

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 26TH DAY OF JUNE, 2007, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTSBAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

Jay T. Harrison, Sr., Chairman, Absent
Bruce C. Goodson., Vice Chairman
James O. Icenhour, Jr.
M. Anderson Bradshaw
John J. McGlennon

Sanford B. Wanner, Secretary
Leo P. Rogers, County Attorney
Robert H. Smith, Acting General Manager

C. CONSENT CALENDAR

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

On a roll call vote, the vote was: AYE: Bradshaw, McGlennon, Goodson, Icenhour (4). NAY: (0).

1. Minutes - May 22, 2007, Regular Meeting
2. Bid Award - Mooretown Road Waterline

RESOLUTION

BID AWARD - MOORETOWN ROAD WATERLINE

WHEREAS, the Mooretown Road Waterline extension has been publicly advertised and competitively bid;
and

WHEREAS, eleven firms submitted bids with Ultra Services Inc. submitting the lowest bid of \$105,460; and

WHEREAS, Ultra Services Inc. has been determined capable of performing the scope of services associated with the waterline extension project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the James City Service Authority, James City County, Virginia, hereby awards the bid for the Mooretown Road Waterline Project to Ultra Services, Inc. for a contract amount of \$105,460.

3. Budget Amendment - FY 2008 Capital Improvements Program

RESOLUTION

BUDGET AMENDMENT – FY 2008 CAPITAL IMPROVEMENT PROGRAM

WHEREAS, the Board of Directors of the James City Service Authority adopted the FY 2008 Capital Improvements Program on April 24, 2007; and

WHEREAS, the Board of Directors adopted a Outdoor Water Use Fee consisting of a Outdoor Hose Bib Fee and a Lawn Irrigation Fee on May 22, 2007.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, hereby adopts a change to the FY 2008 Capital Improvements Program to allow for projected revenue for Outdoor Water Use Fees which are summarized below to become effective July 1, 2007.

The following amount is appropriated as indicated below:

Capital Improvements Program

Revenues:

Outdoor Water Use Fee	<u>\$525,000</u>
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Expenditures:

Future Water Supply	<u>\$525,000</u>
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D. PUBLIC HEARINGS

1. Easement Abandonment - 8800 Pocahontas Trail

Mr. Foster stated the parcel number advertised for the easement abandonment was incorrect for the public hearing and requested a continuation of the public hearing. He stated it was a utility line that was to be installed in the easement but was never constructed.

Mr. Goodson opened the Public Hearing.

As no one wished to speak to this matter, Mr. Goodson continued the Public Hearing until July 24, 2007.

2. Sale of Permanent Easement to Crown Castle International, Inc. - \$160,000

Mr. Foster stated that this property has been leased for a cellular antenna. He explained that Crown Castle International, Inc. has taken over the company and was interested in buying a permanent easement as opposed to continuing to lease it. Staff recommended approval. Mr. Foster stated that Mr. Bradshaw's comments have been incorporated into an easement agreement with Crown Castle International, Inc.

Mr. Goodson opened the Public Hearing.

As no one wished to speak to this matter, Mr. Goodson closed the Public Hearing.

Mr. Bradshaw made a motion to adopt the resolution.

The motion passed by a unanimous voice vote.

RESOLUTION

SALE OF PERMANENT EASEMENT TO

CROWN CASTLE INTERNATIONAL, INC. - \$160,000

WHEREAS, the James City Service Authority ("JCSA") owns real property identified as James City County Real Estate Tax Map No. 4920100006A located along Route 199 southeast of Mounts Bay Road ("Property"); and

WHEREAS, situated on the Property is a JCSA one-million gallon water storage tank facility; and

WHEREAS, since 2001, JCSA has leased to Crown Castle International, Inc. ("Crown") a portion of the Property for the operation of a 35-foot cellular telephone tower with associated equipment; and

WHEREAS, Crown desires to purchase a 900-square-foot easement ("Easement") on the Property which said easement encompasses the portion of the Property currently being leased by Crown; and

WHEREAS, the purchase price for the Easement is \$160,000.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, following a Public Hearing, hereby authorizes the conveyance of an easement to Crown for \$160,000 and hereby authorizes the General Manager to sign the necessary documents to complete the transaction.

