

CHARLES TOWN UTILITY BOARD
WEDNESDAY, July 10, 2019 4:00 p.m.
REGULAR MEETING TO BE HELD AT
101 E. Washington Street

REGULAR MEETING:

1. Approval of the June 27, 2019 Special Meeting Minutes
2. Public Comment - This portion of the agenda is designed for members of the general public to share thoughts on items of interest in the community. By law, Board members may ask clarifying questions or discuss procedural matters but are not permitted to discuss the policy merits of any issue unless it is scheduled for discussion.
3. Utility Manager Report
 - a. Developer Requests Discussion – Fairfax Crossing and Jefferson Heights
 - b. Discussion of Sewer Renewal and Replacement Project and Future Modified Flowing Springs Project
 - c. Approval of Agenda Management Software
4. Approval of Bills

July 10, 2019

The Charles Town Utility Board held the regular meeting on July 10, 2019 beginning at 4:00 p.m. at 101 E. Washington Street. Members of the Board present were Daryl Hennessy, Pete Kubic, Duke Pierson, Kevin Tester, and Jacquelyn Milliron. Also present were Hoy Shingleton, Jane Arnett, Kristen Stolipher, Mike George and Josh Compton. The Chairman called for changes or corrections to the June 27, 2019 special meeting minutes. Jacquelyn suggested correcting the minutes as she did not motion her corrections as stated in those minutes. Kevin motioned and Duke seconded to approve the minutes as amended. The minutes were approved as amended. No public comment was received.

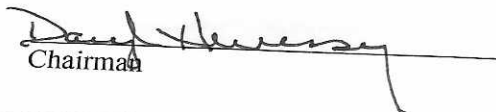
The Chairman next opened the floor for discussion on the Utility Manager report that included Developer Requests Discussion-Fairfax Crossing and Jefferson Heights. Kristen presented a brief overview for each project. After being approached by the new developer for the Fairfax Crossing subdivision to finish the community, staff presented Task Order #7 by Hatch Chester to evaluate the sewer service. Task Order #6 involved the Jefferson Heights South proposed subdivision evaluation. Kevin motioned and Duke seconded to approve Task Order #7 with discussions and numerous questions from Jacquelyn including details on the background of the development, I&I issues, and expressed concerns about the potential lack of cost sharing with developer policy. The Board approved Task Order #7. Jacquelyn opposed the motion. Kevin motioned and Duke seconded to approve Task Order #6 with discussions from the Chairman on what locations this included and numerous questions from Jacquelyn on the background of the development, I&I studies in that area and CIF evaluations. Kristen provided the Task Order would include the options for Jefferson South, Jefferson North, and if Magnolia Springs is developed or not. The Board approved Task Order #6. Jacquelyn opposed the motion.

The next item discussed was the Sewer Renewal and Replacement Project and Future Modified Flowing Springs Project. The Manager explained that at a very top level, staff wanted to provide highlights from the discussions with the engineers of the project in preparation of receiving the Sewer Renewal and Replacement Project Preliminary Engineering Report in August. Kristen further provided that Gwin Dobson & Foreman have identified certain items outlined in the Sewer Strategic Plan that require attention including headworks screening and SCADA system at both plants. At the Charles Town Plant, the influent pump station, the ultra-violet disinfection and a secondary belt press operation were items to be addressed in the project. Also to be included are the membranes at the Tuscowilla plant that are nearing their life expectancy. The Manager noted the project should be close to the target of \$3.6 million as listed in the strategic plan, however, a rate increase of \$0.16/per 1000 gallons may be needed to complete the project as illustrated in the pro forma provided by John Kunkle dated December 3, 2018. Staff is planning on having Gwin Dobson & Forman at the first meeting in August, if not the second, to present the Preliminary Engineering Report to the Board for discussion. Kristen also noted the commitment to the WV PSC in March 2018 on a modified Flowing Springs Project and PSD upgrades to be initiated and potentially completed by the end 2019. The Board needs to consider starting engineering efforts for a Modified Flowing Springs project. The Manager suggested an engineering task order be approved by the Board for a modified Flowing Springs project based on completion of the Route 9 project or no Route 9 project in order to comply with the commitment to the WV PSC. Staff will begin working with Hatch on a task order.

