

Jefferson County Public Service District

Jefferson County Public Service District Regular Board Meeting December 2, 2013

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, December 2, 2013 in the meeting room at the District's office in Kearneysville. Those in attendance included: Chairman, Jim Cummins; Secretary, Peter Appignani; Treasurer, Bill Strider; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemeyer; Finance Manager, April Shultz; District Legal Counsel, Jim Kelsh; from Pentree Engineering, Zane Summerfield; from Dunn Engineering, Fred Hypes; Liaison for the County Commission, Commissioner Jane Tabb; and Customer Liaison, Charles Cheezum.

CALL TO ORDER

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

APPROVAL OF AGENDA

The Board moved the sewer system cash flow agenda item to the first item under New Business.

PUBLIC COMMENTS

None.

OLD BUSINESS

Review Minutes of November 4 regular board meeting

The minutes of the November 4, 2013 regular board meeting were approved as presented.

Action: Motion made by Mr. Appignani and seconded by Mr. Strider to accept the November 4, 2013 minutes as presented. Approved 2-0. Mr. Cummins abstained due to his absence at the meeting.

Update on the Water Systems Improvement Project for Glen Haven and Cavaland

- **Approve construction bid notice**

Ms. Lawton informed the Board that the District is finishing up with the easement issues for the project and has received approval from the Division of Culture and History's State Historic Preservation Office. The engineer has prepared the advertisement for bids for the project which the Board approved.

Action: Motion made by Mr. Appignani and seconded by Mr. Strider to approve the bid notice as presented. Unanimously approved.

Discuss Mountain Water Project

- **Discuss the Public Private Partnership agreement**
- **Consider revisions to draft Preliminary Engineering Report**

Mr. Kelsh informed the Board that Mr. Snyder is not interested in pursuing a public private partnership agreement with the District for a mountain water project, but he is open to the option of a possible sale of Jefferson Utilities to the District. The Board is open to this option and will have further discussions to negotiate a price.

Last month the Board directed Mr. Summerfield to remove sections of the revised preliminary engineering report that are outdated including the financial section and to insert a cover letter explaining this for the public to view on the website. Since that time, the Board found more errors in the report and would like to hold off on making the document public until these errors are corrected.

Action: No action taken by the Board.

Thank Jim Cummins for 6 years of service as a Jefferson County Public Service District Board Member
Mr. Cummins term as a board member will expire after a new board member is appointed by the County Commission which is set to occur on December 5th. The Board and District staff recognized Mr. Cummins for his six years of dedicated service. Ms. Lawton presented him with a plaque for the service and accomplishments while on the Board.

Action: No action taken by the Board.

NEW BUSINESS

Discuss the District's sewer system cash flow and rates

Finance Manager, April Shultz, was present to discuss the Districts cash flow issue. Ms. Shultz suggested the Board possibly file a petition with the Public Service Commission to allow for the District to use some of the funds in the capital improvement fee account to reimburse the sewer operating account.

Action: Motion made by Mr. Appignani and seconded by Mr. Strider to petition the Public Service Commission to request to utilize the capital improvement fee account to solve the cash flow problem. Unanimously approved.

Consider offer from Freshwater Institute for generator

Ms. Lawton informed the Board that she was contacted by former board member, Joe Hankins, about a 60KW, Kohler generator the Freshwater Institute is replacing and asked if the District would like to purchase for approximately \$500.

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to purchase the generator from the Freshwater Institute for \$500. Unanimously approved.

Consider legislative topics for next session

Ms. Lawton suggested a legislative session topic for next session regarding a change to the laws regarding the Public Service Commission's process for project approval. The discussion amongst those present suggested that the date of the next session was in January and there was not enough time for any action to be taken.

Action: No action taken by the Board.

Consider 2014 Board Meeting Dates

Action: Motion made by Mr. Appignani and seconded by Mr. Strider to accept the 2014 board meeting dates as presented which are the first Monday of the month except for September which is a Tuesday. Unanimously approved.

