

UNION WILLIAMS PUBLIC SERVICE DISTRICT
Regular Board Meeting
March 15, 2006

Roll Call:

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

Attending:

D. Pauline Lowers, UWPSD
Steve Hardman, Bowles, Rice, McDavid, Graff, and Love
Dominick P. Cerrone, Cerrone Associates
Gale Smith, Diversified Enterprise, Inc.
Jerry Blair, Diversified Enterprise, Inc.
Jonathan Carpenter, Thrasher Engineering
Amy Harries, MOVRC
Allan & Sandra Figueroa, Valley Mills Road
Linda Poynter, Pleasants County Water Project

Location and Time:

6:30 P.M. District Office

Minutes by:

J. L. Dotson

S. L. Nulter called the meeting to order.

Read minutes of regular board meeting from February 15, 2006. R. J. Mullenix moved to accept minutes. H. E. Seufer second. Unanimous.

R. J. Mullenix moved to accept the financial reports for January 31, 2006. H. E. Seufer second. Unanimous.

Discussed Wastewater Project. Discussed customer concerns. Sandra Figueroa discussed her frustration with the time it has taken to get her property restored, and demanded the work be completed by April 15th. Jerry Blair discussed his conversation with Mrs. Figueroa, and said they would address her concerns as soon as the weather permitted. Mrs. Figueroa said she would give them 45 days from today to get it done. Mr. Seufer told Mrs. Figueroa that Diversified would be asking her to sign a release when they finished. She said she would gladly sign a release if they would just get it done.

Dominick Cerrone provided an update. Gale Smith had submitted a requisition based on the money the contractor needs to continue working on punch list and restoration items. Dominick

MINUTES & TREASURER'S REPORT
APPROVED

BY: Stephen L. Nulter

DATE: 4-19-06

had previously categorized the remaining work and assigned a dollar value to each item. The punch list items that do not require surface restoration are completed as reported by Diversified. Dominick recommended the issues remain in the blocks previously recommended and agreed upon. The requisition for contract #1 is recommended as submitted by Diversified. Dominick recommended the District consider requesting a draw down from the SRF to alleviate the time lag between pay requisition and receipt of the money. He said the SRF will not let the District draw down below the apparent liquidated damages amount. He also suggested the District consider bi-weekly requisitions and payments for the contractor. Gale Smith joined the meeting at this point. Jerry Blair asked if the payment for customer complaints was to be based on releases because some customer will not sign releases. Dominick asked about the results of the mass mailing Diversified was to send out. Gale Smith said due to some confusion with the addresses, they were just now sending the mailing. Mr. Nulter said that if the District received the draw down, and the work is completed in the blocks currently outlined, then when the requisition is received on a monthly basis, payment to the contractor will occur very quickly.

Discussed pay requisition #26. R. J. Mullenix moved to pay the requisition. H. E. Seufer second. Unanimous. Discussed the additional \$80,870 requested for punch list items completed on contracts #1 and #2. The District just verified the completed items yesterday. Dominick recommended the District approve an additional requisition and Cerrone Associates will prepare the paperwork and send it for signatures. Mr. Seufer expressed concern that the paperwork was not completed before the meeting, and the board was being asked to approve a requisition without the availability of documentation to review. After some discussion S. E. Seufer moved to approve requisition #27 contingent upon DEP approval. R. J. Mullenix second. Unanimous. Discussed E-One start-up sheets. Gale sent an e-mail about the issue, but copies of the start-up sheets have not been submitted to Cerrone Associates. Discussed E-One pump electrical boxes. The boxes have been sealed according to the specification. S. L. Nulter asked what work remained. Gale Smith said most of the work to be completed is surface restoration. Discussed the problems encountered with E-One pumps. District personnel are meeting with E-One Monday. S. L. Nulter talked about customer complaints referred in a memorandum from Dominick Cerrone. The memo lists five properties as sold with no responsibility for the contractor. Mr. Nulter wanted to know why the contractor was no longer liable if the property is sold. Steve Hardman said the right-of-way goes with the property and the contractor is still liable for the reclamation. Jerry Blair said when he cannot reach the owner, and the property appears to be restored, he notes that the contractor's responsibility is completed. Jerry Blair reference the odor problem at Mr. Reed's property. Steve Nulter said last month's 415 complaints have been reduced by twenty, and asked how that reduction was determined. He also asked if there are any new complaints. Gale Smith said last month's number included the three new complaints received since December, and explained that the reduced number had other issues that were not the contractor's responsibility, such as right-of-way issues. Mr. Nulter asked Jerry Dotson if those twenty complaints are removed from the contractor's responsibility. Mr. Dotson said there is some number that contain issues the District must deal with, but was not certain of that current number. Mr. Seufer recommended that someone from the District go with Diversified to help evaluate restoration in controversial situations where another perspective might help resolve the issues, and offered to participate with part of that work. Gale Smith and Jerry Blair both agreed

that would be helpful. Steve Nulter asked if Cerrone is tracking the releases received. Dominick Cerrone assured him that he is keeping track of the releases.

Discussed the Pleasants Co. Guard Hill water project. Linda Poynter was present to request the documents she will need to sign up customers. Jerry Dotson said he will get the right-of-ways from Qk4 and the other documents she will need and will review them with Mrs. Poynter.

Jonathan Carpenter provided an update of their efforts on the wastewater project. He said Stonegate is still waiting to receive the sludge test results so they can land apply the sludge. He also said Eric Raper has resigned from Thrasher Engineering so he will need to assign another inspector. Jonathan also asked about the remaining money he had submitted in an earlier requisition. Jerry Dotson said the District paid \$40,000 approved by the SRF. The remainder is outside the project completion dates and cannot be paid until the SRF approves payment or the District receives liquidated damages. Discussed the additional IJDC loan. The loan has been approved, but a closing date has not been established.

Discussed the Web Management suit. Web Management is demanding \$5,000 more than has already been approved. The contractor's insurance company has offered to split it with the District. H. E. Seufer moved to authorize Steve Hardman to negotiate up to an additional \$2,500. R. J. Mullenix second. Unanimous.

Discussed Triad Engineering agreement for the Air National Guard helicopter wash water review. R. J. Mullenix moved to approve the agreement. H. E. Seufer second. Unanimous.

Discussed Chichester tank property. Jerry Dotson will continue to pursue the issue.

R. J. Mullenix moved to pay Requisitions #1 and #2. S. E. Seufer second. Unanimous.

Meeting adjourned at 8:33 PM.