

**Jefferson County Public Service District  
Regular Board Meeting  
August 3, 2009**

The monthly meeting of the Jefferson County Public Service District was held at 6:30PM on Monday, August 3, 2009 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Joe Hankins; Secretary, Jim Cummins; Treasurer, Jack Lantzy; General Manager, Susanne Lawton; Administrative Assistant, Ashley Wilt; Pentree Engineers, Zane Summerfield and John Tuggle; and District legal counsel, Jim Kelsh.

Chairman Hankins called the meeting to order at 6:30PM. The Board convened into executive session to discuss the following:

- Consider Pentree Contract for Public/Private Partnership with JUI for the Mountain Water System Project
- Consider Engineering Contract with Chester Engineers for Water Reuse Project

**Action: Motion made by Mr. Lantzy and seconded by Mr. Cummins to convene in executive session for the purpose of discussing litigation and contract negotiations. Unanimously approved.**

**Action: Motion made by Mr. Lantzy and seconded by Mr. Cummins to return to public session. Unanimously approved.**

Chairman Hankins called the regular meeting to order at 8:20pm.

Public Comments

No comments.

**OLD BUSINESS**

Review Minutes of July 6, 2009 Regular Board Meeting

The minutes of the July 6, 2009 regular Board meeting were approved as presented.

**Action: Motion made by Mr. Cummins and seconded by Mr. Lantzy to accept the July 6, 2009 minutes as presented. Unanimously approved.**

Review Minutes of July 27, 2009 Special Board Meeting

The minutes of the July 27, 2009 special Board meeting were approved as presented

**Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to accept the July 27, 2009 minutes as presented. Approved 2-0. Mr. Cummins abstained from voting due to his absence at the meeting.**

Consider having Pentree Update the 2005 Evitts Run Facility Plan

Ms. Lawton updated the Board. At the last Utility Coalition Group meeting, Herb Jonkers gave a presentation on the possibility of using the Evitts Run wwtp for a "joint" utility basin wide wastewater plant. Charles Town appeared to be open to this idea and suggested the District update the 2005 Evitts Run Plan done by Pentree and bring back to the group for discussion. Ms. Lawton will be having a meeting with Charles Town and their engineers, Mr. Jonkers, and Mr. Summerfield to discuss the specifics of this issue. The Board would like Ms. Lawton to come back next month with a proposed scope before Mr. Summerfield begins the work.

**Action: Motion made by Mr. Cummins and seconded by Mr. Lantzy for staff to come back next month with a proposed scope for the update of the 2005 Evitts Run Plan for Pentree. Unanimously approved.**

Consider Approval of the Revised Alternate Mainline Extension Agreement with Thornhill and Daily Farm

Last month the Board tabled the approval of the agreement so it would reflect the requested changes made by the Board and developers. Mr. Kelsh did not have the revised draft ready for approval, but will continue to work on for next month.

**Action: Motion made by Mr. Cummins and seconded by Mr. Lantzy to have staff continue to table the approval of the agreement until next month. Unanimously approved.**

Water System Updates

- Review Gwin Dobson Foreman Report and Consider Upgrades
  - Cavaland
  - Glen Haven

At the March Board meeting, Mark Glenn from Gwin Dobson & Forman (GDF) presented to the Board the findings from their assessment on both water systems. GDF found both systems to be very old, but had received excellent maintenance by District staff. Mr. Glenn presented many improvement options, future recommendations, secondary improvements, and grant funding options for both systems. The District would like to begin upgrades on the Cavaland water system. The Districts Operations Manager put together a list of upgrades that need to be assessed first totaling an estimated \$25,000.00. The Board would like staff to set up informational meetings with both communities. The Board considered the list prepared by staff to be considered to be normal maintenance items and left these decisions up to the discretion of the General Manger.

**Action: No action taken by the Board.**

- Consider Water Rate Case
  - Provision of Water Service for River Lots

The District currently has 2 customers in Glen Haven who are being billed \$3.00 per month for a water meter at their river lot. This charge is not listed in the Districts tariff and staff is unsure of where the charge originated from. Mr. Kelsh suggested the District charge the customers the current minimum rate stated in the tariff which is \$23.50 a month. The Board agreed with this policy and would like staff to use the tariffs rates for any new meters in Glen Haven used for river lots.

**Action: No action taken by the Board.**

Update on Joint Applications to West Virginia Infrastructure and Jobs Development Council with Jefferson Utilities Incorporated

This item was discussed in executive session. Last month the Phase II Application was returned due to inconsistencies in the application and lack of information.

At the beginning of tonight's meeting, in executive session, the Board discussed the contract with Pentree Inc for the mountain water project. Mr. Cummins felt the contract was good overall except for the scope of the proposed hydrogeologic study which would be conducted in a subcontract by Golder Associates Inc. He believed a \$10,000.00 study, based only on existing data and not incorporating studies of potential effects on local wells and stream flows or potential future growth, will not be adequate for consideration of the needs to supply water to the mountain and potential future growth. Mr. Hankins felt the study would come back with beneficial information, but if not the District would further investigate.

**Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to authorize the Chairman to execute the contract with Pentree Incorporated for the Mountain Water Project as modified with changes discussed in Executive Session and forward the contract onto Jefferson Utilities Inc for execution. Approved 2-1. (Mr. Cummins opposed.)**

Also in executive session, the Board discussed the contract with Chester Engineers for the water reuse study for the Flowing Springs wastewater treatment plant.

