



Charles Town

Utility Board

832 S. George Street, Charles Town, WV 25414

Phone: (304) 725-2316 ♦ Fax: (304) 725-4313 ♦ Web: www.ctubwv.com

On this 12th day of February, 2014, the Utility Board of the City of Charles Town, West Virginia (the "Board") has approved the following amended resolution concerning the Board's sewer strategic plan process.

CHAIRMAN

*Joe
Cosentini*

AMENDED RESOLUTION NO. 2013-23 FOR THE SEWER STRATEGIC PLAN

UTILITY
BOARD

*Charles W.
Kline*

*Pete
Kubic*

*Tommy
Stocks*

*Kristen
Stolipher*

Whereas, the Board approved a resolution concerning the adoption of a sewer strategic plan process on April 26, 2006 ("2006 Resolution"); and

Whereas, the Board's 2006 Resolution called for the preparation of a comprehensive Sewer Strategic Plan ("Plan") each year; and

Whereas, as stated in the 2006 Resolution, the Board implemented the sewer strategic plan process to provide a mechanism for strategically planning its future wastewater needs that would be flexible and could be modified as needs change and such modifications would be quickly and readily approved by all necessary regulatory agencies; and

Whereas, since 2006, many of the factors affecting the City of Charles Town and the Board's required expenditures, planning and maintenance of the Board's wastewater treatment facilities have changed significantly; and

Whereas, the areas served by the Board, that include the City of Charles Town, the adjacent City of Ranson, and surrounding areas of Jefferson County are no longer experiencing rapid growth pressure and treatment capacity issues that plagued the Cities and County when it adopted the 2006 Resolution; and

Whereas, the Plan and subsequent updates issued in accordance with the 2006 Resolution have been a critically important tool for the Board. The Plan has facilitated effective and efficient planning for future obligations and consistent environmental compliance. However, updating the Plan each year is a significant financial and administrative burden on the Board; and

Whereas, due to changes in regional growth, the Board's progress toward compliance with Chesapeake Bay nutrient requirements and numerous other factors, the Board feels it is not necessary at this time to draft a comprehensive Plan every year; and

UTILITY
MANAGER
*Jane E.
Arnett*

Whereas, the Board takes this action freely and voluntarily, and pursuant to no requirement of law.

Therefore, be it **RESOLVED** and **ORDERED** that:

1. Due to significant changes in the greater Charles Town area regarding the rate of growth and anticipated future wastewater treatment needs, the Board is hereby amending its 2006 Resolution.
2. From the date of this Resolution the Board will prepare a Sewer Strategic Plan ("Plan") on a tri-annual basis. The first tri-annual Plan will be published prior to the beginning of fiscal year 2016 in April 2015. The initial draft will be completed approximately 60 days prior to the appropriate fiscal year for public presentation. The Board will make the initial draft available for public review and comment for a period of thirty (30) days. The Board will consider any public comments and, at the Board's sole discretion, modify the Plan accordingly, prior to final adoption at the beginning of each tri-annual update.
3. The 2012 Sewer Strategic Plan will remain as published until the publication of the April 2015 update.
4. The tri-annual Plan will address and provide for, at a minimum, the following:
 - a. Location and expansion capacities of wastewater treatment plants.
 - i. The Board will determine the existing and anticipated capacities of its wastewater treatment facilities, and, based on such capacities, determine the anticipated area to be served by said plants, and identify such areas on a map of the City and its surrounding areas. The anticipated growth areas shall identify 5 year and 10 year projected growth boundaries, as well as current areas served.
 - ii. From time to time, the Board may consider whether it is prudent to acquire or construct additional wastewater treatment plants. Upon construction or acquisition of such plants, the changes in projected growth boundaries shall be identified on maps at the next tri-annual update of the Plan.
 - b. Anticipated timeline for expansion.
 - i. The Board will first determine if there is a need for expanded wastewater treatment capacity by inquiry of the development community. If the Board determines there is a need for expanded capacity, the Board will construct a timeline for expansion of the current facilities or acquisition of other wastewater facilities, with the most urgent wastewater treatment need areas given first and priority position in the timeline.
 - ii. The Board will also analyze anticipated future needs and work to plan for wastewater treatment needs for a 5-year and 10-year period and develop a timeline for meeting those anticipated wastewater treatment needs.

- c. Anticipated costs for capital improvements, wastewater facility expansion and/or acquisition.
 - i. The Board will calculate all projected costs for meeting wastewater treatment needs, including, but not limited to, the anticipated costs of all environmental and other regulatory requirements. If the Board determines that no expansion or additional capacity is needed, the Board will present cost estimates for continued compliance and maintenance of the Board's facilities.
 - ii. If the Board determines that additional capacity is needed, the Board will provide both anticipated capital and nutrient credit / trading costs to ensure that political leaders, citizens and the development community are shown the necessary costs for continued compliance with each additional capacity option presented.
- d. Anticipated plans for financing any necessary capital improvements or expansions.
 - i. In each tri-annual Plan, the Board will project costs for any required build-outs and/or capacity improvements and determine the per equivalent dwelling unit (edu) cost.
 - ii. At any time, based on the most recent Plan, any developer is able to reserve future capacity through Capacity Assurance Fees (CAFS) as approved by the West Virginia Public Service Commission (Case No. 06-1187-S-PC, January 26, 2007) by pre-paying as further described in the Commission's Order.
- 5. Board representatives will review the Plan with all necessary regulating agencies, including but not limited to, the West Virginia Public Service Commission, the West Virginia Department of Environmental Protection, the West Virginia Department of Health and Human Resources, and the Governor's Office, in order to solicit comments and suggestions from these agencies. It is the sincere hope and expectation of the Board that all involved in this process will aid in the development of the Plan. The Board's expectation is that the Plan will be viewed by all as a positive and essential mechanism to help manage current and future wastewater treatment needs and ensure compliance with all state and federal regulations inclusive of Chesapeake Bay mandates.

PASSED and APPROVED by a vote of 5 to 0 on this 12th day of February 2014.

ATTESTED BY:

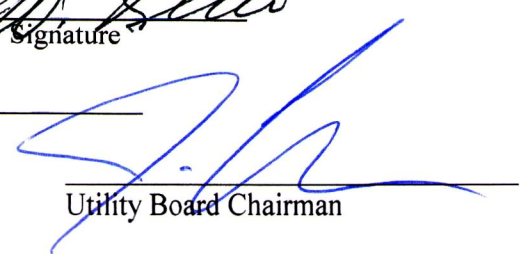
[Seal]


Clerk/Recorder/Secretary Signature

Date

2/12/14

Authorized Representative


Utility Board Chairman