewning Road stormwater facility; and

WHEREAS, a public hearing was advertised and a hearing conducted on the proposed first amendment to the Declaration of Restrictions of the JCSA; and

WHEREAS, the Board of Directors of JCSA finds the First Amendment to Declaration of Restrictions of James City Service Authority, James City County, Virginia to be in the public interest and in the interest of the JCSA.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, authorizes the General Manager of the James City Service Authority to execute those documents necessary to effectuate the recordation of the First Amendment to the Declaration of Restrictions of James City Service Authority, James City County, Virginia.

\_\_\_\_\_  
Barbara E. Null  
Chair, Board of Directors

ATTEST:

\_\_\_\_\_  
Teresa J. Saeed  
Deputy Secretary to the Board

LARSON  
ICENHOUR  
MCGLENNON  
HIPPLE  
NULL

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 13th day of November, 2024.

Prepared by/Return To:  
Andrew J. Dean # 88192  
James City County Attorney's Office  
101-D Mounts Bay Road  
P.O. Box 8784  
Williamsburg, Virginia 23187  
Telephone: (757) 253-6613

Tax Parcel ID No.: 3910100003

## **FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS**

**OF**

**JAMES CITY SERVICE AUTHORITY**

**JAMES CITY COUNTY, VIRGINIA**

THIS DECLARATION OF RESTRICTIVE COVENANTS is made this \_\_\_\_ day of November, 2024, by JAMES CITY SERVICE AUTHORITY, created by the County of James City, Virginia, organized and existing in accordance with the laws of the Commonwealth of Virginia ("Owner").

### **RECITALS**

R-1. By Declaration of Restrictions of James City Service Authority, James City County, Virginia (the "Declaration") dated February 10, 2006 of record in the Office of the Clerk of the Circuit Court for the City of Williamsburg and the County of James City, Virginia ("Clerk's Office") as Instrument No. 060003165, the James City Service Authority imposed certain restrictive covenants on wetlands areas owned by them (the "Restricted Property") preserving wetlands areas in a natural state in perpetuity in connection with US Army Corps of Engineers Permit No. 04-V0680-18 and Virginia Department of Environmental Quality Permit Number 04-0680.

R-2. In connection with certain approved modifications of the regulatory agency permits referenced above, the James City Service Authority desires to amend the Declaration by this First Amendment, revising the plats recorded with the Declaration so as to remove certain wetlands areas from the restrictions imposed by the Declaration within property owned by the James City Service Authority.

Now therefore, this First Amendment of Declaration of Restrictions provides that the James City Service Authority does hereby declare, covenant and agree, as follows:

### **PROVISIONS**

1. The Restricted Property described and defined in the Declaration is hereby amended to be as shown on the attached plat ("Plat") entitled: "EXHIBIT A – EXHIBIT SHOWING REVISION OF WETLAND RESTRICTED AREA "K" LYING ON THE PROPERTY OF THE JAMES CITY SERVICE AUTHORITY" dated January 30, 2024 and is attached hereto as Exhibit A and incorporated herein by reference.

2. The Plat shows certain areas as "WETLAND RESTRICTED AREA LIMIT HEREBY VACATED" and such real estate is hereby released from and shall henceforth no longer be subject to the terms of the Declaration.

3. The Plat amends portions of the plat entitled: "REVISED EXHIBIT A – PLAT SHOWING WETLAND RESTRICTED AREAS FOR NEW TOWN SECTION 7 & 8, AND 9 AND PORTION OF SECTION 4, BERKELEY DISTRICT, JAMES CITY COUNTY, VIRGINIA" dated March 26, 2007 last

revised April 4, 2018 and recorded in the land records for City of Williamsburg & County of James City Circuit Court on April 24, 2019 as Instrument #190005897, made by AES Consulting Engineers.

4. The Restricted Property is vacated as delineated in the Plat and is no longer Wetlands Restricted Area by virtue of this First Amendment.

5. Except as otherwise set forth above, the James City Service Authority confirms that the Declaration has not been modified or amended except as described herein and is in full force and effect as of the date hereof. In the event of any conflict between the provisions of this First Amendment and those of the Declaration, the provisions of this First Amendment shall govern.

Witness the following signatures and seals:

Recorded herewith as # \_\_\_\_\_

**JAMES CITY SERVICE AUTHORITY**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

State of Virginia,  
City/County of \_\_\_\_\_ to wit:

The foregoing instrument was acknowledged before this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by Douglas Powell of the James City Service Authority in his capacity as General Manager.

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

My commission expires \_\_\_\_\_

My commission no. \_\_\_\_\_

# EXHIBIT 1

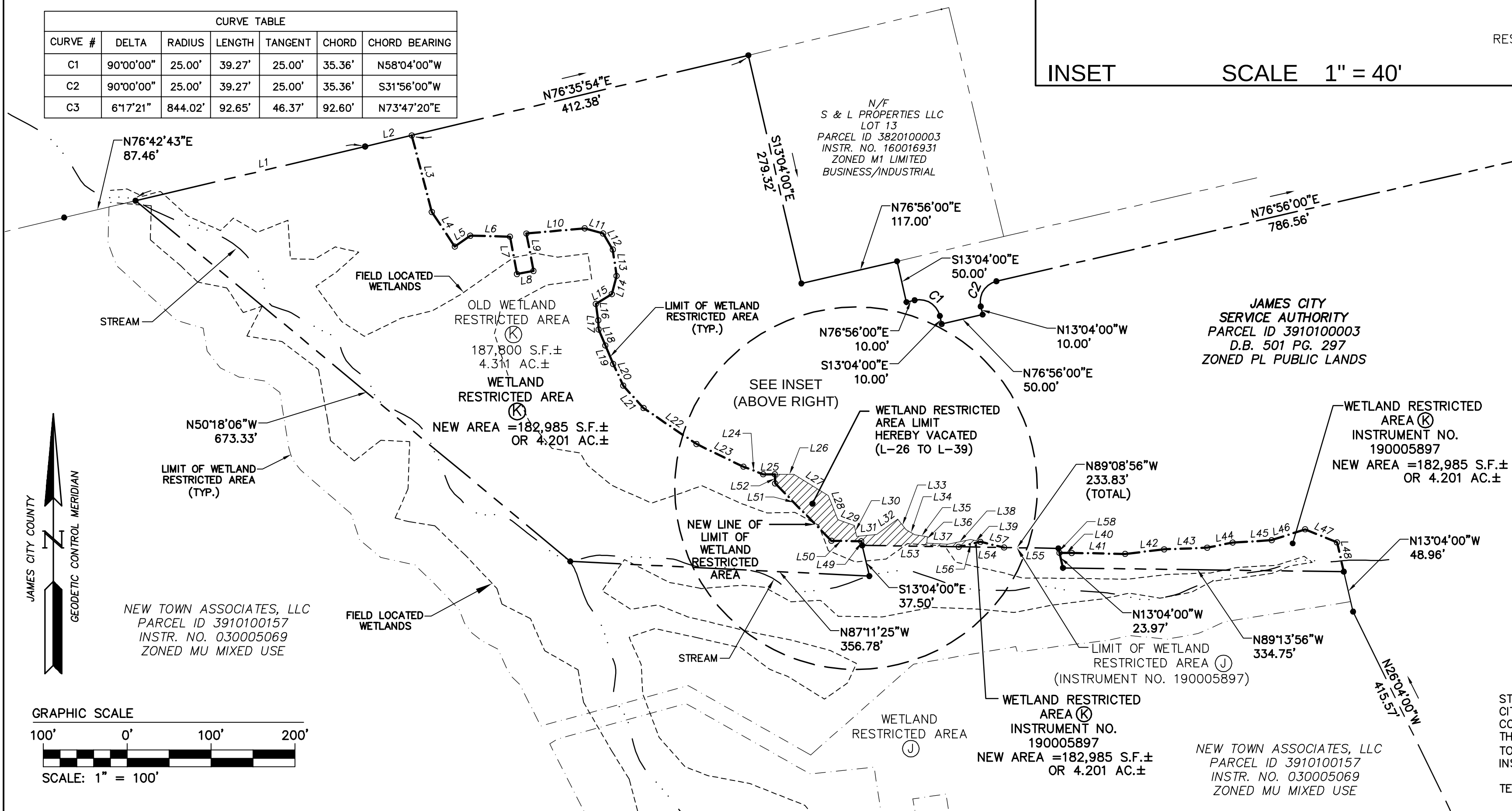
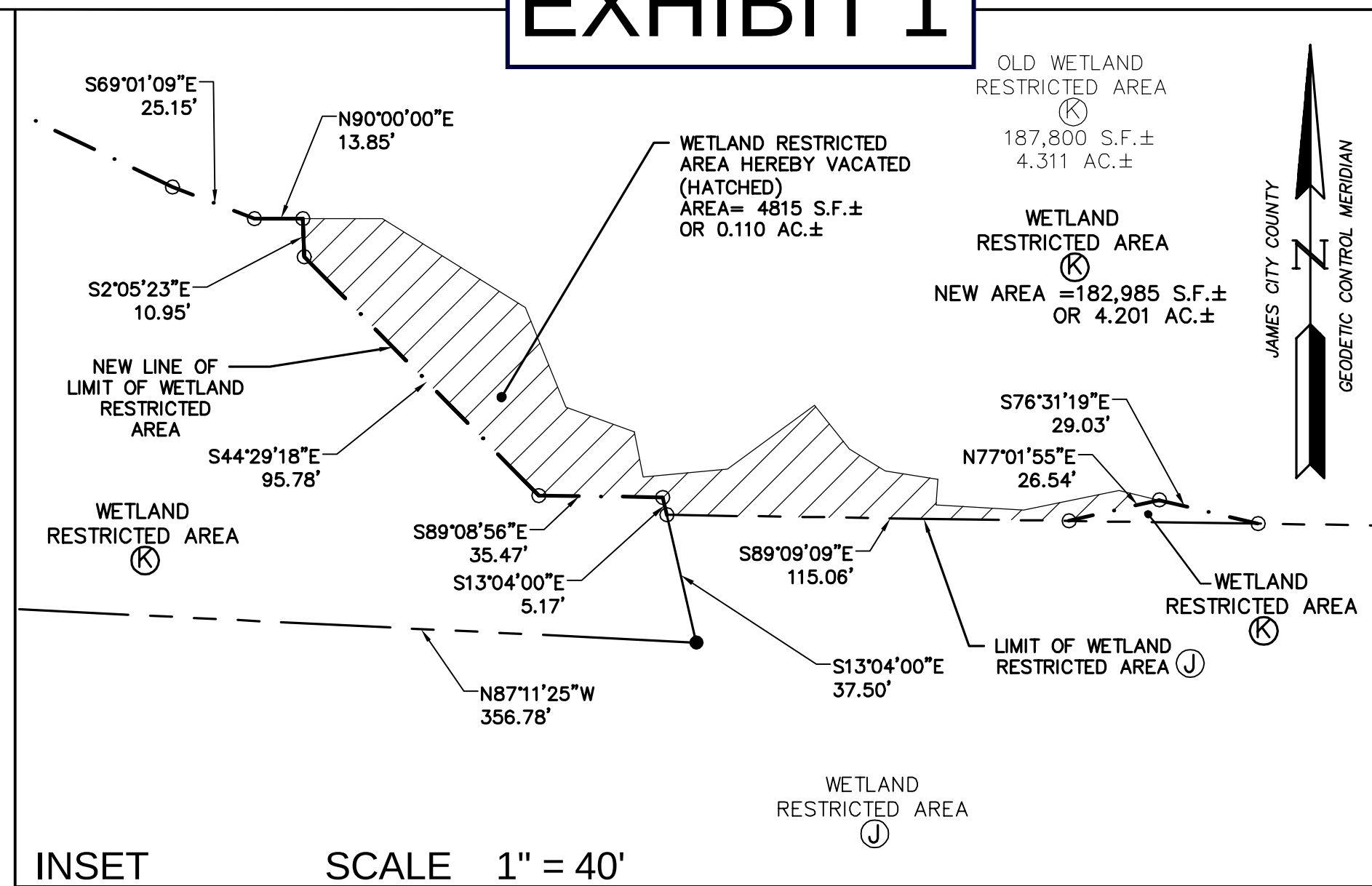
| LINE TABLE |             |         |
|------------|-------------|---------|
| LINE       | BEARING     | LENGTH  |
| L1         | N76°42'43"E | 281.15' |
| L2         | N76°35'54"E | 57.07'  |
| L3         | S14°40'36"E | 94.39'  |
| L4         | S33°35'17"E | 49.48'  |
| L5         | N55°05'05"E | 22.57'  |
| L6         | S88°37'12"E | 47.24'  |
| L7         | S10°40'01"E | 45.32'  |
| L8         | N79°19'59"E | 20.00'  |
| L9         | N10°40'01"W | 45.41'  |
| L10        | N84°58'18"E | 69.69'  |
| L11        | S74°32'17"E | 22.82'  |
| L12        | S30°55'55"E | 22.39'  |
| L13        | S8°13'02"E  | 31.75'  |
| L14        | S14°41'02"W | 22.36'  |
| L15        | S58°23'11"W | 22.36'  |

