

# Jefferson County Public Service District

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## Jefferson County Public Service District Regular Board Meeting August 5, 2013

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, August 5, 2013 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Jim Cummins; Secretary, Peter Appignani; Treasurer, Bill Strider; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlemeyer; District Legal Counsel, Jim Kelsh; from Pentree Engineering, Zane Summerfield; 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 7:01PM.

### **APPROVAL OF AGENDA**

There were no changes made to the agenda.

### **PUBLIC COMMENTS**

None.

### **OLD BUSINESS**

#### **Review Minutes of July 1 regular board meeting**

The minutes of the July 1, 2013 regular board meeting were approved as presented.

**Action:** Motion made by Mr. Appignani and seconded by Mr. Strider to accept the July 1, 2013 minutes as presented. Unanimously approved.

#### **Review Minutes of July 23 special board meeting**

The minutes of the July 23, 2013 special board meeting were approved as presented.

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to accept the July 23, 2013 minutes as presented. Unanimously approved.

#### **Review Minutes of July 31 emergency special board meeting**

The minutes of the July 31, 2013 emergency special board meeting were approved as presented.

**Action:** Motion made by Mr. Appignani and seconded by Mr. Strider to accept the July 31, 2013 minutes as presented. Unanimously approved.

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

- **Approve contribution of up to \$10,000 from water account for the water systems project**

Ms. Lawton stated that the Board needs to approve the contribution of up to \$10,000 from the water account to cover soft costs for the project to satisfy the Public Service Commission request.

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to approve the \$10,000 contribution from the water account for the water systems project. Unanimously approved.

### **NEW BUSINESS**

#### **Consider approval of the award of contract for pump station 5-3 construction**

The bid documents for the pump station 5-3 upgrade were accepted at the Districts office until this afternoon at 2pm. The project would be awarded to the lowest bidder. Mr. Summerfield, representing Pentree, was present at the District's office to open and read the bids publically. Mr. Summerfield informed the Board that four bids were received, two of which were disqualified. Of the two bidders that satisfied the bid criteria, Snyder Environmental Services and Underground Contacting Inc., the lowest bid

went to Snyder Environmental Services for \$315,000 even though both bids exceeded the original budget for the project. Mr. Summerfield will contact Snyder Environmental Services about what can be eliminated from the bid to bring the project cost down.

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

Consider protesting Charles Town sewer rate ordinance to Public Service Commission

The Utility Boards for both Charles Town and Ranson have passed new rate ordinances that will be adopted on September 1<sup>st</sup> if there isn't a substantial amount of protest. Since the District is a bulk rate customer of Charles Town, the rate increase will be passed down to the District's customers. Mr. Kelsh informed the Board of their option to protest the rate increase; however, he doesn't think the District should object because it could lead to unexpected consequences. Mr. Cheezum questioned what, if anything, could be done to slow down or stop the increase. Mr. Kelsh stated that protesting the increase could delay the implementation and the Public Service Commission could examine the rates which could lead to an increase or decrease. He also stated that this increase in rates was not subject to the Senate Bill 245 funds because the project had been previously submitted, but the next project related increase could utilize the funds.

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

Consider filing Tariff Rule 30-B pass through sewer rate increase to Public Service Commission

The Board would like Mr. Kelsh to file the tariff Rule 30-B for the pass through sewer rate increase with the Public Service Commission.

**Action: Motion made by Mr. Strider and seconded by Mr. Appignani to file a 30-B rate case to increase the District's sewer rate to reflect the Charles Town increase in the bulk rate.**

There was a brief discussion by the Board. Mr. Appignani questioned when the Senate Bill 245 funding would be available for Charles Town to utilize. Commissioner Tabb is going to discuss this with Senator Herb Snyder. Mr. Strider suggested getting a drafted commitment from Charles Town stating they will utilize the Senate Bill 245 grants which could help with rates. Mr. Cummins would like Mr. Kelsh to add wording to the 30-B notice to customers giving a better explanation on the reason for the rate case.

