Jefferson County Public Service District
Regular Board Meeting
July 9, 2018

The monthly meeting of the Jefferson County Public Service District was held at 7:00PM on Monday, July 9, 2018 in the meeting room at the District's office in Kearneysville. Those in attendance included: Chairman, Roger Forshee (speakerphone); Treasurer, Todd Milliron; Secretary, Tara Ashley; General Manager, April Shultz; Office Administrator, Ashley Stottlemyer; Operations Manager, Joseph Freeze; and County Commission liaison, Commissioner Josh Compton.

There were several times throughout the meeting when Mr. Forshee's call was dropped while using the District's conference call system. It was determined the interruption was due to a problem with the District's phone line.

CALL TO ORDER
Mr. Milliron called the meeting to order at 7:05PM.

Approval of agenda
Action: **Motion made by Ms. Ashley and seconded by Mr. Milliron to approve the agenda as presented. Approved 2-0. (Mr. Forshee's phone cut out for this action.)**

Public Comments
Jacquelyn Milliron commented that she created a spreadsheet, which she provided to the Board, on the pump station flows based off of data she got from the District's strategic plan. She stated it was a start and will stand corrected if her calculations were wrong.

Employee Comments
Joseph Freeze, Operations Manager, questioned if the Board would consider offering severance packages to employees who do not wish to go to Charles Town which the consolidation is complete.

OLD BUSINESS

Review minutes of May 16 regular board meeting
These minutes were tabled from last meeting. Mr. Forshee had suggested three items to be revised in the drafted minutes. He stated he would like to try to stay away from transcripts of meetings rather highlight what happened. Mr. Forshee commented that staff should reflect the minutes as balanced. He felt the minutes portrayed the Board as negative. Ms. Ashley stated that the minutes should reflect what happened. Mrs. Shultz believed the minutes were accurate as drafted.
Action: **Motion made by Ms. Ashley and seconded by Mr. Milliron to approve the minutes as presented. Approve 2-1. Mr. Forshee voted against the motion.**

Review minutes of June 4 regular board meeting
Action: **Motion made by Ms. Ashley and seconded by Mr. Milliron to accept the June 4, 2018 regular board meeting minutes as presented. Unanimously approved.**

Discuss the District's financial status (status of paying bills)
Mrs. Shultz stated the District will have enough to pay the July disbursements for sewer, but will need to collect $3800 to cover the previous disbursements for water.
Action: **No action required by the Board.**

Discuss pump station repairs, upgrades and related costs/funding options
- Discuss scope of work for pump station 4-2
- Update on pump station capacity analysis

Mr. Freeze stated that the repairs/upgrades to pump station 3-6 have been complete. He explained that staff has drafted a scope of work and Request for Proposals for repairs/upgrades to pump station 4-2. He stated he has contacted several companies for quotes on relining the wetwell and contacted two for repairing/upgrading the station. Mr. Freeze has also contacted Tom Vance with Godwin to get quotes for another Godwin pump to stop flows to pump station 4-2 when the repair work is taking place. Once he receives quotes, he will inform the Board.

Mrs. Shultz informed the Board that staff contacted the Public Service Commission regarding a capacity analysis which they are unable to conduct. Mr. Forshee asked Mr. Milliron if he felt this analysis was still necessary at this time and he stated that given the Tema facility will only be using 4 EDU's then there is no urgency to have this completed for that particular area at this time.

Mr. Forshee also questioned if the disposal of what would be pulled out of the pump station will need to be included in the Request for Proposals. Mr. Freeze replied that it will not be necessary since staff can dispose and recycle any scraps.

Mr. Milliron asked the question if the pumps for the pump station will need to be replaced. Mr. Freeze stated that staff will evaluate their condition when they are pulled out of the wetwell. Mr. Millirion also asked if ventilation or odor control measures would be dealt with in the upgrade as mentioned in the Charles Town system evaluation report. Mr. Freeze explained there is a pipe there now for ventilation purposes, but staff has not received any odor complaints in that area.

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

Discuss and possibly approve an attorney for general legal services

Mrs. Shultz stated the District received one proposal, from Susan Riggs of Spilman Thomas and Battle out of Charleston, WV. She explained that her hourly rate is lower than previous attorney David Hammer. Ms. Ashley and Mr. Milliron both were in favor of hiring Ms. Riggs with travel expenses being mitigated by utilizing electronic means. Mr. Forshee was hesitant with using another firm out of Charleston because of the travel expenses that could be incurred, but using technology would save in those costs. The Board was not opposed to Ms. Riggs attending a meeting in person to meet the Board and staff.

Action: **Motion made by Mr. Milliron and seconded by Ms. Ashley to select Spilman Thomas & Battle to represent the District for legal services. Unanimously approved.**

Discuss and approve revisions to the emergency response plan

At last month's meeting, the Board directed staff to revise the Job Actions section of the Emergency Response Plan. Mrs. Shultz explained that staff has made the requested changes and has included in this month's packet for the Board's approval. Mr. Forshee appreciated the changes to the plan.

