

WARM SPRINGS PUBLIC SERVICE DISTRICT

271 Wilkes Street
P.O. Box 456
Berkeley Springs, WV 25411

PAUL S. ZORICH
Chairman

MICHAEL JENKINS
Secretary/Treasurer

JOYCE ALTOMARE
Member

304-258-4118
fax: 304-258-7984

RODNEY D. HOVERMALE
Manager

October 30, 2012

Morgan County Commission
77 Fairfax Street, Room 101
Berkeley Springs, WV 25411

Re: Minutes of Meetings & Financial Statements

Ladies and Gentleman:

Enclosed is a copy of the PSD's approved Board Meeting Minutes for August 8, 2012. Also enclosed is a copy of our audited Financial Statements for FY2012. Please contact me if you have any questions or need additional information.

Sincerely,



Rodney D. Hovermale

MINUTES
WARM SPRINGS PUBLIC SERVICE DISTRICT
August 8, 2012

A regular meeting of the Public Service Board of the Warm Springs Public Service District was held on Wednesday, August 8, 2012, at the Morgan County Commission meeting room in the Morgan County Courthouse, Berkeley Springs, West Virginia, at 3:30 p.m.

Members present were Paul Zorich, Mike Jenkins, and Joyce Altomare. Also in attendance were David Abner, Ira Manley, Marvin Keener, Robert and Mary Barney, Darren Barney, Stanley _irgint , Brenda Hutchinson, Dean Maxwell, Antonia Bayer-Fox, Andy Swaim, Debra Peck, and Rodney Hovermale.

The first matter of business was the approval of the Minutes of the July 11, 2012, regular meeting. Upon a motion by Mr. Jenkins, the Minutes were approved on a vote of 2-1 with Mrs. Altomare dissenting.

The next matter of business was the approval of the thirty-seven invoices received. It was agreed to forward invoice #2 (AR&E; Industrial Park expense in the amount of \$949.06) directly to the Morgan County Economic Development Authority for payment. After discussion, the following thirty-six operating invoices were unanimously approved upon a motion by Mr. Jenkins:

1. Joyce Altomare (July 11 regular board meeting salary)	100.00
2. (not approved)	0.00
3. Bank of America (July; earthlink, subscrip-std methods, IP supplies)	348.85
4. B.S.W.W. (Aug; meter books)	125.00
5. Board of Risk & Ins. Mgt (liab/Prop 2 nd qtr prem thru 12/31/12)	2,911.00
6. Brickstreet Mutual Ins. (5/19/12-5/19/13 3rd installment of 8)	586.00
7. Scott Crunkleton (Aug;cell phone allowance & water recert class exp)	119.90
8. Fairway Laboratories (July; BS sludge analyses for land app.)	370.00
9. Fastenal Co. (July; Blue wiper pail, 2 silos & 2 basin blower filters)	388.62
10. Fire-X Sales & Ser (July; wall bracket and handling fee)	32.00
11. Glenn Francis (Aug; cell phone allowance)	20.00
12. G. H. S. Inc. (7/16 & 20 crane truck; 7/20 haul sludge)	725.00
13. Guardian-Bethlehem (July; disability insurance admin. fee)	8.00
14. Rodney Hovermale(Jul;retire w/held in error;7/24 mileage;Aug cell phone allow)	174.98
15. Hunters Hardware (July; supplies;antenna;safety bd;camera crate;cleanup)	47.02
16. Lumos Networks (July; phone billing, GC, BS, office)	218.13
17. Miss Utility of WV (June; notifications)	10.00
18. Morgan Sanitation (July; dumpster rental)	122.12
19. Northern Tool & Equip (July; torque wrench)	47.98
20. Northern Safety Co. (July; safety items, lab coat & gas detector)	1,377.95
21. Pifer Office Supplies (July; 2 cases of copy paper)	72.80

22. Postmaster (July; billing postage & stamps)	497.16
23. Potomac Edison (July; GC/BS-wwtp, BS ps#2; June; BS PS #2 & #3)	5,072.59
24. Power Beck & Matzureff (July; legal fees Youngblood complaint)	902.30
25. REIC Lab (July; GC & BS water analyses)	248.02
26. Roto-Rooter, Inc (July; open main line @ high school)	1,177.00
27. Roy's (7/12, 7/19, 7/17, 7/31 gas GMC)	315.00
28. Schreiber (July; BS basin diffusers, wheels, filters)	8,953.00
29. Shives Electric (July; BS sump pump, panel maint; GC capac. & plug)	652.57
30. Sunbelt Rentals (July; pump rental line blockage/ Basin maint.)	2,629.82
31. Taylor's Co. (July; clean up @ high school spill)	1,279.00
32. Town of Bath (Aug; office rent)	750.00
33. UPS (June&July; REIC sampling BS&GC&IP&MC Landfill/ship camera)	465.50
34. Unifirst (7/9, 7/16, 7/23, 7/30 uniforms)	235.96
35. Univar USA Inc. (July; Delpac-BS)	2,065.35
36. Winschel Environmental (July; polymer)	1,770.00
37. Paul S. Zorich (July 11 regular board meeting salary)	100.00
	\$34,918.62

