

# LUBECK PUBLIC SERVICE DISTRICT

JANUARY 25, 2001

James E. Smith, Chairman  
David Steele, Secretary  
Lee Johnson, Treasurer

ATTENDING: Lee Johnson, David Steele, Brian Arthur, John Goodman, Phil Postlewait  
Rick Sprouse

NO. OF CUSTOMERS:	Section		Sewer	Water
	1	Lake Washington Road	304	489
	2	Lubeck	314	412
	3	Riverhill - Blenn. Heights	180	385
	4	DuPont Road	179	296
	5	Larkmead Road	99	312
	6	LMH - Homewood Road	0	258
	7	Washington Bottom	301	356
	8	New England Ridge	170	312
	9	Lubeck South	191	313
	10	Larkmead Area - Marrtown	28	302
	11	Route 68 South - Hopewell	0	195
	12	Mitchell's	3	70
		Total Customers	1769	3,700

### TREASURER'S REPORT:

Revenue Fund - United National Bank	\$158,543.82
Operations & Maintenance Fund - Wesbanco	\$18,903.60
Vehicle Reserve Account - One Valley Bank	\$15,252.97
Operation & Maintenance Reserve - One Valley Bank	\$1,912.09
Construction Reserve - One Valley Bank	\$4,030.61
Water Reserve Fund - One Valley Bank	\$37,154.66
Water Project Construction Fund - One Valley Bank	\$42,600.93
Sewer Reserve Certificate of Deposit - United National Bank	\$0.00
Sewer Project Construction Fund - United National Bank	\$23,461.22
Sewer Operation & Maintenance Reserve - United National Bank	\$1,222.60
Special Sewer Construction - Larkmead - United National Bank	\$56.16
Revenue Fund - Wesbanco	\$0.00
Hopewell Project Construction Account - United National Bank	\$0.00
Hopewell Reserve Fund - United National Bank	\$0.00
Sewer Reserve Fund - United National Bank	\$23,923.00
Hopewell Savings (Tap Fees) - United National Bank	\$22,296.12
Prudential Securities Sewer Fund	\$122,554.00
Prudential Securities Water Fund	\$53,484.91
Series 1999 Sewerage Bonds Account	\$266,944.27
Hopewell Debt Service Reserve	\$3,877.73
Hopewell O&M Reserve Account	\$6,444.03
Transfer From Revenue to Operation & Maintenance Checking Account	\$38,000.00
Transfer From Water Revenue to Water Reserve Account	\$0.00
Transfer From Revenue to RUS O&M Reserve Account	\$0.00
Transfer From Revenue to RUS Debt Service Reserve Account	\$0.00
Transfer From Water Revenue to Water Projection Construction	\$0.00
Transfer From Revenue to Prudential Securities - Water Tap Account	\$3,000.00
Transfer From Revenue to Sewer Reserve Account	\$0.00
Transfer From Revenue to Vehicle Account	\$0.00
Transfer From Water Revenue to Sewer Projection Construction	\$0.00
The following transfers were made to cover payroll since the last Board meeting:	
Transfer From Revenue to Operation & Maintenance Checking	\$17,000.00
Transfer From Revenue to Operation & Maintenance Checking	\$0.00

**BUSINESS: Prayer by Brian Arthur.**

- A) Moved by Dave Steele that Lee Johnson be appointed as Acting Chairman for the evening. Seconded by Lee Johnson. Passed unanimously.
- B) Moved by Dave Steele, seconded by Lee Johnson that the minutes of the Board meeting of January 11, 2001 be approved. Passed unanimously.

