

Weaverland Valley Authority

Meeting Minutes

August 9, 2021

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on August 9, 2021. Chairman Kenneth Witmer called the meeting to order at 6:30 p.m.

The following Board members were present: Kenneth Witmer, Harold Kilhefner, Gene Pierce, Scott Marburger, Randy Miller, Scot Ash and Jason Firestine. Also, present were Gary Martin, Becker Engineering; Charles Haley, ELA; Bruce Crabb, Operations Supervisor and Denise Bensing, Administrator.

MINUTES: A motion was made by Gene Pierce, seconded by Harold Kilhefner, that the minutes of the July 12, 2021 meeting be approved as submitted. The motion carried unanimously. Gene commended Denise on the quality of the minutes.

CORRESPONDENCE:

1. M.J. Reider lab reports (Shady Maple) July. Gary noted there will be no surcharge for July.
2. Burkholder Trailers – Resubmittal from David Miller Associates & Review letter #2 from Becker Engineering. It was noted that no further submissions are needed.
3. Becker Engineering – Review letter #2 to Millstream Landscaping (Twin Springs Lot 8).

ADMINISTRATIVE REPORT:

Denise reported that the East Earl Township supervisors are expected to appoint Tom McDermott’s replacement at their meeting on Tuesday.

Denise also explained that one of the items that USDA requires prior to construction starting, is a Negative Disclosure letter. Sean McElroy explained to Denise that this letter would just state that the Authority does not anticipate any conflict of interest for this project or if there would be it would need to be disclosed. Denise distributed the Conflict-of-Interest Policy that was adopted by the Authority for the board to review. Gene Pierce made a motion to sign the Negative Disclosure letter for USDA, Jason Firestine seconded. Motion carried unanimously.

FINANCIAL REPORT:

The Financial report was read with \$100,294.52 (Sewer \$73,142.10 Water \$27,152.42) in bills for approval.

Water & Sewer Collection Fund	\$32,352.00
Business Checking Water Fund – ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$784,567.98
FDIC Insured Sweep Account - Sewer	\$2,362,033.41
Business Checking Sewer Fund - ENB	\$250,000.00
FDIC Insured Sweep Account – Fulton (June balance)	\$1,026,410.76
Joint WWTP Business Checking – Fulton Bank	\$2,500.00
Joint WWTP Business Checking – Ephrata National Bank	\$2,500.00

A motion was made by Scot Ash to approve the financial report and pay the bills, seconded by Jason Firestine. Motion carried unanimously.

ENGINEERS' REPORT:

Chuck Haley reported that USDA has authorized the project be released to bid. The plans have been provided to Becker and all plans have been uploaded to the FTP site. ELA has requested that the Authority sign a CAD Plan Files Disclaimer and Limit of Liability Agreement to release the CAD files to Becker. Frank has reviewed the contract with ELA, the disclaimer and the agreement and does not recommend the Authority sign the disclaimer. Chuck noted that ELA's attorney is working with Frank and assured the board that this will not hold up bidding.

The draft NPDES permit was received electronically today and the public notice will be posted for the required 30 days. The NPDES permit will expire in 2024. Any future permit renewals will be handled by Becker. ELA will provide the current permit information to Becker. Chuck stated that if there is any information needed in the future, ELA will provide it also.

Gary Martin reported:

CA/CM: Gary explained as part of bidding, contractors need to have access to the site. For this reason, ballast stone will be installed along the low-lying lane access. Scott and Bruce will coordinate this. Scott noted that they may also put a load of tire scrubber stone down which is a common requirement. Scott Marburger made a motion to allow the necessary stone work to be done to stabilize the access drive with the Township Road crews assistance, seconded by Randy Miller. Motion carried unanimously. Gary reported that Becker is looking to formally bid the project by the end of the month.

Combined Rules & Regulations: The update has been completed and a draft copy along with a summary of the changes was electronically provided to the board. Gene Pierce made a motion to adopt the combined Rules & Regulation, seconded by Scot Ash. Motion carried unanimously.

