

**Jefferson County PSD
Special Board Meeting
April 25, 2005**

A special meeting of the Jefferson County Public Service District met at 7:00pm on Wednesday, April 25, 2005 at the Jefferson County PSD office in Ranson. Those in attendance included: Chairman, Marty Kable; Treasurer, Jack Lantzy; and Secretary, Joe Hankins. Also Present: Susanne Lawton, General Manager. Guests: Jim Kelsh, Esq. (via phone)
The purpose of the meeting was to discuss litigation.

Chairman Kable called the meeting to order at 7:20pm.

Action: Motion made by Mr. Hankins and seconded by Mr. Lantzy to go into executive session. Unanimously approved.

The Board moved to meet in Executive Session

Action: Motion made by Mr. Lantzy and seconded by Mr. Hankins to come out of executive session. Unanimously approved.

Come out of Executive Session at 8:10pm.

Mr. Hankins moved that the Board approve the settlement agreement and release as presented to the District, version 4-25-05 at 5:30pm this afternoon with two modifications. Under section 5 subheading D, we should strike that entire paragraph, we do not accept that term as it brings forward a new issue not central to the agreement and may unfairly constrain future Board decisions in ways not currently clear. Secondly, some language should be inserted clarifying our Bond Counsel opinion letter requirements and impact on District borrowing capacity in section 3-C. I believe those are the only changes.

Action: Motion made by Mr. Hankins and seconded by Mr. Hankins to Accept settlement agreement with the modifications that have been spelled out. Unanimously approved.

Mr. Kable: Let the record show that there is a previous motion that has been passed by the board for Counsel and the Chair to further negotiate a settlement of the Huntfield Complaint Case.

Mr. Hankins stated that it is the understanding of this board that this document with those two minor changes will be presented to the City of Charles Town and Huntfield tomorrow, Tuesday the 26th and it is our understanding that Utility Board will be asked to approve the agreement.

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

Adjournment.

There being no further business at this time, the meeting was adjourned at 8:16pm.

The next regular meeting is scheduled for May 2, 2005 at 7:00pm at 200 East Washington Street, Charles Town.

Respectfully Submitted,

Marty Kable, Chairman
Board of Directors

Joe Hankins, Secretary
Board of Directors