**Action: The motion was approved unanimously.**

Update on Statutes of Current Public Service Commission Cases

Mr. Kelsh gave a brief update on the current cases the District is involved in at the Public Service Commission, including the application for Certificate of Convenience and Necessity for the water systems project (13-0865-PWD-PC-CN), the amendment to the Alternate Mainline Extension Agreement with Aspen Greens (12-1567-PSD-PC), Milliron/Parker complaint case (12-1370-PSD-C) and the petition for approval of cross connection and backflow prevention programs (13-0514-PWD-PC).

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

Discussion of any Expenses over Budget

There were four line items over budget this month; however, the District is still under budget for the year.

**Action: Motion made by Mr. Appignani and seconded Mr. Strider to approve the line items over budget including General Officer Salaries, Pension and FICA Tax Expense, Miscellaneous General Expense, and Special Expense. Unanimously approved.**

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 \$5,281.48. 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 \$147,066.93. Unanimously approved.**

Approve transfer of \$1,064.92 from Renewal and Replacement Account to Sewer Operating Account for repair at pump station 3-6

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to approve the transfer of \$1,064.92 from renewal and replacement account into sewer operating account for repair at pump station 3-6. Unanimously approved.

Approve transfer of \$2,732.60 from Renewal and Replacement Account to Sewer Operating Account for Omni-site at pump station 2-14

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to approve the transfer of \$2,732.60 from renewal and replacement account into sewer operating account for Omni-site at pump station 2-14. Unanimously approved.

Approve transfer of \$4,493.05 from Sewer Security Deposit account to Sewer Operating account for security deposit refunds

**Action:** Motion made by Mr. Strider and seconded by Mr. Appignani to approve the transfer of \$4,493.05 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.

New Truck – Ms. Lawton informed the Board that the new truck has been ordered, but will not be ready until late August.

Lysimeters – The two lysimeters installed in the drainfields at Deerfield have not produced any samples yet.

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

Operations Manager's Report

Mr. Freeze was absent for the meeting. The Board had no comments on his report.

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

Comments from customer liaison

Mr. Cheezum brought up concerns of who selects the executive session agenda items and why some items are listed under that section of the agenda. Mr. Kelsh stated that it was a collaboration of staff and board members for drafting the executive session items which are all items relating to contract negotiations, litigation, or personnel matters.

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

Public Comment

Ms. Jacquelyn Milliron, Breckenridge resident, complimented PSD staff for being cooperative and pleasant to work with. Ms. Milliron also made the comment that the public would like to know what is going on regarding the Old Standard land issue since it may affect the customers in the future. And lastly, Ms. Milliron questioned the new truck financing, strategic plan, and costs of the pump station 5-3 upgrade as they all relate to the final order of the sewer rate case.

Correspondence

The District received an invitation from the Public Service Commission to participate in discussions with their utility analysts and utility inspectors.

Mr. Cheezum and Mr. Summerfield exited the meeting. Commission Jane Tabb was invited to stay for executive session to participate in the negotiations with Dunn Engineering since she is a member of the selection committee. She left the meeting after that discussion.

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

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.**

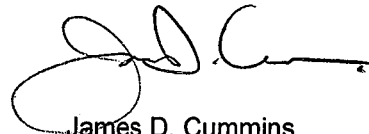
**Action: Motion made by Mr. Appignani and seconded by Mr. Strider to grant Susanne Lawton limited settlement authority for the Lyles/Prescott civil action suit as discussed by the Board in executive session. Unanimously approved.**

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

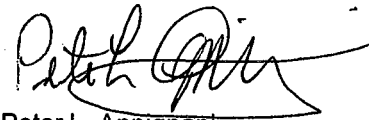
There being no further business at this time, the meeting was adjourned at 9:44PM

The next regular meeting is scheduled for Tuesday, September 3, 2013 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



James D. Cummins  
Chairman



Peter L. Appignani  
Secretary