| LINE TABLE |             |        |
|------------|-------------|--------|
| LINE       | BEARING     | LENGTH |
| L16        | S8°14'12"E  | 19.73' |
| L17        | S2°23'33"E  | 11.03' |
| L18        | S22°52'45"E | 20.68' |
| L19        | S22°52'45"E | 23.93' |
| L20        | S24°56'14"E | 28.47' |
| L21        | S42°10'37"E | 36.02' |
| L22        | S55°47'39"E | 76.34' |
| L23        | S64°11'41"E | 62.15' |
| L24        | S69°01'09"E | 25.15' |
| L25        | N90°00'00"E | 13.85' |
| L26        | N90°00'00"E | 22.82' |
| L27        | S58°04'40"E | 48.11' |
| L28        | S22°08'20"E | 30.84' |
| L29        | S70°14'04"E | 20.83' |
| L30        | S10°38'54"E | 13.21' |

| LINE TABLE |             |        |
|------------|-------------|--------|
| LINE       | BEARING     | LENGTH |
| L31        | N84°39'20"E | 24.34' |
| L32        | N53°44'11"E | 30.90' |
| L33        | S38°26'45"E | 15.91' |
| L34        | S58°45'08"E | 12.12' |
| L35        | S81°04'56"E | 15.13' |
| L36        | S3°17'21"W  | 7.41'  |
| L37        | S86°42'39"E | 25.04' |
| L38        | N78°23'17"E | 27.84' |
| L39        | S76°31'19"E | 11.88' |
| L40        | S89°47'00"E | 14.63' |
| L41        | S88°57'03"E | 63.65' |
| L42        | N83°19'48"E | 46.86' |
| L43        | N87°46'14"E | 51.35' |
| L44        | N78°36'14"E | 30.89' |
| L45        | N86°30'02"E | 46.63' |

| LINE TABLE |             |         |
|------------|-------------|---------|
| LINE       | BEARING     | LENGTH  |
| L46        | N72°04'28"E | 41.88'  |
| L47        | S67°44'10"E | 41.03'  |
| L48        | S13°04'00"E | 35.84'  |
| L49        | S13°04'00"E | 5.17'   |
| L50        | S89°08'56"E | 35.47'  |
| L51        | S44°29'18"E | 95.78'  |
| L52        | S2°05'23"E  | 10.95'  |
| L53        | S89°09'09"E | 115.06' |
| L54        | S89°08'29"E | 54.10'  |
| L55        | S89°08'56"E | 64.67'  |
| L56        | S77°01'55"W | 26.54'  |
| L57        | S76°31'19"E | 29.03'  |
| L58        | S13°04'00"E | 5.58'   |

| CURVE TABLE |           |         |        |         |        |               |
|-------------|-----------|---------|--------|---------|--------|---------------|
| CURVE #     | DELTA     | RADIUS  | LENGTH | TANGENT | CHORD  | CHORD BEARING |
| C1          | 90°00'00" | 25.00'  | 39.27' | 25.00'  | 35.36' | N58°04'00"W   |
| C2          | 90°00'00" | 25.00'  | 39.27' | 25.00'  | 35.36' | S31°56'00"W   |
| C3          | 6°17'21"  | 844.02' | 92.65' | 46.37'  | 92.60' | N73°47'20"E   |



- NOTES:
1. SEE PLAT BY AES CONSULTING ENGINEERS DATED 3/26/07 AND REVISED 4/04/18, RECORDED AS INSTR. NO. #190005897 AND TITLED "REVISED EXHIBIT "A" PLAT SHOWING WETLAND RESTRICTED AREAS PREPARED FOR NEW TOWN SECTION 7 & 8, AND 9." ALSO SEE DOC. 060003165 FOR DECLARATION OF RESTRICTIONS FOR JAMES CITY SERVICE AUTHORITY.
  2. PROPERTY LINES AS SHOWN WERE TAKEN FROM RECORD AND OTHER AVAILABLE INFORMATION AND DOES NOT REPRESENT AN ACTUAL FIELD BOUNDARY SURVEY. THERE MAY BE EASEMENTS AND OTHER COVENANTS OF RECORD OTHER THAN SHOWN WHICH MAY AFFECT THIS PROPERTY. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.

STATE OF VIRGINIA  
CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY CIRCUIT  
COURT. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
THE PLAT SHOWN HEREON WAS PRESENTED AND ADMITTED  
TO THE RECORD AS THE LAW DIRECTS. @ \_\_\_\_\_ AM/PM  
INSTRUMENT # \_\_\_\_\_  
  
TESTE: \_\_\_\_\_  
MONA A. FOLEY, CLERK

|      |         |                                                      |            |
|------|---------|------------------------------------------------------|------------|
|      |         |                                                      |            |
|      |         |                                                      |            |
|      |         |                                                      |            |
|      |         |                                                      |            |
| 2    | 2-28-24 | REVISED WETLAND RESTRICTED AREA                      | JFS        |
| 1    | 2-22-24 | REVISED TO SHOW MODIFIED WETLAND RESTRICTED AREA "K" | JFS        |
| Rev. | Date    | Description                                          | Revised By |



