

CHARLES TOWN UTILITY BOARD
Wednesday, January 10, 2018 8:30 a.m.
MEETING TO BE HELD AT
832 S. George Street

REGULAR MEETING:

1. Approval of December 13, 2017 Regular Meeting Minutes
2. Ordinance Committee Request
3. Engineering / Utility Manager
 - i. Certificate of Substantial Completion at December 5, 2017
 - ii. 2016A Bond Draw Resolution #30 – Lobar Pay Application No. 22
FINAL
 - iii. 2016B Funds – Park Lift Station Upgrade
4. WV State Code Section §6-9A-4(b) (9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters and 6-9A-4 (2) – Utility Manager review.
5. Approval of Bills

January 10, 2018

The Charles Town Utility Board held the regular Board meeting on January 10, 2018 beginning at 8:30 a.m. at 832 S. George Street. Members of the Board present were Pete Kubic, Tommy Stocks and Daryl Hennessy. Also present were Todd Wilt, Kristen Stolipher, John Cole, April Shultz, Ashley Stottlemeyer and Jane Arnett. The Utility Board Chairman opened the meeting at 8:30 a.m. Daryl Hennessy called for a motion to approve the December 13, 2017 meeting minutes. By motion from Tommy, second by Pete, the meeting minutes were approved.

Hoy Shingleton briefed by phone on the status of the JCPSD Asset Acquisition Agreement having met with the County Commission attorney and the new JCPSD attorney. The draft is consistent with the County Commission Agreement previously presented. Minor changes have been requested by the JCPSD including that the person serving be a customer of the District or a future customer of the District. Hoy then described the process. First, the JCPSD must hold a noticed public hearing on the transfer. Then, the County Commission must hold publicly noticed hearings on the Agreement regarding the transfer of assets and on the change to their Dissolution Resolution recognizing that the dissolution becomes effective only upon the transfer. The Charles Town City Council must accept the Agreement before submittal to the WVPSC. Hoy briefed on the developer group filing last week at the WVPSC to place the JCPSD in receivership. Hoy has requested being placed on the January 16, 2018 City Council agenda to brief the Council on this process. As to the Ranson Acquisition, that Agreement is being processed by the WVPSC. April informed that a Special Meeting will be held by the JCPSD this Thursday night to discuss the two items.

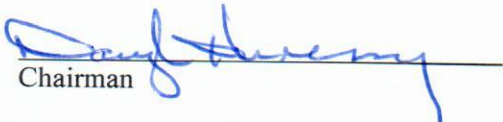
April requested that the Board and the JCPSD work together to resolve the Capacity Assurance Fee payments by developers in light of the restrictions in their collection system. The goal would be to make sure that capacity is available or planned. The Manager will discuss with Hoy. April also informed that the JCPSD is looking for office space before November 2018. JCPSD staffing was reviewed and the Board communicated that the employees would be needed upon the acquisition. Concerns were expressed regarding three JCPSD pump stations that are in critical condition. The Board thanked the JCPSD staff for attending the meeting.

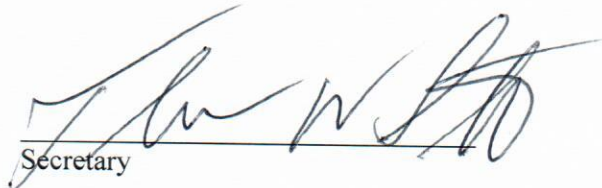
Pete requested an update on 661 S. George Street in light of the office space needs of the JCPSD. Todd Wilt raised concern that John Stump was still reviewing the bid. Kristen has spoken to John and has an understanding that the bid documents need to be revised to align with the WV bid process. Kristen is working to ensure the correct bid documents will be used. Cost estimate at this time is \$1,000,000.00.

The Chairman indicated that the Ordinance Committee Request could be tabled until the next meeting given the length of discussion with the JCPSD. The Manager reported that Items 3. i. and ii. are on hold pending resolution of Lobar's final contract price. Letters have been received from Lobar and RK&K and further discussion will be required in an Executive Session. Item 3. iii. Park Lift Station Upgrade is also on hold pending advertisement for materials since the estimate is greater than \$25,000.00. Concern over the 4" force main from the lift station to the headworks is being addressed with a larger wet well. In addition, valving will be installed to allow all flows at Tuscawilla to be sent to Charles Town.

The Chairman called for a motion to convene into executive session. By motion from Tommy, second by Pete the Board convened to executive session at 9:35 a.m. under WV State Code Section §6-9A-4(b) (9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision, specifically the Lobar contract, and 6-9A-4 (2) – Utility Manager review. The Chairman declared the executive session over and the Board reconvened into regular session at 10:13 a.m. The Chairman thanked the Utility Manager for efforts over the past year and by motion from Pete, second by Tommy, the Board approved the Manager's increase consistent with what was adopted in the fall under the revised pay scale.