Also discussed under the Utility Manager report was the Approval of Agenda Management Software. Kristen stated she has reached out to multiple firms to get quotes on software similar to that used by the City and will get that information to the Board when it is received. The Chairman added that the intent is to get the meeting back at the Utility Board offices as the new building is now complete.

The Manager also mentioned the Consumer Confidence Reports have been mailed out to the water customers and hand delivered to Glen Haven and Cavaland along with being posted on the website. Additionally, the Manager also informed the Board that Kristen and herself met with Lyn Widmyer from the League of Women Voters regarding their survey of all Boards and Committees of the County and was satisfied with the Utility Board website. The groups only request was to link the site with the audio/packets of the board meetings that are currently on the City's site. In that meeting they also discussed social media and accountability as a concern under the Open Governmental Proceedings Act. Further, Jacquelyn requested more detailed information on the CIF monthly counts and requested to include which class the counts represent.

Motion made by Kevin, second by Duke, for approval of bills, with discussion from Jacquelyn as to what a couple of the invoices were related to. The Board approved the payment of bills. By motion from Kevin, second by Duke, the meeting adjourned at 5:20 p.m.


Chairman


Secretary

CHARLES TOWN UTILITY BOARD
WEDNESDAY, July 24, 2019 4:00 p.m.
REGULAR MEETING TO BE HELD AT
101 E. Washington Street

REGULAR MEETING:

1. Approval of the July 10, 2019 Regular Meeting Minutes
2. Public Comment - This portion of the agenda is designed for members of the general public to share thoughts on items of interest in the community. By law, Board members may ask clarifying questions or discuss procedural matters but are not permitted to discuss the policy merits of any issue unless it is scheduled for discussion.
3. Utility Manager Report
 - a. Agenda Management Software Approval
 - b. Discussion of City Council Work Session - Route 9 Sewer Infrastructure Project and Future Modified Flowing Springs Project (Scheduled for July 29, 2019 at 5:00 p.m.)
 - c. Hatch Task Order #8 – Route 9 Sewer Air-Track Rock Investigation
 - d. Smoke Testing Schedule
 - e. Personnel Hiring Action – Possible Executive Session Under:
WV State Code Section §6-9A-4(b)(2)(A) – Matters arising from the appointment, employment of an employee
 - f. Update/discussion on City Council Agenda Item #3313 - Resolution
(Possible Executive Session of the Board pursuant to the following statutory exception to the Open Governmental Proceeds Act):
WV State Code Section §6-9A-4(b)(12) - To discuss any matter which, by express provision of federal law, or state statute or rule of court is rendered confidential, or which is not considered a public recorded within the meaning of the Freedom of Information Act, specifically in this case, matters protected by Attorney-Client Privilege.
4. Approval of Bills

July 24, 2019

The Charles Town Utility Board held the regular meeting on July 24, 2019 beginning at 4:00 p.m. at 101 E. Washington Street. Members of the Board present were Daryl Hennessy, Duke Pierson, Kevin Tester, and Jacquelyn Milliron. Also present were Hoy Shingleton, Jane Arnett, Kristen Stolipher, Mike George and Josh Compton. The Chairman called for changes or corrections to the July 10, 2019 regular meeting minutes. Kevin motioned and Duke seconded to approve the minutes, with Jacquelyn suggesting a change. The minutes were approved as amended. Public comment was received.

The Chairman next opened the floor for discussion on the Utility Manager report that included the Agenda Management Software Approval. The Manager explained that based on the two quotes provided in the packet, the low bidder and staff's recommendation was Granicus, the same vendor used by the City. Kristen clarified the proposal included in the packet was for the website design rather than the agenda management, however, the costs for the agenda management was still lower than the other bidder. Granicus had initial costs of \$7,800 with an annual fee of \$7,500 and CivicPlus was \$12,000 up front and \$9,000 annual. By motion from Duke, second by Jacquelyn, the Board approved Granicus for the Agenda Management Software.

