

Minutes

**BERKELEY COUNTY PUBLIC SERVICE
WATER DISTRICT**

Regular Meeting
Monday February 28, 2011 5:00 p.m.

The Board of Directors of the Berkeley County Public Service District met at 77 Monroe St. on February 28, 2011.

Present: Board Members: Greg Rhoe, Bruce Dorsey, Wayne Dunham and Ruby Kern; Executive Director Paul Fisher; District Counsel Hoy Shingleton; District Engineer Chris Thiel; County Council Liaison Doug Copenhaver; Recording Secretary Ray Morales

Welcome Guests

Chairman Rhoe welcomed guests and called the meeting to order at 5:00 p.m.

Approval of Minutes of the regular meeting of February 7, 2011.

There were no changes or additions.

The Board approved the minutes of the regular meeting of February 7, 2011 as presented.

*Motion— Ruby Kern
Second – Bruce Dorsey
Passed— Unanimously*

Discussion on Senate Bill No. 533 as introduced February 16, 2011.

Mr. Fisher discussed the major points of this Bill with the Board Members. This WV Senate Bill was introduced February 16, 2011 by Senators Snyder, Unger, McCabe and Miller. It pertains to impact fees under the Local Powers Act and what we call Capacity Improvement Fees for affordable housing. In effect, if you purchase a home that has a living space that does not exceed 1800 sq. ft. and at a cost that does not exceed 40% of the average cost of a Single Family residential house in the county it is located, you would qualify, under this Bill, for an 80% reduction in the fees normally paid in that county.

It was then discussed how it would affect the Public Service Districts. The first part of this bill deals with the Local Powers Act while the second part deals with the Public Service Commission, the Public Service District and the implementation of the Capacity Improvement Fees (CIF's). It treats CIF's for affordable housing in the same manner as stated above; living space may not exceed 1800 sq. ft.

and the cost of the home may not exceed 40% of the average cost of Single Family detached residential home in the county in which it is located. Again, anyone who qualified could receive an 80% reduction in the Capacity Improvement Fees normally charged by the Public Service Districts. This would decrease the dollar amount of the fees we collect. The Senators believe this would add to or improve affordable housing in WV. The Board Members believe based on these descriptions provided in the Bill that this would most likely only apply to those obtaining Mobile Homes.

Mr. Rhoe asked that Hoy Shingleton call Attorney Bob Rodecker to obtain an update on the status of this Bill; as well as, send out an appropriate email.

Report from District Engineer.

Developer Activities:

1. Recommending approval by the Board for the following engineering design drawings and Health Department permit application:
 - a. R.M. Roach & Sons Inc. Extension of 240 feet of 6-inch water main to serve proposed ROCS fuel and convenience store located off Industrial Circle (just west of the I-81 Rt. 9 West Exit (#0440).

A motion was made to approve the Engineering Report.

Motion – Wayne Dunham

Second – Ruby Kern

Passed - Unanimously

Report from Executive Director.

- Mr. Fisher displayed a post card bill we sent out in December that apparently was damaged at the Post Office. We just recently received it back (2 months later). He stated that our new combined billing would alleviate this problem.
- Mr. Fisher discussed the Water Line Easement amendment for Macy's. Macy's would like to go to closing tomorrow and would like the easement signed. Mr. Fisher said Macy's sent us an amendment to the existing easement agreements; we made some changes to their easement amendment which they accepted.

A motion was made to approve Macy's Easement Amendment with our accepted changes.

Motion – Bruce Dorsey

Second – Ruby Kern

Passed – Unanimously

Good of the Order

Mr. Rhoe thanked Mr. Fisher for procuring the US and WV flags.

Executive Session to discuss Legal Matters.

Action may be taken following Executive Session.

A motion was made to go into Executive Session to discuss Legal Matters.

*Motion – Bruce Dorsey
Second – Wayne Dunham
Passed – Unanimously*

No action was taken.

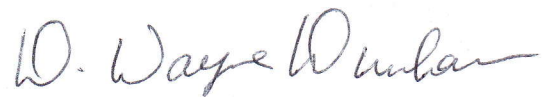
Adjournment.

There being no further business, motion made for adjournment at 6:08pm.

*Motion— Bruce Dorsey
Second— Wayne Dunham
Passed— Unanimously*



Gregory S. Rhoe
Chairman



D. Wayne Dunham
Secretary



Ray Morales
Recording Secretary