By motion from Tommy, second by Pete, the Board approved the payment of bills. The meeting adjourned at 10:15 a.m.


Chairman


Secretary

CHARLES TOWN UTILITY BOARD
Wednesday, January 24, 2018 8:30 a.m.
MEETING TO BE HELD AT
832 S. George Street

REGULAR MEETING:

1. Approval of January 10, 2018 Regular Meeting Minutes
2. Ordinance Committee Request
3. Committee recommendation for selection of Engineering firm under 5G
4. Engineering / Utility Manager
 - i. Certificate of Substantial Completion at December 5, 2017
 - ii. 2016A Bond Draw Resolution #30 – Lobar Pay Application No. 22
FINAL and FINAL Change Order No. 3 if necessary
 - iii. 2016B Funds – Park Lift Station Upgrade Status
5. WV State Code Section §6-9A-4(b) (9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters.
6. Approval of Bills

January 24, 2018

The Charles Town Utility Board held the regular Board meeting on January 24, 2018 beginning at 8:30 a.m. at 832 S. George Street. Members of the Board present were Pete Kubic, Tommy Stocks and Daryl Hennessy. Also present were Todd Wilt, Kristen Stolipher and Jane Arnett. The Utility Board Chairman opened the meeting at 8:30 a.m. Daryl Hennessy called for a motion to approve the January 10, 2018 meeting minutes. By motion from Tommy, second by Pete, the meeting minutes were approved.

The Chairman then discussed the Ordinance Committee request regarding the Article 921, Sewers. The issue is how to handle sewer connections upon an annexation into the City. The discussion included advising against changing the Ordinance. Presently, consideration is being given to JCPSD connections upon the asset acquisition, vacant lands that have been developed under the existing City annexation agreements that would be subject to required connection, or in certain cases annexation of an existing septic system. The current annexation by boundary adjustment could be handled separate from the Ordinance. Kristen advised that one scenario is existing septic systems that could be required to connect to the public system once gravity was installed upon a change of ownership or change in use. By annexation agreement under the current boundary adjustment, the septic system owners could acknowledge protection of their system.

The Manager noted the distinction between the intent of Ordinance 921, previous annexation agreements and the current annexation. The input from the Board in regards to this annexation include acknowledging existing customers, likely JCPSD customers, or vacant land that would be required to connect to public water and sewer, or existing septic systems. Those on existing septic include, but not limited to Page Jackson Elementary and surrounds, several on Keyes Ferry Road and Schaeffers Crossroads and could be addressed in an annexation agreement or recordation in the Courthouse. The Chairman will research the options that would incorporate language with the annexation outside of changing the Ordinance.

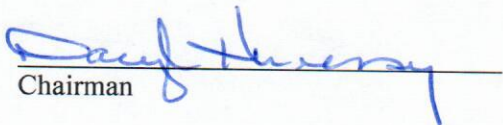
With regard to Ordinance changes, Pete asked for an update on the Tusawilla property. Pete and the Manager attended the Building Commission meeting. Upon further research, the cleanest option is to have the City Council by Ordinance transfer or sell the properties by Ordinance. The responsibilities of the Building Commission address when a City property would need improvements through financing options. John Stump has been asked to forward an Ordinance example in order to first, transfer the postal station and second, sell the property.

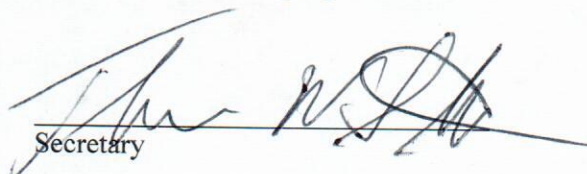
The Chairman next opened the floor for discussion of the Committee recommendation for selection of Engineering firm under 5G. Pete briefed on the interviews. Kristen provided that Thrasher had a stronger approach to design / build opportunities as well as operators on staff as part of design and construction efforts. Pete recommended by motion that the Board continue the 5G negotiation process with The Thrasher Group, Inc. as the stronger candidate, seconded by Tommy and unanimously approved.

The Chairman called for a motion to convene into executive session. By motion from Tommy, second by Pete the Board convened to executive session at 8:55 a.m. under WV State Code Section §6-9A-4(b) (9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision, specifically matters related to litigation or potential litigation. The Chairman declared the executive session over and the Board reconvened into regular session at 9:10 a.m.

