

Jefferson County Public Service District

Jefferson County Public Service District Regular Board Meeting June 3, 2013

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, June 3, 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; Operations Manager, Joe Freeze; District Legal Counsel, Jim Kelsh; from Pentree Engineering, John Tuggle and Zane Summerfield; and liaison for the County Commission, Commissioner Jane Tabb.

CALL TO ORDER

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

APPROVAL OF AGENDA

The Board moved the items regarding the sewer and water bonds to the first items to be discussed.

PUBLIC COMMENTS

Scott Tatina, Westridge Hills resident, questioned why the Board had let the public/private partnership with Jefferson Utilities expire and if they had plans to move forward on renewing.

OLD BUSINESS

Update on and possible action with respect to the District's sewer revenue bonds authorized by the District at its May 6, 2013 meeting to be issued in an aggregate principal amount of not to exceed \$1,720,000 to finance engineering fees payable to Pentree, Inc., costs of certain improvements to and a truck for the sewer system of the District, to fund a debt service reserve fund for the bonds and to pay costs relating to the issuance of the bonds

The Board called Cam Siegrist from Bowles Rice for the discussion on the bonds. The Bond will be used to pay Pentree, relining of a wet well at pump station 1-12A, replacement of pump station 5-3, a strategic plan, and a new truck. Mr. Siegrist informed the Board that the settlement for the sewer revenue bond is scheduled for Friday, June 14th. The bond closing documents will be signed and forwarded back to Mr. Siegrist after the meeting.

Action: **Motion made by Mr. Appignani and seconded by Mr. Strider to approve the resolution with respect to the sewer revenue bonds totaling \$1,660,000. Unanimously approved.**

NEW BUSINESS

Consideration of and final action on a Bond Resolution and related Supplemental Resolution authorizing the issuance of not to exceed \$182,500 in principal amount of the Jefferson County Public Service District's water system design revenue bonds to finance temporarily engineering fees and other costs relating to improvements to the water system of the District and to pay costs relating to the issuance of the bonds

Cam Siegrist reviewed the bond resolution for the water project not to exceed \$182,500. He is still waiting on the amount from R. Christopher Goodwin for additional testing at Glen Haven which is now required by the Division of Culture and History's State Historic Preservation Office.

Action: **Motion made by Mr. Strider and seconded by Mr. Appignani to approve the Bond Resolution as read into record:**

**JEFFERSON COUNTY PUBLIC SERVICE DISTRICT WATER SYSTEM DESIGN
REVENUE BONDS, SERIES 2013 A (WEST VIRGINIA WATER
DEVELOPMENT AUTHORITY); RESOLUTION AUTHORIZING THE DESIGN**

OF AND OTHER PRELIMINARY EXPENDITURES RELATING TO CERTAIN ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE EXISTING WATER SYSTEM OF THE JEFFERSON COUNTY PUBLIC SERVICE DISTRICT AND THE FINANCING OF THE COST, NOT OTHERWISE PROVIDED, THEREOF THROUGH THE ISSUANCE BY THE JEFFERSON COUNTY PUBLIC SERVICE DISTRICT OF NOT MORE THAN ONE HUNDRED EIGHTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$182,500) IN AGGREGATE PRINCIPAL AMOUNT OF JEFFERSON COUNTY PUBLIC SERVICE DISTRICT WATER SYSTEM DESIGN REVENUE BONDS, SERIES 2013 A (WEST VIRGINIA WATER DEVELOPMENT AUTHORITY); PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; APPROVING, RATIFYING AND CONFIRMING A LOAN AGREEMENT WITH THE WEST VIRGINIA WATER DEVELOPMENT AUTHORITY RELATING TO SUCH BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS; AND ADOPTING OTHER PROVISIONS RELATING THERETO. BE IT RESOLVED BY THE JEFFERSON COUNTY PUBLIC SERVICE DISTRICT.

Motion was unanimously approved.

Action: Motion made by Mr. Appignani and seconded by Mr. Strider to approve the Supplemental Resolution as read into record:

JEFFERSON COUNTY PUBLIC SERVICE DISTRICT WATER SYSTEM DESIGN REVENUE BONDS, SERIES 2013 A (WEST VIRGINIA WATER DEVELOPMENT AUTHORITY); SUPPLEMENTAL RESOLUTION PROVIDING AS TO PRINCIPAL AMOUNT, INTEREST RATE, DATE, MATURITY DATE, REDEMPTION PROVISIONS, PRINCIPAL AND INTEREST PAYMENT DATES, SALE PRICE AND OTHER TERMS OF THE WATER SYSTEM DESIGN REVENUE BONDS, SERIES 2013 A (WEST VIRGINIA WATER DEVELOPMENT AUTHORITY) OF THE JEFFERSON COUNTY PUBLIC SERVICE DISTRICT AUTHORIZING, RATIFYING AND APPROVING A LOAN AGREEMENT RELATING TO SUCH BONDS AND THE SALE AND DELIVERY OF SUCH BONDS TO THE WEST VIRGINIA WATER DEVELOPMENT AUTHORITY; DESIGNATING A BONDS REGISTRAR, DEPOSITORY BANK, AND PAYING AGENT; AMENDING THE RESOLUTION AUTHORIZING THE ISSUANCE OF THE AFORESAID BONDS; AND MAKING OTHER PROVISIONS AS TO THE BONDS.

Motion was unanimously approved.

