

Jefferson County Public Service District

Jefferson County Public Service District Regular Board Meeting June 6, 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 Stottlemeyer; Operations Manager, Joe Freeze; from Thrasher Engineering, Wayne Morgan; and liaison for the County Commission, Commissioner Jane Tabb. Attorney, Tyler Mayhew from Bowles Rice filled in for Mr. Kelsh.

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.

Action: **Motion made by Mr. Strider and seconded by Mr. Weese to accept the agenda as presented. Unanimously approved.**

OLD BUSINESS

Review Minutes of May 2 regular board meeting

The minutes of the May 2, 2016 regular board meeting were approved as presented.

Action: **Motion made by Mr. Strider and seconded by Mr. Weese to accept the May 2, 2016 regular board meeting minutes as presented. Unanimously approved.**

Discuss sewer collection and transmission project

Mr. Appignani recused himself from the discussions relating to this item per the Advisory Opinion 2015-08 by the West Virginian Ethics Commission. Staff filed the Certificate of Convenience and Need with the Public Service Commission late last month. Ms. Lawton also requested the Board approve resolution number five to pay Thrasher \$11,147.76 out of the \$660,000 loan for engineering services for the project. Mr. Strider read resolution #5 as follows:

RESOLUTION OF THE PUBLIC SERVICE BOARD OF THE
JEFFERSON COUNTY PUBLIC SERVICE DISTRICT
APPROVING INVOICES RELATING TO ENGINEERING AND
OTHER SERVICES FOR THE SEWER TRANSMISSION
IMPROVEMENTS PROJECT AND AUTHORIZING PAYMENT
THEREOF IN THE AMOUNT OF \$11,147.76.

Action: **Motion by Mr. Strider and seconded by Mr. Weese to adopt the resolution as read totaling \$11,147.76. Approved 2-0. Mr. Appignani recused himself.**

Consider filing comments on Breckenridge East NPDES permit

Ms. Lawton received a letter back from DEP informing the District that the filing by Breckenridge East was a required update on the 2007 permit. The letter states that they have until June 2019 to build their plant or the permit will be revoked.

Action: **No action.**

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

The District will need to collect an estimated \$21,000 in payments to cover the disbursements for sewer and \$18,000 for water.

Action: No action required by the Board.

NEW BUSINESS

Consider Capital Improvement Fee agreement with Uniwest for new hotel in Jefferson Crossing

Ms. Lawton explained that in 2010 the District entered into a Capital Improvement Fee (CIF) agreement with Uniwest for the Hampton Inn which allowed them to make payments on the CIF but was paid in full before the certificate of occupancy was obtained. Ms. Lawton would like to offer the new hotel a similar CIF agreement, but is waiting to get the EDU count from Charles Town Utility Board which is being discussed at their June 8th meeting.

Action: Motion made by Mr. Strider and seconded by Mr. Appignani to approve a similar CIF agreement with the new hotel as previously used with prior hotels with appropriate allocations of the CIF pending a decision from Charles Town.

Mr. Appignani questioned if Charles Town would be deciding on how many EDU's would be charged per room for the hotel. Ms. Lawton stated the new hotel would be using the Hampton Inn's usage to calculate an EDU number per room for 91 rooms and Charles Town would be deciding the number of EDU's per room at their next meeting. Mr. Strider agreed with the idea of using .42 per EDU since it worked well in the past for prior hotels. Mr. Weese questioned the EDU chart and who calculated the numbers for it. He stated that if the chart uses .8 per EDU then the District should follow that calculation and should be the same for everyone. Mr. Strider stated that the EDU chart in the District's tariff may need to be revised to be more up-to-date.

Motion was approved 2-1. Mr. Weese voted against the motion.

Discuss East Jefferson Sewer Service, LLC

Ms. Lawton informed the Board that the civil case #14-C-51 has been reopened and the PSC case # 13-1175-S-C will likely be reopened within the next couple of months by Mr. Lee Snyder. The Board will discuss this item with counsel, Bob Rodecker, by conference call during executive session.

Action: No action required by the Board.

Review options for Hydrogen Sulfide control

This item was discussed with the item below.

