

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 JULY 2002, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Bruce C. Goodson, Chairman
Michael J. Brown, Vice Chairman
Jay T. Harrison, Sr.
James G. Kennedy
John J. McGlennon

Sanford B. Wanner, Secretary
Frank M. Morton, III, County Attorney
Larry M. Foster, General Manager

B. CONSENT CALENDAR

Mr. Brown made a motion to adopt the item on the Consent Calendar.

The motion passed by a unanimous voice vote.

1. Minutes - June 25, 2002, Regular Meeting

C. BOARD CONSIDERATIONS

1. Utility Participation Agreement - Wellington Subdivision

Mr. Foster stated that due to the proximity to existing and future water/sewer lines and other undeveloped property, the Wellington Development provided an opportunity to increase the size of the water/sewer lines and the pump station. After negotiations with the developer, incremental costs to increase the size of the water/sewer utilities were agreed to as \$55,695.00.

Staff recommended the Board approve the resolution authorizing the terms for the Chairman to sign a Utility Participation Agreement with American Eastern Inc., providing terms for reimbursement to the developer for additional expenses incurred to increase the capacity of water and sewer infrastructure as requested by the JCSA to serve future system needs.

Mr. Kennedy made a motion to adopt the resolution.

The motion passed by a unanimous voice vote.

RESOLUTION**UTILITY PARTICIPATION AGREEMENT -WELLINGTON SUBDIVISION**

WHEREAS, the James City Service Authority (JCSA) staff identified the opportunity to increase the capacity of the utilities to serve the Wellington Subdivision to provide for their integration into the JCSA infrastructure and improve the overall system; and

WHEREAS, the Regulations Governing Utility Service allows the JCSA to enter into a Utility Participation Agreement with a developer to provide the terms of reimbursing the incremental costs to increase the size of the utilities' infrastructure over that need to serve the development alone; and

WHEREAS, staff and American Eastern, Inc., have agreed on the amount of reimbursement necessary to compensate American Eastern for the expenses incurred to increase the size of their water and sewer facilities over that needed by their development.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, authorizes its Chairman to sign a Utility Participation Agreement with American Eastern, Inc., providing the terms of reimbursement for costs incurred to increase the size of a water and sewer infrastructure to serve the Wellington Development as requested by the JCSA staff.

2. **Utility Participation Agreement - U. S. Home Corporation**

Mr. Foster stated that the James City Service Authority's (JCSA) FY2003 Budget included funds to rehabilitate two sewerage pumping stations adjacent to Route 60 in Lightfoot. Between the two stations, U. S. Home Corporation is developing the Colonial Heritage at Williamsburg project. By partnering with U. S. Home in the expansion of a new station serving the development and enlargement of some of its required gravity sewer lines and force main, the two pumping stations can be eliminated.

Staff recommended the Board approve the resolution authorizing the Chairman to sign a Utility Participation Agreement with U. S. Home Corporation providing the terms to upgrade portions of the sewer system improvements for the Colonial Heritage at Williamsburg project in order to eliminate two JCSA sewerage pumping stations located adjacent to the development. The Agreement provides for the JCSA to reimburse up to \$900,000 to U. S. Home Corporation for the upgrades.

The Board and staff held a discussion regarding the cost for the staff recommendation vs. rehabilitating the system.

Mr. Harrison made a motion to approve the resolution.

The motion passed by a unanimous voice vote.

RESOLUTION**UTILITY PARTICIPATION AGREEMENT - U. S. HOME CORPORATION**

WHEREAS, the James City Service Authority has determined it prudent to enter into a Utility Participation Agreement with U.S. Home Corporation who has received land use approvals to build the Colonial Heritage at Williamsburg project located in Lightfoot; and

WHEREAS, the Agreement provides the terms for reimbursement to U.S. Home Corporation of the costs for additional capacity in the planned sewer infrastructure to allow for the James City Service Authority to eliminate two existing sewerage pumping stations and reduce the life cycle costs associated with maintaining one versus three sewerage pumping stations.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, authorizes the Chairman to sign the Utility Participation Agreement with U.S. Home Corporation on behalf of the James City Service Authority.