5248 Olde Towne Road, Suite 1  
Williamsburg, Virginia 23188  
Phone: (757) 253-0040  

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www.aesva.com

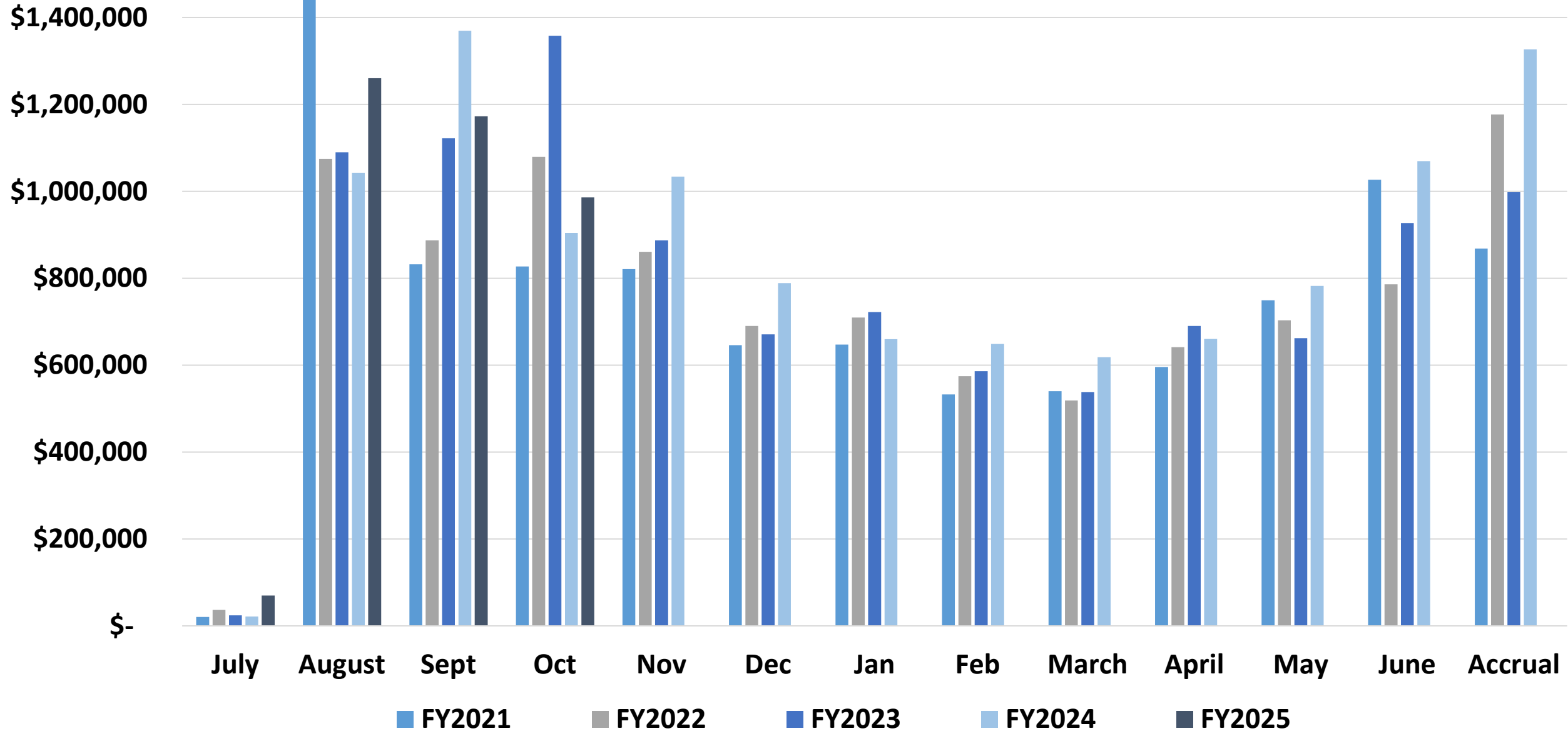
Hampton Roads | Central Virginia | Middle Peninsula

EXHIBIT "A"  
EXHIBIT SHOWING REVISION OF  
WETLAND RESTRICTED AREA "K"  
LYING ON THE PROPERTY OF  
THE JAMES CITY SERVICE AUTHORITY

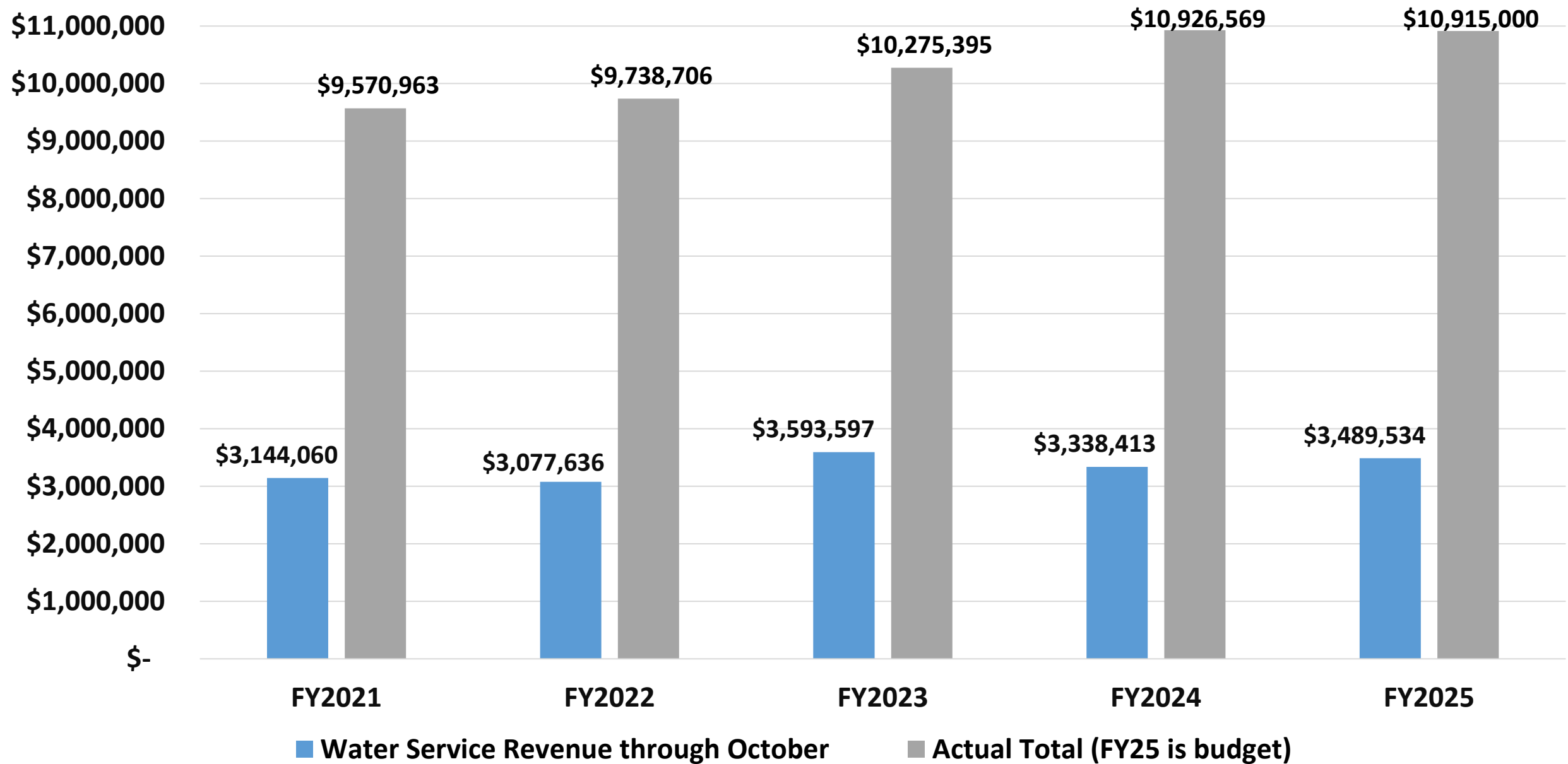
BERKELEY DISTRICT                      COUNTY OF JAMES CITY                      VIRGINIA

|                   |  |           |  |
|-------------------|--|-----------|--|
| Project Contacts: |  | SJB/JFS   |  |
| Project Number:   |  | W10648 S1 |  |
| Scale:            |  | Date:     |  |
| NOTED             |  | 1-30-2024 |  |
| Sheet Number      |  |           |  |
| 1 OF 1            |  |           |  |