The Manager noted that Items 4. i. and ii. are tabled. Item 4. iii. Park Lift Station Upgrade was required to be re-advertised for an incorrect date. Bids will be opened February 7, 2018. This is a materials only bid for the delivery of a package pump station. The Asset Purchase Agreement draft is nearing completion with the next steps being a public hearing at the JCPSD and County Commission and City Council meetings.

By motion from Tommy, second by Pete, the Board approved the payment of bills. Finally, the Chairman requested the Board consider changing the meeting time to 4:00 p.m. The Board was agreeable pending a City Council future appointment. By motion from Tommy, second by Pete, the meeting adjourned at 9:23 a.m.


Chairman


Secretary

CHARLES TOWN UTILITY BOARD
Wednesday, February 14, 2018 8:30 a.m.
MEETING TO BE HELD AT
832 S. George Street

REGULAR MEETING:

1. Approval of January 24, 2018 Regular Meeting Minutes
2. Thrasher Group, Inc. price negotiations, scope of service and a satisfactory contract in accordance with WV Code 5-G.
3. Utility Manager
 - i. 2016B Funds – Park Lift Station Upgrade Status
 - ii. Consultant Agreement Renewal
 - iii. Request for Commercial Property Appraisal – Tax Map __, Parcel __
 - iv. Update – Cave Quarter water and sewer service
 - v. Request for Lease Purchase – Dodge Truck
4. WV State Code Section §6-9A-4(b) (9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters.
5. Approval of Bills

February 14, 2018

The Charles Town Utility Board held the regular Board meeting on February 14, 2018 beginning at 8:30 a.m. at 832 S. George Street. Members of the Board present were Pete Kubic, Tommy Stocks and Daryl Hennessy. Also present were Hoy Shingleton, Matt Pipenburg, Todd Wilt, Kristen Stolipher and Jane Arnett. The Utility Board Chairman opened the meeting at 8:30 a.m. Daryl Hennessy called for a motion to approve the January 24, 2018 meeting minutes. By motion from Tommy, second by Pete, the meeting minutes were approved.

The Chairman opened the floor for discussion of the Thrasher Group, Inc. price negotiations, scope of service and satisfactory contract in accordance with 5G. Also discussed were the initial Task Orders No. 1, 1A and 2. Hoy briefed on his review of the documents, the Task Orders (Water Treatment Plant Operations Review, the Sewer Strategic Plan, as well as a response due in WVPSC Case Numbers 17-0915-PSWD-PC and 18-0006-PSD-C by March 14, 2018). The Order requires in part that:

Charles Town, the County Commission and the PSD should include in their forthcoming pleading their plans to upgrade the sewer system in the former PSD territory, including the timeline for any planned construction. Their statement should make clear whether and to what extent the Flowing Springs Project will be constructed and the estimated cost of the improvements or upgrades that will be constructed. If Charles Town or the County Commission intends to upgrade service in a manner different from what was authorized in the certificate case, Charles Town or the County Commission must explain any alternative plan and provide a cost estimate and construction timeline.

By motion from Pete, second by Tommy the Board unanimously approved to execute the Thrasher Agreement. By motion from Tommy, second by Pete, the Board approved Task Order No. 1 and No. 1A. By motion from Tommy, second by Pete, the Board approved Task Order No. 2.

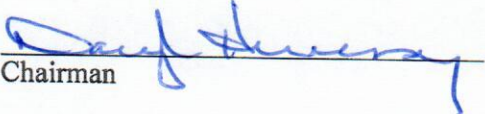
The Manager briefed on the bids received for the Park Pump Station. By motion from Pete, second by Tommy, the low bid from STH was approved for \$86,000. A portion of the funding will be from the 2016B Bond close out. The Manager next provided a briefing on a preliminary cost estimate of \$1.5 million and funding scenario for Cave Quarter Utility prior to distribution of the documents. The layout is proposed to connect both water and sewer to Huntfield. Upon the issuance of a bond by the City Council, the owner / developer would be required to guarantee the debt service similar to the Huntfield agreements.

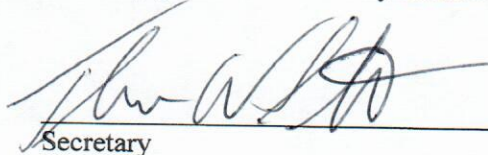
The Board considered the Consultant Agreement for support in wastewater operations. By motion from Tommy, second by Pete, the Board approved the Agreement with Mike Venters for 2018. The Board next considered a proposed lease purchase for a vehicle in Maintenance as well as the sale of four (4) older vehicles. Daryl requested that the Manager review with Todd the language for selling these vehicles under Home Rule. By motion from Pete, second by Tommy, the Board approved the lease and the sale of the older vehicles. Finally, the Board considered a request for an appraisal of a commercial property adjacent to the CTWWTP. Upon discussion, the request was not considered, however, initial plans by the City for future walkability and connectivity could allow reconsideration.