Discuss License Agreement and Addendum to Alternate Sewer Main Line Extension Agreement for Norborne Glebe

Ms. Lawton informed the Board that the District has been servicing the Norborne Glebe development since 2006, but has not accepted ownership of the pump station. Currently the developer pays a private company for the operation and maintenance. Mr. Kelsh is concerned with this arrangement and has drafted a license agreement to allow the District access and more control over the pump station until it is turned over to the District at final build out. The Board would like to discuss this further before making any decisions.

Mr. Kelsh also drafted an addendum to the alternate mainline extension agreement for the Norborne Glebe development to transfer the rights and responsibilities from the original owner, Thomas Nulls, to the current owner, Arcadia Development. The Board had no problem with this agreement and Mr. Kelsh will forward to Arcadia for their comments.

Action: Motion made by Mr. Appignani and seconded by Mr. Strider to approve the addendum to the alternate mainline extension agreement transferring the rights and responsibilities from the original owner, Thomas Nulls, to the current owner, Arcadia Development. Unanimously approved.

Update on Statuses of Current Public Service Commission Cases

Mr. Kelsh informed the Board that the District has no cases at the Public Service Commission which he is involved in at this time.

Action: No action taken by the Board.

Discussion of any Expenses over Budget

There were no items over budget.

Action: No action taken by the Board.

Disbursements

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to approve disbursements for Public Service District water expenses in the amount of \$3,255.29. Unanimously approved.

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to approve disbursements for the Public Service District sewer expenses in the amount of \$193,887.61. Unanimously approved.

Approve transfer of \$1,699.07 from the renewal & replacement account to the Sewer Operating account for new pump at PS 2-14

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to approve the transfer of \$1,699.07 from the renewal & replacement account to sewer operating account for new pump at PS 2-14. Unanimously approved.

Approve transfer of \$5,025.64 from the Sewer Security Deposit account to the Sewer Operating account for security deposit refunds

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to approve the transfer of \$5,025.64 from the sewer security deposit account into the 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.

Action: No action taken by the Board.

Other staff reports

Action: No action taken by the Board.

Comments from customer liaison

Mr. Cheezum thanked the Board and staff for their cooperation and assistance during his customer liaison term which has come to an end with the appointment this month of the next board member who will be a residential customer.

Mr. Cheezum also made a request for notice to be put on the customer bills when a rate increase will take effect. Mr. Kelsh stated that the District is only required to put notice in the newspaper and not on actual bills, but can at the discretion of the Board.

Action: No action taken by the Board.

Public Comment

John Maxey, Harpers Ferry resident, stated that he is neither a District nor Jefferson Utilities customer, but recognizes appropriate sewer and water infrastructure benefits to the taxpayers of the County and are crucial for economic growth. He also stated that it's puzzling as to why these current customers are responsible for paying for these future upgrades/expansion and possibly consolidation would help with the overall costs since it really benefits the entire County. He expressed his appreciation for the six years of service that Mr. Cummins has given. And lastly, Mr. Maxey was curious as to when the preliminary

engineering report would be released to the public since the Board approved the release of the document to the public last month.

Correspondence
None.

Mr. Cheezum, Mrs. Shultz, Mr. Hypes, and Mr. Summerfield exited the meeting.

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

Mr. Summerfield and Mr. Hypes were invited by the Board to take part in the discussions on the Mountain Water Project/public private partnership.

Mr. Bob Rodecker was called to discuss the Old Standard land issues. Mr. Kelsh exited the room for that discussion.

Action: Motion made by Mr. Appignani and seconded by Mr. Strider to return to public session. Unanimously approved.

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

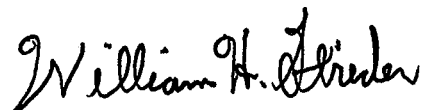
There being no further business at this time, the meeting was adjourned at 10:15PM.

The next regular meeting is scheduled for Monday, January 6, 2014 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Peter L. Appignani
Secretary



William H. Strider
Treasurer