Jefferson County Public Service District
Regular Board Meeting
March 1, 2011

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Tuesday, March 1, 2011 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Secretary, Jim Cummins; Treasurer, Peter Appignani; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemyer; and District Legal Counsel, Jim Kelsh. Chairman Joe Hankins was absent from the meeting.

Treasurer Appignani called the meeting to order at 7:00PM.

Public Comments
None.

OLD BUSINESS

Review Minutes of February 7 Regular Board Meeting
The minutes of the February 7, 2011 regular Board meeting were approved as presented.

Action: **Motion made by Mr. Cummins and seconded by Mr. Appignani to accept the February 7, 2011 minutes as presented. Approved 2-0.**

Update on Flowing Springs Wastewater Treatment Plant Project
The District had received an order from the Public Service Commission (PSC) requiring the filing of additional testimony and hearing which will be held on May 3rd. Mr. Kelsh stated the pre-filed testimony is due by March 24th. Ms. Lawton informed the Board that the West Virginia Department of Environmental Protection is requesting more information for the NPDES permit.

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

Update on the Under-billing of Job Corps
Ms. Williams, the District Finance Manager has been in contact with Richard Jackson from Job Corp regarding the billing error payment. He has been out of town and will continue to work on this issue when he returns. Ms. Lawton also informed the Board that Job Corp will be setting up a program with the District to allow Job Corp students to paint the inside of the Districts office building. The cost to the district will be the cost of the supplies only.

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

NEW BUSINESS

Discussion of Thorn Hill Bond Tolling by County and Impact to the District of the New Tolling Language in County Agreement
Recently the County adopted a policy on the tolling of performance bonds for approved development projects. This will allow a developer to reduce the amount of the bond for a set period of time, but the affected property cannot be developed in any way on the lots within the development until the bond is reinstated in full. Mr. Kelsh informed the Board that although the District has no easements in Thornhill, this new County policy may cause some problems for the District in the future if we would need an easement through, or acquisition of, a parcel which is tolled. He suggested sending a letter to the County regarding this concern. Ms. Susan Rissler Sheely, from Long Marsh Lane, was in the audience and commented on this item. She stated she has been in attendance at the meetings regarding the Thorn Hill bond tolling and informed the Board that if the developer doesn't post the new bond at the new rate in the required time period, the platted lots will go back to being "unplatted".

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to direct Mr. Kelsh to draft a letter to the County regarding this issue. Approved 2-0.**

Update on Clean Water Coalition on Lobbying Effort for Chesapeake Bay Funding
Mr. Kelsh updated the Board. The District recently joined the Clean Water Coalition to help with the Lobbying effort for SB 245, a bill designating the use excess lottery funds for upgrades to, and construction of, Bay compliant wastewater plants. The Coalition has been lobbying for the provision to allow the grant pool to be used by utilities that have closed on projects before December 2011 and to remove the provision of allowing only systems with 1.5% median household income being able to use the grant money. The bill is currently at the Senate Finance Committee for a vote.

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

Update on Countywide Utility Coalition
At the last Countywide Utility Coalition meeting in January, Mr. Kelsh was assigned the task of drafting a letter to the County Commission on behalf of the Coalition addressing the possibility of consolidating utilities which the County Commission suggested it might undertake at an October roundtable meeting. In the letter Mr. Kelsh had drafted, which was comprised of the group's comments, he stated the consolidation of utilities would be unlikely and a study is discouraged, but a study of the creation of a new countywide stormwater utility showed more potential and such a study would be encouraged.

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

Discussion on the Alternate Main Line Extension Agreement with B.C. Partners for Breckenridge East
This item was tabled until next month.

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

Consider Approval of Generator Contract Renewal from AR&E
The past 3 years, the District has approved Apparatus Repair & Engineering, Inc. (AR&E) for an annual preventative program for generator maintenance for each of the pump stations. The contract is up for renewal and the Board felt it is worth renewing.

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to renew the contract with Apparatus Repair & Engineering, Inc. for generator maintenance with an annual cost of $9,944.00. Approved 2-0.**

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. Cummins and seconded by Mr. Appignani to approve disbursements for Cavaland water expenses in the amount of $1,019.12, Glen Haven water expenses in the amount of $1,613.11. Approved 2-0.**

Action: **Motion made by Mr. Cummins and seconded by Mr. Appignani to approve disbursements for the Public Service District expenses in the amount of $167,341.38. Approved 2-0.**

Approve Transfer of $22,763.00 from Renewal & Replacement Account to Sewer Operating for New Pumps at 1-11, 4-4, and 4-7

Action: **Motion made by Mr. Cummins and seconded by Mr. Appignani to approve the transfer of $22,763.00 from Renewal & Replacement Account into Sewer Operating Account for new pumps. Approved 2-0.**

Approve Transfer of $3,000.90 from Sewer Security Deposit Account to Sewer Operating for Security Deposit Refunds

Action: **Motion made by Mr. Cummins and seconded by Mr. Appignani to approve the transfer of $3,000.90 from Sewer Security Deposit Account into Sewer Operating Account for Security Deposit Refunds. Approved 2-0.**

Approve Transfer of $64.40 from Glen Haven Security Deposit Account into Glen Haven Operating for Security Deposit Refunds

Action: **Motion made by Mr. Cummins and seconded by Mr. Appignani to approve the transfer of $64.40 from Glen Haven Security Deposit Account into Glen Haven 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.

Siemens Report - Siemens Water Technologies installed the Bioxide system at the Breckenridge pump station. The system is working well and has taken away the odor from the Ranson pump station area.

Employee Changes – The Operations Manager, Joe Castaldo, has decided to leave the District for other opportunities. The Board is appreciative of all his work for the District.

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

Public Comment

None.

Correspondence

None.

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

Action: **Motion made by Mr. Cummins and seconded by Mr. Appignani to direct Mr. Kelsh to request an opinion from the Ethics Board on whether Mr. Appignani should recuse himself from the Jefferson Utilities general investigation case currently at the Public Service Commission. Approved 2-0.**

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to designate Mr. Cummins to help Mr. Kelsh draft comments on the proposed decentralized sewer rules which are due back by March 15th. Approved 2-0.**

Action: **Motion made by Mr. Cummins and seconded by Mr. Appignani to adjourn. Approved 2-0.**

There being no further business at this time, the meeting was adjourned at 8:20PM

The next regular meeting is scheduled for April 4, 2011 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,

James D. Cummins
Secretary

Peter L. Appignani
Treasurer