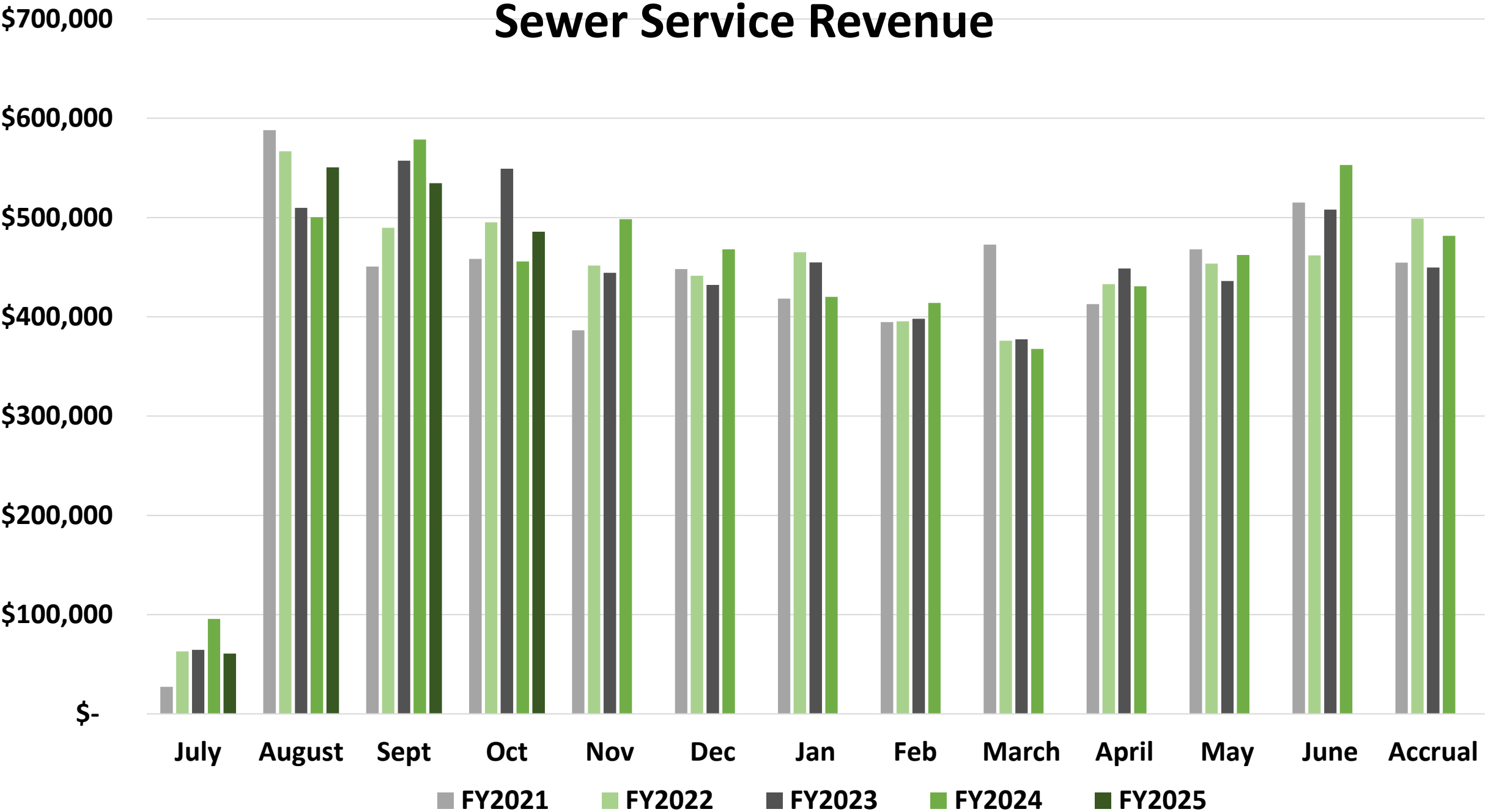
# Water Service Revenue



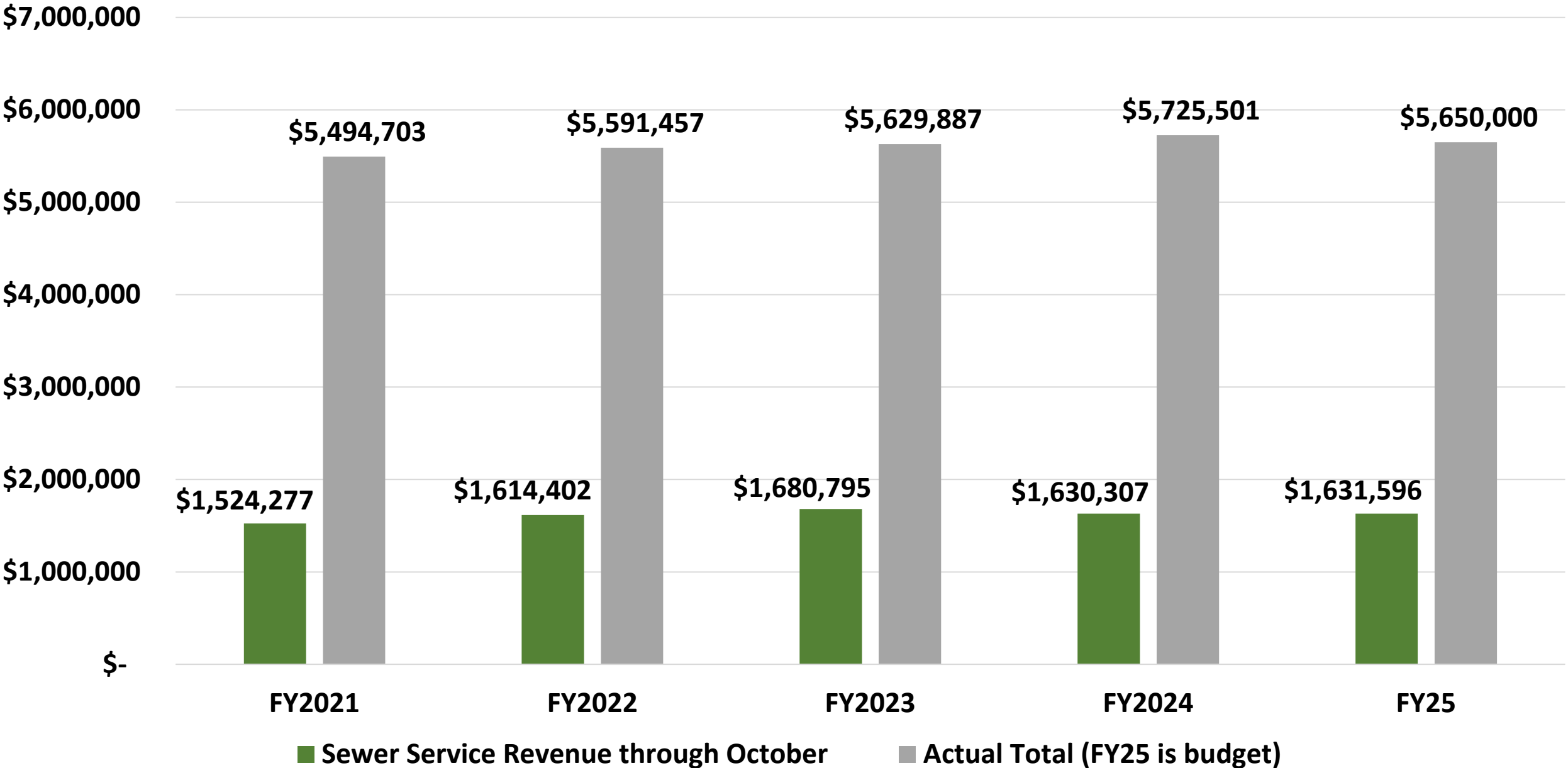
# Water Service Revenue through October



# Sewer Service Revenue

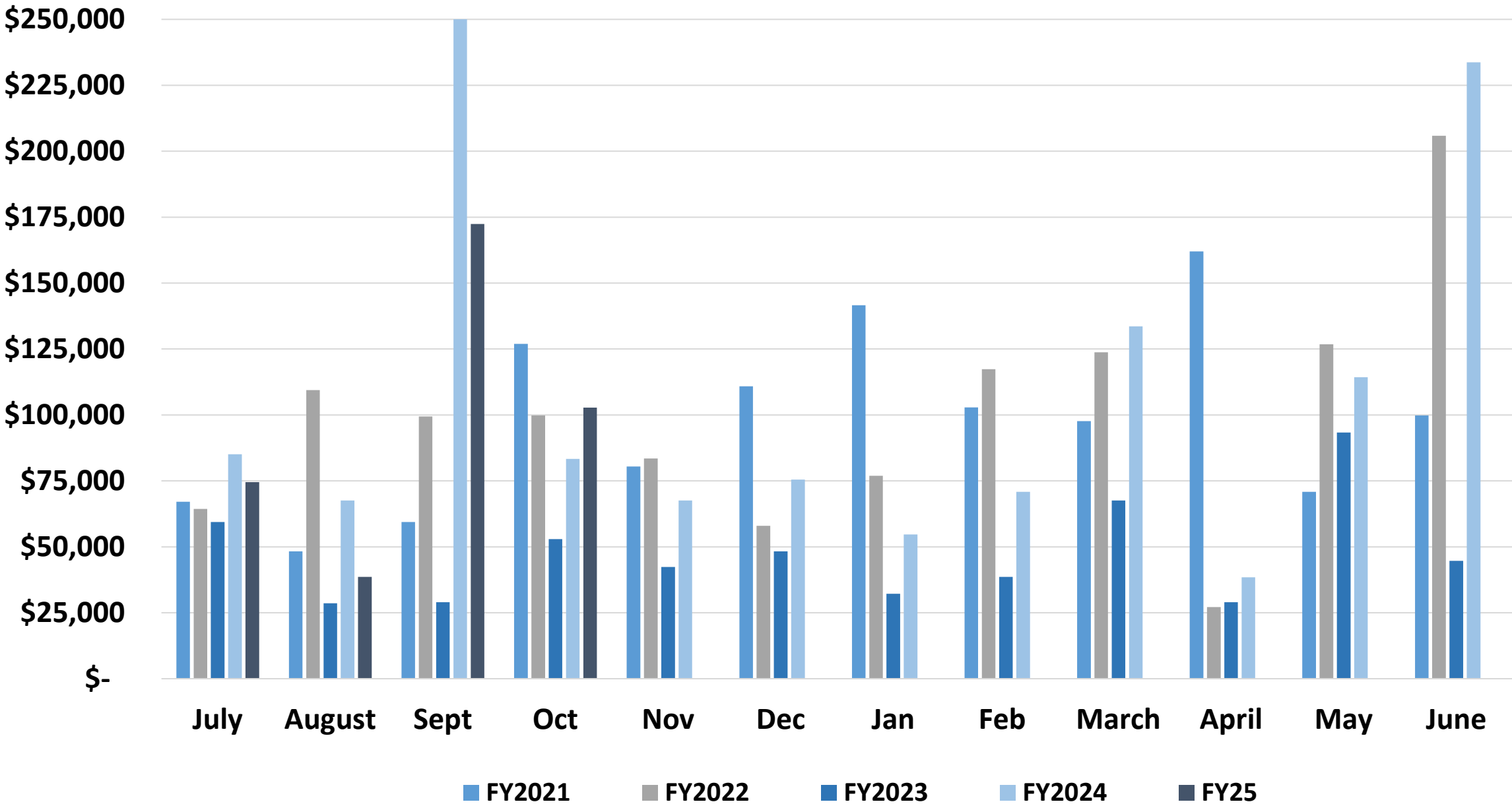