**SEWER PROJECT:**

- A) Brian has walked over Contracts 98-6 & 9 and passed along a listing of problems to the engineer to forward on to the contractor.
- B) The District needs to sign the Partial Payment Request. It is for a total of \$80,818.87 of which the District has received reimbursement from the Department of Transportation for \$73,056.65. This will leave the District drawing \$7,762.22 from the Infrastructure Council. See attached Resolution for breakdown. Moved by Dave Steele, seconded by Lee Johnson that the Partial Payment Request be approved. Passed unanimously.
- C) The Wellesley Homeowner's Association has now decided that they are not going to sign the document that we delivered to them to sign since it says that this is full payment. Barry Dew has stated that their attorney has found a recent case at Mineral Wells PSD that leads them to believe that they can get paid for the system. Therefore, Barry has asked me to ask the Board if they would change the language in the document to allow them to connect to the system but not preclude them from getting paid for their system. Jim told him that he would ask the Board. (Jim feels that we continue with our last approach, that being, sign the document w/o payment, hook up and the District bills the Home Owner's Association, or Not hook up until resolved). Barry will be calling Brian on Friday to get the Board's answer.
- D) The suit with The Hub, Inc. has been settled. The District is only responsible for the \$20,000 for concrete replacement cost. The District is paying the money in lieu of the work. The State has agreed with paying this money and it is included in tonight's draw.

**EXISTING SEWER PLANT DEMOLITION, ETC.:**

- A) Ron has not had a chance to work on anything this time. The District has been making an effort to get other odd jobs completed so we can start in again.

## **DISCUSSION OF DISTRICT HAPPENINGS:**

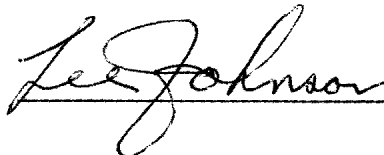
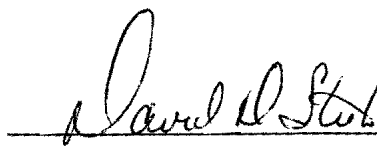
It was reported what has been going on in the District:

- A) Installed 1 water tap since the last Board meeting. There is 1 water tap to be installed. This gives us 4 water taps for 2001. The District has installed 0 sewer taps since the last Board meeting. There are 2 sewer taps to be installed. This gives us 0 sewer taps for 2001.
- B) Cleaned up junk from around the garage.
- C) Worked on 1 leak in a service.
- D) Repaired 1 fire hydrant and replaced 1 fire hydrant.
- E) Completed work orders, spotted lines, set meters.

## **GENERAL BUSINESS:**

- A) Moved by Dave Steele, seconded by Lee Johnson that all bills be approved as reviewed by management and the Board, in addition to all fund transfers as presented. Passed unanimously.
- B) Moved by Dave Steele, seconded by Lee Johnson that the financial statement for the month of December 2000 be accepted as presented by Philip R. Postlewait, Jr., CPA. Passed unanimously.
- C) Moved by Dave Steele, seconded by Lee Johnson that the District retain Jackson and Kelly as Counsel for the possible case against the District concerning the death during sewer construction. Passed unanimously.
- D) The District would like to purchase a 16 place meter testing bench to replace our 4 place bench. As it stands now, the District can only test 16 meters a day with our existing bench. With the new one we would be able to keep up with the testing demand that right now we are behind on completing. Our cost would be \$8,500 for the bench and automatic shut off device for slow flows. The District would then be able to sell our old bench for possibly \$2,000 to another District that needs to start a testing program. Moved by Dave Steele, seconded by Lee Johnson that the District purchase the Ford 16 place meter testing bench for a cost not to exceed \$8,500. Passed unanimously.

- E) Jim and Brian would like to ask the Board for permission to put in a sealed bid to DuPont for the purchase of the Vac Truck that they are wanting to sell. Brian is going to see if he can persuade DuPont to donate the truck to the District but in the event he cannot get that through we would like to be prepared to make an offer. Moved by Dave Steele, seconded by Lee Johnson that the District make a sealed bid of \$15,000 for the Vac Truck at DuPont should Brian not be able to persuade them to donate it to the District. Passed unanimously.
- F) Jim and Brian would like to ask the Board for permission to purchase a 1,000 gallon Diesel Dyke Tank for fuel for the dump truck. This would save fifty cents on the gallon in taxes and also make it easier to fuel. Moved by Dave Steele, seconded by Lee Johnson that the District spend up to \$3,500 for the above tank, etc. Passed unanimously.
- G) Jim wanted to report that the District is going to subscribe to the Miss Utility program. It will cost us a minimum of \$7.00 per month for the service.
- H) Meeting adjourned.

