

MINUTES OF A SPECIAL MEETING OF THE PUBLIC SERVICE BOARD OF THE MINERAL WELLS PUBLIC SERVICE DISTRICT HELD ON WEDNESDAY, MAY 17, 2000, IN THE CONFERENCE ROOM OF BOWLES RICE McDAVID GRAFF AND LOVE LOCATED AT 501 AVERY STREET, PARKERSBURG, WEST VIRGINIA

The Public Service Board of the Mineral Wells Public Service District met in special session, pursuant to notice duly given, on the 17th day of May, 2000, at the office of Bowles Rice McDavid Graff and Love in Parkersburg, West Virginia, at the hour of 10:00 a.m. Those present were Charles Stewart, Chairman; Roy L. Radabaugh, Treasurer; James R. Lett, Secretary; Jerald D. Spears, Operations Manager; Dominick P. Cerrone, Assistant Engineer, Cerrone Associates, Inc.; Manning Frymier, P. E., Cerrone Associates, Inc.; Dianne Wolfe, Legal Assistant, Bowles Rice McDavid Graff and Love; Gary D. Wilson, Rural Utilities Specialist, USDA-RUS; Denise Wepler, President, BDL Construction Inc.; Matt Warner, Cutlip Warner Development; Margaret Batten, Office Manager; Nellie Radcliff, Office Technician; and Steve Hardman, Attorney, Bowles Rice McDavid Graff and Love

Mr. Stewart called the meeting to order at 10:00 a.m. He turned the meeting over to Mr. Steve Hardman. Mr. Hardman stated that the purpose of the meeting was for the Closing and Preconstruction of the Office/Maintenance Building Project of the Mineral Wells Public Service District.

Denise Wepler, President of BDL Construction Inc., was present and advised the Board that BDL would not perform the contract which it previously had been awarded. She stated that she could not obtain a Performance Bond because of her low bid. Ms. Wepler stated that the reason for the request was that her Bonding Company looked at the bid and felt that BDL could not build the office and maintenance buildings for the bid that was submitted and accepted. She also asked that the Security Bond of \$16,000.00 be returned so it would not have to be forfeited. Ms. Wepler requested that the Board accept a new bid of \$ 372,000.00.

Following a brief discussion, Mr. Radabaugh made a motion that the Board recognize and accept that BDL Construction, Inc. would not perform the contract as per the statement of its president, Denise Wepler, as low bidder for the office and maintenance building project. Mr. Lett seconded the motion. The motion carried.

Mr. Hardman informed the Board of some of the options that were available to them at this point.

Manning Frymier, P. E., Cerrone Associates, Inc., reported that he had been in contact with Lou Morgan Builders, second low bidder on the project, and that he was still interested in the project.

After some discussion concerning the difference in the low bid and the next bid, Mr. Kadabaugh

made a motion that the District should collect the \$16,000.00 from the bonding company for the Bond Bid previously posted. The motion was approved by majority vote. Mr. Charles Stewart abstained.

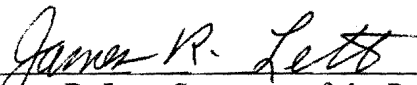
Mr. Hardman informed the Board that they did not have to make a decision at this meeting concerning who would receive the award of the contract. At this time, 10:30 a.m., Mr. Radabaugh made a motion that Mr. Stewart recess the meeting and that the Board of Commissioners go into Executive Session with their legal counsel and project engineers to discuss financial matters and advance construction planning, both of which involve commercial competition, and which are encompassed within WV Code Section 6-9A-4. Mr. Lett seconded the motion. The motion carried.

The Executive Session ended and the meeting reconvened at 10:45 a.m. Mr. Radabaugh made a motion to defer the action of making a decision on awarding the contract until the next regular Board Meeting which will be held in the District's office building on May 18, 2000, at 5:00 p.m. Mr. Lett seconded the motion. The motion carried. The meeting was adjourned at 10:48 a.m.

CERTIFICATION

I, James R. Lett, Secretary of the Public Service Board of the Mineral Wells Public Service District, a West Virginia corporation, do hereby certify that the foregoing and hereto annexed Minutes are a true and accurate record of the Meeting held at the time and place aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the District on the 18th day of May, 2000.



James R. Lett, Secretary of the Public Service Board of the
Mineral Wells Public Service District, Mineral Wells, West
Virginia

MINERAL WELLS PUBLIC SERVICE DISTRICT

P.O. Box 266

MINERAL WELLS, WEST VIRGINIA 26150

TELEPHONE: (304) 489-2915

FAX: (304) 489-2971

To Bob + Dave

May 16, 2000

Mr. Holmes Shaver, President
Wood County Commission
Wood County Courthouse
#1 Court Square, Box 2
Parkersburg, West Virginia 26101

RE: Stephen's Fork, Sycamore Run, Limestone/Windy Ridge Areas
of Wood, Wirt, and Jackson Counties Water Extension Project

Dear Mr. Shaver:

The Mineral Wells Public Service District invites you to attend a Public Meeting to be held on Tuesday, June 6, 2000, at 7:00 P.M. at the Mineral Wells Elementary School, Route #14, Mineral Wells, West Virginia. The purpose of the Public Meeting is to provide an opportunity for the public to become acquainted with the proposed Water Extension Project. Please post the attached notice at the courthouse.

Should you have any questions or need further information concerning the meeting, please feel free to contact the District at (304)489-2915.

Yours truly,

MINERAL WELLS PUBLIC SERVICE DISTRICT

Margaret Batten

Margaret Batten
Office Manager

mjb

enclosure: Copy of Public Notice

*OK
DAC*

MINERAL WELLS PUBLIC SERVICE DISTRICT
PUBLIC NOTIFICATION

The USDA, Rural Utilities Service has received an application for financial assistance from the Mineral Wells Public Service District. As required by the National Environmental Policy Act, the Rural Utilities Service has prepared an environmental assessment that evaluated the potential environmental effects and consequences of the proposed project. This notice announces the availability of the environmental assessment for public review and comment.

The proposed project consists of a number of waterline extensions and will consist of approximately 51 miles of 8-inch, 6-inch and 2-inch pipes, a booster station at the bottom of Limestone Hill and a storage tank on Limestone Ridge to serve a total of 356 potential new customers. Areas proposed for new water service include portions of Tygart Creek/Sycamore, Stephens Fork, Rockcamp Run (Lee Creek Road), Wolfe Run/Slate Creek, Grassy Run, Pond Creek, WV Route 21 in Wood, Wirt and Jackson Counties, Ballard Run, Limestone Ridge, Tucker Ridge, Bogal/Morehead Ridge and Gates Ridge.

Portions of the project are located in the Grant Magisterial District of Jackson County, Southwest Magisterial District of Wirt County and Slate, Steele and Tygart Magisterial Districts of Wood County, West Virginia.

Copies of the environmental assessment are available for review at the USDA-Rural Development Area Office, Room 2701, Federal Building, 425 Juliana Street, Parkersburg, WV. For further information contact the Rural Utilities Service Office at (340)420-6666. Any person interested in commenting on this proposed project should submit comments to the address above by June 15, 2000.

This notice is also to inform the public of a public meeting to be held on Tuesday, June 6, 2000 at 7:00 P.M. at the Mineral Wells Elementary School, Route #14, Mineral Wells, West Virginia.

The purpose of the meeting is to provide an opportunity to become acquainted with the proposed project and to comment on economic and environmental impacts, service area, or alternatives to the project.