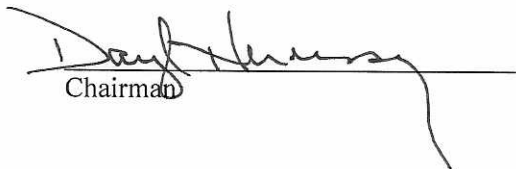
The next item discussed was the City Council Work Session- Route 9 Infrastructure Project and Future Modified Flowing Springs Project (Scheduled for July 29, 2019 at 5:00 p. m.). The Manager provided the Utility Board, Jefferson County Vision, and Jefferson County Prosperity have each been allotted 10 minutes for presentations, along with Building Commission representatives and the City Council in attendance. Both the Manager and Kristen provided a brief overview of what will be provided in their presentation regarding a historic prospective, financing, and engineering of the projects. Kristen stated the workshop will be a high-level discussion to bring the new Council members up to speed on the history of the projects and the current status, as well as the complex nature and potential rate impacts of the projects. Jacquelyn made several comments on the Modified Flowing Spring Project.

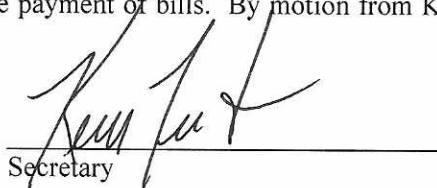
The Chairman next opened the floor for discussion on Hatch Task Order #8-Route 9 Sewer Air-Track Rock Investigation. Kristen discussed that prior to going to bid for the project, it would be beneficial to further refine the potential for rock along the alignment. This would be included in the bid documents to give prospective bidders more accurate information. The Board questioned the cost effectiveness of this investigation at this point in time. Staff has no timeframe of when the project will go out to bid, but the bidding package needs to be completed. By motion from Duke, second by Kevin, the Board approved the Hatch Task Order #8 totaling \$39,670 for the Route 9 Sewer Air-Track Rock Investigation.

Kristen next discussed the Smoke Testing Schedule provided by Hydrostructures which has been posted on the website, newspaper, along with providing notification doorhangers to all homeowners. All fire departments and emergency services have been notified as well. Crews will begin in Tusawilla Hills the week of July 29th and finish up all areas by the end of August.

The next two items were both to be discussed in executive session; the Personnel Hiring Action and Update/discussion on City Council Agenda Item #3313-Resolution. Prior to that, Jacquelyn questioned the Manager's Report included in the packet this month, the Revenue and Expense Report, and the CIF study. Kristen added new email addresses were created for the Board if they wish to use them. By motion from Duke, second by Kevin, the Board convened into executive session at 5:14 p.m. to discuss and take possible action the Personnel Hiring Action and Update/discussion on City Council Agenda Item #3313-Resolution. The Chairman declared the executive session over at 5:50 p.m. By motion from Duke, second by Kevin, to approve the release of all FOIA documents earlier withheld, except earlier drafts of the Schedule B, attorney communications regarding the permit process, and a draft MOU document. Duke added that staff was following the direction of the attorneys and withheld certain documents from the FOIA, but after another review of the documents, the attorneys have directed staff to release some of the withheld information if the Board wishes to do so. The Board approved the release of the FOIA information with the exceptions.

Motion made by Kevin, second by Duke, with discussion from Jacquelyn on the disbursement report provided to the Board each month. The Board approved the payment of bills. By motion from Kevin, second by Duke, the meeting adjourned at 6:04 p.m.


Chairman


Secretary

CHARLES TOWN UTILITY BOARD
WEDNESDAY, August 14, 2019 4:00 p.m.
REGULAR MEETING TO BE HELD AT
101 E. Washington Street

REGULAR MEETING:

1. Approval of the July 24, 2019 Regular Meeting Minutes
2. Public Comment - This portion of the agenda is designed for members of the general public to share thoughts on items of interest in the community. By law, Board members may ask clarifying questions or discuss procedural matters but are not permitted to discuss the policy merits of any issue unless it is scheduled for discussion.
3. Tanner Haid – West Virginia Rivers Coalition would like to invite a member of the Charles Town Utility Board to join the Safe Water Conservation Collaborative Steering Committee.
4. Discussion of current written policies/guidelines for developer requests
5. Utility Manager Report
 - a. Staff Update – Chesapeake Bay WIP 3 Local Engagement
 - b. Smoke Testing Schedule
 - c. Hatch – Greenfield Estimate
 - d. Personnel Hiring Action – Possible Executive Session Under:
WV State Code Section §6-9A-4(b)(2)(A) – Matters arising from
the appointment, employment of an employee
 - e. WV State Code Section §6-9A-4(b)(12) – To discuss a matter of potential
litigation
6. Approval of Bills

