

UNION WILLIAMS PUBLIC SERVICE DISTRICT  
Special Board Meeting  
August 31, 2005

MINUTES & TREASURER'S REPORT

APPROVED

BY: Howard E. Seufer

DATE: Sept. 22, 2005

Roll Call:

H. E. Seufer, Chairman  
R. J. Mullenix, Secretary  
S. L. Nulter, Treasurer

Attending:

Dominick Cerrone, Cerrone Associates  
Jonathan Carpenter, Thrasher Engineering  
Steve Hardman, Bowles, Rice, David, McGraff, and Love  
Jason Billups, WVDEP  
Donald Huff, International Union of Operating Engineers  
Kathy Emery, WVDEP  
Pat Rawlings, Qk4

Location and Time:

4:00 P.M. District Office

Minutes by:

J. L. Dotson

H. E. Seufer called the meeting to order.

Discussed Partial Substantial Completion for Contracts #2 and #3. Dominick said Cerrone Associates is recommending Substantial Completion of Contract #2 as of August 1, 2005 and Substantial Completion of Contract #3 as of July 16, 2005. Dominick also stated that he just found out today that there is a leak causing flow at the Rt. 31 lift station; and that the District can either approve substantial completion now, or wait until the source of the flow is determined. Mr Seufer said that Cerrone Associates needs to be prepared to stand behind their recommendation. Dominick said he only found out about the leak today. After some discussion Dominick rescinded his recommendation for Contract #2 and suggested it be withheld until the source and severity of the leak is determined. Discussed partial substantial completion for Contract #3. This includes the pressure main from I-77 to the tie-in with the gravity system, all of the Contract #3 gravity, and the pressure main from the Hoagland Run lift station to the Wastewater Treatment Plant. R. J. Mullenix moved to approve the Certificate of Substantial Completion for part of Contract #3. S. L. Nulter second. Unanimous.

Discussed retainage for Contracts #2 and #3 and Pay Requisition #20. Cerrone provided information recommending additional retainage of \$25,565 for Contract #2 and \$83,562 for Contract #3. This only covers the discrepancies listed in the defective work notices and punch lists. It does not include any work needed on the small diameter pressure spurs on Contract #3. Mr. Seufer asked if the quantities have been reconciled. Jonathan Carpenter explained that the work was not complete to reconcile the quantities. Mr. Nulter expressed concern that part of the reason for the delay of payment on the original requisitions was inconsistency in the quantities, and inability to ensure the

contractor had not been overpaid, which is a violation of the loan regulations. It was also determined that change orders do not exist to cover the full construction period involved in the pay requisition. Mr. Dotson asked Kathy Emery how work beyond the change ordered contract completion dates will be paid. She said the Department has not yet determined how that work will be paid for. S. L. Nulter moved that Pay Requisition #20 be tabled until the quantities are reconciled, then an amended requisition be presented to pay the amounts currently covered by change orders until the DEP determines how that work beyond the contract period will be paid. R. J. Mullenix second. Unanimous. Mr. Seuffer discussed substantial completion for Contract #2 further. He expressed concern that the District will not be able to begin to connect customers on Contract #2 until after the next regular board meeting unless action is taken on the Certificate of Substantial Completion now. S. L. Nulter moved that the District accept the recommendation from Cerrone Associates after the investigation is performed on the cause of the leakage, and when Cerrone Associates is prepared to make their recommendation, a board member is authorized to sign the Certificate of Substantial Completion. R. J. Mullenix second. Unanimous.

Discussed Change Orders for Contract #1. Dominick presented Change Orders #3 and #4 for Contract #1. The change orders extend the contract period to July 28, 2005 for the Wastewater Treatment Plant and August 25, 2005 for the lift stations. Dominick also provided a Certificate of Substantial Completion for Contract #1 excluding the lift stations at Northwood Villa and Granada Hills. S. L. Nulter moved to approve the two change orders and the certificate of substantial completion as recommended by Cerrone Associates. R. J. Mullenix second. Unanimous.

