

DRAFT MINUTES
CORPORATION OF SHEPHERDSTOWN, WEST VIRGINIA
SANITARY BOARD

December 8, 2022

ATTENDEES: Sanitary Board – J. Auxer (Chair), H. Heyser, R. Keller
Town Staff – K. Shipley, F. Welch
Visitors: D. Decker (CPA), J. Ford, S. Pearson, L. Rampey

1. CALL TO ORDER.

The Sanitary Board meeting was called to order by J. Auxer at 1:03 p.m.

2. VISITORS. - No visitor comments.

3. AGENDA ITEMS.

3.a SEWER RATE INCREASE.

J. Auxer asked the board members if they had any questions about the proposed rate increase.

R. Keller stated that he thought the information presented by D. Decker was clear. (See attached letter from Decker & Company PLLC).

H. Heyser asked for clarification as to which costs would qualify to be paid from the Cash Working Capital Reserve (CWCR) fund.

D. Decker that when he asked the PSC staff that question they just pointed to the wording of the order (General Order 183.08):

- Can only be used for extraordinary and non-recurring items.

He stated that membrane costs do not qualify since they are recurring and are not extraordinary. He further explained that, in general, costs included in the budget would not be considered 'extraordinary'.

R. Keller asked if the recent expenditures to replace the fan press, which were not expected or budgeted, would qualify. D. Decker responded that he thought they would qualify, although the PSC might expect that R&R funds would also apply, in which case the CWCR funds might not be allowed to be used until the R&R funds had been fully expended.

R. Keller asked what the effective date of General Order 183.08 was. D. Decker said that it was sometime in 2019 but that it only comes into play when a request is made to change rates.

R. Keller stated that he thought the board should proceed with the rate increase but that he objected strenuously to the requirements of General Order 183.08. He read a statement to that effect and suggested that it be communicated to the customers. There was general agreement to that and some minor rewording suggestions. (See attached statement).

ACTION ITEM: H. HEYSER MOVED, R. KELLER SECONDED, THAT A RECOMMENDATION BE SENT TO TOWN COUNCIL TO APPROVE THE PROPOSED 19% SEWER RATE INCREASE. MOTION PASSED UNANIMOUSLY WITH NO FURTHER DISCUSSION.

ACTION ITEM: R. KELLER MOVED, H. HEYSER SECONDED, THAT THE BOARD ACCEPT THE LETTER OF ENGAGEMENT FROM DECKER & COMPANY PLLC TO PREPARE THE RULE 42 EXHIBIT. MOTION PASSED UNANIMOUSLY WITH NO FURTHER DISCUSSION.

3.b. TESTING OF INFLUENT AT WASTEWATER PLANT.

K. Shipley presented the details of a testing request.

WVU has received a grant to test the influents of wastewater treatment plants in WV for the presence of the virus that causes COVID. They have requested that Shepherdstown (along with other locations) test their influent 5 days per week and forward the results. In general, the staff has no problem with complying with the request with 2 caveats: 1) some weeks it might be difficult to do the tests 5 times per week, due to workload; 2) we are entering the time of year when we clean the filters, so we will be particularly busy for much of the next 3 months.

ACTION ITEM: H. HEYSER MOVED, R. KELLER SECONDED, THAT THE TESTING REQUESTED BY WVU BE PERFORMED WITH THE PROTOCOL (I.E. WHEN TO BEGIN THE TESTING AND HOW OFTEN TO PERFORM THE TESTS) AT THE DISCRETION OF THE STAFF. MOTION PASSED UNANIMOUSLY WITH NO FURTHER DISCUSSION.

4. ADJOURNMENT. J. Auxer adjourned the meeting at 1:38 p.m.

Respectfully Submitted: J. Ford