August 14, 2019

The Charles Town Utility Board held the regular meeting on August 14, 2019 beginning at 4:00 p.m. at 101 E. Washington Street. Members of the Board present were Daryl Hennessy, Pete Kubic, Kevin Tester, and Jacquelyn Milliron. Also present were Hoy Shingleton, Jane Arnett, Kristen Stolipher and Josh Compton (by phone). The Chairman called for changes or corrections to the July 24, 2019 regular meeting minutes. The Chairman noted that no action was taken in executive session at the July 24, 2019, meeting as minutes may be misleading. With no changes, the minutes were approved. Public comment was received.

The Chairman next introduced Tanner Haid from the West Virginia Rivers Coalition group and invited a member from the Board to join the Safe Water Conservation Collaborative Steering Committee. The committee was formed to assist utilities in addressing priority management strategies as listed in the Source Water Protection Plan and explore solutions to preserve land for the purposes of protecting drinking water. The next Steering Committee meeting is September 18th from 10am – 12pm if a member of the Board would like to attend. Jacquelyn volunteered to participate as the Board representative and Kevin noted he may also attend.

The Chairman next opened the floor for discussion on the current written policies/guidelines for developer requests. Kristen included the current policy, which is part of the Sewer System Specifications document, in the board packet and gave a quick overview of the process. Jacquelyn had concerns and comments on the policy in relation to rate impact/rate equalization and developer cost sharing policy as well as making sure all developers are treated equally. The Manager explained there is a standard that is followed by all developers. Hoy added that until certain parts of the system are fixed/upgraded, the Utility will need the flexibility to find solutions to those unique problems. The Chairman concluded that staff and the Board will continue to be consistent with cost sharing policies for all projects.

The next item discussed was the Review/Approval of Multi-function Plotter/Scanner Lease. Kristen provided an analysis and three quotes for purchasing a large format scanner/plotter to take the historical plans/paper plans to scan in as well as the ability to look at existing GIS and water models on a much bigger scale. The Chairman provided that the City has a plotter from Document Solutions which prints larger documents than those described in the packet, but thinks they will compliment each other if the Board pursues. Jacquelyn wanted to verify that all executable documents from the PSD were conveyed to CTUB which Kristen confirmed. Jacquelyn also verified the need for the scanner/plotter was not exclusively for PSD documents. Staff recommended the HP2530 from Documents Solutions, Inc, 63-month lease at \$205/month which the Manager would prefer to pay annually. By motion from Kevin, second by Pete, the Board approved the lease option with Documents Solutions Inc. for a scanner/plotter.

The Chairman next opened the floor for discussion on the Utility Manager report that included the Hatch-Greenfield pump station estimate. Kristen explained that Hatch has completed the Greenfield pump station evaluation that resulted from a request by Peach Tree Investments to serve 24 apartments, 6 retail, and 1,500SF restaurant adjacent to the Dollar General and across from Greenfield Subdivision on Charles Town Road. Hatch evaluated pump station 4-5 to handle this flow and prepared a construction cost estimate for the developer. Rick Travers from Hatch presented an overview of the findings to the Board which concluded total replacement of the pump station to accept the flows from Peach Tree Investments. Jacquelyn had several comments and concerns with the Hatch findings specifically about the pumps actually performing within guidelines of the WVBPH. Staff will share the findings with the developer.

