

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE ELEVENTH DAY OF JULY , NINETEEN HUNDRED EIGHTY-THREE AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Stewart U. Taylor, Chairman
 Thomas D. Mahone, Vice-Chairman
 Perry M. DePue
 Jack D. Edwards
 Abram Frink, Jr.

James B. Oliver, Jr., Secretary
 John E. McDonald, Treasurer
 Frank M. Morton, III, County Attorney
 Wayland N. Bass, Consulting Engineer

B MINUTES - June 13, 1983

Mr. Mahone made the motion to approve the Minutes of June 13, 1983. The motion passed by a unanimous voice vote.

C. BOARD CONSIDERATIONS

Mr. Oliver suggested that Item C-2 be heard next.

2. Formal Acceptance of Water and Sewer Systems

Mr. Bass presented this matter to the Board requesting adoption of a Resolution formally accepting the dedication of certain water and sewer systems constructed during FY 1983.

Mr. Mahone made the motion to approve the Resolution. The motion passed by a unanimous voice vote.

RESOLUTION

ACCEPTANCE OF FORMALLY DEDICATED WATER AND SEWER SYSTEMS

WHEREAS, certain water and sewer systems have been constructed and dedicated to the James City Service Authority; and

WHEREAS, these water and sewer systems have been constructed in accordance with technical requirements of the James City Service Authority;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority does formally accept the dedication of the water and sewer systems listed below, as of June 30, 1983:

SEWER BOND ACCOUNT

Windsor Forest, Section 10	\$ 21,340
Windsor Forest, Section 11	5,450
Season's Trace, Section 4	18,920
Season's Trace, Section 6	27,720

GENERAL FUND WATER

Lake Toano, Section C	\$ 52,800
-----------------------	-----------

PROJECT AREA NUMBER 4, SEWER

Pelham's Ordinary, Phase II	\$ 9,310
Kingsmill Tennis Center	9,102
Yearley's Grant	282,652

LONGHILL ROAD WATER

Windsor Forest, Section 10	\$ 11,100
Windsor Forest, Section 11	7,200
Season's Trace, Section 4	11,250
Season's Trace, Section 6	19,530

1. Lake Powell Road Water Main Extension

Mr. Bass presented this matter to the Board stating that Shellis, Inc. wants to develop a 70 unit residential development between Jamestown Road and the Birchwood Subdivision and is willing to prepay water availability charges in the amount of \$42,000 to help fund the water main extension. He recommended adoption of the resolution which authorizes the execution of the agreement between the developer and the Authority.

Mr. Bass also requested adoption of a Resolution awarding Contract No. 12 to Richard L. Crowder Construction Inc. and Contract 13 to James T. Wharton, Jr., Contractor, Inc. for construction of the Lake Powell Road Water mains.

Mr. Mahone stated that one argument people have against public water on Lake Powell Road was that it would accelerate development in that area. He also stated that with the Williamsburg Landing development in the process, the extension of public water in this area should go forward.

Mr. DePue proposed that since Williamsburg Landing is not a sure proposition at this time that the Board pass the Resolution presented amended to read "and authorizes County staff to negotiate an extension of said contract to extend said water line to the proposed site of the Shellis, Inc. Apartment construction." instead of "and Contract No. 13 to James T. Wharton, Jr., Contractor, Inc. in the amount of \$114,376." He recommended passage of the

substitute resolution so that the County could accomplish moving the water to where the County really needs it and can serve a revenue source and not extend it to residential neighborhoods where there is not a sure source of revenue.

Mr. Frink requested comments from the staff on this issue.

Mr. Oliver stated that he would respectfully ask that the Board not approve the substitute resolution for the following reasons: while he thinks it is technically permissible to amend the contract up to 25% of the amount, he thinks the County would have some legal problems in crossing into new territory with a contract already having been bid; secondly, that it would only be a matter of time for the County to go to a water service area that it wishes to serve which is an opportunistic situation; and lastly one of the considerations of contract no. 13 is a high preference of the school system that construction work be done across Rawls Byrd School during the summer months. He felt that with the favorable rates, that this is the appropriate time to award these contracts.