Hoy then briefed on the Ranson Asset Acquisition. The WVPSC has approved the Agreement with closing documents now being requested by the PSC. A tour of the Ranson system is scheduled for today. With regard to the JCPSD transaction, the JCPSD must hold a public hearing on the Asset Acquisition. A draft Agreement has been agreed upon. Hoy is requesting that this draft be placed on the next City Council agenda for the purpose of adopting a Resolution to enter into this Agreement. Upon receipt of the Resolution, Hoy would then file with at the PSC for their approval. The Manager noted that the Roper easements are finally being obtained for the Martin Luther / Summit Point triangle. The remaining easements would possibly require condemnation. The concern in this triangle could be achieved at this point by setting a fire hydrant on the south side of Martin Luther across from Eagle Avenue. A visit to three (3) JCPSD pump stations was conducted last week. Input is being requested for suggestions on possible improvements. The JCPSD presently has a cost estimate of \$420,000 from Thrasher. Kristen will try to review this estimate to determine if certain items could be completed sooner if funds are available. Also, the Manager noted that all employee reviews have been completed. The Sewer Strategic Plan draft is being worked on with the goal to present the draft to the Board in mid-March in order to meet the April publication.

The Chairman called for a motion to convene into executive session. By motion from Tommy, second by Pete the Board convened to executive session at 9:46 a.m. under WV State Code Section §6-9A-4(b) (9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision, specifically matters related to litigation or potential litigation. The Chairman declared the executive session over and the Board reconvened into regular session at 9:50 a.m. By motion from Tommy, second by Pete, the Board approved and authorized the Chairman to sign the final pay application from Lobar.

By motion from Tommy, second by Pete, the Board approved the payment of bills. By motion from Tommy, second by Pete, the meeting adjourned at 9:50 a.m.


Chairman


Secretary

CHARLES TOWN UTILITY BOARD
Wednesday, February 28, 2018 8:30 a.m.
MEETING TO BE HELD AT
832 S. George Street

REGULAR MEETING:

1. Approval of February 14, 2018 Regular Meeting Minutes
2. Discussion Topics
 - i. February 20, 2018 City Council Update
Process and Plan of Action – JCPSD Asset Acquisition
Process for Ranson Asset Acquisition
 - ii. Update on Sewer Strategic Plan
 - iii. Review of CTUB Bylaws
 - iv. Discussion of Utility Board Meeting Time Change
3. Utility Manager
 - i. 2016B Funds – Park Lift Station Upgrade Status
 - ii. 2016A Bond – Consideration of additional RK&K Task Order No. 15,
Change Order No. 7 and RK&K Invoices
4. WV State Code Section §6-9A-4(b) (9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters.
5. Approval of Bills

February 28, 2018

The Charles Town Utility Board held the regular Board meeting on February 28, 2018 beginning at 8:30 a.m. at 832 S. George Street. Members of the Board present were Daryl Hennessy, Pete Kubic, Tommy Stocks and Kevin Tester. Also present were Matt Piepenburg, Todd Wilt, Kristen Stolipher and Jane Arnett. The Utility Board Chairman opened the meeting by swearing in the new Board member, Kevin Tester. The Chairman then called for a motion to approve the February 14, 2018 meeting minutes. By motion from Tommy, second by Pete, the meeting minutes were approved.

The Chairman opened the floor for discussion of Resolution 2018-01 – Charles W. Kline Proclamation. By motion from Tommy, second by Pete, the Board approved the following Resolution:

RESOLUTION NO. 2018-01
CHARLES TOWN UTILITY BOARD

WHEREAS, Charles (Bill) W. Kline has spent a significant portion of his life dedicated to the success of the City of Charles Town, first as Honorable Councilman and second as a Committee member on various Boards and Commissions; and

WHEREAS, Bill has been a valued and respected member of the Charles Town Utility Board for many years, faithfully serving as Secretary / Treasurer since 2008, carefully reviewing and signing more checks than he cares to remember; and

WHEREAS, Bill has made considerable contributions to the governance of the Board where his commitment to the Board has gone above and beyond just attending meetings; and

WHEREAS, Consistently, Bill has provided the highest standards of professionalism when strongly defending and supporting this Utility; and

WHEREAS, Through his quiet demeanor, but strong will, Bill has proven to be an effective advocate, defending the principles of quality service at the most economical rates for his neighbors and all customers, supporting a multitude of infrastructure capital projects including the challenges and expense of Chesapeake Bay compliance with a watchful eye on rate impacts; and

WHEREAS, Through many, many, years of service to this City and this Utility and its employees, Bill serves as an example and inspiration to fellow Board members and the entire staff who acknowledge and appreciate his sizeable contributions;

NOW THEREFORE BE IT RESOLVED, That the Charles Town Utility Board offers its most humble and sincere appreciation to Charles W. Kline for his exemplary commitment and contribution to the Charles Town Utility Board, its employees and its ratepayers.

