

**BERKELEY COUNTY PUBLIC SERVICE SEWER DISTRICT  
65 DISTRICT WAY  
MARTINSBURG, WEST VIRGINIA 25404**

**MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING  
SEPTEMBER 22, 2009**

Members Present:

Chairman John C. Kunkle  
Secretary John E. Myers  
Treasurer Ronald K. Collins

Members Absent:

Staff Members Present:

General Manager Curtis Keller  
General Counsel William Rohrbaugh  
Chief of Construction John Wood  
Chief of Plant Operations Clifton Browning

Others Present:

Dan Whited, Woolpert, Inc.  
John Tuggle, Pentree, Inc.  
Mike Parker, Woolpert, Inc.

**CALL TO ORDER**

Chairman John C. Kunkle called the Regular Meeting of the Board of Directors of the Berkeley County Public Service Sewer District to order at 7:01 p.m. Roll call was taken at that time. Chairman John Kunkle welcomed everyone to the meeting.

**APPROVAL OF AGENDA AND PACKET**

Motion made by Treasurer Collins, seconded by Secretary Myers to approve agenda and packet as presented.

**Unanimously approved.**

**READING, CORRECTION AND APPROVAL OF MINUTES**

Motion made by Secretary Myers, seconded by Treasurer Collins to approve the minutes from September 8, 2009.

**Unanimously approved.**

**CITIZEN PARTICIPATION**

None in attendance.

## PROJECTS

### NORTH BERKELEY PROJECT

Mike Parker from Woolpert updated the BOD with the following information:

- Contracts B & C - Groundbreaker's local contractor is still working on problematic areas. Mike met with him last night to review outstanding work.
- Contract D- We received RUS approval on Change Order 4 and the conveyor unit was delivered yesterday to the contractor's yard. Contractor indicated the work would be completed in approximately 30 days.
- Reviewed preconstruction video on Souhlal easement issue. Woolpert will prepare response to Groundbreakers.
- There are three more sites to replace trees for which the District is responsible.
- Dupont pump station start up was completed.

Chairman Kunkle asked where the District was at connection wise on the project. John Wood estimated it at 40-50%. Chairman Kunkle asked about the dates when the substantial completion certificates were awarded for the contracts. Contract A was awarded in March or April of 2008, Contracts B & C were awarded in October of 2008. Chairman Kunkle asked where the District was on the project budget wise and if the District was current with contractors. General Manager Keller stated that Contract A still has an outstanding amount and Contracts B & C have one pay request outstanding awaiting RUS approval. Chairman Kunkle requested that General Manager Keller present an update at the next meeting on the financial status of the project.

### INWOOD LAND DRAINAGE AND WATER QUALITY PROJECT

Dan Whited from Woolpert updated the BOD with the following information:

- They have been gaining momentum and moving forward.
- They have identified areas to add additional monitoring.
- Preliminary modeling has been done.
- ARRA stimulus component gathering information for that.
- They have surveyors out there to gather additional information as well.
- Hope to be able to get plans completed by November 1, 2009.
- Have been working with Department of Health and EPA on grant.

**Motion** made by Treasurer Collins, seconded by Secretary Myers to approve the Addendum No. 1 to the Memorandum of Understanding with Woolpert as previously discussed.

**Unanimously approved.**

### INWOOD / BAKER HEIGHTS WWTP UPGRADE

John Tuggle from Pentree, Inc. updated the BOD with the following information:

- Ongoing situation with Aqua Aerobic's decanters- Working diligently on the issue and had a conference call with them to discuss the fix to the problem. John Tuggle felt comfortable with the planned replacement of the seal to correct the

problem. He recommends allowing Aqua Aerobics to add the seal to correct the problem and if that doesn't solve the issue then Aqua Aerobics would have to replace all of the new style decanters with the classic style. Once the new seal is installed, it will be monitored it to see if the problem is corrected and then Aqua Aerobics will start a new clock for the warranty period.

- Alvarez Contractor's Bond is still tied up on the project. John will try to work out a solution on this issue to discuss at the next BOD meeting.

## MANAGEMENT REPORTS

Chief of Construction John Wood discussed with the BOD the following information:

- South end- Contractor started I-81 Road bore for Tabler Station Estates.
- North End- Lateral inspections are steady.
- Camera Crew is flushing lines at Kimberly Heights.
- Construction Crew took plant out at Valley View Elementary.
- Everything is restored on Kisner project. Will need to seed some areas in the next couple of weeks.
- Plan to take out plant at Spur Cap Mobile Home Park and then will start on G&E Mobile Home Park to install shut off valves.
- Fixed three water leaks at Baker Heights plant.

General Counsel Rohrbaugh discussed with the BOD the following information:

- Update on Gold Diggers lawsuit.
- PSC CIF case- nothing new to report.
- December 14<sup>th</sup> and 15<sup>th</sup> PSC will hold hearings on the rate case in Martinsburg.
- Dismissal Order in Chester Lawsuit was finalized.
- Corners at Arden agreement. Would recommend giving them a drop dead date or counter proposal time frame to get this done. Would like PSC to dismiss case if agreement is not reached.
- Leisure Living Estates lateral connection update – Looks like there will be a couple of condemnations to file.

General Manager Keller discussed with the BOD the following information:

- Had a meeting today with odor control product representative. He has potential solution to alleviate spot specific odor complaints.
- Chamber of Commerce and Berkeley County Development Authority have indicated support for signing a resolution of support for the CIF.
- Swine Flu Guidelines were discussed to get employees prepared for the potential epidemic. Will be doing flu shots this year and hoping to be able to get the swine flu vaccine as well.
- DMR summaries were put in the packets for the large plants. A couple of excursions were reported, but overall large plants are operating well.

- Financial statements were in BOD packet for their review. General Manager Keller indicated the District may have to do a budget amendment because it was based on the rate increase for a full fiscal year.
- City National Bank not interested in transfer of loans from Susquehanna Bank. Gene contacted Centra Bank and they are going to put together a proposal.
- Bid award for Leisure Living Estates lateral connection project.

**Motion** made by Treasurer Collins, seconded by Secretary Myers to award the bid for Leisure Living lateral connection project to Level Line Excavating, L.L.C. in the amount of \$67,000.00 which was the lowest responsive bid.

**Unanimously approved.**

#### **APPROVAL OF FINANCIALS/PAYROLL**

**Motion** made by Treasurer Collins, seconded by Secretary Myers to approve the Accounts Payable and Payroll for September 22, 2009.

**Unanimously approved.**

#### **NEW/ OLD BUSINESS**

**Motion** made by Treasurer Collins, seconded by Secretary Myers to approve General Manager's signature of the Memorandum of Understanding with the Opequon Creek Project Team for the construction of a rain garden at the District's Administration Building.

**Unanimously approved.**

#### **EXECUTIVE SESSION**

Executive Session not needed.

#### **ADJOURNMENT**

**Motion** made by Secretary Myers, seconded by Treasurer Collins to adjourn the meeting at 8:30 p.m.

**Unanimously approved.**

September 22, 2009 Regular Meeting of the  
Board of Directors of the Berkeley County PSSD

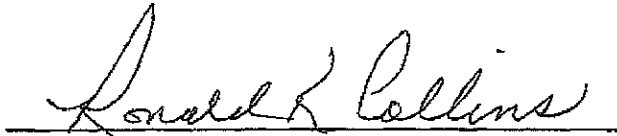
Date Minutes Signed: October 13, 2009



John C. Kunkle  
Chairman



John E. Myers  
Secretary



Ronald K. Collins  
Treasurer