

# ***Jefferson County Public Service District***

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## **Jefferson County Public Service District Regular Board Meeting November 6, 2017**

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, November 6, 2017 in the meeting room at the Districts office in Kearneysville. Those in attendance included: Chairman, William Strider; Secretary, Richard Weese (speakerphone); Treasurer, Roger Forshee; General Manager, April Shultz; Office Administrator, Ashley Stottlemeyer; Operations Manager, Joseph Freeze; from Bowles Rice, Tyler Mayhew; from Thrasher Engineering, Kylea Radcliff, and liaison for the County Commission, Commissioner Josh Compton.

### **CALL TO ORDER**

Chairman Bill Strider called the meeting to order at 7:00PM.

Mrs. Shultz thanked Chairman Bill Strider for his 6 years of dedicated and much appreciated service as a District board member. She expressed her gratitude and presented him with a plaque from the District.

### **Approval of agenda**

The agenda was unanimously approved with no changes.

### **OLD BUSINESS**

#### **Review Minutes of October 11 regular board meeting**

The minutes of the October 11, 2017 regular board meeting were approved as presented.

**Action: Motion made by Mr. Strider and seconded by Mr. Forshee to accept the October 11, 2017 regular board meeting minutes as presented. Unanimously approved.**

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

The District will have to collect \$20,000 before the November disbursements for sewer can be paid and will need to collect \$9,700 to cover the previous disbursements for water.

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

#### **Update from Royal Vendors on Silver levels**

Don Korrell from Royal Vendors updated the Board. The permit modification was issued by WVDEP on October 11<sup>th</sup>. Mr. Korrell thanked the Board for working with Royal Vendors on the modification and stated all invoices relating to this issue have been paid.

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

#### **Discuss sewer collection and transmission project, Case No. 16-0616-PSD-PC-CN**

- **Consider for approval the resolution #13 to pay Bowles Rice for legal services and Thrasher for engineering services relating to the sewer collection and transmission project from the Series 2015 Sewer Bond proceeds**

Last month the Board directed Mrs. Shultz to submit a budget revision from the \$660,000 loan schedule B for this month's meeting to pay the remaining invoices from Thrasher and Bowles Rice for all work completed up to this point. The District will pay Bowles Rice in full and work out a payment plan with Thrasher for the remaining balance of \$15,714.91. Mrs. Shultz requested the Board approve resolution number thirteen (13) to pay the remaining \$148,073.16 out of the \$660,000 loan for expenses related to the project. Mr. Strider read resolution #13 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 \$148,073.16.

**Action:** Motion by Mr. Strider and seconded by Mr. Forshee to approve the resolution 13 as read totaling \$148,073.16.

**Action:** Motion made by Mr. Forshee and seconded by Mr. Strider to pay the remaining balance of \$15,714.91 to Thrasher in a lump sum or payments prior to June 30, 2018, leaving it up to the General Manager to decide.

**NEW BUSINESS**

Discussion with West Virginia American Water

Dan Bickerton from West Virginia American Water submitted to the Board a Letter of Interest discussing the potential acquisition of the Districts water and wastewater assets by American Water. Mr. Bickerton wanted to inform the Board of the interest by American Water for another option of a possible asset purchase proposal.

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

Discuss pump station upgrades and letter with Thrasher

Last month Mrs. Shultz informed the Board of staff's concerns with pump station 3-6, 4-2, and 1-10 if the sewer project doesn't proceed and the pump station upgrades planned for this station don't occur. Dan Farrell from Thrasher prepared a report on the pump stations which all showed signs of wear and age and he expressed concerns that upgrades must be done if the project doesn't move forward. Ms. Kylea Radcliff from Thrasher was in attendance to answer any questions from the Board. She stated that much of the background work has been done for pump station 3-6 and 4-2 because these were to be upgraded with the sewer collection project, but since pump station 1-10 was to be eliminated with the project design work will need to be completed.

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

Discuss Jefferson County Commission wastewater treatment plant lagoon decommissioning project at Bardane Industrial Park

Mrs. Shultz informed the Board of a meeting she has this week with Roger Goodwin from the Jefferson County Planning office and the Charles Town Utility Board regarding a lagoon in the Bardane Industrial Park. The County has developed a remediation plan that involved decommissioning the sewage irrigation lagoon and remediate the sinkhole by pumping the water into the Districts nearby pump station and onto the City of Charles Town's treatment plant. Both staffs of the District and the Charles Town Utility Board have concerns with this plan and will discuss at the upcoming meeting.

