

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 SEPTEMBER 2008, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

James O. Icenhour, Jr., Chairman
Mary Jones, Vice Chairman
Bruce C. Goodson
John J. McGlennon
James Kennedy

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

C. CONSENT CALENDAR

Mr. Foster gave an overview of the items on the Consent Calendar.

Mr. Kennedy made a motion to adopt the items on the Consent Calendar.

The motion passed by a unanimous voice vote.

1. Minutes – August 12, 2008, Regular Meeting
2. Agreement for Reimbursement of Costs of Redesign and Construction of James City Service Authority (JCSA) Pumping Station 9-5

RESOLUTION

AGREEMENT FOR REIMBURSEMENT OF COSTS OF REDESIGN AND CONSTRUCTION OF

JAMES CITY SERVICE AUTHORITY PUMPING STATION 9-5

WHEREAS, the staffs of the James City Service Authority (JCSA) and Hampton Roads Sanitation District (HRSD) have determined that modifications to Pumping Station 9-5 are necessary in order for the facility to be able to (under all conditions) pump into interceptors owned and operated by the HRSD; and

WHEREAS, an agreement has been developed by the staffs of the JCSA and HRSD that provides the terms for modifications to Pumping Station 95.

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 agreement referenced above that in summary provides that the JCSA will manage the design and construction of the modifications to Pumping Station 9-5, and the HRSD will reimburse the JCSA for the expenses associated therewith. In addition, the JCSA is authorized to reimburse HRSD up to \$50,000 for upgrades to the pumping station to meet the future needs of the facility.

D. BOARD REQUESTS AND DIRECTIVES

Mr. Goodson stated that he had asked Mr. Foster to review the evaluation of independent water systems to determine if a deposit should be paid by developers to develop an independent water system and how this relates to tying these into the public system. He noted that this was to provide public water, without providing sewer or extending the primary service area (PSA). He stated that this was included in the reading file, and it was for the information of the Board, and that there were three new neighborhoods adjacent to the waterlines that were already present without affecting sewer or other services.

Mr. Foster stated that there was a map showing the proximity of the three projects and the proximity to the central water system. He stated that this report dealt fully with economics of the use, but nothing related to land use perspectives.

Mr. McGlennon stated his appreciation for the information and stated that there are three options: take over water systems; increase costs per lot; or change the current policy that dictates charging every customer the same rate. He stated that there were other alternatives to pursue without connecting to the public water system.

Mr. Icenhour stated that there was another option to consider a decision to accept these into the JCSA system. He stated that he was unsure if the JCSA should be accepting these into the primary system and that he would like to look at the possibility of letting the facilities stand alone.

Mr. Goodson stated that he was not very happy to take these systems into the public system, but that he has had experience in taking over systems. He stated that it was a difficult decision, but there was little option.

Mr. Foster stated that this was how the JCSA developed over the long term to interconnect community systems to create a more robust public system.

Mr. Kennedy stated this was a large issue and that the concept of the PSA had good intentions, but it was not environmentally considerate. He asked for a broader look at the PSA and by-right development and independent well systems.

Mr. Goodson noted Mr. Foster's caveat was a report on the best use of public resources.

Mr. Foster stated that with the current situation, the JCSA loses money on operation of independent water systems. He stated it was a multi-faceted situation and historically the land use situation has taken precedence over utility use. He stated that he would defer to the Board to make the decision to investigate this and that he would be happy to provide additional information.

Ms. Jones stated that she appreciated the conversation by looking at the matter from the perspective of the water customers of the JCSA. She stated that Liberty Ridge and Westport are partially in and out of the PSA and it is in the economic best interest of customers to run the waterline as opposed to an independent water system. She stated that she would like to see flexibility from the JCSA to be able to make decisions on the fiscal best interests of customers.

Mr. Kennedy stated that he does not yet support any change to this, but he asked to evaluate the policy and the PSA. He stated that he would like to hear from Mr. Foster and staff an opinion on this matter and that he would like to see it discussed at a work session.

Ms. Jones stated that she agreed with having a work session discussion.

Mr. McGlennon stated that changing an established policy designed to have an effect on growth and to direct and limit growth would cause difficulties. He suggested that before abandonment of this method, the proponents should think of a proposed tool to address the concerns.

Mr. Goodson stated that this was not necessarily changing a policy that would limit growth as there was no ability of sewer access, which was a limitation for the PSA.

Mr. Icenhour stated that he has a community well system and individual septic system at his lake house, and there was an ability to have a higher density than present in the County. He stated that the central well facility has been an impediment to growth outside the PSA. He stated that the three-acre lots with septic and central well facility are economically viable by-right, but there were additional requirements. He stated that a policy to consider changing was the requirement for a central well and that there was no regulation except through public health ordinances. He stated a work session was necessary and the impacts should be considered.

Ms. Jones stated that long-range planning should be considered, but also there were two approved by-right developments that have gone through the permitting processes and will be moving forward without flexibility on the policy. She stated there were already exceptions for Greensprings West and County schools and that the policy should not create a financial burden for citizens.

Mr. Kennedy stated that he was not recommending abandonment of the PSA. He stated that he would like to get the JCSA staff's recommendations and asked to improve upon the tool that is already in place.

Mr. McGlennon stated that it was logical to interpret that as a way to eliminate some areas of the PSA and incorporate others.

Mr. McGlennon made a motion to adjourn.

The motion passed by a unanimous voice vote.

At 8:50 p.m., Mr. Icenhour adjourned the Board.



Sanford B. Wanner
Secretary to the Board