

**UNION WILLIAMS PUBLIC SERVICE DISTRICT**

Regular Board Meeting

January 17, 2007

**MINUTES & TREASURER'S REPORT**

**APPROVED**

BY: *Stephen L. Nulter*

Roll Call:

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

Attending:

Steven Hardman, Bowles, Rice, McDavid, Graff & Love  
Eric Raper, Burgess & Niple, Inc.

DATE: 2-21-07

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 December 20, 2006. H. E. Seufer moved to accept the minutes. R. J. Mullenix second. Unanimous.

H. E. Seufer moved to approve the financial statement. R. J. Mullenix second. Unanimous.

Discussed Wastewater Project.

Discussed John Ash complaint. Audra Blackwell from the West Virginia Public Service Commission met with Jerry Dotson January 11<sup>th</sup> to discuss the complaint. Mr. Dotson described the content of the conversation. Mr. Seufer said it does not look like the PSC has any jurisdiction in the matter. Steve Hardman stated that they really do not, and that was the District's response to the complaint. However, the PSC has chosen to investigate the matter, and it has been referred to an Administrative Law Judge.

Discussed Cerrone update. The fax said the District should make arrangements to hire a local contractor to deal with unresolved restoration issues with Steve Hardman's guidance. Steve Hardman said before the District takes any such action, the bonding company should be contacted. It is their responsibility to complete the restoration. Steve Nulter asked what steps need to be taken to obtain the money owed to the District for repairs to grinder pumps and other work the District expects to be reimbursed by Diversified. Steve Hardman said he needs to contact Diversified's legal counsel with the amount the District expects to be repaid, and to contact the bonding agency. Cerrone's fax provided the amount owed to the District for repairs, the amount for liquidated damages, and the total of retainage held from Diversified. Steve

Hardman said there are currently two other claims for the remaining money; one is the West Virginia Division of Labor, the other is the bonding company. Jerry Dotson asked if the bonding company has any responsibility to sub-contractors and vendors. Mr. Hardman said they do. Steve Hardman will contact the Diversified's attorney and the bonding company about the reimbursement, restoration, and liquidated damages.

Discussed Telemetry and North Hills. The mayor of North Hills has told Mr. Dotson the town may choose to spend the money they have budgeted for telemetry on Infiltration and Inflow mitigation. Along with the equipment on the North Hills lift station, the portion of the telemetry contract attributed to North Hills includes around \$22,000 for development and construction of the central system. If North Hills backs out the District will be short that amount in building the telemetry as it is designed. Jerry Dotson suggested that, if North Hills does back out of the telemetry system, the District should try to find an alternative with the money currently budgeted.

Discussed Wrap Loan. Steve Hardman will ask Cam Siegrist to prepare a letter requesting action from the Infrastructure Council with the hope of either finalizing the loan or determining what is preventing the loan closing.

Held election of officers. H. E. Seufer moved that the officers remain as they currently are assigned, with Mr. Nulter as Chairman, Mr. Mullenix as Treasurer, and Mr. Seufer as Secretary. R. J. Mullenix second. Unanimous.

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

Meeting adjourned at 7:30 PM.