AND FURTHER BE IT RESOLVED, That the Charles Town Utility Board hereby adopts Resolution No. 2018-01 to express its thanks and heartfelt gratitude to Charles W. Kline (just Bill!).

Chairman Daryl Hennessy
Attest:

Vice Chairman Pete Kubic

Dated: February 28, 2018

The Chairman opened the floor for discussion of the several items. The update from the City Council meeting included Mike George reporting the concern expressed at the February 20, 2018 Council meeting. The issue that caused confusion was that an Ordinance (versus a Resolution) was presented. Mike recommended that a timeline would be very helpful as a roadmap for Council. Kristen reported that clarification was needed in part between what was approved with the County Commission versus this similar agreement with the JCPSD Board. She noted that due diligence is still required on the JCPSD system, however, the Ranson due diligence is complete and a report is being prepared. The key in bringing the Agreement is that this a draft to be forwarded to the WV PSC with Council still being able to withdraw at any time up to final approval. The Board agreed that a Resolution needs to be prepared, similar to the County Commission Agreement Resolution, to present with the draft Agreement to City Council. The Manager reported that financial information is being prepared with J.C. Kunkle and Associates doing the Ranson pro forma and then David Decker adding the JCPSD data in a format similar to the Willow Spring and 2016B sewer projects analysis that demonstrates debt service coverage. Concerns were expressed regarding the conditions of the JCPSD pump stations as well as when funding would be available to make critical repairs. The Chairman noted the specific items being prepared for the March 6, 2018 Council meeting including a Resolution and additional detailed information regarding Ranson. Further discussion with the Council will include the Ordinance changes and how to address these items including tariffs and Board member changes, bylaws and conflicts of interest. The 2008 Bylaws of the Board were included in the Board packet for the benefit of new members.

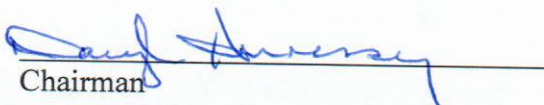
The Chairman opened the floor for discussion of the Sewer Strategic Plan update. The Manager hopes to have a draft in two weeks to the Board. The ability to now look at the regional collection and pumping will add a new section to the Plan. The available treatment capacity is still over 4,000 Equivalent Dwelling Units (EDUs). The Plan will be open for public comment prior to approval by the Board at the second meeting in April. Finally, the Chairman confirmed that the Board meeting time will be changed to 4:00 p.m.

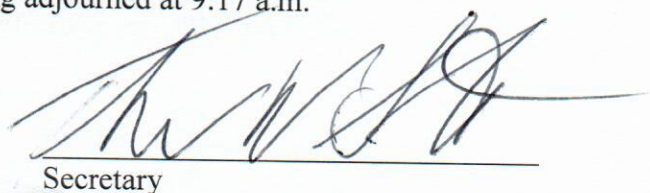
The Chairman next opened the floor for discussion of the Park Pump Station upgrade. The Manager noted that soil conditions are severe and core drilling will be needed. The shoring will need to be hydraulic sheeting. Staff will evaluate the new pump station versus the retrofit of the existing pump station and present costs at the next meeting. Pete expressed concern that additional capacity is key in favor of a new station due to storm events. A question was raised if the equalization basin could be used in storm events.

A discussion of the 2016A Bond – Consideration of additional RK&K Task Order No. 15, Change Order No. 7 and RK&K Invoices was held. The Board had previously approved an \$839,900.00 Task Order. Based on Board approvals, payment to RK&K would be \$2,641.81. The Manager noted that RK&K was informed in early January that no authorization was granted to spend more than this contract amount. By motion from Pete, second by Tommy, the Board approved the payment of \$2,641.81 together with a letter to RK&K regarding the additional requested amount.

The Manager noted that no Executive Session was required. The timeline for the JCPSD asset acquisition was discussed including the required three readings of bond ordinances and two readings of the tariff changes. Todd noted that the bid for 661 S. George was pushed back to March 6, 2018 with completion of construction forecast at the end of 2018.

By motion from Tommy, second by Pete, the Board approved the payment of bills. By motion from Tommy, second by Pete, the meeting adjourned at 9:17 a.m.