Wildflower Development: Still working with the developer.

322 Properties: Construction has started. Bruce reported that they will be connecting to the Authority sewer main this week.

Usner/Eby connection – All technical issues have been addressed.

Blue Ball Water System – The plans and specs to connect the Twin Springs well to the Authority system are done and ready to proceed to bidding. At this time, the Authority doesn't have sufficient funds to pay for this project which is estimated to be \$679,000. There is a shortfall of approximately \$350,000. There was discussion regarding the American Rescue Plan (ARP) funds which both East Earl Township and Terre Hill Borough will receive. Gene Pierce made a motion to authorize Denise to send a letter to the Township requesting an allocation of the ARP funds specifically for this project, seconded by Jason Firestine. The Authority will also send a letter to Terre Hill to request an allocation of their ARP funds. There was discussion about contacting some banks for loan information if funds are not allocated to the Authority. The concern about loaning the necessary money is having to significantly raise the water rates. Scott Marburger expressed his concern about proceeding with a project without the necessary funds.

SOLICITOR'S REPORT:

Frank Mincarelli distributed his report via email which included reviewing USDA comments to bond counsel's draft resolutions and bonds, as well as the revised documents. He also provided input on the bank payment requisition forms.

Frank reviewed paperwork for dedication of the facilities in Wildflower Phase 1 and Shady Maple Plaza water facilities. He also revised the Lateral Installation Agreement for the Usner subdivision and forwarded it for signature.

A request for an allocation of the ARP funds was prepared and mailed to East Earl Township and Terre Hill Borough.

OPERATIONS REPORT:

Bruce requested the board authorize recommending the Township hire Kenneth (Ken) Kirkner at a rate of \$24.00/hour. Ken is a licensed electrician and would be able to fill Tom's roll when he retires. Bruce feels

training for Ken would be minimal and he is interested in becoming a certified operator. Scott reported that he met with Ken and he feels he would be a good person to hire. Gene Pierce made a motion for Bruce to provide an offer letter to Ken Kirkner and recommend the Township supervisors hire him, seconded by Scot Marburger. Motion carried unanimously.

DAY-TO-DAY COMMITTEE:

Harold reported that there hasn't been a committee meeting since the last Authority meeting. He does feel there needs to be more discussion regarding Cyber Security at a future meeting.

NEW BUSINESS:

2021 Audit Engagement Letter – Denise explained that USDA approved the letter. The cost has increased slightly to \$13,110 (if a single audit is needed the cost for the single audit is \$4,000). Gene Pierce made a motion to signed the 2021 Audit Engagement Letter, seconded by Scott Marburger. Motion carried unanimously.

Pay Financial Advisor Fees on interim loans – Denise explained that when the Authority settled on the interim loans, Concord Financial's fees were paid with loan funds. USDA does not consider these fees to be project costs. In order to only have USDA approved project costs included in the interim loans, it is recommended that the Authority pay these fees back. The fees were \$18,000 for each interim loan. Jason Firestine made a motion to pay the financial advisor fees on the interim loans, seconded by Harold Kilhefner. Motion carried unanimously.

Usner, 1259 Main St. – Gary explained that 1255 Main St. is a flag lot and the easements are necessary for the sewer connection.

Sewer Easement Agreement – Gene Pierce made a motion to execute the Usner Sewer Easement Agreement, seconded by Jason Firestine. Motion carried unanimously.

Sanitary Sewer Lateral Installation Agreement – Gene Pierce made a motion to execute the Usner Sanitary Sewer Lateral Installation Agreement, seconded by Randy Miller. Motion carried unanimously.

Having no further business, Jason Firestine moved to adjourn the meeting at 8:23, seconded by Scott Marburger. The next meeting will be held on September 13, 2021 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
Jason Firestine
East Earl Township
Terre Hill Borough
Robert Rissler
Charles Haley, ELA
Gary Martin, Becker Engineering
Frank Mincarelli, Blakinger Thomas