Action **Motion made by Mr. Milliron and seconded by Ms. Ashley to approve the amendments as presented in the Emergency Response Plan. Unanimously approved.**

NEW BUSINESS

Discuss and approve an office building lease for the District

- Discuss and possibly approve and alternate storage option

Mrs. Shultz expressed she would like to discuss the lease options for a building in executive session. She did state that staff reached out to an attorney, Jim Crawford, as directed by the Board last month to review a new building lease. Mrs. Shultz also informed the Board that the District's current landlord reached out to her to discuss a possible lease extension.

As far as storage options for some of the District's shop equipment, Mrs. Shultz explained that Charles Town has stated they may have room available for some of the District's equipment. She also stated that staff looked into several storage options including two different sized buildings with overhead garage doors from Pioneer Pole Buildings which could possibly be located at the Deerfield treatment plant property.

Further discussions were tabled until executive session.

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

Discuss offering an Employee Assistance Program to District employees
Mr. Forshee found a program with Magellan Healthcare that could provide employee and their families' assistance with a variety of issues and concerns in the work and personal lives. Staff requested a quote from Magellan for these services which was provided to the Board. Mr. Milliron stated the proposal was good to hang on to and could possibly help employees during the transition. Mrs. Stolipher stated that Charles Town does not currently have a program for its employees. Mr. Forshee commented that he knows individuals personally who have benefited from this type of program.

Mr. Freeze commented that some of the employees are looking into other options rather than transition to Charles Town and was curious to see if the Board would consider severance packages. Mrs. Shultz preferred if employees held off on making any decisions until further information was obtained from discussion with Charles Town. Ms. Ashley stated that this particular discussion was not on the agenda, but can be added to next month's agenda.

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

Discuss the legal opinion regarding use of public funds
At the May 16 special meeting, Mr. Forshee informed the Board sent a request to the County Prosecutor, Matt Harvey, and waiting for an opinion regarding the staff's use of public funds. He was particularly interested in the staff's purchases of a water cooler & water, coffee maker & coffee, candy for the public, and plastic cups. He had previously submitted his concern to the West Virginia Ethics Commission and they replied as not having an opinion for this specific situation and suggested the State Attorney's office provide an official opinion which can only be accepted if requested from a County Prosecutor at the lowest level. Last week Mr. Harvey sent an opinion to Mr. Forshee which he shared with the Board and staff.

In the opinion Mr. Harvey states that most of the issues seem to have been determined to be an acceptable expenditure by a previous ethics opinion, but the opinion did not include items such as coffee and candy. He did find an opinion of the Comptroller General of the United States that states items such as coffee should be purchased by employees, however the Ethics Commission did not specifically adopt that portion of the Comptroller's language. Mr. Harvey stated it would be a safe position if the District chose to follow the Comptrollers opinion.

Although an ethics opinion has not been given for items such as candy and coffee, Mrs. Shultz stated that those items will no longer be ordered to eliminate the issue. Ms. Ashley commented that she doesn't want to undo what the Board has previously approved.

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

Discuss the new amphitheater at Sam Michael's Park
Mrs. Shultz stated that Sam Michael's Park is not currently a customer of the District and was under the impression the new amphitheater had no plans of constructing public bathrooms at this time. She explained that they may come to the District for possible sewer service is the future.

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

Discussion of any expenses over budget for the year
There were no items over budget.

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

Consider Fiscal Year 2018 sewer budget revision
Mrs. Shultz explained that since the new fiscal year started on July 1, she makes adjustments to the previous years' budget to clean up any line items that were over budget. The pumping system expenses – power & fuel item was adjusted due to an increase in the Deerfield electric bills and the admin & general expenses – transportation item was adjusted due to an increase in fuel expense and vehicle repairs. The two line items were adjusted not the entire budget.

Action: **Motion made by Mr. Milliron and seconded by Ms. Ashley to approve the items noted in the change columns for FY 2018. Unanimously approved.**

Approve monthly disbursements

Action: **Motion made by Mr. Milliron and seconded by Ms. Ashley to approve disbursements for Public Service District sewer expenses in the amount of $217,889.83. Unanimously approved.**

Action: **Motion made by Mr. Milliron and seconded by Ms. Ashley to approve disbursements for the Public Service District water expenses in the amount of $8,588.57. Unanimously approved.**

Approve transfer of $5,597.10 from the New Sewer Security Deposit account to the Sewer Operating account for 53 security deposit refunds

Action: **Motion made by Mr. Milliron and seconded by Ms. Ashley to approve transfer of $5,597.10 from the New Sewer Security Deposit account to the Sewer Operating account for 53 security deposit refunds. Unanimously approved.**

Approve transfer of $374.92 from the Water Security Deposit account to the Water Operating account for 4 security deposit refunds

Action: **Motion made by Mr. Milliron and seconded by Ms. Ashley to approve transfer of $374.92 from the Water Security Deposit account to the Water Operating account for 4 security deposit refunds. Unanimously approved.**