# Sewer Service Revenue through October

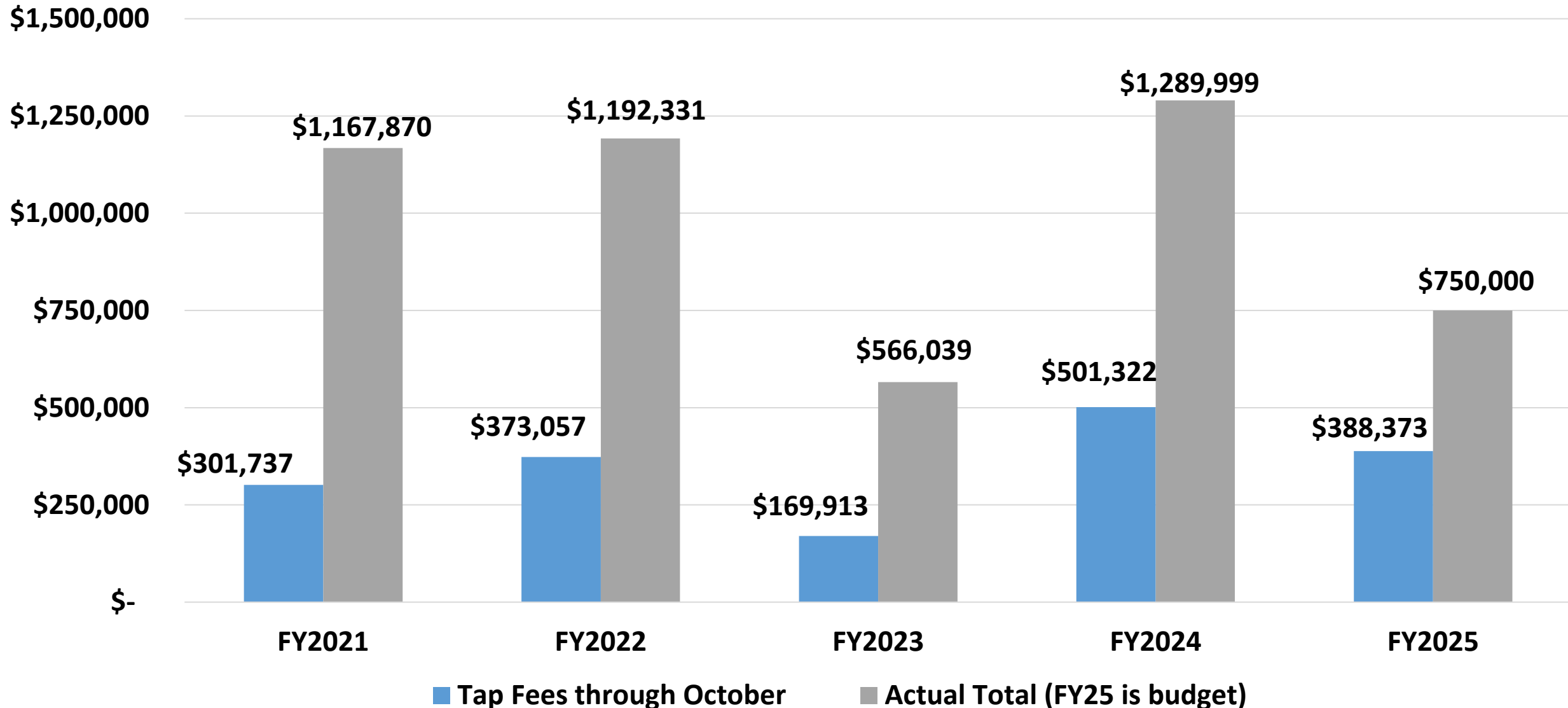




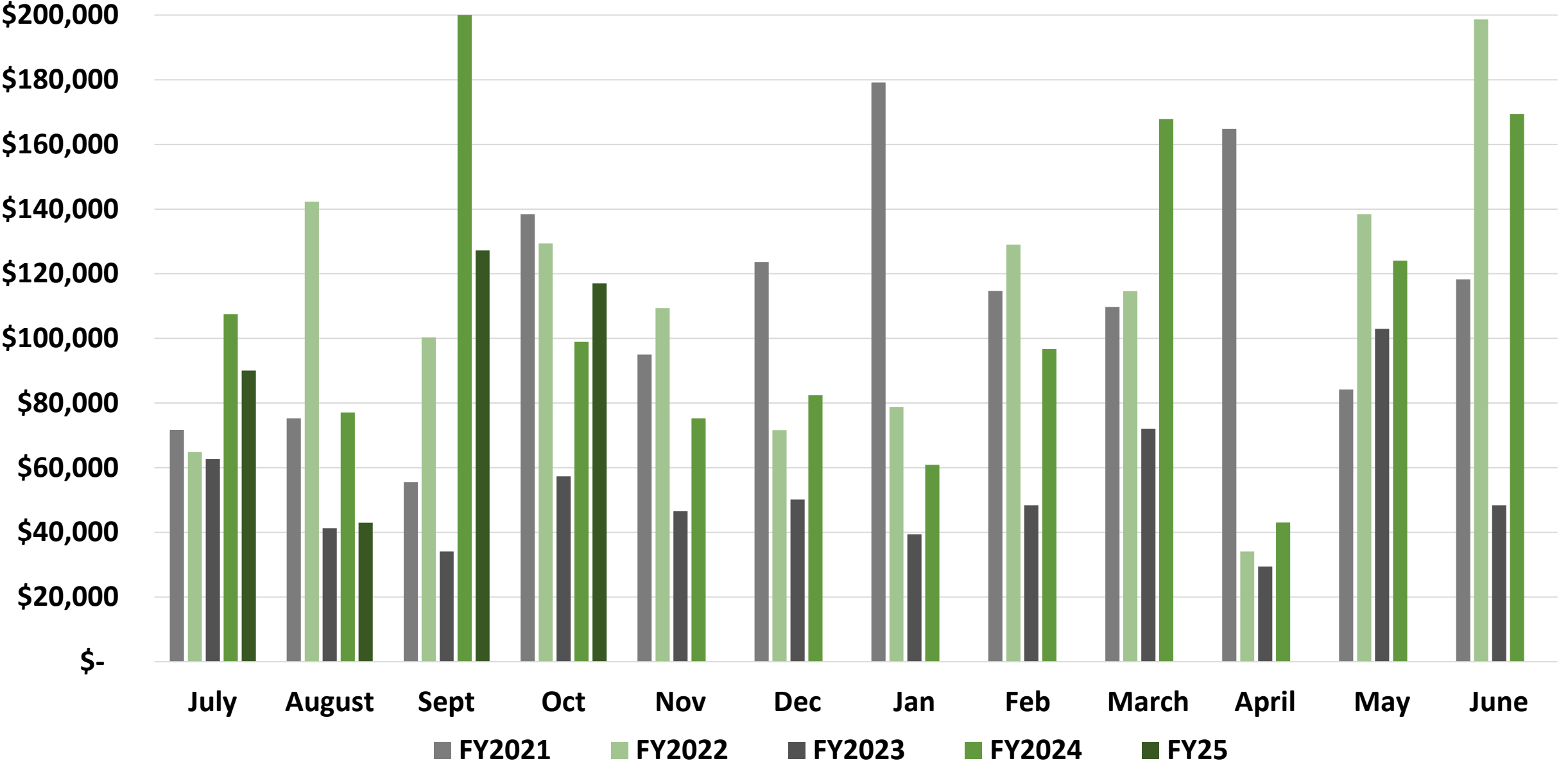
# Water Tap Fees



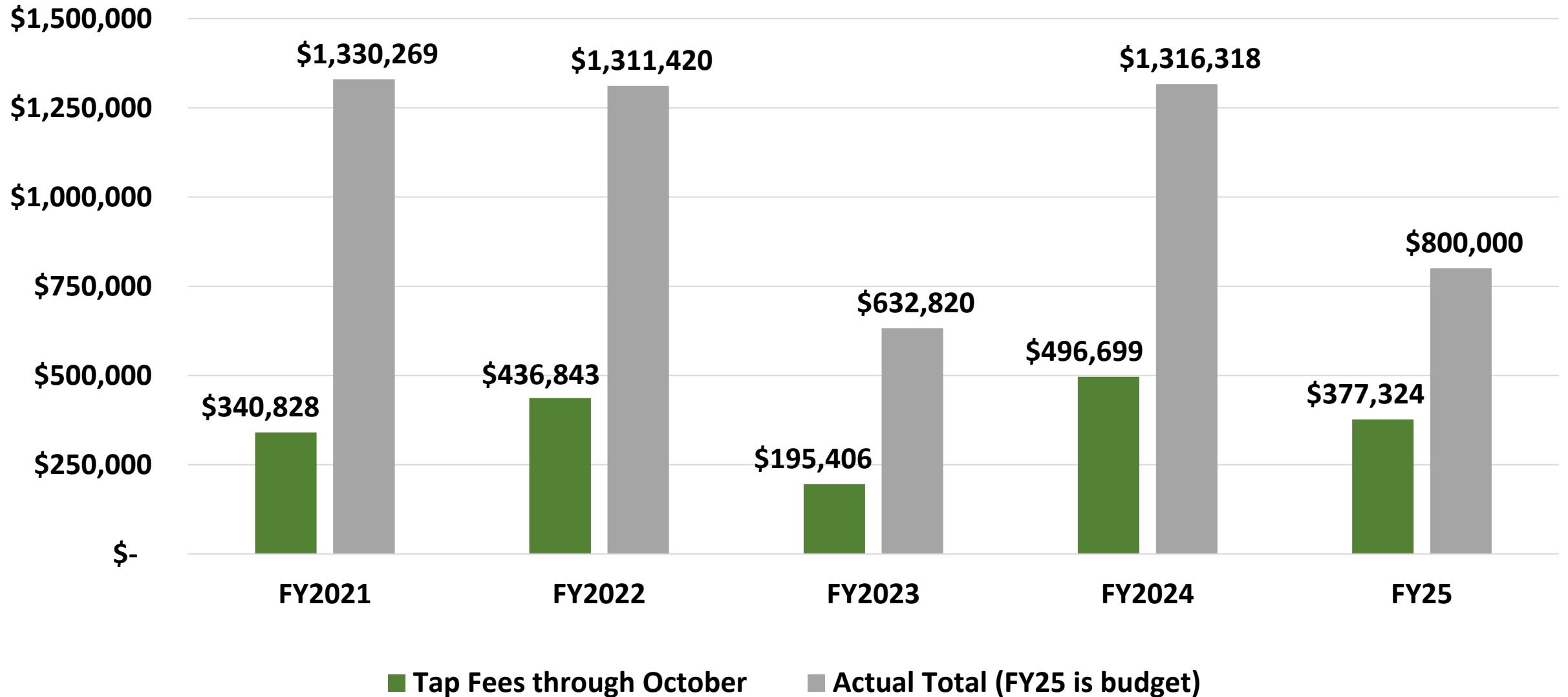
# Water Tap Fees through October