E. BOARD CONSIDERATION

1. Consent Order - Department of Environmental Quality - Sewer System Overflows

Mr. Foster stated the James City Service Authority (JCSA) has been working with the Department of Environmental Quality (DEQ) and the Hampton Roads Sanitation District (HRSD) to address regional sewer issues. He explained the resolution authorizes the JCSA Manager to enter into a consent order with the DEQ to protect against sewer system overflows. Mr. Foster explained this was a long-term process and entering into the consent order provided a path for fewer environmental impacts due to sewer system overflows.

Mr. Goodson stated there was a work session held on this item last month.

Mr. Icenhour made a motion to adopt the resolution

The motion passed by a unanimous voice vote.

RESOLUTION

CONSENT ORDER – DEPARTMENT OF ENVIRONMENTAL QUALITY -

SEWER SYSTEM OVERFLOWS

- WHEREAS, the Hampton Roads Sanitation District (“HRSD”) provides sewage treatment service to the cities of Chesapeake, Hampton, Newport News, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg; the counties of Gloucester, Isle of Wight, York, and James City; and the town of Smithfield (collectively, the “Localities”); and
- WHEREAS, the James City Service Authority provides sewer services in James City County, other Localities individually own and operate sanitary sewer collection systems, which collect sewage within their individual jurisdictional boundaries that is delivered to the HRSD system for treatment; and
- WHEREAS, due to pipe breaks, electrical outages, wet weather events, insufficient capacity in the collection, interceptor and treatment systems, and other factors, untreated sewage is, on occasion, discharged from various locations in the HRSD sewer system and from the Localities’ sanitary sewer systems; and
- WHEREAS, at the encouragement of the Virginia Department of Environmental Quality (“VDEQ”) and the U.S. Environmental Protection Agency (“EPA”), the HRSD and the Localities, working with the support and facilitation of the Hampton Roads Planning District Commission (“HRPDC”), have expeditiously developed a comprehensive program to address these problems. This program consists of regional and individual elements. The regional element requires the Localities and HRSD to use uniform standards to design the infrastructure improvements needed to manage peak wet weather flows throughout the Hampton Roads Sewer System in a cost-effective manner. The HRSD and Localities are required to address their individual system conditions that cause or contribute to discharges of untreated sewage; and
- WHEREAS, these regional and individual commitments are set forth in the following three documents that have been developed collectively and in consultation with the staff of the VDEQ: (1) State Water Control Board Enforcement Action: Special Order by Consent Issued to the Hampton Roads Sanitation District; the cities of Chesapeake, Hampton, Newport News, Poquoson, Portsmouth, Suffolk, Virginia Beach and Williamsburg; the counties of Gloucester, Isle of Wight and York; the James City Service Authority; and the Town of Smithfield (“Regional Consent Order”); (2) Memorandum of Agreement for Regional Sanitary Sewer System Operation, Maintenance and Enhancement (“Memorandum of Agreement”); and (3) Attachment 1 to the Special Order by Consent: Regional Technical Standards (“Regional Technical Standards”), (collectively, these documents are referred to as the “Regional Consent Order Package”); and
- WHEREAS, the success of these regional and individual Locality efforts depends upon the cooperative efforts of the HRSD and the Localities, and the approval of the Virginia State Water Control Board (“SWCB”) and its VDEQ staff; and
- WHEREAS, the ongoing efforts of the Localities and HRSD to maintain, repair and improve the sanitary sewer system at substantial cost, for the benefit of the region’s quality of life, is endorsed and commended.

NOW, THEREFORE, BE IT RESOLVED that by the Board of Directors of the James City Service Authority, James City County, Virginia, hereby:

- (1) approves the Regional Consent Order Package as presented on this date to (the Board of Directors of the James City Service Authority, James City County, VA); and
- (2) authorizes and directs the General Manager to execute the Regional Consent Order and Memorandum of Agreement on behalf of the James City Service Authority and submit the Regional Consent Order Package to DEQ for public notice and approval by the SWCB; and
- (3) authorizes the General Manager and the County Attorney to take such other actions as may be reasonably necessary to implement the intent of this resolution.