Consider revised contract with Evoqua for Bioxide

Mr. John Macpherson from Evoqua was in the audience to answer questions from the Board on options for Hydrogen Sulfide control.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to discuss options for odor control and approve the new bioxide contract.

Mr. Macpherson explained the benefits of bioxide and the details of the revised bioxide contract with Evoqua. The new contract offers a better delivery system at a better price.

The Board approved the continued use of bioxide and the new bioxide contract with Evoqua. Unanimously approved.

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

Mr. Mayhew stated the District has negotiated terms with Secatello Contracting, LLC and requested Bowles Rice to develop a contract and since the firm currently represents both parties the District will need to execute a waiver of conflict and dual representation.

Action: Motion made by Mr. Strider and seconded by Mr. Weese to approve the waiver of conflict with Secatello Contracting, LLC.

Mr. Appignani questioned if this has gone out to bid for other quotes. Ms. Lawton stated that she contacted 3 other companies and they did not reply with quotes. She stated that Secatello Contracting fit the need of the District since they had performed snow removal at various pump stations during the 2015

winter storm. The Board would like staff to put this out to bid and bring back next month for consideration.

The motion did not come to a vote.

Update on Status of Current Public Service Commission Cases

2015 sewer rate case, 15-1338-PSD-42R-PC – The initial briefs are due by June 10th and the reply briefs are due by June 27th.

2016 sewer rate case, 16-0411-PSD-30B – Bowles Rice has filed a Tariff Rule 30-B sewer rate increase to pass on the \$.40 per 1000 gallon increase adopted by Charles Town. The initial PSC Staff memo has recommended a rate increase of \$.38 per 1000 gallons.

Certificate of Convenience and Necessity case, 16-0616-PSD-PC-CN – The notice for the case was advertised in the paper with a number of protests filed with the PSC along with 3 intervenors so far.

Water Rate Increase case, 16-0701-PWD-19A – A Tariff Rule 19-A application was filed with the PSC.

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 \$10,403.59. 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 \$216,968.06. Unanimously approved.

Approve transfer of \$3,301.00 from the Renewal & Replacement account to the Sewer Operating account for a new pump at pump station 4-4

Approve transfer of \$6,870.00 from the Renewal & Replacement account to the Sewer Operating account for a new pump at pump station 4-7

Approve transfer of \$9,996.00 from the Renewal & Replacement account to the Sewer Operating account for a new pump at pump station 1-12

Approve transfer of \$4,512.09 from the Sewer Security Deposit account to the Sewer Operating account for security deposit refunds

Approve transfer of \$182.61 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 \$3,301.00 from the Renewal & Replacement account to the Sewer Operating account for a new pump at pump station 4-4, approve transfer of \$6,870.00 from the Renewal & Replacement account to the Sewer Operating account for a new pump at pump station 4-7, approve transfer of \$9,996.00 from the Renewal & Replacement account to the Sewer Operating account for a new pump at pump station 1-12, approve transfer of \$4,512.09 from the Sewer Security Deposit account to the Sewer Operating account for security deposit refunds, approve transfer of \$182.61 from the Water Security Deposit account to the Water Operating account for security deposit refunds. Unanimously approved.

General Manager's Report

Ms. Lawton mentioned that staff is working on inflow and infiltration at pump station 4-4. She also has been working with the purchaser of the Locust Knoll to get the property sewer service.

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, was discouraged to hear of the proposed hotel getting a reduced number for an EDU and thinks that a CIF should be paid all at once not in payments for large users. She questioned what municipality the new hotel will be in and requested staff email her. Ms. Milliron also stated that bioxide is the most expensive way to control odor and septicity so doesn't know why the District is spending so much when there are cheaper ways.

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

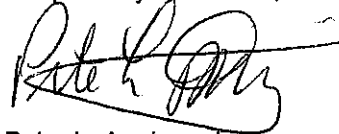
Action: Motion made by Mr. Strider and seconded by Mr. Appignani to return to public session. Unanimously approved.

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

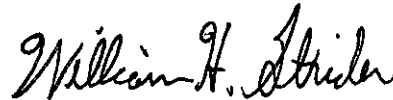
There being no further business at this time, the meeting was adjourned at 8:25PM.

The next regular meeting is scheduled for Tuesday, July 5, 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