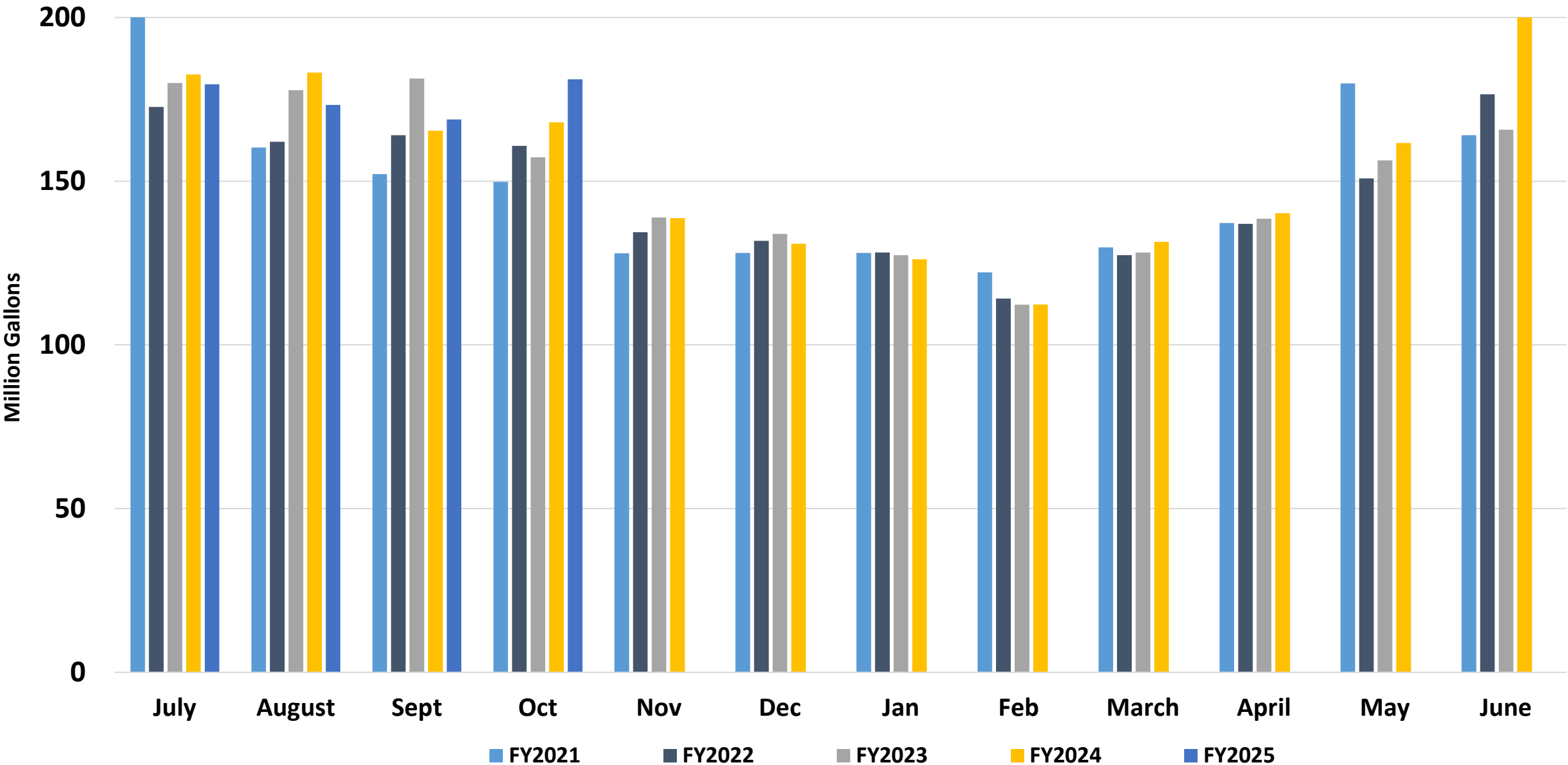
# Sewer Tap Fees



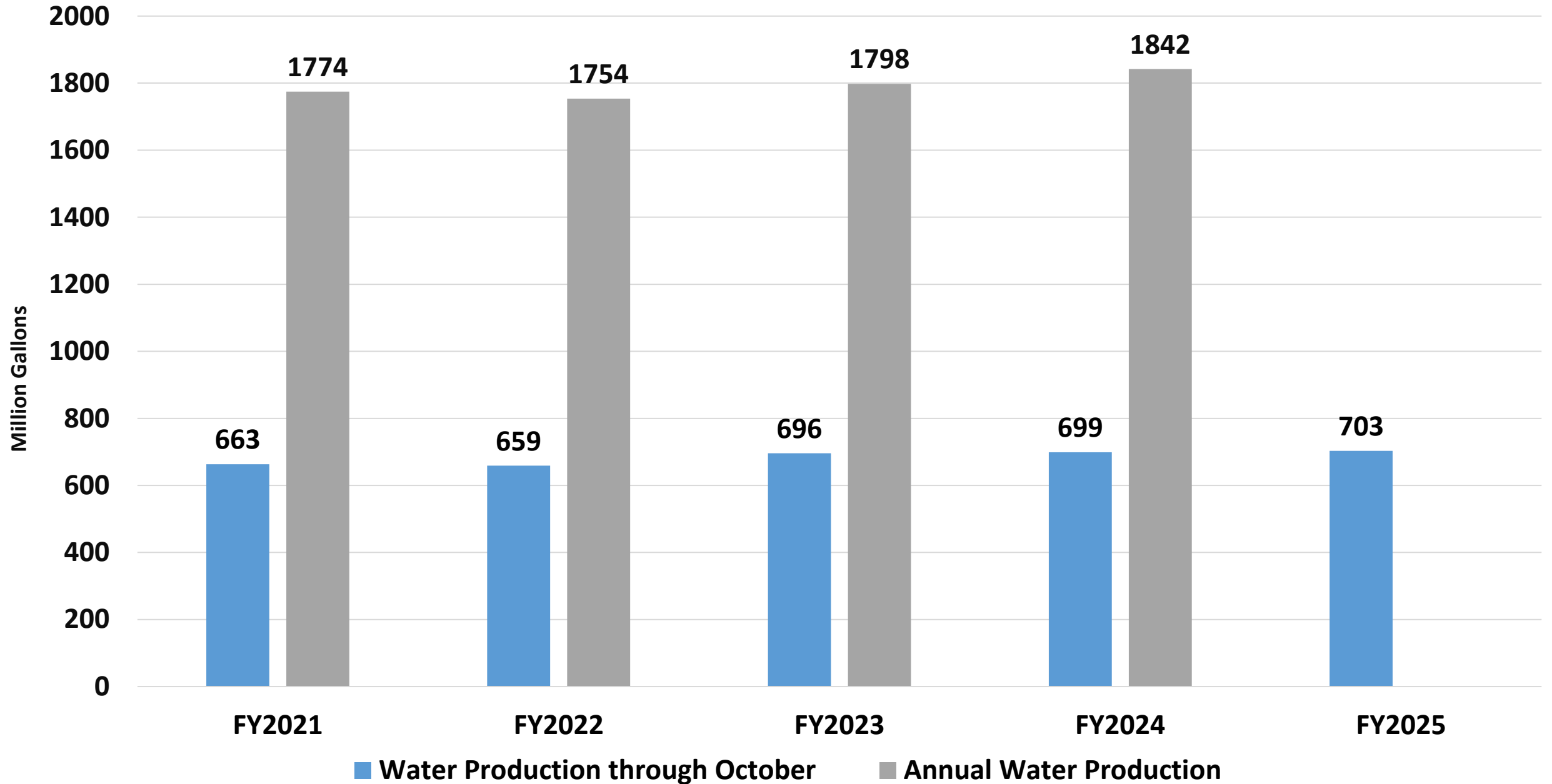
# Sewer Tap Fees through October



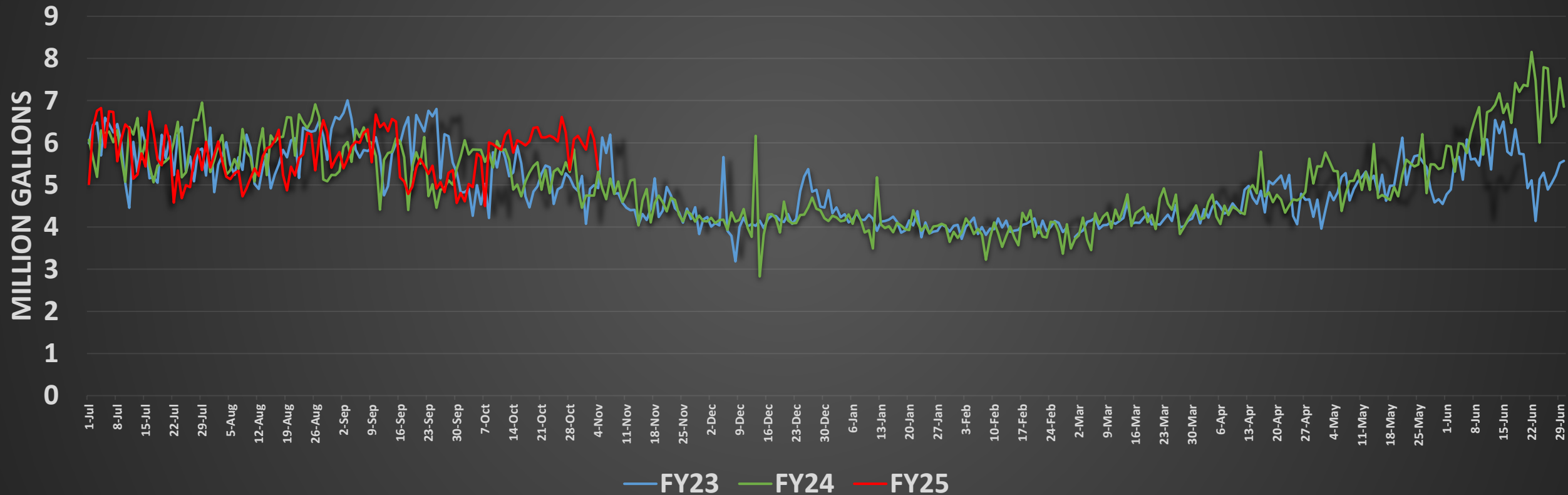
# Monthly Water Production



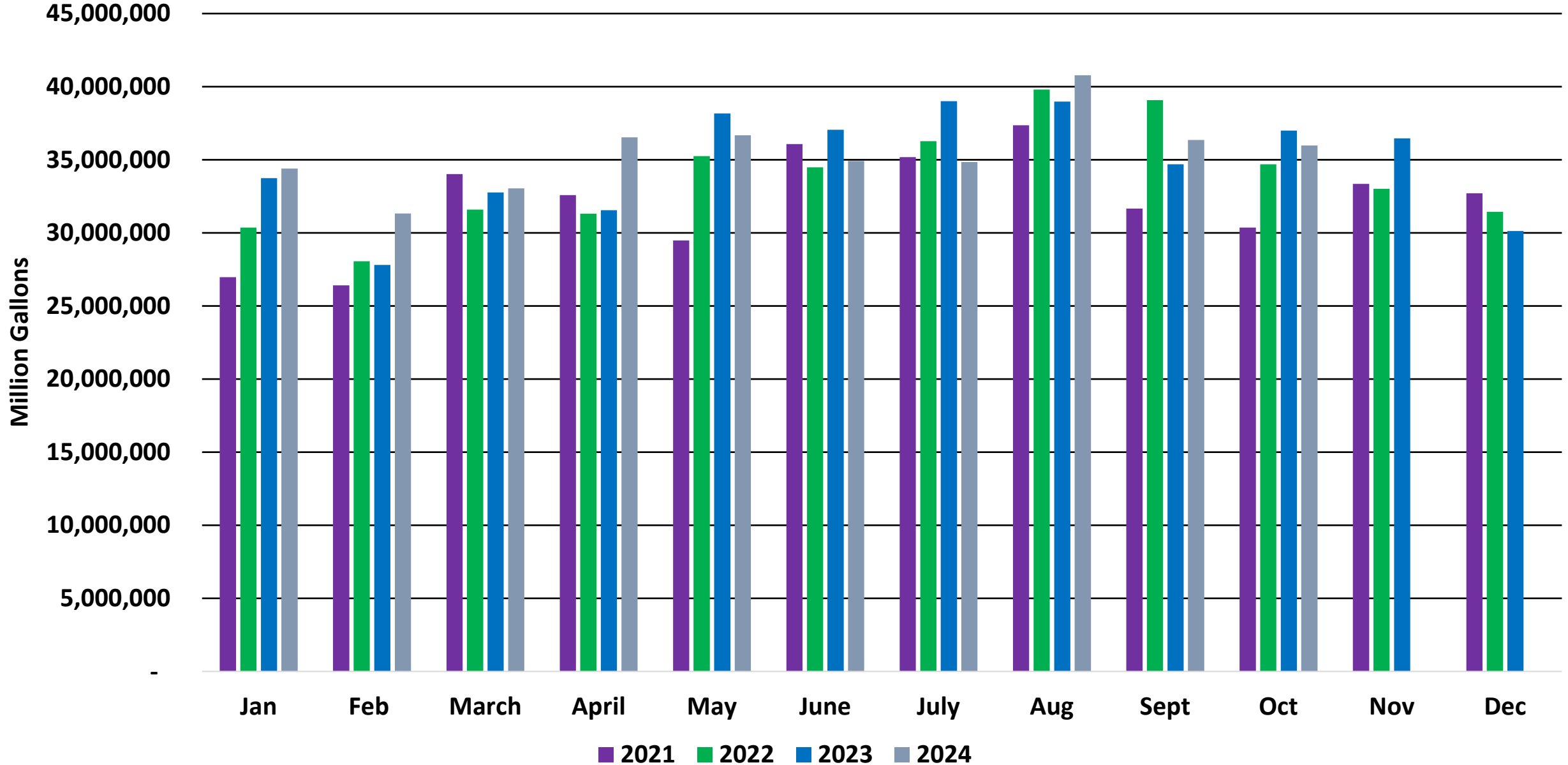
