

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 23RD DAY OF OCTOBER, NINETEEN HUNDRED EIGHTY-NINE, AT 3:49 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Thomas K. Norment, Jr., Chairman
Jack D. Edwards, Vice Chairman
Perry M. DePue
Thomas D. Mahone
Stewart U. Taylor

David B. Norman, Secretary
John E. McDonald, Treasurer
Frank M. Morton, III, County Attorney
Sanford B. Wanner, General Manager

B. MINUTES - September 18, 1989

Mr. Norment asked if there were corrections or additions to the minutes.

Mr. Taylor made a motion to approve the minutes as presented.

The motion was approved by a unanimous voice vote.

C. CONSENT CALENDAR

Mr. Norment asked if any Board member wished to remove any item from the Consent Calendar.

Mr. Mahone asked that Item 2 be removed.

Mr. Norment made a motion to approve Items 1 and 3 on the Consent Calendar.

The motion was approved by a unanimous voice vote.

1. Service Authority/County Building E Lease AgreementJ O I N T R E S O L U T I O NSERVICE AUTHORITY/COUNTY BUILDING E LEASE AGREEMENT

WHEREAS, James City Service Authority and James City County desire to enter into a lease agreement for Building E with an effective date of April 1, 1989.

NOW, THEREFORE, BE IT RESOLVED that the Chairman and Clerk of the Board of Supervisors and Chairman and Secretary to the James City Service Authority, James City County, Virginia, be authorized to execute the lease agreement between the Service Authority and the County.

3. York County Water Connection - Lewis H. Hunt, Jr.R E S O L U T I O NYORK COUNTY WATER CONNECTION

WHEREAS, Mr. Lewis H. Hunt, Jr., has requested permission to connect his property at 5574 Mooretown Road to the James City Service Authority water system located on Mooretown Road; and

WHEREAS, this request has been authorized by the York County Board of Supervisors; and

WHEREAS, the York County Board of Supervisors has petitioned the Board of Directors to give favorable consideration to this request.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority does hereby approve the connection of the residence at 5574 Mooretown Road to the James City Service Authority water system. This approval is subject to the payment of all appropriate availability charges and quarterly fees and the installation of service connection in accordance with Service Authority regulations.

2. Award of Contract - James City Service Authority Vehicles

Mr. Mahone questioned why only one bid was received from six advertisements.

Mr. Robert Smith, Assistant Manager, James City Service Authority, stated that one bid was not opened as the person to whom it was addressed was on vacation, and that local vendors do not respond with competitive prices as they have a difficulty competing with the Peninsula dealers.

Mr. Norman indicated that the bid prices were reasonable when compared with State contracts.

Mr. Mahone made a motion to approve Item 2 on the Consent Calendar.

The motion was approved by a unanimous voice vote.

R E S O L U T I O N

AWARD OF EQUIPMENT PURCHASE CONTRACT

WHEREAS, funds have been allocated in the FY 90 budget for purchase of certain vehicles necessary for ongoing Service Authority responsibilities; and

WHEREAS, specifications for said vehicles have been prepared and advertised for procurement; and

WHEREAS, competitive bids were sought with only one bid being received from Thompson Ford of Hampton, Virginia in the amount of \$129,851.00.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, approves award of the contract for vehicles to Thompson Ford in the amount of \$129,851.00 and authorizes and directs the Secretary to the Board to execute the equipment contract.

D. BOARD CONSIDERATIONS

1. JCSA Capital Improvements Program (CIP) Shortfall

Mr. John McDonald, Treasurer, JCSA, stated that the projected June 30, 1989, cash balances exceed the available year-end cash by \$755,000; the reasons being that the Authority had projected borrowing funds to finance Route 199 water tank, and retired FmHA debt by paying on an accelerated schedule. Staff recommended approval of the resolution.

Mr. Mahone made a motion to approve the resolution.

The motion was approved by a unanimous voice vote.

R E S O L U T I O N

FY 89 CAPITAL IMPROVEMENTS PROGRAM SHORTFALL

WHEREAS, the Board of Directors has been advised that budget authority exceeds revenues as of June 30, 1989; and

WHEREAS, the Capital Improvements Program should be reduced in the Sewer Improvements Escrow Account to make this adjustment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby authorizes a reduction of \$755,000 in the budgeted fund balance for the Sewer Improvement Escrow Account in the Capital Improvement Budget.

2. Acquisition of Kristiansand and James Shire Water System

Mr. Wanner stated that Mr. George F. Brunk, Jr., President, Brunk Mechanical Corporation, had offered for sale the Kristiansand and James Shire Water Systems. He further stated that a request was made for postponement at the last Board of Directors' meeting, so that he and Mr. DePue could meet with the Kristiansand Homeowners Association. A meeting was held on October 9, 1989, and no objections were raised.

Staff recommended approval of the resolution.

Mr. DePue made a motion to approve the resolution.

The motion was approved by a unanimous voice vote.