 APPROVED  ATTESTED

**RESOLUTION OF THE PUBLIC SERVICE BOARD OF LUBECK PUBLIC SERVICE DISTRICT APPROVING INVOICES AND EXPENSES RELATING TO CERTAIN ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE WASTEWATER COLLECTION AND TREATMENT FACILITIES OF THE DISTRICT AND AUTHORIZING PAYMENT THEREOF.**

WHEREAS, Lubeck Public Service District (the "District") has reviewed the list of invoices and project-related expenses attached hereto and incorporated herein by reference relating to the design and construction of certain additions, betterments and improvements to the wastewater collection and treatment facilities of the District to be financed in part by the proceeds of the District's Sewerage System Revenue Bonds, Series 1999 A (the "Series 1999 A Bonds"); the District's Sewerage System Revenue Bonds, Series 1999 B (the "Series 1999 B Bonds"); and the District's Sewerage System Bond Anticipation Notes, Series 1999 (the "Notes"), and finds as follows:

- (A) That none of the items for which the payment is proposed to be made has formed the basis for any disbursement theretofore made;
- (B) That each item for which the payment is proposed to be made is or was necessary in connection with the Project and constitutes a Cost of the Project;
- (C) That each of such costs has been otherwise properly incurred; and
- (D) That payment for each of the items proposed is now due and owing.

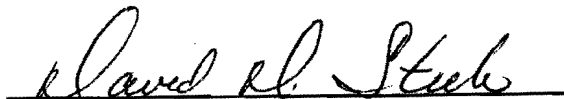
**NOW, THEREFORE, BE IT RESOLVED BY THE PUBLIC SERVICE BOARD OF LUBECK PUBLIC SERVICE DISTRICT AS FOLLOWS:**

There is hereby authorized and directed the payment of the following invoices and project-related expenses from the proceeds of the Series 1999 A Bonds (designated for State Revolving Fund reimbursement, or "SRF" below) or from the proceeds of the Series 1999 B Bonds or the Notes (designated for reimbursement from Infrastructure Council bond or note proceeds, or "IC" below):

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<u>Vendor</u>	<u>Amount</u>	<u>SRE</u>	<u>IC</u>
Lubeck Public Service District			
- Reimbursement	\$0.00	\$0.00	\$0.00
Burgess & Niple, Limited			
- Technical Services	0.00	0.00	0.00
Hayslett Construction Co., Inc.			
- (Contract 98-1)	46,194.00	0.00	46,194.00
Marbo Construction Co., Inc.			
- (Contract 98-3)	0.00	0.00	0.00
Holley Bro. Const. Co., Inc.			
- (Contracts 98-4, 98-5, & 98-7)	0.00	0.00	0.00
Valley Development of WV, Inc.			
- (Contracts 98-6 & 98-9)	0.00	0.00	0.00
Pipe Plus Inc.			
- (Contract 98-8)	0.00	0.00	0.00
PMS Consulting Examiners, Inc.			
- (Technical Services)	4,458.80	0.00	4,458.80
Joseph M. Brown			
- (Attorney Fees)	621.00	0.00	621.00
MCDI Appraisers			
- (Appraisals or Other Related Costs)	0.00	0.00	0.00
Ronning, Palmer, Titus			
- (Easement Cost)	0.00	0.00	0.00
Waterman-Douglass			
- (Easement Cost)	0.00	0.00	0.00
Thompson, Hine & Flory, LLP			
- (Attorney Fees)	3,862.18	0.00	3,862.18
Moore & Weber			
- (Attorney Fees)	1,038.73	0.00	1,038.73
Jackson & Kelly			
- (Bond Counsel)	0.00	0.00	0.00
Jackson & Kelly			
- (Attorney Fees)	0.00	0.00	0.00
Action Legal Copy Service			
- (Administration)	4,644.16	0.00	4,644.16
The Hub, Inc.			
(Payment in lieu of Concrete Work)	20,000.00	0.00	20,000.00
Less Cash on Hand			
- (WVDOT Reimbursement)	-73,056.65	0.00	-73,056.65
<b>Total</b>	<b>\$7,762.22</b>	<b>\$0.00</b>	<b>\$7,762.22</b>

Adopted by the Public Service Board of the District at a meeting held on the 25th day of January, 2001.

  
 Secretary

[SEAL]

  
 Treasurer