F. BOARD REQUESTS AND DIRECTIVES

Mr. Foster gave a brief update on water supply and demands. He stated that water demand for the first quarter of the year was at 3.6 million gallons of water a day, only 100,000 gallons a day more than the same time period in 2006. He stated concern that in the previous week water demand was between 7-8 million gallons a day. Mr. Foster stated the system has been handling it well, and the challenge was during peak demand times. He stated during that peak time if there was a fire, there would be a tremendous amount of stress on the water system. Mr. Foster explained that to address this, the JCSA now has an odd/even system for outdoor water use but the only way to reduce the water use was to cut down the number of days allowed to water for lawn irrigation. He stated another way to address the problem was to increase water storage but current demands required more storage tanks, even with two under construction. Mr. Foster also explained that they were a substantial expense and only needed during high-demand periods. He said the JCSA would also have to manipulate the system to accommodate this option. He said that a third option was a combination of the first two options. Mr. Foster stated that the outdoor water use changes should be evaluated now to be implemented next season to avoid confusion and a recommendation would come forward this fall.

Mr. Icenhour asked if there was a similar peak in the afternoon to the morning irrigation demands.

Mr. Foster stated there was, but the challenge was in the morning when irrigation comes on and when people are preparing for work or school.

Mr. Icenhour asked when the new water storage facilities would come on-line.

Mr. Foster stated the facility at the Warhill site would be complete in August and the facility in Stonehouse would be on-line in September.

Mr. McGlennon asked if there was an indication about why there was a 100,000 gallons a day increase above last year and asked about peak times.

Mr. Foster said this was a difficult assessment due to weather but said last year there were days where usage was at 7-8 million gallons a day and the JCSA has had water pressure drop even more than that this year. He explained that the system this year is more robust than last year, so the comparison was complex.

Mr. McGlennon asked if the daily amount and the 100,000 gallon a day increase was in relation to population growth.

Mr. Foster stated this was correct.

Mr. McGlennon asked if the peak during summertime is proportionally more than the percentage population growth.

Mr. Foster stated this was correct. He stated during the peak hours there is more water going out than peak times last year.

Mr. McGlennon asked if doubling the usage of water during peak times was mostly due to lawn irrigation.

Mr. Foster stated he believed that was correct, though there may be other contributing factors.

Mr. McGlennon stated this was an issue that people needed to examine in their daily lives.

Mr. Foster stated the water system was not especially large and most systems do not see this kind of demand. He stated that there were two independent water systems that have exceeded the withdrawal permit limits of 80 percent and 100 percent for over 30 days and a meeting has been set to discuss this situation. Mr. Foster stated the DEQ would come back to the JCSA as the permit holder and that there must be an effort to reduce water usage.

Mr. Icenhour asked when the County's permit for the King William Reservoir came up for renewal, as the daily maximum consumption of groundwater is 99 million gallons per day.

Mr. Foster stated it was up for renewal in 2012, and the 99 million gallons a day figure was based on average yearly use.

Mr. Icenhour stated the question where was the water was being drawn from, Chickahominy-Piney Point or Middle Potomac aquifer.

Mr. Foster stated there was no guarantee, there was already stress on the Middle Potomac aquifer, and the stress on Chickahominy-Piney Point aquifer has been a long-term issue to be addressed.

Mr. Goodson stated restricting the number of days may compress the individuals watering on certain days.

Mr. Bradshaw stated the days would allocate different groups of individuals.

Mr. Goodson stated this would be a complicated system to communicate to citizens.

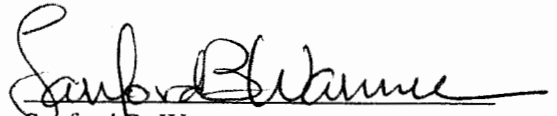
Mr. Foster stated this reflected a need to start early next year and that there were already some ideas for a new system.

G. ADJOURNMENT

Mr. McGlennon made a motion to adjourn.

The motion passed a unanimous voice vote.

Mr. Goodson adjourned the Board of Directors.



Sanford B. Wanner
Secretary of the Board

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