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

Discuss personal liabilities of Board members and PSD employees

Tyler Mayhew informed the Board of the section in the West Virginia Code that is specific to board members and a section specific to public employees. In general, board members are generally not liable for his/her actions as a board member unless willful misconduct occurs and likewise for employees unless their actions were clearly outside of their scope of employment with malicious purpose. Mr. Forshee questioned if there was any protection for board members and employees if they were sued personally for acts done on behalf of the District. Staff will look into the Districts current insurance policy to see what is covered.

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

Update on Status of Current Public Service Commission Cases

- Jefferson County Commission PSC Case No. 17-0915-PSWD-PC – The PSC has granted intervenor status to several intervenors who had requested it. Also the Jefferson County Commission has approved the purchase agreement drafted by the City of Charles Town.

- Reopened Jefferson County PSC Case No. 15-1338-PSD-42R-PC - The PSC recommended revising the PSD tariff to add the security deposits back into the tariff since they were accidentally omitted by the PSC in the last rate case.

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

Discussion of any expenses over budget for the year

There were no expenses over budget for the year.

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

Disbursements

**Action:**           **Motion made by Mr. Forshee and seconded by Mr. Strider to approve disbursements for the Public Service District water expenses in the amount of \$7,750.88. Unanimously approved.**

Mr. Forshee had concerns with approving an invoice for Mr. Kelsh that had charges relating to an ethics complaint he has filed with the West Virginia Ethics Commission against former District General Manager, Susanne Lawton, claiming she used her position of authority and PSD resources for personal gain. Mr. Strider suggested approving the sewer disbursements excluding that invoice for \$827.50.

**Action:**           **Motion made by Mr. Forshee and seconded by Mr. Strider to approve disbursements for Public Service District sewer expenses in the amount of \$202,259.88. Unanimously approved.**

Approve transfer of \$16,321.45 from the New Sewer Security Deposit account to the Sewer Operating account for security deposit refunds

**Action:**           **Motion made by Mr. Forshee and seconded by Mr. Strider to approve transfer of \$16,321.45 from the New Sewer Security Deposit account to the Sewer Operating account for security deposit refunds. Unanimously approved.**

Approve transfer of \$91.72 from the Water Security Deposit account to the Water Operating account for security deposit refunds

**Action:**           **Motion made by Mr. Forshee and seconded by Mr. Strider to approve transfer of \$91.72 from the Water Security Deposit account to the Water Operating account for security deposit refunds. Unanimously approved.**

General Manager's Report

Mrs. Shultz will be adding a discussion on a possible mower purchase to next month's agenda.

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

Other staff reports

Mrs. Shultz informed the Board that the permit modification to add the Jefferson County bus garage to the Districts NPDES permit has been submitted to DEP for approval. The Jefferson County Schools has paid for the permit modification fee.

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

Correspondence

None.

Public Comment

Lee Snyder thanked Mr. Strider for his 6 years of selfless service. He stated he has been a great benefit to the Board and apologized for the unwanted attacks on his actions and character he has had to endure during that time.

Jacquelyn Milliron made the statement that the upgrades to pump stations 3-6 and 4-2 were identified in the Preliminary Engineering Report drafted by Thrasher had discrepancies in price so the Board needs to monitor this issue. She also stated that the Board should look at the cost causers for the pump stations and make the developers who need to use the pump stations pay for upgrades. Mrs. Milliron stressed to

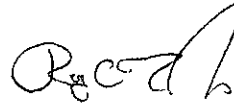
the Board that the risk of growth should not be put on the backs of the rate payers, but should be the responsibility of developers.

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

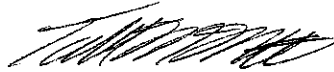
There being no further business at this time, the meeting was adjourned at 8:08PM.

The next regular meeting is scheduled for Monday, December 4, 2017 at 7:00PM at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,



Roger C. Forshee Jr.  
Treasurer



Todd Milliron