Dominick provided an update of Contract #6.

Discussed the Pleasants County Water Project. Pat Rawlings provided a contract for engineering services. R. J. Mullenix moved to accept the contract. S. L. Nulter second. Unanimous.

Meeting adjourned at 6:00. P.M.

*Public Service Commission  
Of West Virginia*

201 Brooks Street, P.O. Box 812  
Charleston, West Virginia 25323



Phone: (304) 340-0300  
FAX: (304) 340-0325

July 20, 2005

Mr. Dwight Brookover  
4736 Old St. Marys Road  
Parkersburg, WV 26101

Dear Mr. Brookover,

This letter is in response to your letter to Governor Joe Manchin III dated July 12, 2005, and received in this Division on July 12, 2005, concerning your complaint about the restoration of your property from the new sewer extension project of the Union Williams Public Service District near Parkersburg, WV in Wood County.

My Staff reviewed your letter and discussed the situation with Pauline Lowers, Administrative Assistant for the Union Williams Public Service District. She advised my staff that she has received many complaints from the new customers about damages to their property. She has made a file of them and has faxed a copy of them to the contractor's field office as well.

She has advised my staff that the sewer project is near completion. This particular contractor chose to wait until the end of the project to perform the restoration portion of the job. The utility typically holds back a portion of the contractor's payment as collateral or insurance for such damages to be corrected. If the utility can not get your problem resolved, then you have the option to file a formal complaint with the Public Service Commission of West Virginia. The Commission does not have the authority to award monetary damages but the Commission can assist the utility in getting the problem properly corrected.

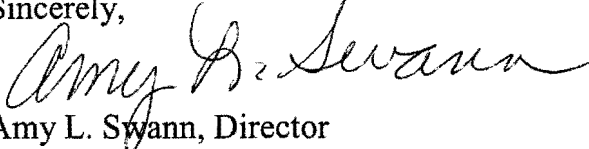
I am encouraging you to attend the District's Board meetings regularly. You can contact Pauline at (304) 464-5121 and she can inform you

Mr. Dwight Brookover  
July 20, 2005  
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about the date and time of the meetings. This way, you can be in attendance to learn first-hand about the progress of the restoration from the contractor's representative.

If you have any further questions, please contact me.

Sincerely,

  
Amy L. Swann, Director  
Water and Wastewater Division

ALS:vlm

cc: Edward H. Staats, Chairman  
Jerry Bird, Chief of Staff  
Honorable Joe Manchin III, Governor  
Wood County Commission  
Union Williams Public Service District

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Public Service Commission  
Of West Virginia

201 Brooks Street, P.O. Box 812  
Charleston, West Virginia 25323



Phone: (304) 340-0300  
FAX: (304) 340-0325

August 12, 2005

Ms. C. Dawson  
Route 1, Box 256-D  
Parkersburg, WV 26101

Dear Ms. Dawson:

This letter is in response to your e-mail communication to Governor Joe Manchin III, dated July 18, 2005, and received in this Division on July 21, 2005, concerning your protest about losing your well during the construction of the airport near Williamstown, West Virginia in Wood County.

My Staff reviewed your letter and discussed the situation with Pauline Lowers, Administrative Assistant for the Union Williams Public Service District. She has advised my Staff that the District has tried to contact you about your situation but have not been very successful in locating you. My Staff sent you a letter August 1, 2005, requesting that you contact this office to discuss your situation but you have failed to contact us.

Our only recourse is to advise you to contact the Wood County Airport Authority and the National Guard office to discuss your situation with them.

If you have any further questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Amy L. Swann".

Amy L. Swann, Director  
Water and Wastewater Division

ALS;jt

cc: Jon W. McKinney, Chairman  
Jerry Bird, Chief of Staff  
Honorable Joe Manchin III, Governor  
Wood County Commission  
Union Williams Public Service District

Enclosure: 1

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