3. **Award of Bid - Ewell Hall Water System Improvements**

Mr. Foster stated that five firms submitted bids on the publicly advertised plans and specifications for the replacement of the Ewell Hall water system and recommended the Board approve the resolution awarding the contract for the Ewell Hall water system improvements to Tidewater Utility Construction for \$133,191.50.

Mr. Harrison made a motion to adopt the resolution.

The motion passed by a unanimous voice vote.

RESOLUTION**BID AWARD - EWELL HALL WATER SYSTEM IMPROVEMENTS**

WHEREAS, the plans and specifications have been advertised and competitively bid for the Ewell Hall Water System Improvements; and

WHEREAS, five firms submitted bids, with Tidewater Utility Construction submitting the low bid of \$188,191.50; and

WHEREAS, the bid is within budget, funds are available, and Tidewater Utility Construction has been determined capable of performing the work associated with the project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Board of Directors of the James City Service Authority, James City County, Virginia, awards the contract for the Ewell Hall Water System Improvements to Tidewater Utility Construction in the amount of \$188,191.50

4. Award of Bid B Groundwater Treatment Facility Site Preparation

Mr. Foster stated that nine firms submitted bids for the publicly advertised plans and specification for the access road, site work, and erosion and sedimentation pond for the Groundwater Treatment Facility and recommended the Board approve the resolution awarding the contract to Walter C. Via, Inc., in the amount of \$495,930 for the Groundwater Treatment Facility site work.

D. BOARD REQUESTS AND DIRECTIVES

Mr. Harrison requested clarification on the public notice sign posted on Route 5 for a special use permit application.

Mr. Foster stated that the application is for the JCSA groundwater treatment plant project, access road, and site preparation.

Mr. Foster provided the Board with a brief overview of the educational efforts by staff to citizens about water conservation.

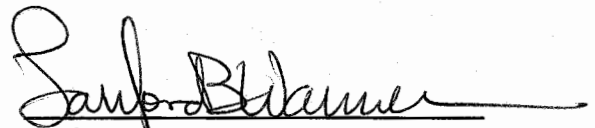
The Board requested information regarding a flat-rate system for sewer and the feasibility of implementing such a structure.

E. ADJOURNMENT

Mr. Brown made a motion to adjourn.

The motion passed by a unanimous voice vote.

Mr. Goodson adjourned the Board at 9:47 p.m.



Sanford B. Wanner
Secretary to the Board

UTILITY PARTICIPATION AGREEMENT

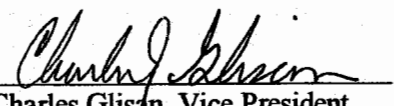
AMERICAN EASTERN, INC.

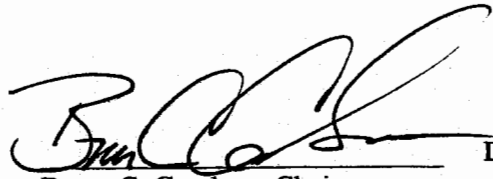
WHEREAS, in accordance with the Regulations Governing Utility Service, the capacity of water and sewer infrastructure serving the Wellington Subdivision was increased to improve the overall James City Service Authority (JCSA) water and sewer system and to provide for future system needs; and

WHEREAS, a developer is only required to install water and sewer infrastructure of adequate size to meet the needs of their development; and

WHEREAS, American Eastern and the James City Service Authority have agreed on total reimbursement of \$56,695 to compensate American Eastern for providing the additional capacity.

NOW, THEREFORE, BE IT RESOLVED that the James City Service Authority, James City County, Virginia, will reimburse American Eastern \$56,695 for increasing the capacity of the water and sewer facilities serving the Wellington Subdivision to improve the overall and future integrity of the JCSA water and Sewer System.


Date: 7/15/02
Charles Glisan, Vice President
American Eastern, Inc.


Date: 7/23/02
Bruce C. Goodson, Chairman
James City Service Authority