The Chairman next discussed the Staff Update - Chesapeake Bay WIP 3 Local Engagement. Kristen clarified some of the statements made at a previous City Council meeting by Matthew Pennington on the Watershed Implementation Plan - Phase 3 Local County Meetings, particularly on the MS4 program. According to DEP, CTUB is restricted from accepting stormwater flows into the system and has not reviewed the Rockwool stormwater permit that was referenced. This led into the next item for the smoke testing update which was done to detect I&I problems in the system. Kristen provided that HydroStructures has completed Tuscawilla, Locust Hills and Belvedere and is now in Orchard Hills then will move on to parts of Ranson. All problems have been documented and will be provided in the final report so staff can address the collection issues and work with customers on private party issues.

Kristen next provided a follow-up to previous discussions on pump station repair overview, schedule and costs. She is working on a spreadsheet that outlines priority pump station repairs that are needed like Cranes Lane, Orchard Hills, etc. and will provide to the Board within the next month. Jacquelyn requested a short-term plan moving forward in regards to repairs, upgrades, etc that are needed in the future. The Manager provided an update on the Personnel Hiring Action item. The issue has resolved itself and staff will be going out to bid for electrical services for sewer needs. Also, the Manager provided a draft FY19 re-budget to change line items not totals to remain at the 115% debt service coverage. This will be brought back to the next meeting for approval.

Motion made by Kevin, second by Pete, to approve the bills with discussion from Jacquelyn. The Board approved the payment of bills. By motion from Kevin, second by Pete, the meeting adjourned at 5:57 p.m.


Chairman


Secretary

REVISED AUGUST 26, 2019

CHARLES TOWN UTILITY BOARD
WEDNESDAY, August 28, 2019 4:00 p.m.
REGULAR MEETING TO BE HELD AT
101 E. Washington Street

REGULAR MEETING:

1. Approval of the August 14, 2019 Regular Meeting Minutes
2. Public Comment - This portion of the agenda is designed for members of the general public to share thoughts on items of interest in the community. By law, Board members may ask clarifying questions or discuss procedural matters but are not permitted to discuss the policy merits of any issue unless it is scheduled for discussion.
3. Utility Board Member Reports
4. Utility Manager Report
 - a. T-Mobile Lease Amendment – 6th Avenue
 - b. Resolution No. 2019-04 – FY19 Post Year End Rebudget
 - c. WV State Code Section §6-9A-4(b)(12) – To discuss a matter of potential litigation with regard to a sewer claim denied by CTUB's insurance carrier
5. Approval of Bills

August 28, 2019

The Charles Town Utility Board held the regular meeting on August 28, 2019 beginning at 4:00 p.m. at 101 E. Washington Street. Members of the Board present were Daryl Hennessy, Pete Kubic, Duke Pierson, Kevin Tester, and Jacquelyn Milliron. Also present were Hoy Shingleton, Jane Arnett, and Kristen Stolipher. The Chairman called for changes or corrections to the August 14, 2019 regular meeting minutes. Jacquelyn suggested several changes. With no objections, the minutes were approved as amended. Public comment was received. Kristen noted an error in the Rockwool stormwater permit application as mentioned in public comments. She clarified the nearest receiving stream is Elk Branch and not Evitts Run as listed in the application so no stormwater will be coming to Charles Town.

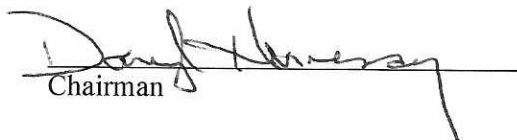
The Chairman next opened the floor for discussion on the Utility Board Member Reports. This item was added to allow the Board members to provide updates on policy matters for the Board to consider, operational issues for staff to follow up on or share educational/training materials. The Chairman also requested Board members contact him at least a week prior to the meeting to request items on the agenda as well as prioritizing those Board relevant topics. To start off the reports, the Chairman updated the Board on the most recent City Council meeting. Council requested the Utility Board consider asking for the onsite plumbing plans for all future industrial users or new connectors to the system. The Chairman drafted a resolution for next meeting establishing a policy for the Board to consider. Jacquelyn suggested the Board consider at the next meeting a written agenda policy and possibly revision to the current Board Rules of Procedures. She also suggested a work session to discuss the developer policy in further detail. The Board agreed to hold a work session 30-minutes prior to the next regular meeting to discuss the developer policy. Kevin questioned whether plumbing plan review is a normal practice of the Utility Board and Kristen explained that staff has not historically reviewed internal plumbing plans. The Chairman reiterated that he will provide a resolution at the next meeting to discuss the issue further.