Chairman


Secretary



Charles Town

Utility Board

832 S. George Street, P.O. Box 359, Charles Town, WV 25414
Phone: (304) 725-2316 ♦ Fax: (304) 725-4313 ♦ Web: www.charlestownwv.us

RESOLUTION NO. 2018-01 CHARLES TOWN UTILITY BOARD

WHEREAS, Charles (Bill) W. Kline has spent a significant portion of his life dedicated to the success of the City of Charles Town, first as Honorable Councilman and second as a Committee member on various Boards and Commissions; and

VICE
CHAIRMAN

*Daryl
Hennessy*

WHEREAS, Bill has been a valued and respected member of the Charles Town Utility Board for many years, faithfully serving as Secretary / Treasurer since 2008, carefully reviewing and signing more checks than he cares to remember; and

UTILITY
BOARD

*Pete
Kubic*

WHEREAS, Bill has made considerable contributions to the governance of the Board where his commitment to the Board has gone above and beyond just attending meetings; and

*Tommy
Stocks*

WHEREAS, Consistently, Bill has provided the highest standards of professionalism when strongly defending and supporting this Utility; and

WHEREAS, Through his quiet demeanor, but strong will, Bill has proven to be an effective advocate, defending the principles of quality service at the most economical rates for his neighbors and all customers, supporting a multitude of infrastructure capital projects including the challenges and expense of Chesapeake Bay compliance with a watchful eye on rate impacts; and


UTILITY
MANAGER

*Jane E.
Arnett*

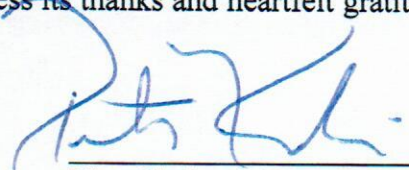
WHEREAS, Through many, many, years of service to this City and this Utility and its employees, Bill serves as an example and inspiration to fellow Board members and the entire staff who acknowledge and appreciate his sizeable contributions;


NOW THEREFORE BE IT RESOLVED, That the Charles Town Utility Board offers its most humble and sincere appreciation to Charles W. Kline for his exemplary commitment and contribution to the Charles Town Utility Board, its employees and its ratepayers.

AND FURTHER BE IT RESOLVED, That the Charles Town Utility Board hereby adopts Resolution No. 2018-01 to express its thanks and heartfelt gratitude to Charles W. Kline (just Bill!).


Chairman Daryl Hennessy

Attest:


Vice Chairman Pete Kubic


Dated: February 28, 2018

CHARLES TOWN UTILITY BOARD
Wednesday, March 14, 2018 4:00 p.m.
MEETING TO BE HELD AT
832 S. George Street

REGULAR MEETING:

1. Approval of February 28, 2018 Regular Meeting Minutes
2. Swearing In of new Board Member – Mike Slover
3. Preparation for City Council March 19, 2018 Work Session and Meeting and March 20, 2018 Ordinance Committee Meeting
Ranson Asset Acquisition:
 - i. Form of Tariff from WVPSC in Case No. 17-1534-S-PC
 - ii. Form of Tariff for Ordinance Reading and Public Hearing
 - iii. Roxul Project Ordinance (see previous Water Project Ordinance approved by City Council in January 2016)
 - iv. Ordinance authorizing the acquisition of the Ranson Sewer System, including the real and personal property (see similar Ordinance drafted for JCPSD)
 - v. Article 147.02 – Composition to align with both the Ranson and the JCPSD Agreements
 - vi. Discussion of Draft Debt Service Coverage Schedule – Charles Town and Ranson
 - vii. Discussion of Draft Due Diligence Report
Process and Plan of Action – JCPSD Asset Acquisition
WV PSC Case No. 17-0915-PSWD-PC combined with Case No. 18-0006-PSD-C
4. Utility Manager
 - i. 2016B Funds – Park Lift Station Upgrade Status
 - ii. Update on Sewer Strategic Plan
5. WV State Code Section §6-9A-4(b) (9) - To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters.
6. Approval of Bills

March 14, 2018

The Charles Town Utility Board held the regular Board meeting on March 14, 2018 beginning at 4:00 p.m. at 832 S. George Street. Members of the Board present were Daryl Hennessy, Pete Kubic, Michael Slover, Tommy Stocks and Kevin Tester. Also present were Micheal George, Hoy Shingleton, Matt Piepenburg, Kristen Stolipher and Jane Arnett. The Chairman then called for a motion to approve the February 28, 2018 meeting minutes. By motion from Tommy, second by Pete, the meeting minutes were approved. The Chairman proceeded with the swearing in the new Board member, Michael Slover. Michael (Mike) thanked the Board members for moving the meeting time to 4:00 p.m.