# Water Production through October



# Daily Water Production

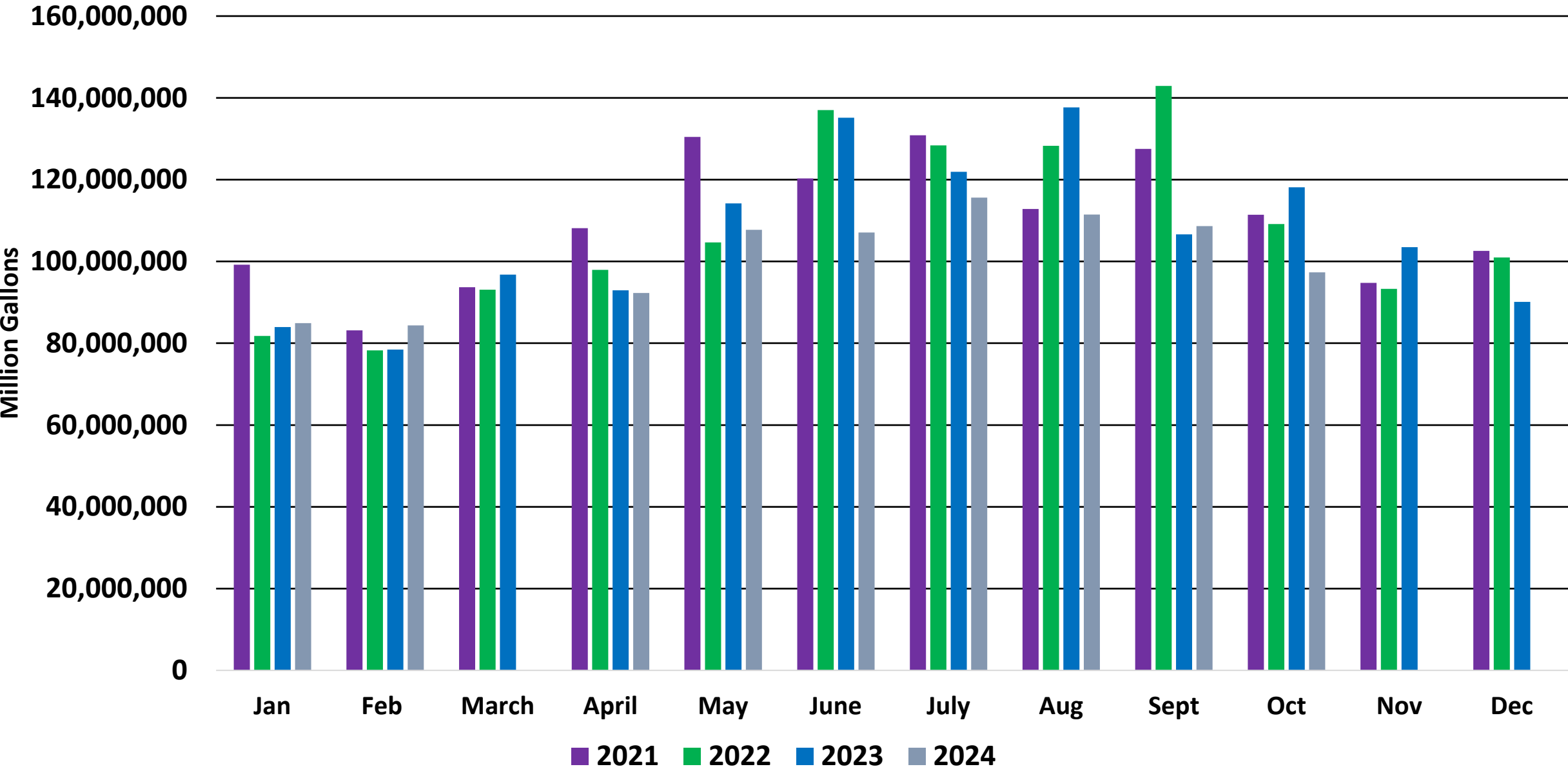


# Commercial Consumption

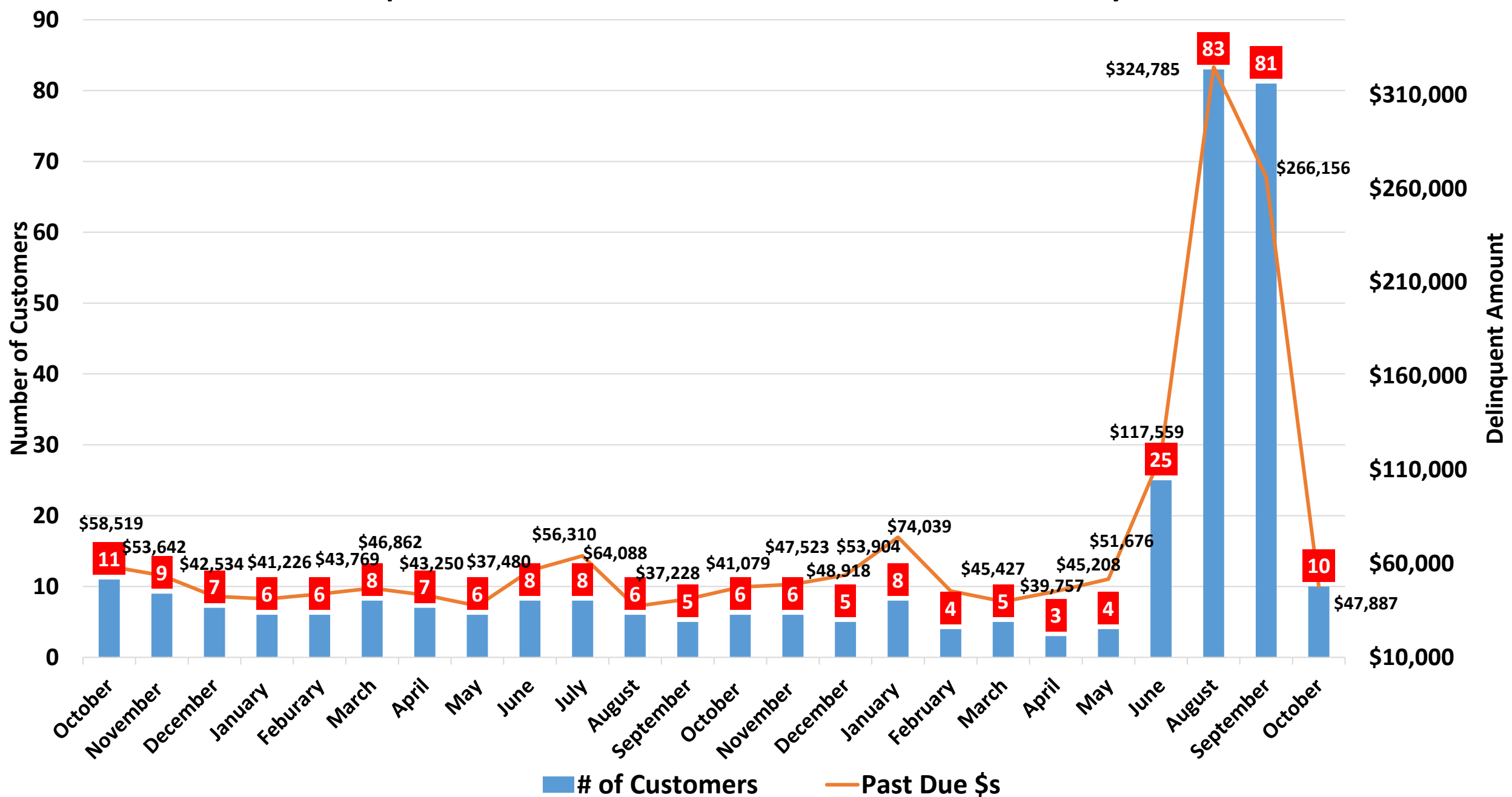