R E S O L U T I O N

PURCHASE OF KRISTIANSAND AND JAMES SHIRE WATER SYSTEMS

WHEREAS, the Board of Directors of the James City Service Authority desires to acquire Kristiansand and James Shire Water Systems including, well lots, pumping facilities, distribution lines, other appurtenances and all easements that are pertaining thereto; and

WHEREAS, the Board has appropriated \$260,000 for that purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the James City Service Authority hereby authorizes and directs the following:

1. That the Chairman and the Secretary of the Board execute the attached bill of sale transferring the Kristiansand and James Shire Water System Property to the Service Authority.
2. That acquisition of the Kristiansand and James Shire Water Systems be for the sale price of \$260,000.
3. That the Chairman and Secretary execute all documents necessary to finalize the acquisition of the Kristiansand and James Shire Water Systems.
4. That on the effective date of purchase, all Kristiansand and James Shire Water System customers shall become customers of the Authority and shall be subject to applicable provisions of the adopted Regulations Governing Utility Service.

3. Well Construction Contract - Waterworks Facility, Phase III, Chickahominy Road

Mr. Wanner stated that 4 bids were received and recommended acceptance of the lowest responsive and responsible bidder, Gammon Well Drilling. The Board of Supervisors had previously approved the special use permit and acquisition of the property. Staff recommended approval of the resolution.

Mr. Taylor made a motion to approve the resolution.

The motion was approved by a unanimous voice vote.

R E S O L U T I O N

CONTRACT FOR WELL CONSTRUCTION WATERWORKS FACILITY,

PHASE III, CHICKAHOMINY ROAD

WHEREAS, the James City Service Authority publicly opened bids for the Waterworks Facility, Phase III, well drilling on October 12, 1989; and

WHEREAS, it has been determined that the lowest responsive and responsible bid of \$131,390 was that submitted by Gammon Well Drilling; and

WHEREAS, funds are available in the James City Service Authority Capital budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors for the James City Service Authority, hereby approves the award of a contract for the well construction, Waterworks Facility, Phase III, Chickahominy Road to Gammon Well Drilling on basis of their bid of \$131,390 and authorizes and directs the Secretary to the Board to execute a contract for this work

4. Personnel Policy Change - Section 5.13, Health Insurance

Mr. Wanner stated that the Board of Supervisors had approved the Personnel Policy changes and that the changes for the Service Authority were identical. Staff recommended approval of the resolution.

Mr. Taylor made a motion to approve the resolution.

The motion was approved by a unanimous voice vote.

R E S O L U T I O N

REVISION OF THE COUNTY PERSONNEL POLICIES

AND PROCEDURES MANUAL

WHEREAS, the Board of Directors of James City Service Authority wants to provide fair and adequate group health insurance for employees and their immediate family members; and

WHEREAS, the Authority strives to minimize the increased cost of health care to both the Authority and employees.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, hereby adopts the attached revision of Section 5.13 of the Personnel Policies and Procedures Manual of James City County.

E. BOARD REQUESTS AND DIRECTIVES

Mr. Wanner stated that he had attended the Regional Raw Water Study group as a County representative, and will be meeting with the Pamunkey River Study group on November 3 to discuss alternatives.

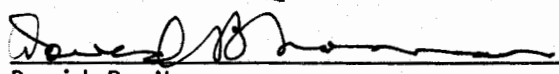
Mr. Wanner introduced Jim Franklin, graduate student from William and Mary and intern for Bob Smith. Mr. Wanner stated that Mr. Franklin was responsible for doing the final analysis of the Kristiansand Water System, which brought down the sale price.

The Board expressed its appreciation for work well done.

Mr. Taylor made a motion to adjourn.

The motion was approved by a unanimous voice vote.

The Board of Directors adjourned at 4:07 p.m.



David B. Norman
Secretary

THIS LEASE, made this first day of April 1989, between James City County, (hereinafter called the "Lessee" and the James City Service Authority (hereinafter called the "Lessor").

W I T N E S S E T H:

That for and in consideration of TEN DOLLARS (\$10.00) paid by Lessee to Lessor, the receipt of which is hereby acknowledged and the mutual covenants setforth herein, the parties agree as follows:

1) the Lessee shall pay \$10.00 per square foot for 5,714.4 square feet it leases from the Lessor in Building E of the Government Center, a total of \$57,144 paid in equal monthly installments of \$4,762. The rent shall be retroactive to April 1, 1989, and shall be due as a lump sum for the months of April through September 1989, upon execution of this lease. Thereafter, the rent shall be due on the first day of each month;

2) the Lessor shall pay for utilities, maintenance, housekeeping and custodial services for the building;

3) the term of the lease shall be 25 years. Every 5 years the lease payment shall be increased by the percentage change in the BLS Consumer's Price Index;

4) the Lessee shall lease to the Lessor the land upon which the building and other improvements were constructed for \$1 per year;

5) the Lessor shall not sell nor lease any property it owns at the Government Center without the express consent of the Lessee. In the event the Lessee sells all or part of the Government Center, the Lessor shall be justly compensated for any loss;

6) the Lessor shall be entitled to quiet enjoyment of property leased from the Lessee, as shall the Tenant be similarly entitled from the Lessor; and

7) all disputes shall be negotiated between the Lessor and Lessee; should those parties be unable to agree, the County Administrator shall resolve the issues in dispute.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed.

