Jefferson County Public Service District
Regular Board Meeting
June 6, 2011

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, June 6, 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; and Commissioner Lyn Widmyer, liaison for the County Commission. Also in attendance was Daniel Hayes, liaison for the Jefferson County Planning Commission.

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

Public Comments
None.

OLD BUSINESS

Review Minutes of May 2 Regular Board Meeting
The minutes of the May 2, 2011 regular Board meeting were approved as presented.

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

Review Minutes of May 12 Special Board Meeting
The minutes of the May 12, 2011 special Board meeting were approved as presented.

Action: **Motion made by Mr. Appignani and seconded by Mr. Hankins to accept the May 2, 2011 minutes as presented. Unanimously approved.**

Update on Flowing Springs Wastewater Treatment Plant Project
Ms. Lawton informed the Board that the BAN will be expiring on July 5th. The terms of the BAN will remain interest only since there is not enough time to file a change in terms with the Public Service Commission (PSC). The Board suggested a possible special meeting on Monday June 27th to approve the resolution to extend the BAN.

The hearings for this case took place last month. Mr. Kelsh is working on the rebuttals soon due to the PSC then the District must wait for a response. Mr. Hankins discussed the meeting he had with DEP representatives, Mr. Summerfield, and Mr. Tuggle regarding the green grant funds. Pending the Boards approval, Pentree will need to modify the bid documents to include the green aspects of the project in the main project bid for the green grant attainment.

Action: **Motion made by Mr. Cummins and seconded by Mr. Appignani to direct Pentree to modify the Flowing Springs bid documents to make the green grant component part of the base bid.**

The Board had a brief discussion. Mr. Hankins stated that the green components are not add-ins; they have been included in the project costs from the beginning. Mr. Appignani would like to clarify with Mr. Kelsh before making a decision.

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to table this motion until after the call with Mr. Kelsh toward the end of New Business. Unanimously approved.**

Update on the Under-billing of Job Corps
The District received a check for the remaining balance of $21,430.73 for the under-billing error. Ms. Lawton informed the Board that the students of Job Corp painted the office lobby as one of their school projects. The Board commended their efforts.

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

Consider an Inflow & Infiltration Plan for NPDES Permit
Last month Mr. Summerfield drafted a plan of action for the requirement of the Districts' recently approved NPDES permit to continue efforts to identify and eliminate sources of inflow and infiltration. Mr. Summerfield incorporated comments from the Board and has presented a new draft. Mr. Cummins would like to add a sentence about camera work being done in the 2nd phase of the plan. Mr. Summerfield will incorporate Mr. Cummins suggestion and submit the final plan to DEP.

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to approve the Inflow & Infiltration Plan with the discussed changes. Unanimously approved.**

NEW BUSINESS

Consider Approval of Modification of the Flowing Springs Bid Documents to Make Green Grant Components Part of Base Bid
This item was tabled to the end of New Business for a phone conference with Mr. Kelsh.

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

Consider Joining the Clean Water Coalition
This item was tabled to the end of New Business for a phone conference with Mr. Kelsh.

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

Consider Approval of PSD Staff to Contract Jim Crawford for Easement Attainment at Cavaland
Ms. Lawton informed the Board that the Districts portable generator is in need of a permanent home. She would like to move it to the Cavaland Subdivision permanently to use in power outage situations, but still have the option to move to another location if needed. Ms. Lawton would to purchase a shed to house the generator from weather by the well house. The District is unable to make contact with the HOA of the subdivision to find out who owns this property or if the District has a recorded easement for use of this land. Ms. Lawton would like to contract with Jim Crawford to investigate the easement issue. The Board suggested looking into possibly investing in a permanent generator at this site.

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to retain Mr. Crawford for easement investigation and attainment for Cavaland and investigate what the easement will allow the District to do with the property by coordinating with Mr. Kelsh. Mr. Hankins amended the motion and Mr. Appignani seconded to add to the scope of work an investigation of the property ownership and any presence of an HOA. 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. Appignani and seconded by Mr. Cummins to approve disbursements for Cavaland water expenses in the amount of $1,902.38, Glen Haven water expenses in the amount of $3,101.49. 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 $164,142.57. Unanimously approved.**

Approve Transfer of $2,517.21 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 $2,517.21 from Sewer Security Deposit Account into Sewer Operating Account for Security Deposit Refunds. Unanimously approved.**

Approve Transfer of $63.98 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 $63.98 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.

FOG – Ms. Lawton discussed last month about possibly purchasing the Phi Bubbler to help with the fats, oils, and grease at pump stations. Joe Freeze, Operations Manager constructed a similar device using a compressor and piping components. Mr. Freeze informed the Board that the device seemed to work when they tested it out. He will keep the Board informed of the progress.

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

Public Comment

Heidi Parker, Breckenridge resident and intervener in the Flowing Springs Certificate Case PSC Case # 09-0347-PSD-PS-CN: Ms. Parker commented on the case currently at the Public Service Commission. She does not agree with the construction of the Flowing Springs wastewater treatment plant.

Correspondence

None.

During this time, the Board called Mr. Kelsh (by speakerphone) to discuss two items on the agenda.

Update on Flowing Springs Wastewater Treatment Plant Project

Mr. Kelsh clarified for Mr. Appignani that the green grant components were included in the PSC documents that were submitted.

Action: **The Board referred back to the original motion made by Mr. Cummins and seconded by Mr. Appignani to direct Pentree to modify the Flowing Springs bid documents to make the green grant component part of the base bid. Unanimously approved.**

Consider Joining the Clean Water Coalition

Mr. Hankins stated his concerns that the Board's participation with the Clean Water Coalition has at times been at odds. The Board is not in favor of paying any back payments for previous litigation for the purpose of joining this group. Mr. Kelsh informed the Board that conflicts may arise if the District were to join and the Board needed to consult Steptoe and Johnson as legal counsel for others with whom we are in negotiation or litigation, since they also represent the Clean Water Coalition. The Board would like Ms. Lawton to notify the Coalition that the District has decided not to join the Coalition.

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

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.**

Action: **Motion made by Mr. Appignani and seconded by Mr. Cummins to return to**

public session. Unanimously approved.

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 8:30PM

The next regular meeting is scheduled for July 5, 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