

# *Weaverland Valley Authority*

## **Meeting Minutes**

September 8, 2016

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on September 8, 2016. 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, Scott Marburger, Jerrene Zimmerman, Scot Ash & Randy Miller. Also present were Bradford J. Harris, Good & Harris LLP; Jeff Sweater, ELA; Julian Mazero, ELA; Daryl Peck, Concord Public Finance; David Busch, Keystone Alliance Consulting; and Denise Bensing, Administrative Assistant.

**MINUTES:** A motion was made by Scot Ash and seconded by Randy Miller, that the minutes of the August 1, 2016 meeting be approved as submitted. The motion carried unanimously.

### **ADMINISTRATIVE REPORT:**

Denise reported that in order to open the escrow account for Chester County Solid Waste Authority (CCSWA), the bank will need a document from the board stating how many signers will be required and who may sign. Randy Miller made a motion to adopt and sign Resolution 01-2016 authorizing the signing of checks on behalf of the Authority, seconded by Harold Kilhefner. Motion carried unanimously.

Denise also reported that she received two bills from ELA and two from Good & Harris. Although funds are not available for the Authority to pay the bills at this time, there were questions at past meetings regarding which costs should be the responsibility of the Authority and which should be the responsibility of the municipalities. After a short discussion, the board felt that the bills currently received be paid but if reimbursement of past bills is requested that the board would not agree to the reimbursement. Jerrene Zimmerman made a motion to assume responsibility for the following invoices: Good & Harris invoices 26716 & 26837 and ELS invoices 1027121 & 1027152, seconded by Harold Kilhefner. Motion carried unanimously.

### **ENGINEER’S REPORT:**

**Rules & Regulations:** Jeff distributed draft Rules and Regulations for both water and sewer. Jeff recommended authorizing David Busch with Keystone Alliance Consulting, Inc. to begin the rate study.

**Regional Wastewater Treatment Plant & Conveyance System:** Jeff reported he has communicated with PENNVEST and they feel it is too early to meet. Although, Ed Boito, DEP Local Government Liaison, asked to be included in future correspondence and will help in any way he can. They will also be meeting with a representative from USDA’s rural wastewater program on Sept. 15<sup>th</sup> to discuss funding options. Jeff also reported that they had a pre-application meeting with DEP on Aug. 17<sup>th</sup> to discuss which permits will be needed. The preliminary layout and design of the system has begun. ELA will begin the NPDES permit later in September and issue municipal and county notices in October.

**Chester County Solid Waste Authority (CCSWA):** ELA is still waiting on the UF permeate sampling lab analysis from CCSWA.

**SOLICITOR’S REPORT:**

Act 537 Appeal update – Brad reported that a petition was filed by the Longeneckers to withdraw the Act 537 appeal, which the Court approved and then canceled the pending October 2016 hearing.

**NEW BUSINESS:**

Short-term Financing – Daryl Peck distributed a summary of the five bank proposals received. Fulton Bank offered a proposal of 1.970% fixed for 4 years. The other four proposals were all higher fixed and variable. Harold Kilhefner made a motion to adopt the resolution to accept the Fulton Bank fixed rate proposal contingent on the municipalities agreeing to guaranty the loan, seconded by Randy Miller. Motion carried unanimously. Daryl explained that he will attend the municipal meetings on Tuesday since they will need to pass an ordinance in order to guaranty the loan. The Authority should be ready to close on the loan by Oct. 12<sup>th</sup>.

Daryl would also be willing to look at the loan documents for the East Earl Sewer Authority financing of the Earl Township sewer plant upgrades and be a financial advisor regarding same for the Weaverland Valley Authority at a cost of \$2,500.00. Jerrene Zimmerman made a motion to engage the services of Daryl Peck as a financial advisor for such purposes, seconded by Scot Ash. Motion carried unanimously.

EESA/ETSA Financing – Ken reported that the proposal with Ephrata National Bank was accepted and the East Earl Sewer Authority is hoping to settle by the end of September.

Rules & Regulations – Julian explained to the board that there is a lot of information in the Rules and Regulations and he feels it would be useful to have a sub-committee. He noted that the actual rates to be charged were not included. By not including the rates, an amendment to the rules and regulations will not be necessary when the rates are adjusted. They did keep the mention of an Authority manager in the document due to having somebody who can address day to day situations and somebody who can take immediate action. Julian explained that the overall structure is the same for both water and sewer but the content is different.

Rate Study – David Busch distributed a proposal to do a rate study for both water and sewer. David explained that he sees this as an ongoing project due to the many undetermined factors at this point. He would plan to do a rate analysis now for when the Terre Hill customers and the East Earl customers are served by Weaverland Valley Authority. It may be necessary to do another analysis when the bids are received for the project and another analysis when the project is complete. David will try to project the rates over the next 6 years. Jerrene asked how long the initial process will take. David explained that he has completed rate analyses in a month but he expects this rate analysis to take longer than normal. Jeff noted that in order to complete the rate analysis, the rules and regulation need to be finalized. David’s proposal is based on an hourly rate but not to exceed a total of \$25,000.00.

Jerrene Zimmerman made a motion to appoint Keystone Alliance to perform a rate study for the WVA according to the proposal dated September 8, 2016, seconded by Randy Miller. Motion carried unanimously.

Appoint Committees –

*Rules & Regulations Committee* – This committee will be headed by ELA. Members will consist of one ELA engineer, Jerrene Zimmerman, Randy Miller, Denise Bensing, and Bruce Crabb.

*Day-to-Day Operations Committee* – This committee will be headed by Ken Witmer. Members will consist of Ken Witmer, Scot Ash, Harold Kilhefner, Denise Bensing, and Bruce Crabb.

Scot Ash moved to adjourn the meeting at 8:30 p.m., seconded by Jerrene Zimmerman. The next meeting will be held on October 3, 2016, beginning at 6:30 p.m.

Respectfully submitted,

Denise A. Bensing

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