

Jefferson County

Public Service District

Jefferson County Public Service District Regular Board Meeting July 5, 2016

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, June 6, 2016 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, Peter Appignani; Treasurer, Bill Strider; Secretary, Richard Weese; General Manager, Susanne Lawton; Administrative Assistant, Ashley Stottlmyer; from Bowles Rice, District Legal Counsel, Jim Kelsh; from Thrasher Engineering, Wayne Morgan; and liaison for the County Commission, Commissioner Jane Tabb.

CALL TO ORDER

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

Approval of agenda

There were no changes made to the agenda and it was approved with unanimous consent.

OLD BUSINESS

Review Minutes of June 6 regular board meeting

The minutes of the June 6, 2016 regular board meeting were approved as presented.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to accept the June 6, 2016 regular board meeting minutes as presented. Unanimously approved.

Review Minutes of June 13 special board meeting

The minutes of the June 13, 2016 special board meeting were approved as presented.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to accept the June 6, 2016 special board meeting minutes as presented. Unanimously approved.

Discuss sewer collection and transmission project

- **Consider substitution of Counsel for the sewer certificate project**

Staff filed the Certificate of Convenience and Need with the Public Service Commission (PSC) on May 12th and has received 18 protests along with the City of Charles Town, Jacquelyn Milliron, and the City of Ranson filing motions to intervene. Mr. Kelsh informed the Board that since the City of Ranson has intervened in the case that Bowles Rice needs to withdraw as Counsel for the project due to a conflict of interest since Bowles Rice represents Ranson in other matters. Mr. Kelsh will be petitioning to the PSC for permission to withdraw as Counsel and also be requesting a 90 day toll on the case to allow for additional time to provide information requested by the PSC.

Action: No action required by the Board.

Discuss the District's financial status (status of paying bills)

The District will need to collect an estimated \$14,000 in payments to cover the disbursements for sewer and \$20,000 for water. The Board suggested Ms. Lawton notify the bond holders of the two rate cases the District currently has filed with the Public Service Commission.

Action: No action required by the Board.

Consider acceptance of bid for snow removal

- **Consider request for conflict waiver for Bowles Rice to prepare contract with Secatello Contracting, LLC for snow removal**

Last month the Board requested Ms. Lawton put the snow removal contract out to bid. The District published an ad in the Journal and received one bid, from Secatello Contracting, LLC. If the Board approves the bid from Secatello Contracting, LLC, then the District will need to approve the consent to simultaneous representation with Bowles Rice, since they represent both parties, and then the contract will be drafted.

- Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve a contract for snow removal with Secatello Contracting, LLC at \$100 per hour. Unanimously approved.
- Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve the consent for simultaneous representation with Bowles Rice between Secatello Contracting, LLC and the District. Approved 2-1. Mr. Appignani voted against the motion.

NEW BUSINESS

Discuss changes to EDU chart in tariff

Last month the Board approved using a lower rate of equivalent dwelling units (EDUs) for hotels that differs from the Districts tariff sheet based on historical usage for two occupied hotels. Ms. Lawton has expressed to the Board that the current tariff sheet is outdated and often times inaccurate. She has been looking for more updated information, but hasn't had much luck from the Environmental Protection Agency, the American Water Works Association or the National Association for Clean Water Agencies. Ms. Lawton did find that a number of utilities use the size of the meter to determine the capacity improvement fee amount so the Board would like her to research utilities from the surrounding area.

- Action:** No action required by the Board.

Update on Status of Current Public Service Commission Cases

2015 sewer rate case, 15-1338-PSD-42R-PC –The reply briefs were due on June 27th and now the District waits for a final order from the PSC.

2016 sewer rate case, 16-0411-PSD-30B –The PSC issued an order approving a rate increase of \$.38 per 1000 gallons effective for all bills rendered after July 1st.

Certificate of Convenience and Necessity case, 16-0616-PSD-PC-CN – There have been 18 protests filed with the case and Mr. Kelsh has requested a 90 day toll to allow for additional time to provide information requested by the PSC.

Water Rate Increase case, 16-0701-PWD-19A – On June 22nd the Staff of the PSC recommended an 18.2% interim rate increase and the District will now wait for the Commission's order.

- Action:** No action required by the Board.

Discussion of any Expenses over Budget

None.

- Action:** No action required by the Board.

Disbursements

- Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve disbursements for Public Service District water expenses in the amount of \$9,037.86. Unanimously approved.

- Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve disbursements for the Public Service District sewer expenses in the amount of \$211,371.95. Unanimously approved.

Approve transfer of \$2,236.81 from the Renewal & Replacement account to the Sewer Operating account for a new Omni-site at pump station 3-9

Approve transfer of \$3,638.54 from the Renewal & Replacement account to the Sewer Operating account for pump repairs at pump station 3-9

Approve transfer of \$6,212.69 from the Sewer Security Deposit account to the Sewer Operating account for security deposit refunds

Approve transfer of \$1,844.03 from the Water Security Deposit account to the Water Operating account for security deposit refunds

- Action:** Motion made by Mr. Strider and seconded by Mr. Weese to approve transfer of \$2,236.81 from the Renewal & Replacement account to the Sewer Operating account for a new Omni-site at pump station 3-9; approve transfer of \$3,638.54 from the Renewal & Replacement account to the Sewer Operating account for

pump repairs at pump station 3-9; approve transfer of \$6,212.69 from the Sewer Security Deposit account to the Sewer Operating account for security deposit refunds; approve transfer of \$1,844.03 from the Water Security Deposit account to the Water Operating account for security deposit refunds. Unanimously approved.

General Manager's Report

Pump Station 3-9 – This pump station has been having numerous problems since the school year has ended.

Action: No action required by the Board.

Other staff reports

None discussed.

Action: No action required by the Board.

Correspondence

None discussed.

Action: No action required by the Board.

Public Comment

Jacquelyn Milliron, District customer, questioned if the District had any plans to inform USDA/RUS about the simultaneous representation of the current Ranson agreement and if they are planning to draft a different agreement.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to convene in executive session for the purpose of discussing litigation regarding East Jefferson Sewer Service. Unanimously approved.

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

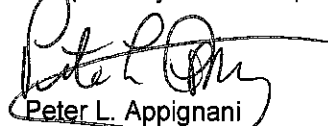
Action: Motion made by Mr. Strider and seconded by Mr. Weese to direct Attorney Bob Rodecker to begin negotiations with East Jefferson Sewer Service. Unanimously approved.

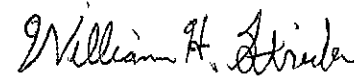
Action: Motion made by Mr. Weese and seconded by Mr. Strider to adjourn. Unanimously approved.

There being no further business at this time, the meeting was adjourned at 8:28PM.

The next regular meeting is scheduled for Monday, August 1, 2016 at 7:00pm at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,


Peter L. Appignani
Chairman


William H. Strider
Treasurer