Jefferson County Public Service District
Regular Board Meeting
May 2, 2011

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, May 2, 2011 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Joe Hankins; Treasurer, Peter Appignani; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemyer; District Legal Counsel, Jim Kelsh; and Commissioner Lyn Widmyer, liaison for the County Commission.

Secretary Jim Cummins was absent from the meeting.

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

Public Comments
None.

OLD BUSINESS

Review Minutes of April 4 Regular Board Meeting
The minutes of the April 4, 2011 regular Board meeting were approved as presented.

Action: **Motion made by Mr. Appignani and seconded by Mr. Hankins to accept the April 4, 2011 minutes as presented. Approved 2-0.**

Update on Flowing Springs Wastewater Treatment Plant Project
The hearing will be held on May 3rd and possibly May 4th at the Charles Town Council Chambers.

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

Update on the Under-billing of Job Corps
The District received a large check last month from Job Corp and is now waiting on getting the remaining balance of $21,430.73 for the under-billing error.

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

NEW BUSINESS

Consider an Inflow & Infiltration Plan for NPDES Permit
The Districts' recently approved NPDES permit has a requirement that the District continue its efforts to identify and eliminate sources of inflow and infiltration and submit a plan of action for the implementation of that plan. Mr. Summerfield has drafted a plan and included in the Board books. Mr. Hankins suggested setting a performance benchmark for the inflow and infiltration plan and draft a specific metric to measure the progress against. Ms. Lawton would like to start ordering needed equipment to carry out the inflow and infiltration plan. Mr. Summerfield will incorporate the Board's suggestions into the draft.

Action: **Motion made by Mr. Appignani and seconded by Mr. Hankins to approve the draft plan and begin purchasing the flow monitoring equipment with more details committed by staff. Approved 2-0.**

File Petition with Public Service Commission to Amend Sewer Tariff to Include Charge for Availability of Sewer Service
Mr. Kelsh informed the Board that the Public Service Commission recently amended the sewer rules which go in effect May 8th that include a provision for sewer utilities to charge a fee for availability of sewer service in the utilities tariff. Mr. Kelsh would like to file an amended sewer tariff on behalf of the

District adding the charge for the availability of sewer service. The Board was concerned if the change in the tariff will follow the language in the Districts Sewer Use Ordinance. Mr. Kelsh will review the Sewer Use Ordinance and try to match the amended language of the tariff. He will bring it back to the Board next month if that isn't possible.

Action: **Motion made by Mr. Hankins and seconded by Mr. Appignani to direct Counsel to file a petition with the Public Service Commission to amend the sewer tariff to include the charge for availability of sewer service with language consistent with the Districts existing Sewer Use Ordinance. Approved 2-0.**

Consider Full-Time Engineering Technician Position

Ms. Lawton prepared a job description, advertisement, and cost estimate for possible equipment for an Engineering Technician position pending the Board's approval. She has been working with a few engineers, other localities, and the County's GIS Director to prepare these documents. This new position would be tasked with working on the next step of the GIS program, work on the Districts asset management plan, manage the inflow & infiltration plan, and take over some of the job duties of the former research assistant who is no longer with the District. Ms. Lawton stated the salary and benefits of this position was worked in the FY2012 budget and the equipment would be paid for out of the future needs account.

Action: **Motion made by Mr. Appignani and seconded by Mr. Hankins to approve the new full-time Engineering Technician position and begin purchasing the necessary equipment needed for the position. Approved 2-0.**

Consider Approval for FY2012 Budget

Ms. Lawton and April Williams, Finance Manager discussed the FY2012 annual budget. This budget shows 120% coverage.

Action: **Motion made by Mr. Appignani and seconded by Mr. Hankins to adopt the FY2012 PSD budget as presented. Approved 2-0.**

At this time, Commissioner Lyn Widmyer informed the Board of a couple of updates from the County Commission. She invited the Board and staff to a presentation by Peter Vila of the Water Advisory Committee regarding the water monitoring project. Ms. Widmyer also informed the Board that the Solid Waste Authority was willing to take over the Hazardous Waste event for this year, but the County Commission did not approve the funds for the event. She also stated the kick-off meeting for the Rt. 340 study took place last month at C.W. Shipley with 130 people in attendance.

Discussion of any expenses over budget

There were no expenses over budget.

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

Disbursements

Action: **Motion made by Mr. Appignani and seconded by Mr. Hankins to approve disbursements for Cavaland water expenses in the amount of $935.73, Glen Haven water expenses in the amount of $1,354.71. Approved 2-0.**

Action: **Motion made by Mr. Appignani and seconded by Mr. Hankins to approve disbursements for the Public Service District expenses in the amount of $200,211.97. Approved 2-0.**

Approve Transfer of $127.90 from Cavaland Security Deposit Account to Cavaland Operating for Security Deposit Refunds

Action: **Motion made by Mr. Appignani and seconded by Mr. Hankins to approve the transfer of $127.90 from Cavaland Security Deposit Account into Cavaland Operating Account for Security Deposit Refunds. Approved 2-0.**

Approve Transfer of $2,797.88 from Sewer Security Deposit Account to Sewer Operating for Security Deposit Refunds

Action: **Motion made by Mr. Appignani and seconded by Mr. Hankins to approve the transfer of $2,797.88 from Sewer Security Deposit Account into Sewer Operating Account for Security Deposit Refunds. Approved 2-0.**

General Manager's Report

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

Cavaland and Glen Haven Water System – Staff has received estimates for both water systems from two electricians for electric upgrades for the control panels.

NPDES Applications – Ms. Lawton has seen three applications this month; Ox Paperboard LLC, Willow Springs wastewater treatment plant, and the City of Charles Town Tuscawilla Plant.

Driswood Elementary – Ms. Lawton spoke with Paul Raco, a consultant for the School Board, about the work that still needed to be completed with the schools pump station before the District can take over the operations and maintenance. The District is giving a deadline of 60 days to finish up the work or District staff will no longer maintain the pump station.

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

Public Comment

None.

Correspondence

None.

Discuss Martinsburg, et al NPDES Permit Appeal

Mr. Kelsh informed the Board that the Kanawha County Circuit Court entered an order denying the Appellants' motion to stay, and requiring them to file their brief by May 16th. Proposed orders are due to the court by June 30th.

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

Discuss American Farm Bureau Federation v. EPA

Mr. Kelsh informed the Board that the Chesapeake Bay Foundation will soon file a petition to intervene on the behalf of itself and the District.

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

Discuss Brandon French Public Service Commission Complaint Case, PSC Case 10-1434-PSD-C

Mr. Kelsh informed the Board that he had filed exceptions to the Recommended Decision issued by the Administrative Law Judge. The other parties have until May 2nd to file a reply to the exceptions.

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

Action: **Motion made by Mr. Hankins and seconded by Mr. Appignani to convene in executive session for the purpose of discussing litigation and contract negotiations. Approved 2-0.**

Action: **Motion made by Mr. Appignani and seconded by Mr. Hankins to return to public session. Approved 2-0.**

Action: **Motion made by Mr. Hankins and seconded by Mr. Appignani to acknowledge a pay rate increase for the General Manager for the FY2012 and the Chairman will forward the discussed amount to the Finance Manager. Approved 2-0.**

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

There being no further business at this time, the meeting was adjourned at 8:35PM

The next regular meeting is scheduled for June 6, 2011 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,

Joseph A. Hankins
Chairman

Peter L. Appignani
Treasurer