

**Jefferson County Public Service District
Special Board Meeting
September 1, 2005**

The special meeting of the Jefferson County Public Service District was held at 1:00pm on Thursday, September 1, 2005 in the meeting room of the Charles Town Library. Those in attendance included: Chairman, Marty Kable; Treasurer, Jack Lantzy; and Secretary, Joe Hankins. Also present were Susanne Lawton, General Manager PSD; Will Smith, Pentree Inc.; and Jim Kelsh, Esquire. Guests included Herb Jonkers; Lee Snyder; Jim Campbell, Esquire; and Mike Cassell, Esquire as potential co-applicants on the Community Infrastructure and Investment application (SB 700). The purpose of the meeting was to discuss the application process and confirm details for a Certificate of Appropriateness from WVDEP for Highland Farms and Old Standard.

Chairman Kable called the meeting to order at 1:10pm.

Susanne Lawton, with guidance from Jim Kelsh, distributed new documents to the group including copies of the emergency legislative rules and the new standard application form. These materials were new to most of the group and had not been previously reviewed.

The Chairman issued a 15-minute recess for the District Board, District staff and the co-applicants along with counsel Jim Campbell to review the various Senate Bill 700 documents.

It was expected that the SB 700 process would lead to applications that were consistent with understandings negotiated earlier under a series of agreements currently under review by the PSC. The new DEP process was characterized by a new Standard Form of Agreement that would require different information and a re-crafting of the previous agreement intents to be consistent with the application process.

On readjournment, Mr. Campbell then led the Board through a projected digital copy of the Standard Form of Agreement to complete the DEP application. Each section of the Agreement was examined closely by both parties' staff and associated counsel to reach a consensus on the information required, the assignment of specific persons to develop and consolidate the information, the assignment of expenses in the application development and any roadblocks to a reasonable timeline for completion of the application.

The group discussed the contingency of the currently PSC Certificate of Need process for the Old Standard or Highland Farms projects. It was assumed that if the PSC Certificates are approved then the SB 700 application would be voided. This SB 700 application is an alternative process to a PSC Certificate of Need, operating on different timelines and under somewhat different approval metrics, it was noted that a PSC order on the Sheridan/Old Standard CON was expected in early October and that decision may overtake the DEP application process. Resolution for Thorn Hill/Highland Farm is

on a different time track and unpredictable at this point with a PSC hearing currently scheduled for October 24th.

If the Senate Bill 700 application is completed and submitted within 30 days, it will likely be the first application for the State of West Virginia. This was a point of some pride and expressed interest by all parties to get the application right. Each party is to get the required documents and information to complete the application. Consideration of the application was tentatively agreed to be added to the next District Board meeting agenda.

This meeting was open to the public with public comments encouraged.

Vicki Faulkner was concerned about whether federal, state, and local permits should be included with the application, but Mr. Campbell informed her that they were not on the DEP checklist for submission.

Julie Bishop, one of the owners of Valley View Trailer Park, expressed her desire to connect the trailer park to the Highland Farms sanitary sewer system. The Jefferson County Health Department has notified the owners of the park that the septic system has failed and the park should be connected to a treatment system.

The meeting was adjourned at 4:10 pm.

Respectfully Submitted,

Marty Kable, Chairman
Board of Directors

Joe Hankins, Secretary
Board of Directors