The Chairman next opened the floor for discussion on the Utility Manager report that included the T-Mobile Lease Amendment -6th Avenue. Mike Hofe from Wireless Networks Group, Inc briefed the Board on the 3rd amendment to the T-Mobile lease agreement at the 6th Avenue water tank for equipment replacement. The monthly rent would continue at \$2305.00 with a 10% escalator every five-years. By motion from Duke, second by Kevin, the Board approved the amended lease agreement with T-Mobile for 6th Avenue. Mike also mentioned the Sprint and T-Mobile merger is currently under review and will update the Board on the progress.

The next item discussed was Resolution No. 2019-04 – FY19 Post Year End Rebudget. The Manager reviewed the rebudget and also provided the near final Revenue and Expense Statement for 6/30/19. Motion from Pete, second by Duke, with discussions from Jacquelyn on the rebudget. The Board approved Resolution No. 2019-04 – FY19 Post Year End Rebudget. The Manager also provided that staff will be requesting an extension to submit the WV PSC reports by October 31st and begin working on refinancing a 2013 bond. She also noted that earlier in the day staff received Rockwool's request for an Alternate Mainline Extension Agreement with CTUB that will provide sewer service to its facility. Lastly, the Manager informed the Board of a temporary construction easement that was obtained for the Cranes Lane pump station improvements and the owners would now like for the Utility to vacate that easement since the work is complete. Hoy will work on preparing this document.

The next item was the WV State Code Section §6-9A-4(b)(12) – To discuss a matter of potential litigation with regard to a sewer claim denied by CTUB's insurance carrier. By motion from Pete, second by Duke, the Board convened into executive session at 4:55 p.m. The Chairman declared the executive session over at 5:15 p.m.

Motion made by Duke, second by Kevin, to approve the bills with discussion from Jacquelyn. The Board approved the payment of bills. By motion from Duke, second by Pete, the meeting adjourned at 5:23 p.m.


Chairman


Secretary

WORKSHOP ON DEVELOPER POLICY
WEDNESDAY, September 11, 2019 3:30 p.m.

CHARLES TOWN UTILITY BOARD
WEDNESDAY, September 11, 2019 4:00 p.m.
REGULAR MEETING TO BE HELD AT
101 E. Washington Street

REGULAR MEETING:

1. Approval of the August 28, 2019 Regular Meeting Minutes
2. Public Comment – This portion of the agenda is designed for members of the general public to share thoughts on items of interest in the community. By law, Board members may ask clarifying questions or discuss procedural matters but are not permitted to discuss the policy merits of any issue unless it is scheduled for discussion.
3. Mayor and Chairman Presentation – Draft Resolution Requiring the Charles Town Utility Board to Maintain Copies and/or Access to Select Plumbing Plans
4. Utility Manager Report
 - a. Hatch Task Order #9 – Presidents Pointe Inspection Services (PASS THROUGH TO DEVELOPER)
 - b. Magnolia Springs – Submission of Proposed Alternate Mainline Sewage Collection System Agreement to approval by the West Virginia Public Service Commission
 - c. Extension of Equipment Lease (24 months) with \$1.00 Purchase Option – Hitachi Excavator 135
5. Approval of Bills

September 11, 2019

The Charles Town Utility Board held a workshop on September 11, 2019 at 3:30 p.m. at 101 E. Washington Street to discuss the Developer Policy. Members of the Board present were Daryl Hennessy, Pete Kubic, Duke Pierson, Kevin Tester, and Jacquelyn Milliron. Also present were Jane Arnett, Kristen Stolipher, Hoy Shingleton, and Commissioner Josh Compton. The regular meeting began at 4:00 p.m. The Chairman called for changes or corrections to the August 28, 2019 regular meeting minutes. Jacquelyn suggested one change. With no objections, the minutes were approved as amended. No public comment was received.