A revised Billing Policy was discussed. As per the suggestions of the PSC staff in their memorandum recommending that the three complaint cases be dismissed, the status of occupancy was removed from the Policy and the Morgan County Health Department and county fire departments were added as qualified agencies to declare a structure uninhabitable. Staff felt that the vacant house portion of the Policy should be a separate policy. Mrs. Altomare felt that there should be a dedicated sewer fee for vacant houses at a lower rate than the flat rate of \$58.05. Berkeley County PSSD has a Service Charge of \$8.86 per month for every property, and then consumption charges are added. The establishment of a special rate would require the filing of a rate case, which would be very expensive. Mr. Zorich felt that the PSD should proceed with this Policy as a tool that is available to generate revenue. Mr. Jenkins suggested removing the fire departments from the Policy, and adding that an exception may be made by the WSPSD Board. Councilman Andy Swaim reiterated the Town of Bath's position in opposition to the Policy. He felt that this was not productive in getting vacant houses rented or sold. Mr. Keener asked if he would be the initiating party to get the Health Department to declare his old trailer as uninhabitable. Robert Barney felt it was discriminating to pick on rental property owners. Darren Barney presented to each Board member 'invoices' for pool services because his business is available. He felt that just because the law allows you to do something doesn't mean you should do it. Mr. Manley said that as a landlord, he doesn't have money to pay for vacant apartments. Mr. Maxwell asked what other tools are available to the PSD to raise money? As he did in previous meetings, he asked about the number and type of properties that would be affected by the Policy, and how much additional revenue will be generated. Mr. Maxwell also felt that the Policy will tend to discourage money being spent in the area. Can the PSD's debt be restructured? Mrs. Altomare invited Mr. Maxwell to participate in the tour of the Berkeley Springs treatment plant scheduled for August 21. Mrs. Barney felt that this Policy was akin to theft and it is unfair. Mr. Jenkins moved to send the revised Policy to legal counsel for review.

There was no second to the motion. Mrs. Altomare moved to vote on the revised Policy. The Policy was adopted on a 2-1 vote, with Mrs. Altomare dissenting. Mrs. Altomare's motion to make the Policy effective September 1, 2012, was passed unanimously. Mr. Hovermale commented that the Policy should have a legal review prior to submission to the PSC. This would allow any suggested revisions to be adopted to satisfy PSC staff. A motion by Mr. Zorich rescinding the approval of the Policy and its effective date of September 1, 2012, was unanimously approved. A motion by Mr. Jenkins authorizing the review of the Policy by legal counsel was unanimously approved.

The status of the Hans Peter Moss PSC complaint regarding the denial of a second request for an adjustment for a water leak was reviewed. The case was expected to be dismissed since the PSD agreed to abide by the PSC staff recommendation to give an adjustment for both leaks.

The pending litigation with Joyce Youngblood on post-retirement benefits was discussed. Attorney Barry Beck has submitted the PSD's answers to plaintiff's first interrogatories and a request for the production of documents.

A motion by Mr. Jenkins authorizing Mr. Hovermale to place the bill payment option survey on-line was passed 2-1 with Mrs. Altomare dissenting.

The monthly financial reports were reviewed and discussed.

The next matter for consideration was the use of the proceeds from the sale of the portable belt filter press. A motion by Mr. Jenkins to table this item until the next meeting was approved 2-1 with Mrs. Altomare dissenting. Mr. Hovermale will provide for the next meeting cost estimates and prioritization for various pieces of equipment and projects, including the heat pump at the Berkeley Springs treatment plant. An estimate of the commercial laboratory expenses for tests currently done in-house will also be provided.

The proposed updated Sexual Harassment Policy was discussed. A motion by Mr. Jenkins to forward the Policy to legal counsel to insure that everything is covered was passed 2-1 with Mrs. Altomare dissenting.

The Board continued the discussion about providing internet service at the Berkeley Springs treatment plant. Mrs. Altomare noted this service, along with a new laptop computer, is a necessity. A motion by Mrs. Altomare to approve providing internet service at the plant failed to get a second.

The Board discussed the employee uniform service currently provided by Unifirst. Mrs. Altomare reviewed the contract. Mr. Hovermale noted that he sent a certified letter to the district manager in December 2011, detailing service problems that could amount to a breach of contract. Mr. Jenkins reported that the OSHA regulations would require the PSD to provide a washer, dryer, and associated supplies if a clothing allowance option is implemented. Mr. Jenkins will send to Mrs. Altomare the OSHA internet link where this information is contained. He also reported that the operating staff would prefer to have uniforms provided. Mr. Hovermale was directed to send a letter to Unifirst stating that the contract would not be renewed in October. A cost estimate will be prepared for outfitting an employee. Estimated costs from other uniform service companies will be gathered. Also to be considered is the purchase of vests with a WSPSD logo.

The August 8, 2012, meeting was adjourned at 6:10 p.m. upon a motion by Mrs. Altomare.

Paul S. Zorich
Paul S. Zorich, Chairman

Mike Jenkins
Mike Jenkins, Secretary/Treasurer

Joyce Altomare
Joyce Altomare, Member