Mr. Edwards stated that he shared some of Mr. DePue's concerns about extending waterlines for a need that is not clearly there, but that in the case of Contract 13 the Board should either approve or disapprove it.

Mr. Mahone stated that he would agree with Mr. DePue's proposal.

Mr. Taylor stated that while the County has a favorable bid it should approve it now.

After further discussion on the matter, the roll call on Mr. DePue's motion to amend the Resolution was AYE: DePue, Mahone (2). NAY: Frink, Edwards, Taylor (3). The motion failed by a 3-2 vote.

Mr. Edwards made a motion to approve the Resolution as presented. The motion passed by a unanimous voice vote.

R E S O L U T I O N

RESOLUTION TO AWARD CONTRACT FOR LAKE POWELL ROAD WATER MAIN CONSTRUCTION

WHEREAS, James City Service Authority has budgeted funds to partially fund construction of this water main; and

WHEREAS, the Authority is in receipt of developer's funds to help pay for construction; and

WHEREAS, this water main is recommended in the County Master Water Plan.

NOW, THEREFORE, BE IT RESOLVED that the James City Service Authority Board of Directors hereby awards Contract No. 12 to Richard L. Crowder Construction, Inc. in the amount of \$99,974 and Contract No. 13 to James T. Wharton, Jr., Contractor, Inc. in the amount of \$114,376.

BE IT FURTHER RESOLVED that James B. Oliver, Jr., Secretary to the Board, is hereby

empowered to execute these contracts between James City Service Authority, Richard L. Crowder Construction, Inc. and James T. Wharton, Jr., Contractor, Inc.

Mr. DePue made the motion to approve the Resolution authorizing the execution of the Agreement between Shellis, Inc. and the Authority. The motion passed by a unanimous voice vote.

RESOLUTION

SHELLIS INC. AND JAMES CITY SERVICE AUTHORITY

WHEREAS, the Authority has planned the construction of a water main across the property of Shellis, Inc; and

WHEREAS, Shellis, Inc. wants to obtain County water service and is willing to prepay \$42,000 in water availability charges.

NOW, THEREFORE, BE IT RESOLVED that the Chairman and Secretary of the Board of Directors of the James City Service Authority are hereby authorized and directed to execute the attached agreement between the Authority and Shellis, Inc.

BE IT FURTHER RESOLVED that \$42,000 to be paid by Shellis to the Authority is hereby appropriated for water main construction.

SHELLIS INC. WATER SUPPLY

THIS AGREEMENT, made this 11th day of July, 1983, by and between James City Service Authority herein referred to as "Authority" and Shellis, Inc. herein referred to as "Developer,"

WHEREAS, the Developer wants to obtain Authority water to property which he plans to develop and,

WHEREAS, the Authority plans to construct a water main along a Route which is acceptable to Developer,

NOW THEREFORE, in consideration of these premises and in order to effect the agreement, the parties mutually consent and agree as follows:

1. The Developer agrees to pay \$42,000 to help pay for water main construction.
2. The Developer will pay this sum in four monthly installments of \$10,500 each beginning with the first progress payment to the water main construction contractor by the Authority.
3. The Developer agrees to grant the Authority an easement for this water main across his property. The Authority agrees to pay Developer the appraised value of the easement.

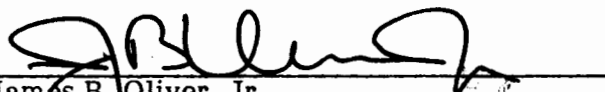
4. The Authority agrees that the sum of \$42,000 is prepayment of the availability charge for 70 residential units to be constructed on Developer's property. Developer may purchase additional connections as needed for \$600 each.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their duly authorized officers, the day and year first above written.

D. BOARD REQUESTS AND DIRECTIVES

Mr. DePue made the motion to adjourn. The motion passed by a unanimous voice vote.

The Board of Directors Meeting **ADJOURNED** at 7:30 P.M.


James B. Oliver, Jr.
Secretary

RS
BOD1