The Chairman then opened the floor for discussion of items in preparation for City Council March 19, 2018 Work Session and the Ordinance Committee meeting March 20, 2018. The Manager began with the Ranson Asset Acquisition Form of Tariff from WVPSC in Case No. 17-1534-S-PC and Form of Tariff for Ordinance Reading and Public Hearing. The readings will not begin at the March 19, 2018 meeting. First reading for the Ordinances is proposed to be April 2, 2018. Clarification was made that the Ordinances require a Class 2 legal advertisement. The Ranson rates are planned to stay in place for approximately one year before equalization. In addition, Ranson's 2016 rate increase accounted for a \$2,000,000 project specific to Ranson. Hoy suggested that the rate equalization may be proposed upon completion of this Ranson project or one year.

The next Ordinance, the Roxul Project Ordinance is a requirement in lieu of obtaining a Certificate of Convenience and Necessity from the WV PSC. This Ordinance must be mailed to each customer and is similar to the Water Project Ordinance approved by City Council in January 2016. The dates for the readings of this Ordinance will be forwarded to Daryl by Friday. Should the Ranson Asset Acquisition be consummated, the City of Charles Town would receive this project and this notice would be mailed to customers. The Board noted that this mailing should include information that no rate impact will be required as a result of this project. Design of this project is about 50% complete. This mailing is required a month prior to the enactment of the Ordinance (2nd reading).

The next Ordinance relates to authorizing the acquisition of the Ranson Sewer System, including the real and personal property. Hoy Shingleton explained that this authorizes the Mayor and Council to proceed to execute the closing documents including deeds of easement, assignments and conveyance of cash, assets and equipment. This Ordinance will have the same dates as the Tariff (April 2 and May 7, 2018).

Article 147.02 – Composition to align with both the Ranson and the JCPSD Agreements was discussed with regard to the insertion of the language for appointees from Ranson and the County Commission. The Chairman noted that 147.04 requires a change for the election of the Chair within 24 months of completion of the acquisitions. The Chairman brought up concerns of one Council member. Hoy Shingleton suggested that ethics and conflicts of interest issues would be better addressed as a general reference to the State Ethics Rules and not specific to one Board. The bylaws of this Board have been made available.

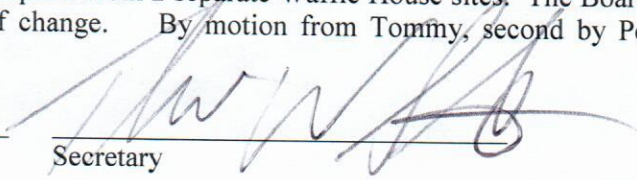
The Manager presented the Debt Service Coverage Schedule – Charles Town and Ranson as prepared by John Kunkle showing the pro forma combined debt service coverage of 147.47%. The Board requested further explanations of this schedule for the work session with the Mayor and Council. This schedule going forward does include the \$2,000,000.00 Ranson project being covered by Ranson customers and coverage for 2 employees. The receivables balance will be further detailed. Hoy is reviewing the developer agreements, the agreement with the JCPSD and the titles or deeds for property that will convey. An asset listing is still needed. Kristen then presented the draft Due Diligence Report as an overview of the Ranson system.

Hoy briefed on the status of the JCPSD Asset Acquisition and WV PSC Case No. 17-0915-PSWD-PC combined with Case No. 18-0006-PSD-C. The Board agreed that this will not be the focus of the meetings next week with Mayor and Council.

The Chairman next opened the floor for discussion of the 2016B Funds – Park Lift Station Upgrade Status and an update on the Sewer Strategic Plan. The Manager noted that the Park Lift Station project cost estimates are still pending to rehabilitate this station because the soil samples yielded rock at 15 feet. This makes the external pump station installation cost prohibitive. The Strategic Plan draft will be presented at the next Board meeting.

The Manager noted that no Executive Session was required. By motion from Tommy, second by Pete, the Board approved the payment of bills. The Manager finally informed that the Waffle House CIFs are slightly lower using annual actual consumption from 2 separate Waffle House sites. The Board noted this calculation as part of the recent Tariff change. By motion from Tommy, second by Pete, the meeting adjourned at 5:10 p.m.


