

Weaverland Valley Authority

Meeting Minutes

January 5, 2017

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on January 5, 2017. Chairman Ken Witmer called the meeting to order at 6:30 p.m. and informed all present that the meeting was being recorded by a resident.

The following Board members were present: Ken Witmer, Harold Kilhefner, Gene Pierce, Scott Marburger, & Jerrene Zimmerman. Also present were Bradford J. Harris, Good & Harris LLP; Jeff Sweater, ELA; and Denise Bensing, Administrative Assistant.

Reorganization for the year of 2017 for the Authority was as follows with Denise Bensing serving as temporary chairman.

Chairperson – Gene Pierce nominated Ken Witmer, seconded by Jerrene Zimmerman. Motion carried.

Ken Witmer then presided over the meeting:

Vice-Chairperson – Randy Miller nominated Harold Kilhefner, seconded by Gene Pierce. Motion carried.

Secretary – Harold Kilhefner nominated Jerrene Zimmerman seconded by Randy Miller. Motion carried.

Treasurer – Gene Pierce nominated Scot Ash, seconded by Scott Marburger. Motion carried.

Assistant Secretary – Jerrene Zimmerman nominated Randy Miller, seconded by Harold Kilhefner. Motion carried.

Assistant Treasurer – Harold Kilhefner nominated Gene Pierce, seconded by Randy Miller. Motion carried.

It was noted that Robert Jackson will not be returning to the board. Terre Hill will appoint a new board member at their next meeting on January 11, 2017.

Solicitor (Temporary) – A motion was made by Jerrene Zimmerman to reappoint Brad Harris of Good and Harris as Temporary Solicitor, seconded by Gene Pierce. Motion carried.

Engineer (Design and Build of New System) – A motion was made by Gene Pierce to reappoint Jeff Sweater with ELA as the engineer to design and build the new system, seconded by Randy Miller. Motion carried.

Auditor – A motion was made by Jerrene Zimmerman to retain Linda Fox of Weinhold Nickel as auditor, seconded by Harold Kilhefner. Motion carried.

MINUTES: A motion was made by Gene Pierce, seconded by Scott Marburger, that the minutes of the December 5, 2016 meeting be approved as submitted. The motion carried unanimously.

PUBLIC COMMENT:

Dave Horst, East Earl Rd. – Mr. Horst asked how many people are served by the Terre Hill system. *Gene responded that he was not sure off the top of his head but he could find out and provide the information.* Mr. Horst also asked if DEP is concerned that the new system would be too much of a burden could it be reevaluated. *Jeff Sweater said he is not aware that this is possible. He explained that the joint consent order requires that the needs areas in both East Earl Township and Terre Hill Borough for public sewer must be addressed in accordance with the Implementation Schedules within the approved Joint Act 537 Plan. The only option for the Borough and the Township to separately construct their own wastewater treatment facilities was if a Joint Authority could not be formed, as it already has been.*

Ron Byrne, 427 Spring Grove Rd. – Mr. Byrne asked if the engineering work was put out for a bid. *Jeff explained that it was not. He also explained that ELA was appointed by East Earl Township to prepare the 537 Plan. Since ELA was already familiar with the plan, it made sense to continue with their services due to the Authority having limited time based on the deadlines within the Consent Order. Mr. Byrne asked if a line is installed on Spring Grove Rd., is the homeowner responsible for the cost to connect? Jeff explained that the homeowners will be responsible for the cost to connect from the house to the main line. The homeowner would be able to hire a contractor of their choice. Is there a rough idea for the cost to connect? The tapping fee is estimated to be approximately \$7,500.00. How will residents be able to pay the tapping fee? This is still to be determined but the Authority can offer payment plan, PENNVEST has provided low interest loans in the past to homeowners for first time public sewer connections, and if the tapping fee isn't paid the Authority can file a lien against the property.*

Donald Messner, Earl Twp. – Was there an economic study done? *Jeff noted that a study will be done during the grant process.*

Evelyn Messer, 113 Frogtown Rd. – When will people be notified that they need to connect? There was surveying done on Frogtown Rd. so will the residents on Frogtown Rd. be required to connect? *Only a pump station is planned for Frogtown Rd. at this time. Property owners will be required to connect based on the Township Mandatory Connection Ordinance.*

Ron Byrne, 427 Spring Grove Rd. – What will the financial contribution be for the property owners? *Jeff explained that the estimated quarterly fee is \$279.00/quarter. This is estimating at the top end. A rate study is underway and will determine if a flat rate or rate based on usage will be used. The thought is that all customers will pay the same rate.*

Donald Messner, Earl Twp. – Where are we at with the plan? *The surveying is complete. The plan has not been submitted yet. There are many steps to be completed before submitting the plan.*

Gene asked Jeff if ELA would be able to provide a forecast for what to expect in engineering bills because the board needs to know that the money is being spent wisely. Jeff responded that yes, he can provide this information.

FINANCIAL REPORT:

The Financial report was read with \$80,714.24 in bills for approval.

Business Checking – Fulton Bank	\$223,284.36
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A motion was made by Harold Kilhefner to approve the financial report and pay the bills, seconded by Randy Miller. Motion carried unanimously.

ENGINEER'S REPORT:

Rules and Regulations Committee: The committee has completed the review of the sewer regulations. A meeting will be set up soon to review the proposed changes to the water regulations.

Rate Study: All the requested information has been provided to David Busch. Jeff will ask David Busch to attend the February meeting to give an update.

Regional Wastewater Treatment Plant & Conveyance System:

Property Acquisition:

Jeff contacted Tracy Appraisal and High Associates based on referrals from Fulton Bank. High Associates does not typically handle this kind of appraisal and did not provide a quote. Tracy Appraisals

provided an informal quote of \$6,500.00. Brad recommended obtaining an appraisal would be helpful for negotiating purposes. A motion was made by Gene Pierce to sign the contract they already have in hand with RealPro Valuation to avoid further delay, seconded by Randy Miller. Motion carried unanimously.