JAMES CITY COUNTY

Thomas D. Mahone
Thomas D. Mahone, Chairman
Board of Supervisors

Attest:



David B. Norman
Clerk

JAMES CITY SERVICE AUTHORITY

Thomas K. Norment, Jr.
Thomas K. Norment, Jr., Chairman
Board of Directors

ATTEST:



David B. Norman
Secretary

STATE OF VIRGINIA
County of James City, to-wit:

I, MARI Lou SMITH, a Notary Public in and for the County and State aforesaid, do hereby certify that Thomas D. Mahone, Chairman, and David B. Norman, Clerk, whose names are signed to the writing hereto annexed, bearing date on the 1st day of April, 1989, have acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand this 23rd day of October, 1989.

Mari Lou Smith
Notary Public

My Commission expires: February 8, 1993.

STATE OF VIRGINIA
County of James City, to-wit:

I, MARI Lou SMITH, a Notary Public in and for the County and State aforesaid, do hereby certify that Thomas K. Norment, Jr., Chairman, and David B. Norman, Secretary, whose names are signed to the writing hereto annexed, bearing date on the 1st day of April, 1989, have acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand this 23rd day of October, 1989.

Mari Lou Smith
Notary Public

My Commission expires: February 8, 1993.

COMES NOW, BRUNK MECHANICAL CORPORATION, George F. Brunk, Jr., and Isaac H. Oberholtzer, Jr., for and in consideration of two hundred sixty thousand dollars (\$260,000) and other good and valuable considerations paid by the JAMES CITY SERVICE AUTHORITY (Authority) to the Brunk Mechanical Corporation the receipt whereof is hereby acknowledged, the Brunk Mechanical Corporation does hereby grant, sell, transfer and deliver unto the Authority, the following goods and chattels, to wit:

All personal property, tangible and intangible, owned by the Brunk Mechanical Corporation, identified as Kristiansand and James Shire Water System on the attached deed, which is used by the Brunk Mechanical Corporation for the collection, storage, and distribution of water; including, but not limited to wells, storage tanks, pipes, valves, meters, fittings, hand and power tools and all implements, tools and miscellaneous supplies used in constructing, maintaining operating and supplying water to the citizens and customers of the Kristiansand and James Shire Water System service area.

To have and to hold all singular the said goods and chattels to the Authority.

And, the Brunk Mechanical Corporation hereby covenants with the Authority that it is the lawful owner of such goods and chattels; that it has the right to sell same as aforesaid, that they are free from all encumbrances; and that the Brunk Mechanical Corporation will warrant and defend the same against all lawful claims and demands existing at the time of this sale.

WITNESS, the following signatures and seals:

BRUNK MECHANICAL CORPORATION
A Virginia Corporation

BY: *George F. Brunk, Jr.*
GEORGE F. BRUNK, JR.
President

BY: *Isaac H. Oberholtzer, Jr.*
ISAAC H. OBERHOLTZER, JR.

ATTEST:

BY: *Thomas K. Norment, Jr.*
THOMAS K. NORMENT, JR.
Chairman, Board of Directors

ATTEST:

David B. Norman
David B. Norman
Secretary to the Board

Section 5.13 Health Insurance (Rev. 10/23/89)

- A. Group Health Insurance Plan - The County shall provide at least one group health insurance option.
- B. Eligibility - All employees in full-time permanent and limited term positions and their spouses and dependent children are eligible for group health insurance coverage.
- C. Cost - The County shall pay at least a portion of the cost of the group health insurance coverage.
- D. Details of Plans - The plan is detailed in materials which may be obtained from the Personnel Department.

Section 5.14 Deferred Compensation

- A. Authority - The County sponsors a deferred compensation plan to allow County employees to defer a portion of their salary for retirement purposes. The plan is voluntary and is in accordance with appropriate federal and state laws.
- B. Eligibility - All employees in full-time and part-time permanent and limited term positions are eligible to participate in the deferred compensation plan.

Section 5.15 Flexible Benefits

- A. Premium Conversion - The County has adopted a program under Section 125 of the Internal Revenue Code which permits insurance premiums to be paid with pretax dollars. All employees who pay a portion of their County-sponsored insurance benefits are eligible to participate.
- B. Spending Accounts - The County has adopted a program under Section 125 of the Internal Revenue Code which permits employees to pay for certain health care and dependent care expenses with pretax dollars on a reimbursable basis. All employees in part-time and full-time permanent and limited term positions are eligible to participate.
- C. Details of Plans - The plans are detailed in materials which may be obtained from the Personnel Department.

Section 5.16 Credit Union

- A. Langley Federal Credit Union - The employees of James City County do not have their own credit union. However, the Langley Federal Credit Union welcomes County employees as members.