Chairman


Secretary

CHARLES TOWN UTILITY BOARD
Wednesday, March 28, 2018 4:00 p.m.
MEETING TO BE HELD AT
832 S. George Street

REGULAR MEETING:

1. Approval of March 14, 2018 Regular Meeting Minutes
2. Update from the City Council March 19, 2018 Work Session and Meeting and March 20, 2018 and March 27, 2018 Ordinance Committee Meeting

Ranson Asset Acquisition:
 - i. Form of Tariff from WVPSC in Case No. 17-1534-S-PC
 - ii. Form of Tariff for Ordinance Reading and Public Hearing
 - iii. Roxul Project Ordinance and Customer Notification
 - iv. Ordinance authorizing the acquisition of the Ranson Sewer System, including the real and personal property
 - v. Article 147.02 – Composition to align with both the Ranson and the JCPSD Agreements
 - vi. Discussion of Asset Detail and Clarification of Accounts Receivable Conveyances
3. Update JCPSD Asset Acquisition
WV PSC Case No. 17-0915-PSWD-PC combined with Case No. 18-0006-PSD-C
4. Utility Manager
 - i. 2016B Funds – Park Lift Station Upgrade Status
 - ii. Discussion of Draft Sewer Strategic Plan
 - iii. Distribute FY19 Water and Sewer Budgets and Discuss Approval Timeline
5. Approval of Bills

March 28, 2018

The Charles Town Utility Board held the regular Board meeting on March 28, 2018 beginning at 4:00 p.m. at 832 S. George Street. Members of the Board present were Daryl Hennessy, Pete Kubic, Michael Slover, Tommy Stocks and Kevin Tester. Also present were Micheal George, Hoy Shingleton, Matt Piepenburg, Kristen Stolipher and Jane Arnett. The Chairman then called for a motion to approve the March 14, 2018 meeting minutes. By motion from Tommy, second by Kevin, the meeting minutes were approved with a correction to the start time.

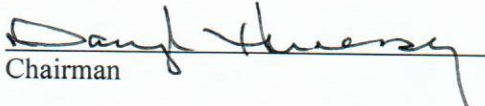
The Chairman then opened the floor for discussion of the update from the City Council March 19, 2018 Work Session, Council meeting and both the March 20, and March 27, 2018 Ordinance Committee meetings. The Chairman updated on the Ordinances. The additional asset detail and real estate items as requested by Ordinance was provided. The Ordinance Committee discussed at length the changes to Article 147, but agreed to recommend the language regarding the appointments so that the process can move forward since Ranson, the County Commission and the JCPSD had all agreed to the language. The Chairman noted that the Ordinance Committee recommendation will include a review of Article 147 post asset acquisitions not later than June 2020. A question of the appointment by the County regarding the appointee as a person paying the highest rate was clarified. The reading schedule was discussed with the recommendation from staff that pending first reading approvals on April 2, 2018 by the City Council, then second reading of the Asset Acquisition would be May 7, 2018, with the second reading of the remaining three on May 21, 2018. Clarification is pending on the defined area within the Flowing Springs District as contained in the Ranson Sewer Tariff. The fee for connection within this District is payable back to the Developer at the time of building permit issuance.

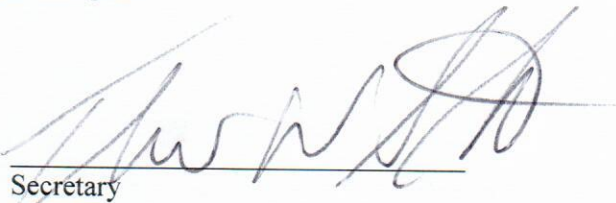
The Manager then presented the asset detail as requested by Council and a reconciliation of the Cash and Account Receivable between Ranson's WVPSC Report and John Kunkle's presentation material to the City Council. The AR balances contained cash deposits in transit leaving reasonable customer receivable balances for 1,207 customers billed by Charles Town and 527 customers billed by Jefferson Utilities for Ranson sewer customers.

Hoy briefed on the status of the JCPSD Asset Acquisition and WV PSC Case No. 17-0915-PSWD-PC combined with Case No. 18-0006-PSD-C and the filing on March 14, 2018. Hoy will attempt to discuss developer issues through their legal Counsels.

The Chairman next opened the floor for discussion of the 2016B Funds – Park Lift Station Upgrade Status and an update on the Sewer Strategic Plan. The Manager noted that the Park Lift Station project cost estimates for retrofit are still pending. The draft Plan will be posted for comment on both the Board's and the City's website prior to approval on April 25, 2018. The Plan will also be distributed to City Council through the City Manager's Report. The Manager next distributed and discussed the FY19 Water and Sewer Budgets and the Approval Timeline as primarily required in the 2015B Bond covenant. The Budget is submitted to bondholders, state agencies and EMMA - the Electronic Municipal Market Access system is a service of the MSRB (Municipal Securities Rulemaking Board). The FY19 Organization Chart was also distributed and reviewed.

By motion from Mike, second by Tommy, the Board approved the payment of bills. By motion from Pete, second by Tommy, the meeting adjourned at 4:56 p.m.


Chairman


Secretary