

**DRAFT MINUTES**  
**SHEPHERDSTOWN, WEST VIRGINIA**  
**WATER & SANITARY BOARDS**

April 9, 2020

**Attendees:**     **Water Board** – J. Auxer (Mayor), J. Bresland, J. Ford, M. Godfrey, S. Kemnitzer (Chair), A. Slater  
                  **Sanitary Board** – J. Auxer (Chair), H. Heyser, R. Keller  
                  **Town Staff** – A. Boyd, C. Coe, D. Nickerson, K. Shipley, F. Welch  
                  **Engineer** –

**Visitors:**       None

Prior to the Call-To-Order H. Heyser stated that he thought the boards should express their appreciation of the staff for their efforts in keeping the water and sewer systems running smoothly during the ongoing health crisis. There were no objections.

1.     **CALL TO ORDER.** The Water and Sanitary Boards meeting was called to order by J. Auxer at 1:08pm at Town Hall in Shepherdstown, West Virginia.
2.     **MINUTES FROM PRIOR MEETING.** The draft minutes of the February 27, 2020 regular meeting were reviewed and approved as submitted.
3.     **VISITORS.** None.
4.     **FINANCIAL STATEMENTS.**

D. Nickerson reviewed the questions she had received from board members prior to the meeting and how those questions were answered.

Several board members expressed dissatisfaction with the fact that the financial statements presented at board meetings tend to be approximately 2 months out-of-date. D. Nickerson explained that this was due to the lag in the receipt and reconciliation of credit card information. Several board members stated that having to make decisions with information that was 2 months out-of-date was unacceptable, however no resolution to the situation was reached.

R. Keller noted that the sewer financials were showing a large negative operating expense with respect to membranes. He asked if the accounts might be showing a double booking of membrane-related expenses. D. Nickerson said that there might be an issue there and that it was on her list of things to discuss with the auditor when she next met with them.

H. Heyser asked if we were doing anything specifically in response to the ongoing health crisis. J. Auxer stated that we were not going to be billing water or sewer customers at this time. The bills mailed to customers would be informative only. He stated that the possibility of recouping those losses from State funding was being investigated. H. Heyser asked if that would cause cash flow problems and J. Auxer responded that it would not, at this time.

H. Heyser asked if we would discuss the proposed FY 21 water budget. J. Auxer responded that it was included in this month's packet in order to generate questions and that any such questions should be directed to D. Nickerson or F. Welch. He then proposed the idea that we conduct special, separate meetings to discuss the water and sewer budgets. There was general agreement.

5.     **FLOW AND QUALITY REPORTS.**

R. Keller asked when the leak on Rt. 45 was fixed; C. Coe said it had been fixed by Jan. 30. R. Keller stated that it appeared to him that fixing that leak might have resulted in the water and sewer flow rates being more in synch. C. Coe and F. Welch agreed.

C. Coe reported that the water quality figures have all been in compliance from January thru the current time.

**6. UNFINISHED BUSINESS.**

**6.a WATER PLANT IMPROVEMENT PROJECT.**

F. Welch referenced the progress update provided by J. Ekstrom (Engineer) which reported the project as being generally on schedule.

S. Kemnitzer referenced the announcement by Sec. Mnuchin that funds may soon be made available for infrastructure uses, stating that we should assure that we are in a position to apply for such funds.

**6.b MECKLENBURG MAINTENANCE ASSOCIATION.** F. Welch stated that J. Ekstrom had completed the plans and that they needed to be reviewed. R. Keller suggested that the process might be expedited by having the plans sent electronically to a local print shop where they could be printed.

**6.c SEWER USE ORDINANCE – REVISION AND COMMENTS.** J. Auxer stated that revisions were progressing but that having to communicate remotely might put this effort on hold temporarily.

**6.d CONSENT ORDER (WV DEPARTMENT OF ENVIRONMENTAL PROTECTION).** F. Welch stated that our lawyer has suggested that since we have still heard nothing from the DEP he thought we should respond to the decree by explaining our proposed, in-progress solution and suggesting that the DEP consider lowering the fine.

**6.e CATALYST FUND SUPPORT LETTER.** Mayor Auxer wrote and sent letter.

**6.f KENSINGTON SUBDIVISION.** Meeting packet included a letter from the developer requesting an extension to their water and sewer applications.

**ACTION ITEM: H. HEYSER MOVED THAT THE SANITARY BOARD EXTEND THE KENSINGTON DEVELOPMENT SEWER APPLICATION. THE MOTION WAS APPROVED WITHOUT OBJECTION.**

**ACTION ITEM: M. GODFREY MOVED THAT THE WATER BOARD EXTEND THE KENSINGTON DEVELOPMENT WATER APPLICATION. THE MOTION WAS APPROVED WITHOUT OBJECTION.**

**7. NEW BUSINESS.**

**7.a EXTENSION AGREEMENTS FOR COLONIAL HILLS AND TOLLHOUSE WOODS SUBDIVISIONS.** Meeting packet included letters from the developer requesting extensions to the water and sewer applications for both subdivisions.

**ACTION ITEM: R. KELLER MOVED THAT THE SANITARY BOARD EXTEND THE COLONIAL HILLS DEVELOPMENT SEWER APPLICATION. THE MOTION WAS APPROVED WITHOUT OBJECTION.**

**ACTION ITEM: M. GODFREY MOVED THAT THE WATER BOARD EXTEND THE COLONIAL HILLS DEVELOPMENT WATER APPLICATION. THE MOTION WAS APPROVED WITHOUT OBJECTION.**

**ACTION ITEM: R. KELLER MOVED THAT THE SANITARY BOARD EXTEND THE TOLLHOUSE WOODS DEVELOPMENT SEWER APPLICATION. THE MOTION WAS APPROVED WITHOUT OBJECTION.**

**ACTION ITEM: M. GODFREY MOVED THAT THE WATER BOARD EXTEND THE TOLLHOUSE WOODS DEVELOPMENT WATER APPLICATION. THE MOTION WAS APPROVED WITHOUT OBJECTION.**

## 7.B **SLUDGE INQUIRIES.**

- F. Welch explained that he was in receipt of a letter containing questions about our application of sludge at the Willard family farm and that he would generate a response to the questions.
- M. Godfrey asked if there was any privileged information in the landowner agreement. F. Welch said that he would need advice from our lawyer to answer that question.
- M. Godfrey asked if the sinkholes on the farm had been mapped. K. Shipley answered in the affirmative and explained that they were careful not to apply sludge near the sinkholes.
- F. Welch stated that the farm had recently changed hands and there might need to be a new agreement with the current owner.
- R. Keller suggested that F. Welch generate answers to the questions and have them reviewed by himself and H. Heyser.
- J. Auxer requested that J. Bresland check with the County Health Dept. to see if they had any guidance with respect to whether or not there was any sludge issue regarding Covid-19.
- K. Shipley stated that a decision would be needed in the near future because they would need to continue sludge spreading or make other plans for sludge disposal.

8. **MAYOR'S REPORT.** Nothing to report.

9. **ADJOURNMENT.** J. Auxer adjourned the meeting at 2:03pm. The next regular meeting is scheduled for Thursday, April 24, 2020 at 1:00pm at Town Hall.

Respectfully submitted, J. Ford