Action: Motion made by Mr. Appignani and seconded by Mr. Strider to approve the Resolution No. 1 as read into record:

JEFFERSON COUNTY PUBLIC SERVICE DISTRICT 2012W-1331 RESOLUTION NO. 1; RESOLUTION OF THE PUBLIC SERVICE BOARD OF THE JEFFERSON COUNTY PUBLIC SERVICE DISTRICT APPROVING INVOICES RELATING TO ENGINEERING AND OTHER SERVICES FOR THE CAVALAND & GLEN HAVEN WATER SYSTEM IMPROVEMENTS PROJECT AND AUTHORIZING PAYMENT THEREOF.

Motion was unanimously approved.

Consideration of and final action on a resolution approving first requisition relating to the District's water system design revenue bonds described above and possible other actions with respect to such bonds and the project being financed with the proceeds thereof.

There was no further business to discuss.

OLD BUSINESS

Review Minutes of May 6 Regular Board Meeting

The minutes of the May 6, 2013 regular Board meeting were approved as presented.

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to accept the May 6, 2013 minutes as presented. Approved 2-0. Mr. Cummins abstained since he was not present at that meeting.

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

Mr. Kelsh informed the Board that he has not yet filed the certificate application for the project with the Public Service Commission. Staff is also waiting on a response from the West Virginia State Historic Preservation Office to determine the price for the additional testing.

Action: No action taken by the Board.

Update on Middleway water and sewer

Two months ago, Ms. Lawton, Mr. Strider, and Commissioner Tabb attended a meeting in Middleway to discuss water and sewer issues in the area as well as other items. Ms. Lawton had distributed surveys at the meeting and asked that people fill them out to get an idea of the support behind a possible project. In the Board packets included information on the survey forms that have been received from Middleway area residents so far. Most of the replies were not in favor of further explorations of a public water or wastewater system in Middleway. Ms. Lawton expressed a willingness to continue with a door to door explanation and survey in Middleway, but the Board would not like to pursue any more with Middleway residents unless the District receives expressed verbal or written requests from a number of people who are in favor of a study.

Action: No action taken by the Board.

Discuss Odor and Corrosion Control Report from Siemens for the District and City of Ranson's Collection System

Ms. Lawton informed the Board that the FY 2014 budget has been revised showing a better coverage rate to cover the bioxide project if the Siemens contract is approved. The Board chose to pursue the contract with Siemens which will be included in the revised FY 2014 budget.

Action: No action taken by the Board.

NEW BUSINESS

Consider revision of the FY 2014 sewer budget

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to approve the revised FY 2014 sewer budget as presented including the odor and corrosion control showing 123% coverage. Unanimously approved.

Update on Charles Town wastewater treatment plans

Mr. Kelsh gave an overview of the meeting held earlier that day with the City of Charles Town and the discussions on the upcoming plans to improve their sewer system. Mr. Kelsh also mentioned the rate increase from Charles Town that will impact the District's customers after September 1st. There was also a discussion on Senate Bill 245 and the use of the funds to help cover the costs of upgrades which were necessary due to Chesapeake Bay issues. It is the plan of Charles Town not to apply for these funds at this time due to issues that may be present with the availability of these funds. The Board is considering setting up a meeting with Senator Snyder regarding the intentions of Senate Bill 245. The Board suggested Ms. Lawton email Mr. Jim Ellars from West Virginia Infrastructure and Jobs Development Council first.

Action: No action taken by the Board.

Update on Statuses 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 sewer rate case (12-0513-PSD-42T-PC), Milliron/Parker complaint case (12-1370-PSD-C), BAN for water project soft costs (12-1116-PWD-PC), the proposed application for Certificate of Convenience and Necessity for the water systems project, and the petition to reopen the Alternate Mainline Extension Agreement with Aspen Greens (12-1567-PSD-PC).

Action: No action taken by the Board.

Discussion of any Expenses over Budget

There were no items over budget this month.

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 \$3,866.47. 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 \$133,480.93. Unanimously approved.

Approve transfer of \$2,929.74 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 \$2,929.74 from sewer security deposit account into sewer operating account for security deposit refunds. Unanimously approved.

Approve transfer of \$192.09 from Water Security Deposit account to Water Operating account for security deposit refunds

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to approve the transfer of \$192.09 from water security deposit account into water operating account for security deposit refunds. Unanimously approved.

General Manager's Report

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

Lysimeter at Deerfield- Ms. Lawton informed the Board that there has been no water in the homemade lysimeter staff installed last month to improve the Nitrogen test results.

Action: No action taken by the Board.

Operations Manager's Report

Mr. Freeze updated the Board on activities since last month's meeting.

Action: No action taken by the Board.

Public Comment

Charles Cheezum questioned how a profit company can partner with a non-profit company and the profit company makes money off of it. Mr. Kelsh gave a short explanation on how public private partnerships work.

Correspondence

None.

Mr. Freeze, Commissioner Tabb, Mr. Tuggle, and Mr. Summerfield exited the meeting.

Action: Motion made by Mr. Appignani seconded by Mr. Strider to convene in

executive session for the purpose of discussing litigation, personnel matters, and contract negotiations. Unanimously approved.

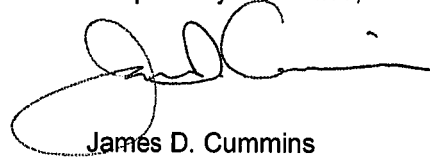
Action: Motion made by Mr. Appignani and seconded by Mr. Strider to return to public session. Unanimously approved.

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

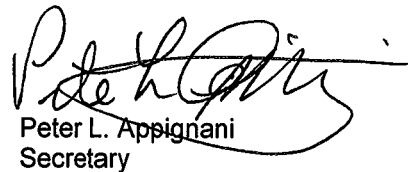
There being no further business at this time, the meeting was adjourned at 9:23PM

The next regular meeting is scheduled for Monday, July 1, 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