The Chairman next presented, with Mayor Bob Trainor, a draft Resolution requiring the Charles Town Utility Board to maintain copies and/or access to select plumbing plans. The Chairman reviewed the Resolution and Mayor Trainor added the main focus is for the Utility Board to revise current specifications and draft a policy to add the requirement on plumbing plans access and review for industrial users. Motion made by Duke, second by Kevin, to approve the draft Resolution requiring the Charles Town Utility Board to maintain copies and/or access to select plumbing plans with discussion from Jacquelyn. The Board approved the Resolution.

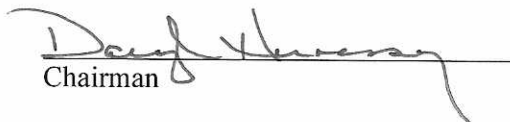
The Chairman next opened the floor for discussion on the Utility Manager report that included Hatch Task Order #9 – Presidents Pointe Inspection Services (PASS THROUGH TO DEVELOPER). The Manager explained this is a pass through to the developer to provide inspections services for the project at no cost to the Utility Board. By motion from Kevin, second from Pete, the Board approved the Hatch Task Order #9 – Presidents Pointe Inspection Services.

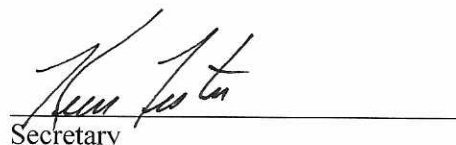
The next item discussed was Magnolia Springs – Submission of proposed Alternate Mainline Sewage Collection System Agreement to approval by the West Virginia Public Service Commission. The Manager briefed the Board on the agreement to be submitted and approved by the Public Service Commission upon Board approval. The Chairman added the development will consist of 300 units with decommissioning of two, possibly three, other pump stations. Kristen noted the O&M cost savings related to the decommissioning of those pump stations. Jacquelyn had several questions and concerns with the agreement. Motion made by Duke, second by Kevin, to approve the submission of the Alternate Mainline Sewage Collection System Agreement for Magnolia Springs with discussion from Jacquelyn. She requested to abstain from voting since she did not have enough information to make a decision. The Chairman explained it was late in the process to abstain from a vote and not having enough information is not basis for abstaining. He allowed her to abstain for this vote, but not in the future for that reason. Jacquelyn also requested guidelines about abstentions to be provided by the Chairman. The Board approved submission of the agreement with one abstention.

The Chairman next opened the floor for discussion on the Extension of Equipment Lease (24 months) with \$1.00 Purchase Option – Hitachi Excavator 135. The Manager provided the lease is a two-year extension, originally began in 2015, with a \$1.00 purchase option. Staff recommended the lease renewal and purchase at the end of the two years since it is a piece of equipment applicable to projects. By motion from Pete, second by Kevin, the Board approved the lease extension for the Hitachi Excavator 135.

The next item was the Rules of Procedures which was shared with the Board. The Chairman explained this item will be discussed in further detail at the next meeting. Next discussed was the Update on Rockwool's Request for an Alternate Mainline Extension Agreement WV State Code Section §6-9A-4(b)(9). By motion from Duke, second by Kevin, the Board convened into executive session to discuss Rockwool at 4:57 p.m. The Chairman invited the Mayor to join the executive session since the City's financing package could be affected. The Chairman declared the executive session over at 5:48 p.m.

By motion from Kevin, second by Duke, the Board approved the payment of bills. By motion from Duke, second by Pete, the meeting adjourned at 5:50 p.m.


Chairman


Secretary

CHARLES TOWN UTILITY BOARD
WEDNESDAY, September 25, 2019 4:00 p.m.
REGULAR MEETING TO BE HELD AT
101 E. Washington Street

REGULAR MEETING:

1. Approval of the September 11, 2019 Regular Meeting Minutes
2. Public Comment – This portion of the agenda is designed for members of the general public to share thoughts on items of interest in the community. By law, Board members may ask clarifying questions or discuss procedural matters but are not permitted to discuss the policy merits of any issue unless it is scheduled for discussion.
3. Rules of Procedure
4. Utility Manager Report
 - a. Equipment Lease – Toshiba Digital Color Copier
 - b. Hatch Task Order #6 – Jefferson Heights Evaluation Findings
 - c. Discussion of City Council October 21, 2019 Work Session Items
5. Update on Rockwool's Request for an Alternate Mainline Extension Agreement WV State Code Section §6-9A-4(b)(9) and WV State Code Section §6-9A-4(b)(12) – To discuss the impact of pending litigation as relates to subject matter of 4.c. above.
6. Approval of Bills

