

UNION WILLIAMS PUBLIC SERVICE DISTRICT

Regular Board Meeting

May 18, 2005

Roll Call:

H. E. Seufer, Chairman

S. L. Nulter, Treasurer

Attending:

D. Pauline Lowers, UWPSD

Jonathan Carpenter, Thrasher Engineering

Dominick Cerrone, Cerrone Associates

Steve Cooper, WVDEP

JoAnn Gates, Emerson Avenue

Allan and Sandra Figueroa, Valley Mills Road

Dustin Flinn, Stone Ridge Estates

MINUTES & TREASURER'S REPORT

APPROVED

BY:

Howard E. Seufer

DATE:

June 8, 2005

Location and Time:

6:30 P.M. District Office

Minutes by:

J. L. Dotson

H. E. Seufer called the meeting to order.

Read minutes of regular board meeting from April 20, 2005. S. L. Nulter moved to accept minutes.

H. E. Seufer second. Unanimous.

S. L. Nulter moved to accept the financial reports for April 30, 2005. H. E. Seufer second. Unanimous.

Discussed Wastewater Project. Allan and Sandra Figueroa and JoAnn Gates were present to discuss clean-up problems on their property. Dominick suggested that a defective work notice be issued for chronic customer issues. Discussed Stone Ridge Estates with Dustin Flinn. Dominick provided an update. Jonathan discussed inspection through the remainder of the project. Dominick presented Pay Requisition #16. S. L. Nulter moved to approve Pay Requisition #16. H. E. Seufer second. Unanimous.

S. L. Nulter moved to pay Resolutions 1 & 2 as published. H. E. Seufer second. Unanimous.

Meeting adjourned at 8:45 PM.

Mary Rader

From: "Burton, Gary" <GaryBurton@clearchannel.com>
To: [REDACTED]
Cc: <vactube@netassoc.net>
Sent: Monday, May 09, 2005 11:41 AM
Subject: Damages by Contractor during Union Williams Sewer Project

Hi Bob

I spoke with you on your cell phone concerning some damages to my property by Union Williams and their agents. I am considering a law suit and am trying other avenues before that. I appreciate you taking the time to help me with this situation.

A representative of Union Williams contacted me about a right-of-way for the sewer. I was informed at that time if I didn't sign, quote, "**it doesn't matter if you sign or not, we are going to take it**". I had some reservations at first, but thought maybe it would be of the best interest to agree to it. I received a whole dollar for damages (\$1.00). I was reassured at that time any damages would be resolved and were the responsibility of Union Williams. I was told there would be **NOTHING** above ground by this representative. Now I have the top of the grinder pump, an electrical box mounted on a post. (I am **very unhappy** about that)

The first day the contractor started working the area, they **knocked a hole in my gas meter**. That wasn't bad enough, they just left it that way and told no one. I had to call Hope Gas, see about getting it repaired, deal with all the hassle. Not only was this an inconvenience but a possible fire or explosion hazard. While the contractor was trenching in front of my house, my gasline was bent (kinked) and who knows if there was a hole knocked in it. I asked them if they were going to replace or repair it and was told **NO**.

The lane in front of our house is a private drive. The new sewer line goes along this road (lane). This road is **NOT** maintained by the county or state. I have to pay for my share of upkeep and maintenance with out of pocket payments to the owner. I have no problem with this, but when this road is damaged by some asshole contractor, it should be repaired by them. During the time of the installation of the sewer line, traffic was routed through **my lawn over the apron of my driveway causing fractures to the concrete**. To date these have **not** been repaired. There is also a drainage line from the house gutters that come out there also. It still has **not** been repaired. The **privacy hedge** along the front of my house **was damaged** because of equipment being driven along this road. I had to **hire, pay out of pocket, a private company to repair, trim and try to reshape this hedge**. Some of it was **not repairable and had to be cut out**.

Trees located along this road **were damaged**. (limbs broken out, bark skinned off) This area was not even on their so called right-of-way. The **contractor was dumping dirt in my field without permission**. They even got the bobcat hung up in a location in the middle of my field, (I have pictures to prove this). These locations are **not** on their right-of-way.

During the routing of the sewer line, rocks, which were removed from the roadway, were dumped on my property **without** permission also.

I approached the contractor about these actions and was verbally abused. I **DO NOT** appreciate that sort of crap and it will not be tolerated. This contractor had no regard for me or my property. It seemed he had some sort of right to do just what he wanted.

At this time, I have holes in the yard that are impossible to mow. I now have to use a trimmer in the middle of my lawn, (what there is left). I have been to Union Williams office several times and was informed by their representative it wasn't their problem. I sure did **not** request them to invade my property. I did **not** hire that one horse, fly by night contractor to do the work. **If I have to fill in these holes, Union Williams will not be able to find their crap because when the fill dirt comes and the dozer, it will all be shoved over and covered up. I am tired of fooling with this issue and I am going to sue for damages and duress. I have been dealing with this since last year and I have decided I am going to sue the state of West Virginia, West Virginia Public Service Commission, Wood County, Union Williams, their contractor and those who work there unless something is done ... soon.**

Thank You

Gary Burton
2600 Wallace Road
Parkersburg, WV 26104

The County Commission of Wood County

No.1 Court Square, Suite 203
Parkersburg, West Virginia 26101
(304) 424-1984



ROBERT K. TEBAY

RICK MODESITT

GARY D. DEEM

COUNTY ADMINISTRATOR

Mary R. Rader
424-1976

COUNTY CLERK

Jamie Six
424-1850

May 12, 2005

Jerry Dotson
Union-Williams Public Service District
P.O. Box 243
Waverly WV 26184

Dear Jerry:

Attached you will find a copy of a complaint we received concerning recent construction of a sewer line in your district.

Although the letter is quite humorous to read, I am sure the property owner is definitely not pleased with the contractor's work on his property.

Please contact him and give him advice on his options for correcting this problem.

Thank you for your attention to this matter.

Sincerely,

Robert K. Tebay
Wood County Commission

RM:ah