Jefferson County Public Service District
Regular Board Meeting
July 5, 2011

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Tuesday, July 5, 2011 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Joe Hankins; Secretary, Jim Cummins; Treasurer, Peter Appignani; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemyer; District Legal Council, Jim Kelsh; and Commissioner Lyn Widmyer, liaison for the County Commission.

Chairman Hankins called the meeting to order at 7:00PM.

Public Comments
None.

OLD BUSINESS

Review Minutes of June 6 Regular Board Meeting
The minutes of the June 6, 2011 regular Board meeting were approved as presented.

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to accept the June 6, 2011 minutes as presented. Unanimously approved.**

Update on Flowing Springs Wastewater Treatment Plant Project
Mr. Kelsh filed the reply briefs for the case. He informed the Board that on June 29th, a procedural order was issued for further information requesting a response by the extended deadline of July 21st. The District hopes to get a final order from the PSC to close on the project by the end of the calendar year.

Action: **No action taken by the Board.**

NEW BUSINESS

Public Hearing on Notes (as defined and described below)

To consider and act upon on the proposed Notes Resolution for the issuance of the Refunding Sewerage System Bond Anticipation Notes, 2011 Series A (the "Notes"). The proceeds of the Notes will be used to currently refund the Refunding Sewerage System Bond Anticipation Notes, 2011 Series, issued to temporarily finance the costs of design of, and other preliminary costs for, additions, betterments, improvements and extensions to the existing public sewerage facilities of the District and costs of issuance of the Notes.
Mr. Kelsh gave a brief overview on the BAN which was initially approved two years ago to pay for engineering design work by Pentree totaling $750,000 for the Flowing Springs Wastewater Treatment Plant. The BAN expires on July 5th. The PSC has approved the refinance of the BAN and now has to be approved and adopted by the Board.

Action: **Motion made by Mr. Cummins and seconded by Mr. Appignani to adopt the Notes Resolution as read into record:**

RESOLUTION AUTHORIZING THE ISSUANCE BY JEFFERSON COUNTY PUBLIC SERVICE DISTRICT OF NOT MORE THAN $750,000 IN AGGREGATE PRINCIPAL AMOUNT OF REFUNDING SEWERAGE SYSTEM BOND ANTICIPATION NOTES, 2011 SERIES A, FOR THE PURPOSES OF REFUNDING THE REFUNDING SEWERAGE SYSTEM BOND ANTICIPATION NOTES,

SERIES 2011 WHICH TEMPORARILY FINANCED THE COSTS OF DESIGN OF, AND OTHER PRELIMINARY COSTS FOR, ADDITIONS, BETTERMENTS, IMPROVEMENTS AND EXTENSIONS TO THE EXISTING PUBLIC SEWERAGE FACILITIES OF THE DISTRICT AND COSTS OF ISSUANCE OF THE NOTES; PROVIDING AS TO THE TERMS AND PROVISIONS OF THE NOTES; AUTHORIZING AND APPROVING THE SALE AND DELIVERY OF SUCH NOTES; DESIGNATING A REGISTRAR, PAYING AGENT AND DEPOSITORY BANK; PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH NOTES; AND ENACTING OTHER PROVISIONS WITH REPSECT THERETO. BE IT RESOLVED AND ENACTED BY THE PUBLIC SERVICE BOARD OF JEFFERSON COUNTY PUBLIC SERVICE DISTRICT.

Unanimously approved.

To consider and act upon any measures related to the foregoing.
There were no further actions relating to the above agenda item needed from the Board.

Action: **No action taken by the Board.**

Discuss Correspondence from the West Virginia Department of Agriculture
Mr. Kelsh updated the Board. The District had received a letter from the Commissioner of WV Agriculture regarding a recent article in the Martinsburg Journal regarding the District joining forces with the U.S. Environmental Protection Agency in a legal battle against the American Farm Bureau Federation. The Board believed the District has something at stake in this case and stood by their decision to join the lawsuit. Mr. Kelsh has drafted a response letter back to WV Department of Agriculture on behalf of the Board and Board Members will now provide Mr. Kelsh with possible revisions to the draft letter.

Action: **No action taken by the Board.**

Consider Revision to Old Standard Contract
Mr. Kelsh was hoping to have drafts of the revisions from the Developer's lawyer but as of the night of this meeting, they had not yet supplied them; as a result, there are no contracts to discuss.

Action: **No action taken by the Board.**

Discussion of any expenses over budget
The Board acknowledged the General Office Suppliers and Expense and the Miscellaneous General Expense line items were over budget as of the closing of the Fiscal Year of 2011.

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to approve expenses over budget as indicated on the cash disbursement sheet. Unanimously approved.**

Disbursements

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to approve disbursements for Cavaland water expenses in the amount of $1,210.11, Glen Haven water expenses in the amount of $1,225.98. Unanimously approved.**

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to approve disbursements for the Public Service District expenses in the amount of $155,146.23. Unanimously approved.**

Approve Transfer of $5,091.00 from Renewal & Replacement Account to Sewer Operating for a New Spare Pump

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the transfer of $5,091.00 from Renewal & Replacement Account into Sewer Operating Account for a new spare pump. Unanimously approved.**

Approve Transfer of $2,701.55 from Sewer Security Deposit Account to Sewer Operating for Security Deposit Refunds

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the transfer of $2,701.55 from Sewer Security Deposit Account into Sewer Operating Account for Security Deposit Refunds. Unanimously approved.**

Approve Transfer of $64.01 from Cavaland Security Deposit Account to Cavaland Operating for Security Deposit Refunds

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the transfer of $64.01 from Cavaland Security Deposit Account into Cavaland Operating Account for Security Deposit Refunds. Unanimously approved.**

General Manager's Report

Ms. Lawton updated the Board on activities since last month's meeting.

Pump Stations – Ms. Lawton informed the Board that the problems at the Districts pump stations have been decreasing. She stated that equipment is slowly being fixed and upgrades are being made.

Engineering Technician Position – Ms. Lawton informed the Board that she has hired Matt Piepenburg for the position. He will be starting on July 14th.

15 Year Anniversary – The District will be celebrating two employees' 15 year anniversaries this month.

Driswood Elementary School – Ms. Lawton informed the Board that there has been progress made with the school's contractors in completing the items on the punch list before the deadline at the end of the month. The punch list must be completed before the District will take on ownership and operation of the pump station.

Operations Manager Report – Mr. Freeze informed the Board that all pump stations are now operating with 2 Homa Pumps. He has also started painting of all the pump stations to enhance the appearance and increase the lifetime.

Action: **No action taken by the Board.**

Public Comment

Commissioner Lyn Widmyer updated the Board on the second Rt. 340 Study meeting. The next meeting will be held in December. She informed the Board of the new Google Map feature through the Jefferson County Planning office for public interaction who are not able to attend meetings.

Correspondence

None.

Action: **Motion made by Mr. Cummins and seconded by Mr. Appignani to convene in executive session for the purpose of discussing litigation and contract negotiations. Unanimously approved.**

Mr. Appignani excused himself from the discussions on the Jefferson Utilities, Inc General Investigation case currently at the Public Service Commission.

Action: **Motion made by Mr. Hankins and seconded by Mr. Cummins to return to public session. Unanimously approved.**

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

There being no further business at this time, the meeting was adjourned at 9:00PM

The next regular meeting is scheduled for August 1, 2011 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,

Joseph A. Hankins
Chairman

James D. Cummins
Secretary