September 25, 2019

The Charles Town Utility Board held the regular meeting on September 11, 2019 at 4:00 p.m. at 101 E. Washington Street. Members of the Board present were Daryl Hennessy, Pete Kubic, Duke Pierson, Kevin Tester, and Jacquelyn Milliron. Also present were Jane Arnett, Kristen Stolipher, and Hoy Shingleton. The Chairman called for changes or corrections to the September 11, 2019 regular meeting minutes. Jacquelyn suggested one change. With no objections, the minutes were approved as amended. Public comment was received.

The Chairman next opened the floor for discussion on the Rules of Procedure. At previous board meetings, Jacquelyn had requested more specifics on the Agenda section and made several comments in relation to that. She would like the policy to be more clearly identified. The Chairman will draft language regarding the agenda policy and circulate back to the Board. Duke added the purpose of an agenda should be added to the drafted policy. Pete noted he has been on the Board for 20 years and staff has always set the agenda and he would like to continue with that procedure. He also commented that items requested by Board members should be added with the consensus of the other Board members.

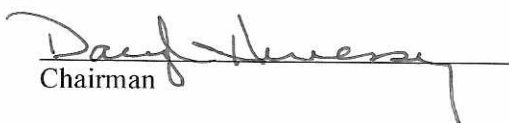
The Chairman next opened the floor for discussion on the Utility Manager report that included the Equipment Lease – Toshiba Digital Color Copier. The Manager explained the lease was expiring next month on the copier brought over by the PSD. Motion from Duke, second by Kevin, to approve the equipment lease for the Toshiba Digital Color Copier with discussion from Jacquelyn. The Board will take action on this at the next meeting once Kristen clarifies if service maintenance is included in the lease.

The next item discussed was Hatch Task Order #6 – Jefferson Heights Evaluation Findings. Kristen provided that Hatch has completed their evaluation on the water and sewer availability for the Jefferson Heights proposed subdivision as well as impacts on Magnolia Springs once its constructed. The findings indicated two cost options for the Jefferson Heights development. Rick Travers was present to answer questions from the Board. The findings will be communicated to the developer for review. Jacquelyn had several questions relating to the findings. She requested a letter dated August 12, 2019, from CTUB staff containing the CTUB Magnolia Springs and Jefferson Heights financial scenario that was not previously provided to be placed in public record.

The Chairman next offered information on Board members abstaining from a vote and noted that he cannot force a member to vote. He also mentioned that the rules of voting reside with the Board. Jacquelyn requested all available information on agenda items prior to the meetings. The next item discussed was the City Council October 21, 2019 Work Session Items. The Chairman suggested updating City Council on the rate equalization process and schedule through a work session. The Manager mentioned supplying an update to Council on the Bond Refinancing process, the tariffs, and future projects that are related to the equalization of rates. The Chairman also invited Jacquelyn to provide an update from the Safe Water Conservation Collaborative Meeting she attended. Jacquelyn requested the update be placed on the next Board meeting.

Motion from Kevin, second by Duke, to approve the payment of bills with discussion from Jacquelyn. The Board approved the payment of the bills. The Manager also provided an update that the water plant project will be complete by October 5th. Next discussed was the Update on Rockwool's Request for an Alternate Mainline Extension Agreement WV State Code Section §6-9A-4(b)(9). By motion from Duke, second by Kevin, the Board convened into executive session to discuss this Agreement at 5:07 p.m. The Chairman invited the Mayor to join the executive session. The Chairman declared the executive session over at 5:48 p.m. He clarified the Board discussed the status on the Alternate Mainline Extension Agreement with Rockwool as it would relate to a legal opinion for the Bond Refinancing. By motion from Duke, second by Pete, the Board approved moving the October 9th Board meeting to October 11th at 3pm.

By motion from Jacquelyn, second by Duke, the meeting adjourned at 5:50 p.m.


Chairman


Secretary