

MIDDLEBURG MUNICIPAL AUTHORITY

July 14, 2015

Page 1 of 3

MEMBERS PRESENT: Charles Zechman-Chairman, Dwayne Hackenberg-Vice Chairman, Tim Folk, Raymond Colestock, Doug Hassinger, Mike Rhodes

OTHERS PRESENT: Robert Slivinski-Solicitor, Virginia Zeiber-Borough Administrator, Dave Walters-Engineer, Brian Lauver, Judy Varner

Meeting was called to order by Chairman Charles Zechman at 6:00 P.M.

Motion was made by Doug Hassinger to approve the agenda. Dwayne Hackenberg seconded and MOTION UNANIMOUSLY CARRIED.

Motion was made by Dwayne Hackenberg to approve the June minutes. Tim Folk seconded and MOTION UNANIMOUSLY CARRIED.

LDG REPORT

CDBG Well Project-The SWIP testing is proceeding successfully and there do not appear to be any issues. LDG is finalizing the Public Water Supply permit application and will need to find out when DEP will accept the application, since the SWIP testing is part of the application.

Water Allocation Permit Renewal-The source metering plan for the Water Allocation permit renewal was submitted to DEP on June 17, 2015. This included the east branch of Bowersox meter and the three meters on the overflow of the intakes.

Each Authority member received a listing of items mandated in the Water Allocation Permit and the due date for each item to be addressed in accordance with DEP regulations. The six month requirement for preparing for metering has been met. The next step is to have the metering installed and working by March 2016. An engineering study must then be started on alternative sources for water.

Growing Greener application-Dave has communicated with DEP about the Growing Greener application process. There was a minimum of 15% match for the grant. DEP indicated that it would enhance the Authority's chance of getting the grant, if that match was increased. Dave pushed the match to 30%. He estimates that at \$28,000 for the meters and installment, the Authority would pay about \$8400 for a 30% match. Dave did not get a real positive feedback from DEP about the Authority getting the grant. It is a long shot.

Process of dealing with water issues-Doug Hassinger asked what would happen if the Authority could not meet all the criteria of DEP and basically gave up. DEP keeps coming up with new directives and it becomes harder and harder to meet their demands. Dave understands because there is a point where one can only keep raising rates to address new issues. He believes that at some point the Authority would be forced to enter into a consent order limiting

MIDDLEBURG MUNICIPAL AUTHORITY

July 14, 2015

Page 2 of 3

connections into the system. Doug asked who would take over the water system and Dave did not have that answer. There was discussion about a private water company taking it over, doing improvements to the system and then turning it back to the municipality and forcing them to raise rates to meet the costs.

Fines can also be placed on the municipality in an effort to push it to address matters. The money spent on fines could be used to upgrade the system. Dwayne expressed concern that restrictions, which are absolutely ridiculous, are placed on municipalities. DEP acts like they do not want the residents to have water. As quickly as they come out with one restriction, they come out with another. Dwayne felt that it was clear, when they had the meeting about the possibility of a dam for water storage, that if half the restrictions were taken away, half of the guys would not have jobs.

If the Authority quit, the state would have to come in and run things or whatever. Harrisburg declared bankruptcy but what they would do in the case of Middleburg is unknown. It was suggested DEP may do as they did with the sewer system and force the Borough to go in with Franklin Township. Dave will be in communication with DEP about the issues discussed.

Water Source Investigation- Based on the meeting with DEP, between March of 2016 and March of 2017, an investigation will need to be done on finding a new water source or improving the present one.

Well Project expense-Tim Folk asked about an email he had received. He thought the Authority was told they had \$350,000 in grant funding for the well project. He thought that up to this time, everything which had been paid was coming out of the grant funding. Ginny explained that engineering could not come out of the grant funding, nor some items involved in the SWIP testing. She explained there are always strings attached to grants and certain items are not covered so it comes out of the pocket. Dave explained that normally items, which will stay with the project, are covered by the funding. The land for the well site was not grant eligible. The building is but the design for the building is not. Raymond believes the concern of the Authority is that as soon as they think they are making headway on addressing one matter, DEP comes up with another. Tim again questioned the budget.

Ginny explained that during the year, she tries to use as much out of the checking account as she can without pulling out of the PLGIT account. Some of the items could have been taken out of PLGIT but Ginny does not take those amounts out of PLGIT until the need is there to do so. There are items in the past that were to be paid out of PLGIT but those amounts have still not been taken out of the PLGIT account because money was available in the checking account. Tim asked if the Authority would have financial issues by the end of the year. Ginny feels things will be okay this year but things will need to be carefully explored for next years budget.

Timber project-The discussion then went on to why a timber project was not being pursued. It generates funds for the Authority. Bev explained that the Forester and Solicitor were to work to get the right of ways all straightened out to that land. Raymond felt there was more to the subject

MIDDLEBURG MUNICIPAL AUTHORITY

July 14, 2015

Page 3 of 3

and the Authority sat on the matter because there was grant money available and the Authority was advised that if they had a lot of money available, the chance of getting grant funding would be slim. Bev again stated that the main issue was the road access. The road access in discussion is in Paxtonville and is presently used by Bickhart, Shamory and McAfees. Dustin added that the distance to get timber out of the water company land in that area plays a part in the whole matter, so a good access road is needed.

Tim Folk asked if the landowners could keep the Authority out. Solicitor Slivinski explained the Authority has the right to condemn the land and take it by eminent domain if they don't allow access. It is believed the one landowner has an area of the land in question gated. The matter will be explored further.

Briana Hendricks/Josiah Hayes delinquency for lien fees-Bev explained that Briana Hendricks and Josiah Hayes had previously been given the opportunity to bring their delinquency to date. They were to bring the water and sewer bill current, which they have, and keep them paid to date. There was still \$434.61 owed for lien fees from that lien. They were to pay \$100.00 per month until the lien fees were paid. \$100.00 was paid towards the lien fees and that was it. \$334.61 is still owed on lien fees and Bev also found they owed a bill of \$123.00 for a water meter, which was replaced because the prior one had frozen. Bev has written numerous letters and talked with Briana when she came to pay the water and sewer bill. Where does the Authority want to go in handling this matter?

There was discussion about turning the water off. Solicitor Slivinski asked if there was any signed agreement with them. Bev said she would have to check out the matter. A decision will then be made as to how the situation should be addressed.

Well site land tax exemption- Solicitor Slivinski is to attend a hearing on Thursday about having the well site land recorded as tax exempt.

Pump controls at WWTP-About a year ago, the Authority approved the updating of the pump controls at the WWTP, which were obsolete. M & S Service has completed the task and things are working well. They will be doing some work at the Kissimmee pump station because the PLC and direct logic controller went bad. Something that is more user friendly is going to be installed.

Motion was made by Dwayne Hackenberg to adjourn at 7:46 P.M. Raymond Colestock seconded and MOTION UNANIMOUSLY CARRIED.

Beverly Inch
Municipal Secretary