Approve transfer of $24,221.00 from Renewal & Replacement account to the Sewer Operating account for repair/upgrades to pump station 3-6

Action: **Motion made by Mr. Milliron and seconded by Ms. Ashley to approve transfer of $24,221.00 from the Renewal & Replacement account to the Sewer Operating account for repair/upgrades to pump station 3-6. Unanimously approved.**

Approve transfer of $802.31 from Renewal & Replacement account to the Sewer Operating account for transducer at pump station 4-3

Action: **Motion made by Mr. Milliron and seconded by Ms. Ashley to approve transfer of $802.31 from the Renewal & Replacement account to the Sewer Operating account for transducer at pump station 4-3. Unanimously approved.**

Approve transfer of $1,419.00 from Water Renewal & Replacement account to the Water Operating account for new well pump at Glen Haven Water System

Action: **Motion made by Mr. Milliron and seconded by Ms. Ashley to approve transfer of $1,419.00 from the Water Renewal & Replacement account to the Water Operating account for new well pump at Glen Haven Water System. Unanimously approved.**

Update on JCPSD transition to City of Charles Town

Mr. Forshee requested this item be a standing agenda item with the recent PSC order. Mrs. Shultz explained that she and Mrs. Stottlemyer met with Kristen Stolipher, Assistant Utility Manager for Charles Town, to begin discussions on employee statuses and an organization structure. Mrs. Stolipher stated should would like to start addressing employee concerns, begin cross training and stay committed to meeting a couple times a month to ease the transition.

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 consolidated with Complaint Case PSC no. 18-0006-PSD-C– On June 26th, the PSC issued an order to for the District and Charles Town move forward with the consolidation and approving the dissolution of the District. Mrs. Stolipher stated that Charles Town's goal is to complete the ordinance readings by the end of August and possibly have the consolidation complete by October.

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

General Manager's Report
In the General Manager's report this month, Mrs. Shultz informed the Board of the high mileage, close to 200,000 miles, of three of the District's vehicles. Mr. Milliron asked Mrs. Stolipher how many vehicles Charles Town has and she replied they currently have three in the sewer department and four in the maintenance department which get rotated between staff.

Mr. Forshee questioned why Mrs. Shultz completed the employee evaluations prior to July 1st since it states in the employee handbook that annual evaluations will be performed after July 1st. Mrs. Shultz stated that she conducted them on June 29th and July 2nd prior to the first paycheck in July which included the employees new pay rate.

Mr. Forshee also questioned if staff is aware of any required paperwork that needs to be sent to the State regarding the inflow & infiltration problem in Burr Park. Mr. Freeze stated that no paperwork must be submitted to the State as long a proper residual is held in compliance.

Staff also worked with the engineers of the new TEMA facility and calculated the building to use 4 EDUs.

Mrs. Shultz also explained that the new accounting firm approved by the Board last month, Yount Hyde and Barbour, was onsite today as well as tomorrow beginning their data collection.

Action: No action required by the Board.

Other staff reports
Mr. Milliron questioned how rain is entered into the pump station run times spreadsheet. Mr. Freeze explained that he manually enters the data collected from rain gauges at two of the District's pump stations. Mr. Milliron was concerned why the pump times were exceeding the rain fall amount after November at pump station 4-4 and curious if there was an inflow and infiltration problem. Mr. Freeze stated that staff had placed a flow meter there and inflow and infiltration was occurring which was thought to be coming from Charles Town's flow. Staff will discuss this further with Charles Town.

Mr. Milliron also asked staff if they had received quotes to move the office generator to pump station 1-12. Mr. Freeze spoke with Apparatus Repair & Engineering and estimated it to cost around $8000 - $9000. Mr. Milliron stated that in the Charles Town evaluation that pump station could be eliminated so suggested staff work with Charles Town on where to move it.

Mr. Milliron also requested staff note on the future agenda's what Capacity Assurance Fees have been converted to Capacity Improvement Fees for Beallair.

Action: No action required by the Board.

Correspondence
None discussed.

Action: No action required by the Board.

Public Comment
Jacquelyn Milliron asked if it was possible if staff could send her the pump station 3-7 run times for the past year.

Action: Motion made by Mr. Forshee and seconded by Mr. Milliron to convene into executive session to discuss potential office space/lease for the District and the consolidation PSC cases. Unanimously approved.

Action: Motion made by Ms. Ashley and seconded by Mr. Milliron to return to public session. Unanimously approved.

Action: Motion made by Ms. Ashley and seconded by Mr. Milliron to have Mr. Crawford

review the lease extension with current landlord and if no issues are found, then Board will accept the lease. If issues are found, Board will hold a special meeting to discuss before making a decision. Unanimously approved.

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

There being no further business at this time, the meeting was adjourned at 9:45PM.

The next regular meeting is scheduled for Monday, August 6, 2018 at 7:00PM at 340 Edmond Road, Suite A at the Districts office in Kearneysville.

Respectfully Submitted,

Roger C. Forshee
Chairman

Todd M. Milliron
Treasurer