**Action: Motion made by Mr. Cummins and seconded by Mr. Lantzy to authorize the Chairman to execute the contract with Chester Engineers for the water reuse study and provide a "Notice to Proceed" to Chester after funding is secured by the funding agency. Unanimously approved.**

Flowing Springs wastewater treatment plant update

Mr. Kelsh updated the Board. On July 20<sup>th</sup>, the District received a Recommended Decision from the Public Service Commission (PSC) granting a certificate of convenience and necessity to construct and operate the Flowing Springs wastewater treatment plant. On July 27<sup>th</sup>, the PSC suspended that Recommended Decision until a further order. Mr. Kelsh is unsure of the reason of the suspension, but anticipates an order within the next week or so. The District is continuing to resolve easement concerns by residents affected by the proposed sewer line.

**Action: No action taken by the Board.**

**NEW BUSINESS**

Consider Removal of One Customer, Kevin Wilt, from Public Sewer System

Kevin Wilt, a District sewer customer, has requested to be taken off public sewer and be put on a septic system. This request was initiated by the District urging him to do so for a very long time. Mr. Wilt's home is the only home served by a very long 2" force main that will no longer be near District facilities when the Flowing Springs Wastewater Treatment Plant is constructed. It will cost the District a substantial amount to build facilities to continue to serve Mr. Wilt at that time. The property is located next to Reece's Nursery & Landscaping on Rt. 115. The customer has an existing but abandoned septic system in place, but the District is not sure of its condition. The Board questioned whether Mr. Wilt should remain a customer once his house is on its own septic system. They would like staff to work with the County Health Department to further investigate the conditions of Mr. Wilt's abandoned septic system. If that system was found to still be functional, and meeting current standards, the board may consider contributing to nitrogen removal upgrades before authorizing disconnection with the sewer.

**Action: No action taken by the Board.**

Discuss 84 Lumber Sewer Service

Ms. Lawton would like to address this item in the future as other issues need to be addressed before considering this situation.

**Action: No action taken by the Board.**

Consider Special Meeting First Week in September for the Purpose of Paying Bills

Ms. Lawton informed the Board that since the September Board meeting is late in the month due to a holiday, the Board would need to schedule a Special meeting to pay the Districts monthly bills. The Board scheduled the Special meeting for Wednesday, September 2<sup>nd</sup> at 10am at the District office.

**Action: No action taken by the Board.**

General Manager's Report

Ms. Lawton updated the Board on activities since last month's meeting.

**Action: No action taken by the Board.**

Discussion of any expenses over budget

Mr. Lantzy informed the Board that there are no items over budget. The District has 121% coverage.

**Action: No action taken by the Board.**

Disbursements

**Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to approve disbursements for Cavaland water expenses in the amount of \$2,212.20,**

**Glen Haven water expenses in the amount of \$2,896.14, and for the Public Service District expenses in the amount of \$152,550.20. Unanimously approved.**

Approve Transfer of \$64.25 from Glen Haven Security Account into Glen Haven Operating Account for Security Deposit Refunds

**Action: Motion made by Mr. Lantzy and seconded by Mr. Cummins to approve transfer of \$64.25 from Glen Haven Security Account into Glen Haven Operating Account for Security Deposit Refunds. Unanimously approved.**

Approve transfer of \$2,828.58 from Sewer Security Deposit Account into Sewer Operating Account for Security Deposit Refunds

**Action: Motion made by Mr. Lantzy and seconded by Mr. Cummins to approve transfer of \$2,828.58 from sewer security deposit account into sewer operating account for security deposit refunds. Unanimously approved.**

Approve transfer of \$64.63 from Cavaland Security Account into Cavaland Operating Account for Security Deposit Refunds

**Action: Motion made by Mr. Lantzy and seconded by Mr. Cummins to approve transfer of \$64.63 from Cavaland Security Account into Cavaland Operating Account for Security Deposit Refunds. Unanimously approved.**

Approve transfer of \$1,110.84 from Future Needs Account into Sewer Operating Account for AskNeal Invoices

This transfer was not approved pending explanation from the Finance Manager.

**Action: No action taken by the Board.**

Correspondence

None discussed.

Public Comments

No comments.

## **OTHER BUSINESS**

Source Water Protection Grant Update

Last month the Board had chosen Chester Engineering to complete the Water Reuse Project. In executive session earlier in the meeting, the Board had approved the contract with them.

**Action: No action taken by the Board.**

Countywide Utility Group Update

The next meeting will be on September 10<sup>th</sup> at the District's office.

**Action: No action taken by the Board.**

**Action: Motion made by Mr. Lantzy and seconded by Mr. Cummins to convene in executive session for the purpose of discussing litigation and contract negotiations. Unanimously approved.**

**Action: Motion made by Mr. Lantzy and seconded by Mr. Cummins to return to public session. Unanimously approved.**

**Action: Motion made by Mr. Cummins and seconded by Mr. Lantzy to authorize the Chairman to execute the Legal Representation Agreement with Jim Kelsh for the Flowing Springs wastewater treatment plant. Unanimously approved.**

**Action: Motion made by Mr. Lantzy and seconded by Mr. Cummins to adjourn. Unanimously approved.**

There being no further business at this time, the meeting was adjourned at 11:21PM

The next regular meeting is scheduled for September 14, 2009 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,

Joseph A. Hankins  
Chairman

Jack Lantzy  
Treasurer