

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 16TH DAY OF MARCH, NINETEEN HUNDRED NINETY-TWO AT 5:45 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Stewart U. Taylor, Chairman  
David L. Sisk, Vice Chairman  
Perry M. DePue  
Jack D. Edwards  
Judith N. Knudson

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

B. MINUTES - February 18, 1992

Mr. Taylor 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

1. Setting Public Hearing - Connection Charge

Mr. Larry M. Foster, General Manager, James City Service Authority, stated that based on the Water and Sewer System Facility Charge Study, no proposed changes were made for FY 93. However, should the Board determine a change was necessary, staff requested approval to set a public hearing for June 15, 1992, at 1:00 p.m.

Mr. Edwards made a motion to approve setting the public hearing.

The motion was approved by a unanimous voice vote.

2. Award of Contract for Jet/Vacuum Vehicle

Mr. Foster stated that three bids were received for a combination sanitary sewer jet/vacuum vehicle needed to comply with conditions established in the recent Consent Order with the State Water Control Board. Staff determined the most responsive bid was \$153,349 submitted by Virginia Public Works Equipment.

Staff recommended approval of the resolution.

Mr. Edwards 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

#### AWARD OF CONTRACT FOR JET/VACUUM VEHICLE

WHEREAS, \$135,000 was appropriated in the FY 92 Capital Improvements Budget to purchase a combination sanitary sewer jet/vacuum vehicle; and

WHEREAS, requests for bids were issued, responses evaluated and the lowest bid meeting the specifications was determined; and

WHEREAS, it has been determined that the bid submitted by Virginia Public Works Equipment for a Peabody Myers Vactor Model 2110 2-stage combination sanitary sewer jet/vacuum vehicle in the amount of \$153,349 was the lowest responsible/responsive bid.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, Virginia, authorizes and directs the Secretary to the Board to execute a contract with Virginia Public Works Equipment, for the purchase of a Peabody Myers Vactor Model 2110 2-stage combination sanitary sewer jet/vacuum vehicle for the sum of \$153,349.

BE IT FURTHER RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, authorizes the transfer of \$18,349 from Capital Contingency to the Capital Improvements Account to cover the difference in the amount appropriated and the purchase amount.

#### 3. Acquisition of Real Property

Mr. Frank M. Morton, III, County Attorney, stated that pursuant to the discussion held at the Board of Directors' executive session on February 18, 1992, a resolution for approval of acquisition of real property at the intersection of Kingspoint Drive and Kingspoint Access Road for a sewer pump station site was being brought forward for consideration.

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  
ACQUISITION OF REAL PROPERTY

WHEREAS, the General Manager of the James City Service Authority has reported to the Board and recommended that a sewer pump station site and an ingress and egress off Kingspoint Drive be acquired by the Authority; and

WHEREAS, the General Manager has determined that .062± acres will be required for said sewer pump station site and .041± acres for a permanent easement for ingress and egress; and

WHEREAS, an appraisal and a survey have been completed; and

WHEREAS, it is evident that the parties are unable to agree upon a value for the property; and

WHEREAS, the Authority pursuant to Title 15.1, Chapter 28 of the Code of Virginia may exercise the right of eminent domain and may follow the procedure provided for the Commonwealth Transportation Commissioner as set forth in Title 33.1, Chapter 1.

NOW, THEREFORE, BE IT RESOLVED

1. That a public necessity for the acquisition of the aforesaid property exists.
2. That it is necessary for the Authority to take possession of such property prior to condemnation.
3. That the Chairman and Treasurer of this Board, be, and they are hereby authorized and directed to acquire in the manner provided by Title 15.1, Chapter 7, Article 1, of the 1950 Code of Virginia, as amended, and by Title 33.1, Chapter 1, Article 7 of the 1950 Code of Virginia, as amended, certain real property as described below in James City County, Virginia, together with all rights and appurtenances thereto.
4. That Francis A. Cherry, Jr., of Randolph, Boyd, Cherry and Vaughan is appointed as agent and attorney for the authority for the purposes of acquiring the pump site and easement by conveyance or instituting condemnation proceedings in the name of the Authority.
5. That the attorney is authorized to offer the owner as compensation fifteen hundred dollars (\$1,500.00) for the acquisition and damages to the remainder, if any.
6. That the name of the present owner of the land to be acquired as provided in Paragraph 2 of the Resolution together with a substantial description of the parcel is as follows:

All that certain lot, piece or parcel of land in James City County, Virginia, at the intersection of Kingspoint Access Road and Kingspoint Drive designated as 2,696 square feet  $\pm$  in fee simple and 1,785 square feet  $\pm$  for permanent ingress, egress and utility easement as shown and set forth on that certain plat attached hereto and made a part hereof entitled "Plat Showing Pump Station Site owned by Robert Friend Boyd for Conveyance to the James City Service Authority" dated February 20, 1992, and made by AES, Engineer Surveyors and planners and designated as Job No. 7289-10.

Being a portion of the property, a one-half interest in which was conveyed to Robert F. Boyd by deed from Margaret B. Miller, dated October 28, 1965, and recorded December 13, 1965.

7. That in the event of the property described in Paragraph 6 of this Resolution has been conveyed to any other party, the Attorney is authorized and directed to institute proceedings against the successors in title.
8. That an emergency is hereby declared to exist and this Resolution shall be effective from the date of its passage.

D. BOARD REQUESTS AND DIRECTIVES

Mr. Edwards made a motion to adjourn.

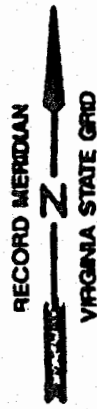
The motion was approved by a unanimous voice vote.

The Board of Directors adjourned at 5:56 p.m.



David B. Norman  
Secretary

REFERENCE: PLAN TITLED "PARTIAL BOUNDARY AND TOPOGRAPHY FOR PROPOSED LIFT STATION SITE" BY SPEARMAN AND ASSOCIATES, P.C., DATED 1/22/91.




REMAINING PROPERTY OF BOYD

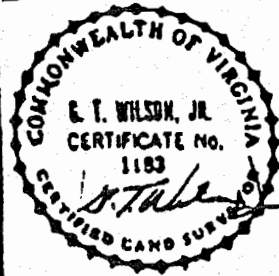
PERMANENT INGRESS, EGRESS AND UTILITY EASEMENT  
1,785 S.F. ±  
0.041 AC. ±

2,696 S.F. ±  
0.062 AC. ±

KINGSPPOINT ACCESS ROAD

KINGSPPOINT DRIVE

NOTE:  DENOTES AREA OF PERMANENT EASEMENT.



LOT 1  
KINGSPPOINT  
SECTION 1



Consulting Engineers

Engineers, Surveyors, Planners

Williamsburg, Virginia

PLAT SHOWING PUMP STATION SITE  
OWNED BY ROBERT FRIEND BOYD  
FOR CONVEYANCE TO THE JAMES CITY SERVICE AUTHORITY

JAMES CITY COUNTY

VIRGINIA

Scale: 1"=20'

Ref.: NOTED

Date: 2/20/92

Job No.: 7289-10