

AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE JAMES CITY SERVICE AUTHORITY, JAMES CITY COUNTY, VIRGINIA, HELD ON THE 27TH DAY OF MARCH 2012, 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 G. Kennedy, Chairman
James O. Icenhour, Jr., Vice Chairman
Mary K. Jones
W. Wilford Kale, Jr.
John J. McGlennon

Robert C. Middaugh, Secretary
Leo P. Rogers, County Attorney
Larry M. Foster, General Manager

C. CONSENT CALENDAR

1. Minutes - February 28, 2012, Regular Meeting

Mr. McGlennon made a motion to approve the Consent Calendar.

The motion passed by a unanimous voice vote, with Mr. Kale abstaining.

D. PUBLIC HEARINGS

1. Restrictive Covenants on a James City Service Authority (JCSA) Parcel Adjacent to the James City/Williamsburg Community Center

Mr. Larry Foster, General Manager, advised the Board that this item is the companion agreement to the discussion the Board of Supervisors had earlier relating to transferring full ownership of the Community Center property to James City County. Mr. Foster stated that the establishment of a restriction would not impair any plans that the James City Service Authority (JCSA) had for the property. He further stated that the JCSA has no plans for development of the parcel.

Mr. Icenhour questioned if there is a walking trail on the parcel.

Mr. Foster responded that the trail is on the right-of-way and not on the JCSA property.

Mr. Kennedy opened the Public Hearing.

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

Mr. Leo Rogers, County Attorney, advised the Board that before a motion could be made on the resolution, a correction needed to be made in the third paragraph. He amended the resolution from reading, "WHEREAS, part of the agreement includes the placement of a restrictive covenant on a parcel of property owned by the James City Service Authority (JCSA) that will preclude any construction on a 50-foot buffer, preserve the wooded buffer in the buffer, and require approval by the City of Williamsburg for any construction with 100 feet of the eastern property line of the parcel and along the City of Williamsburg, boundary; and." He asked that the Board adopt the resolution as amended to read, "WHEREAS, part of the agreement includes the placement of a restrictive covenant on a parcel of property owned by the James City Service Authority (JCSA) that will preclude any construction on a 50-foot wooded buffer from the eastern property line of the parcel and the jurisdictional boundary line with the City of Williamsburg; and."

Mr. McGlennon made a motion to approve the resolution as amended.

The motion passed by a unanimous voice vote.

RESOLUTION

RESTRICTIVE COVENANTS ON A JAMES CITY SERVICE AUTHORITY (JCSA) PARCEL

ADJACENT TO THE JAMES CITY/WILLIAMSBURG COMMUNITY CENTER

WHEREAS, the property on which the James City/Williamsburg Community Center is jointly owned by the City of Williamsburg and James City County; and

WHEREAS, James City County and the City of Williamsburg have agreed on the terms for the transfer of sole ownership of the property to James City County; and

WHEREAS, part of the agreement includes the placement of a restrictive covenant on a parcel of property owned by the James City Service Authority (JCSA) that will preclude any construction on a 50-foot wooded buffer from the eastern property line of the parcel and the jurisdictional boundary line with the City of Williamsburg; and

WHEREAS, the JCSA has no plans for the use of the parcel and has identified no impediment to the placement of the covenants on the property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority, James City County, Virginia, having conducted a public hearing on the proposed placement of a restrictive covenants defined in a Quit Claim Deed dated June 29, 1998, on the parcel, hereby authorizes its General Manager to sign all documents necessary to implement the covenants defined in the above referenced Quit Claim Deed.

2. **Williamsburg Pottery - 6692 Richmond Road - Vacate Easement**

Mr. Foster advised the Board that during the construction of the new building, the Pottery encroached on a JCSA existing easement by 93 feet combined in two different locations. He advised the Board that it would be easier to vacate the easement where the new clean-out is infringing on the JCSA easement.

Mr. Kennedy opened the Public Hearing.

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

Mr. McGlennon made a motion to approve the resolution.

The motion passed by a unanimous voice vote.

RESOLUTION

WILLIAMSBURG POTTERY – 6692 RICHMOND ROAD – VACATE EASEMENT

WHEREAS, Williamsburg Pottery Properties, LLC, the owner of a parcel located at 6692 Richmond Road identified as James City County Real Estate Tax Parcel No. (24-3)(1-24) and the James City Service Authority (JCSA) have agreed that vacating a total of 93 square feet of an existing JCSA utility easement in two areas, defined on a plat dated February 3, 2012, and prepared by AES, Consulting Engineers, is more practical than relocating two building sewer clean-outs that were inadvertently installed on a JCSA easement; and

WHEREAS, the Board of Directors of the JCSA conducted a public hearing to receive comment on the proposed easement vacation on March 27, 2012.

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 of the JCSA to sign the appropriate documents to vacate the easement area as identified on the above-referenced plat.

E. BOARD CONSIDERATION - None

F. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour questioned what preparations were being made in case there are semi-drought conditions or lack of rainfall over the summer.

Mr. Foster responded that the JCSA equipment is ready. He stated that the water production facilities are operating at full capacity. He stated that the storage facilities are solid. He further stated that from an infrastructure standpoint, the JCSA is in a good position to meet the expected demands.

Mr. Icenhour mentioned the water main breaks on Indigo Road and inquired if there were aging infrastructure problems in that area.

Mr. Foster reminded the Board that it has authorized an appropriation of funds to replace the waterline on Indigo Dam Road. He stated that the design process is almost complete and will be going on the market as a competitive bid very soon. He stated that the construction will be awarded sometime over the summer and completion should be in late 2012 or early 2013.

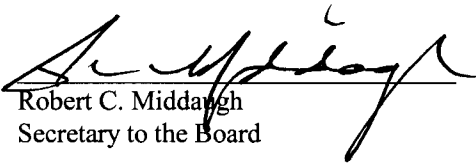
Mr. Icenhour noted that the construction will cause some traffic concerns.

Mr. Foster informed the Board that an invitation was sent to the entire neighborhood to review the construction process and have its input on final design. He stated that the neighborhood turnout was reasonably good.

G. ADJOURNMENT

Mr. McGlennon made the motion to adjourn the Board of Directors until 7 p.m. on April 24, 2012.

The motion passed by a unanimous voice vote.


Robert C. Middaugh
Secretary to the Board

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