Project Design and Permitting:

Most of the field work has been completed and now the base mapping will begin. SSM provided the Terre Hill WWTP survey but it isn't able to be used because LGS was not able to tie into the elevations. This site will need to be re-surveyed. ELA is still waiting on the water and sewer GIS files for Terre Hill from SSM. Gene asked Jeff to request the information one more time and if he still doesn't receive it, Gene will step in. The survey of the Hahn property has been completed and ELA can now start the detailed layout of the plant. Jeff also noted that the NPDES permit application is due the week of January 9th. The application needs to be signed by the board and a check for \$1,000.00 needs to accompany the application. A motion was made by Gene Pierce to sign and submit the permit application with the \$1,000.00 fee, seconded by Jerrene Zimmerman. Motion carried unanimously.

USDA Funding – ELA has been in contact with USDA regarding appraisal requirements and rate districts. It is recommended to have one rate for all but different rate districts are possible. Jeff noted that it is most cost effective to have one rate for all. Jeff also noted that information on delinquent accounts and other information will be required for submission of the USDA Funding Application.

SOLICITOR'S REPORT:

Transfer of Assets and Liabilities – Brad explained that there hasn't been a final decision yet regarding how to handle the transfer of the assets and liabilities. He did speak with Aaron Marines and Aaron noted that it has been discussed before. They would like to discuss it with the new Township Manager and the Supervisors. Brad also discussed this with Attorney Steve Hann, who is the Eastern Solicitor for PMAA and he agreed that there is no clear cut procedure that is required to be followed and that the term "owner", in MAA § 5613 (Transfer of existing facilities to authority), is not defined in the Act or other relevant sources. Brad is hoping to have a final answer by the next meeting.

DAY-TO-DAY COMMITTEE:

Informational Newsletter – A draft newsletter was distributed to the board. Harold explained that he feels the letter may still need to have some changes made. Gene thanked Harold for writing the letter. Gene also asked if we have a list of the affected property owners. Jeff said he thinks he could have the list in two weeks. Jerrene said she is concerned that people won't read the letter due to the length. She suggested adding something at the top to bring people's attention to the importance of the letter, or that a FAQ document would make these issues more easily understandable to a majority of the residents. Brad recommended that the letter state that additional letters will follow as more information becomes available. Ken thought Harold's original letter would be a better first letter and this could possibly be the second letter. Harold will take the recommendations back to the Day-to-Day Committee and revise the letter.

Operations Employees – Gene reported that he talked with Zach and Zach would be interested in professional development. He also explained that he is hesitant to agree to Zach being committed to 40 hours a week for the Authority but he would be able to agree to 30 hours a week. Harold said the committee just needed the number of hours Zach would be available. They will discuss employees at their next meeting and take this information into account. Ken will request to be on the East Earl Township agenda in February to request the employees continue to be leased from the Township.

Ownership of Grinder Pumps – After much discussion, the committee feels the Authority needs to own the grinder pumps. Harold explained that, originally, he did not feel this way but after it was explained to him that the East Earl system was built as a low pressure system and that the grinder pumps are an integral part of the system, he now feels that the Authority should continue to maintain the pumps. Gene does not like the idea of customers without grinder pumps subsidizing those customers with grinder pumps and if the Authority continues

to maintain grinder pumps, then somebody would need to be on call round the clock. Bruce Crabb, East Earl Sewer Authority Operations Supervisor, explained that somebody will need to be on call round the clock no matter what with a wastewater treatment plant. Jerrene asked Jeff what problems would there be if the Authority didn't own the grinder pumps. Jeff said he hasn't seen problems for other authorities. He explained that if a customer installs a cheaper pump that isn't compatible with the system, then the pump may not properly operate and they would need to replace their new non-compliant pump again with an Authority specified pump model in order to restore their sewer service again; the cheaper pump would not negatively impact the Authority owned low pressure main. Jeff feels it is more of an issue that the grinder pumps are part of the design of the system and have always been owned by the EESA. Jeff feels if this were a totally new sewer system or for an existing system where the customers did not own the grinder pumps (such as in Terre Hill), then the question of the Authority owning the grinder pumps wouldn't even be on the table

Water Meters – Harold reported that the committee would recommend that the Authority own the water meters. They would also recommend that all present customers with water meters should be billed based on consumption and that any customer that does not have metered water should be billed a flat rate. Flat rate customers could have the option of installing a meter, at their expense, if they would prefer to be billed based on consumption. The goal would be to have all customers metered.

Establish Divisions (Water & Sewer) – Harold said at this point, the committee doesn't see a need for separate divisions.

Insurances – Denise will be contacting the insurance providers for Terre Hill Borough and Blue Ball Water and East Earl Sewer Authorities to get a quote for error and omission insurance and general liability insurance.

Long Term Professionals – Harold asked the board if they would like the committee to work on this and come back to the board with recommendations. The board agreed that the committee should work on this.

Harold Kilhefner moved to adjourn the meeting at 8:40 p.m., seconded by Scott Marburger. The next meeting will be held on February 6, 2017, beginning at 6:30 p.m.

Respectfully submitted,

Denise A. Bensing

Cc: Scot Ash
Harold Kilhefner
Scott Marburger
Randy Miller
L. Eugene Pierce
Kenneth Witmer
Jerrene Zimmerman
Jason Firestine
Bradford J. Harris, Attorney
East Earl Township
Terre Hill Borough
Robert Rissler
Jeff Sweater, Consulting Engineer
Gary Martin, Becker Engineering
Frank Mincarelli, Blakinger Thomas