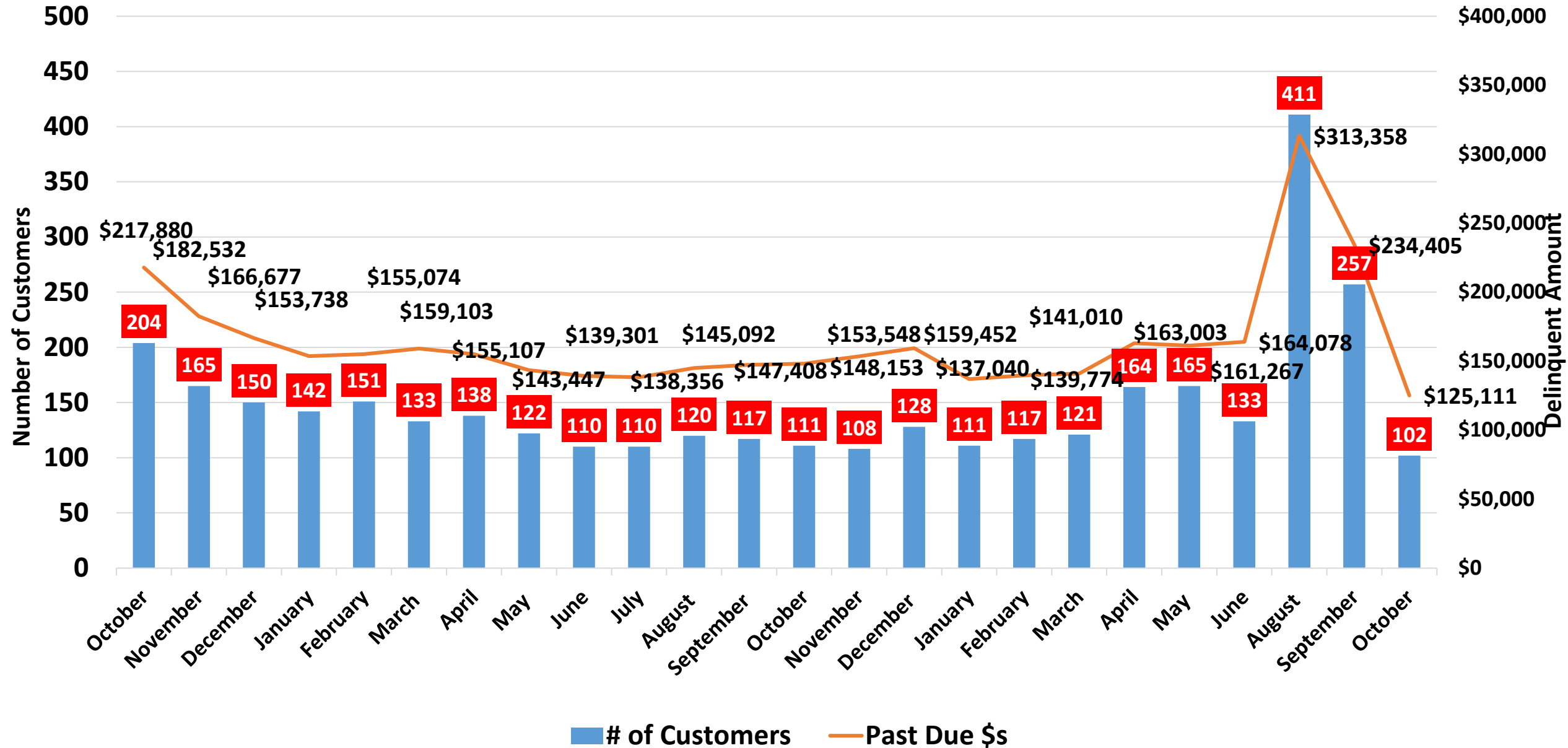
# Residential Consumption



# Delinquent Commercial Accounts Over \$500 and Over 90 Days



# Delinquent Residential Accounts Over \$300 and Over 90 Days



# Customer Service Call Volume

