

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 13TH DAY OF DECEMBER 2005, AT 7:00 IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

John J. McGlennon, Chairman
Bruce C. Goodson, Vice Chairman
Jay T. Harrison, Sr.
Michael J. Brown
M. Anderson Bradshaw

Sanford B. Wanner, Secretary
Leo P. Rogers, County Attorney
Larry M. Foster, General Manager

B. PUBLIC COMMENT

1. Andy Piplico, President, CD&A, Inc., requested a formal appeal for consideration and relief of additional charges for tap fees being sought by James City Service Authority (JCSA) for its residential building under construction in New Town. Mr. Piplico stated that on August 25, 2005, he had requested an estimate on tap fees; he was given a quote of \$43,362 for the residential portion of the building based upon the meter size. When CD&A returned on November 17, 2005, to pay the amount in question, the clerk typed up the written confirmation of the sewer and tap fees agreement and had noted that the amount was paid in full. The next day, JCSA contacted Mr. Piplico to inform him that the tap fees had increased nearly \$75,000. Mr. Piplico respectfully requested the County uphold the estimate provided in August 2005 and in November 2005 as paid in a full for the tap fees.

The Board and Mr. Piplico discussed the request for consideration and appeal of the status of the building project notification about changed tap fees.

Mr. Foster stated that the estimate was in his book in August; however, on September 27, 2005, the Board of Directors approved the rate change. Mr. Piplico came in and the clerk calculated the fees at the old rate and not the new rate and was properly notified shortly thereafter of the error and the corrected fee total.

Mr. Goodson inquired that verification of typical changes to fees are given out as a quick notice and is there also is a wait period before the fees become effective after adoption. Mr. Goodson inquired if we could amend the effective date of the September fee change.

Mr. Rogers stated that it exists in the County Code that a 60-day notice is required for any fee changes.

Mr. Rogers and the Board discussed that an employee is not authorized to enter into a contract to accept fees.

Mr. Piplico again stated the initiation in August and requested the Board give due consideration and forgiveness of the added fees notified after payment in full was made.

C. CONSENT CALENDAR

Mr. Harrison made a motion to adopt the minutes of November 22, 2005.

The motion passed by unanimous voice vote.

D. PUBLIC HEARING

1. Transfer of Sewage Lift Station 1-5 to Hampton Roads Sanitation District

Mr. Foster stated that JCSA owns and operates Sewage Lift Station 1-5, which is located between Ford's Colony and Windsor Forest neighborhoods. The lift station was built under Hampton Roads Sanitation District (HRSD) standards with the intention of being transferred to the HRSD when flows reached 1.25 million gallons per day. Mr. Foster requested that the Board approve the resolution authorizing the General Manager to sign the appropriate documents to transfer Sewage Lift Station 1-5 to HRSD as its current average daily flows are approximately 1.0 million gallons per day.

Mr. McGlennon opened the Public Hearing.

As no one wished to speak to the matter at this time, Mr. McGlennon closed the Public Hearing.

Mr. Goodson made a motion to adopt the resolution.

The motion passed by unanimous voice vote.

RESOLUTION

**TRANSFER OF SEWERAGE LIFT STATION 1-5 TO
HAMPTON ROADS SANITATION DISTRICT**

WHEREAS, the James City Service Authority owns Sewerage Lift Station 1-5 that was designed and constructed with intent of eventual transfer to the Hampton Roads Sanitation District when flows through the Station exceed 1.25 million gallons per day; and

WHEREAS, current Lift Station 1-5 flows are approximately 1.0 million gallons per day and the James City Service Authority has budgeted \$200,000 to upgrade the pumps and control in the facility; and

WHEREAS, the Hampton Roads Sanitation District has agreed to assume ownership of the Station immediately if the \$200,000 allocated for the upgrades is provided to the District.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby authorizes the General Manager to sign the appropriate documents transferring ownership of Sewerage Lift Station 1-5 to the Hampton Roads Sanitation District, along with the \$200,000 allocated in the 2005 Capital Improvement Budget intended for upgrades to the facility.

2. Sale of 0.27-Acre Parcel at 7883 Richmond Road

Mr. Foster stated that JCSA owns a 0.27-acre parcel of property located at 7883 Richmond Road. The property is too small and otherwise unsuitable unless incorporated with an adjoining property. An adjacent property owner has offered to purchase the property. Mr. Foster recommended approval of the resolution authorizing the General Manager to sign the appropriate documents to sell the property located at 7883 Richmond Road to the adjoining property owner.

Mr. McGlennon opened the Public Hearing; as no one wish to speak to the matter, Mr. McGlennon closed the Public Hearing.

Mr. Bradshaw requested the Board not act on this tonight to provide time for the adjacent property owner or other owners to see if they have a development plan for the parcel. When the development plan is presented, then consider sale at that time.

The Board discussed the request for no action, and if it is brought back before the Board, it be brought back as a public hearing as a courtesy.

Mr. McGlennon indefinitely deferred the item.

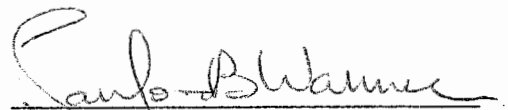
E. BOARD REQUEST AND DIRECTIVE - None

F. REPORTS OF THE GENERAL SERVICE MANAGER

Mr. Foster apologized to the Board, Mr. Piplico, and to the citizens regarding the oversight with Mr. Piplico regarding the tap fee changes. Mr. McGlennon requested that Mr. Foster convey to Mr. Piplico that the Board cannot act upon his request.

Mr. Harrison made a motion to adjourn.

The motion passed by unanimous voice vote. Mr. McGlennon adjourned the Board at 10:23 p.m.



Sanford B. Wanner
Secretary to the Board