Jefferson County Public Service District
Regular Board Meeting
April 4, 2011

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, April 4, 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 Counsel, Jim Kelsh and Commission President, Patsy Noland filling in as liaison for the County Commission.

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

Public Comments
None.

OLD BUSINESS

Review Minutes of March 1 Regular Board Meeting
The minutes of the March 1, 2011 regular Board meeting were approved as presented.

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to accept the March 1, 2011 minutes as presented. Approved 2-0. Mr. Hankins refrained from voting since he was absent from that meeting.**

Update on Flowing Springs Wastewater Treatment Plant Project
Mr. Kelsh filed the pre-filed testimony with the Public Service Commission (PSC) on March 24th. He stated the direct testimony from the PSC staff and Intervenors is due by April 25th and any rebuttal testimony is due by April 25th. The hearing will be held on May 3rd and possibly May 4th at the Charles Town Council Chambers. Mr. Kelsh commended the cooperation from the County Planning staff regarding the pre-filed testimony.

Ms. Lawton informed the Board that with the passing of Senate Bill 245, the Governor will be signing the bill on April 16th at the Berkeley County PSSD if anyone is interested in attending. The Board commended Ms. Noland for all her help with the bill.

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

Update on the Under-billing of Job Corps
The District received a check from Job Corp totaling $157,129.57 for an under-billing error. District staff has been in contact with Richard Jackson from Job Corp who is still working on getting the District the remaining balance of $21,430.73.

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

Update on Clean Water Coalition on Lobbying Effort for Chesapeake Bay Funding
The Senate Bill 245 passed and the Governor will be signing it on April 16th at the Berkeley County PSSD.

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

Update on Countywide Utility Coalition
Mr. Kelsh sent a letter to the County Commission on behalf of the Countywide Utility Coalition discouraging the consolidation of utilities, but suggesting the Commission consider a study for the creation of a new countywide stormwater utility. Mr. Kelsh is waiting to hear back from the County Commission.

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

NEW BUSINESS

Discussion and Possible Action on the Reissued District NPDES Collection System and Discharge Permit
Ms. Lawton informed the Board that the NPDES permit was approved by the West Virginia Department of Environmental Protection (WV DEP). The permit was previously approved, but was reopened for a modification for an industrial user in November and concerns were brought up on trading issues during this open period. Ms. Lawton stated the permit will need to be modified again to add another industrial user.

With the newly approved NPDES permit, the District must submit to WV DEP a written plan of action for eliminating Inflow and Infiltration in the Districts collection system. Mr. Summerfield discussed the possibility of purchasing 2 portable flow meters and develop a program to monitor flow and I & I problems. The portable flow meters would allow District staff to transport them to different areas of the collection system to narrow down the infiltration problem areas. The Board would like District staff to come up with a plan for purchasing the flow meters to track the I & I problems. Also with this permit, the District must notify and obtain permission from WV DEP for any expansions or extensions until the Flowing Springs wastewater treatment plant is built and excepting flows.

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 Budget Revision
Ms. Lawton discussed the FY2011 budget revisions. This budget shows 157% coverage.

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to adopt the FY2011 budget revisions as presented. Unanimously approved.**

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 $1,044.18, Glen Haven water expenses in the amount of $1,041.78. Unanimously approved.**

Action: **Motion made by Mr. Cummins and seconded by Mr. Appignani to approve disbursements for the Public Service District expenses in the amount of $152,764.37. Unanimously approved.**

Approve Transfer of $2,430.53 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 $2,430.53 from Sewer Security Deposit Account into Sewer Operating Account for Security Deposit Refunds. Unanimously approved.**

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

Easements – The District is up to 81% of the easements necessary for the Flowing Springs Wastewater Treatment Plant and associated collection system improvements.

Cavaland Water System – The Cavaland water system still needs 2 new pumps and controls. Ms. Lawton is continuing to work on this issue.

Phi Bubbler – Ms. Lawton has been working with the maintenance staff to consider a purchase of the Phi bubbler for use at problem pump stations. The machine will cost about $4000. Ms. Lawton will be contacting companies who have used the product as references.

Engineering Technician Position – Ms. Lawton has been working on getting the job description, costs, and needed equipment for an Engineering Technician to begin the next stage in the GIS program. She would like the position to be included in the next fiscal year budget.
H.R. 1189 & House Bill 2663 – Ms. Lawton and Mr. Kelsh discussed noteworthy legislation relating to the Clean Water State Revolving Fund program and the Public Service Commission.
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. Unanimously approved.

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

The Board discussed numerous items in Executive Session. Mr. Appignani left the meeting for the discussion on consideration of intervening in the Jefferson Utilities general investigation Public Service Commission item. Mr. Appignani was absent for the entire discussion on this item.

Action: Motion made by Mr. Appignani and seconded by Mr. Cummins to intervene in the American Farm Bureau Federation versus EPA case which challenges the Chesapeake Bay TMDL and authorize the Chairman or General Manager to execute the retainer agreement on behalf of the District. Unanimously approved.

Action: Motion made by Mr. Cummins and seconded by Mr. Hankins to direct legal counsel to file as an intervenor in the Jefferson Utilities general investigation case currently at the Public Service Commission with the rationale proposed by Counsel in the discussion held in Executive Session. Approved 2-0. Mr. Appignani abstained from voting.

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

There being no further business at this time, the meeting was adjourned at 8:57PM

The next regular meeting is scheduled for May 2, 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