

HARDY COUNTY PUBLIC SERVICE DISTRICT  
DECEMBER 13, 2017  
4:00 P.M.  
2094 US 220 South, Moorefield, West Virginia

Present: Matthew Gapp, Rose Helmick, Rob Harper, Logan Moyers, Connie Sherman, Kevin Markwood, HCPSD; Jean Flanagan, Media.

The meeting was called to order at 4:10 p.m. by Chairman Matthew Gapp. Rose Helmick made a motion to approve the minutes of the November 1, 2017 regular meeting minutes as presented. Robert Harper seconded the motion. The motion was approved.

***Unfinished Business:***

***Upcoming Water Project Update*** – Logan Moyers provided an update on the MIEX pilot study for the Baker water system. The MIEX pilot unit has been operational since early November and has been running smoothly. An Ixom representative assisted in the startup of the unit and provided training to HCPSD field staff. Field Staff employees have been testing samples from the MIEX pilot unit daily in order to monitor its effectiveness in removing organic matter from the water. Mr. Moyers reviewed the results of that testing data with the HCPSD board. Initial results have shown significant improvement in total organic carbon (TOC) removal rates from water treated by the MIEX pilot as compared to water that had not been treated by the MIEX equipment. TOC removal rates from the water coming off the MIEX pilot unit showed removal percentages as high as 77% compared to removal percentages of around 35% in water that had not been treated by the MIEX pilot unit. The pilot testing will continue through the end of this year.

Mr. Moyers reported that he had received a first draft of the Process Performance Guarantee to be provided by Ixom which will guarantee that water treated by the MIEX system will be in full compliance with EPA standards for TOC removal and disinfection by-product (DBP) levels. Mr. Moyers reviewed the Performance Guarantee with project engineers and has requested several revisions to the initial draft. Once both Ixom and the District have completed all revisions to the document and both parties are satisfied with the provisions in the Process Performance Guarantee agreement, the document will be reviewed by the District's attorney prior to final approval by the HCPSD board.

Mr. Moyers reported that he has met with representatives from WVDOH and provided them with a sample of the salt brine waste that is produced by the MIEX unit to be tested by the WVDOH to determine if it can be used by the WVDOH. The District is hopeful that WVDOH can use the brine for its own operational use. If it is determined WVDOH can use the brine, they are willing to remove and haul the brine waste from the District's Baker water plant which would eliminate the need for the District to dispose the waste.

Mr. Moyers reported on the planned pilot study for the Oracle chemical that the District will be testing in Baker in an effort to reduce DBP levels in the distribution system. The Oracle pilot study is scheduled to begin in mid February 2018 following the District's first quarter compliance sample which will be taken the second week of the month. This pilot study is planned to take approximately 2 to 3 months.

Mr. Moyers informed the board that he has spoken with a member of the Welton Family Partnership, property owners on Trough Road, regarding an easement needed for the Trough upgrade project. Previously the partnership had requested \$1,000 in order to grant the District an easement needed for the upgrade project, however Mr. Moyers reported that the property owners have reconsidered and are willing to grant the easement to the District at no cost if the District would agree to shift the proposed location for a fire hydrant by a distance of

approximately 500', moving it closer to the Welton Family homeplace. The District is agreeable to moving the hydrant so that the needed easement can be secured.

Mr. Moyers also reported that he is working to finalize the property acquisition for the pump station that is needed for the Dover Hollow and Fort Run extensions. The board agreed to a purchase price with the property owner last month and since that time project engineers have surveyed the property and are currently working to develop a plat defining the property to be purchased.

**Sewer Rate Increase** – Logan Moyers provided an update regarding the 19A sewer rate case the District has filed with WVPSC. PSC staff will be at the HCPSD office for review of records and reports on December 18 and 19, 2017. It is anticipated that the PSC will inform the District of a proposed new sewer rate schedule before the end of January 2018 and that the rate will go into effect in July 2018.

Mr. Moyers reported that the WVDEP performed an unannounced compliance inspection of the District's Baker sewer plant in mid-November. The District recently received an inspection report regarding that compliance inspection and Mr. Moyers was happy to inform the board that no violations were found and that the DEP enforcement inspector noted "the plant is operating as designed and is extremely well maintained."

There were no members of the public in attendance for comment.

There being no further business, the meeting was adjourned at 4:50 p.m.

The next regular scheduled board meeting will be held **January 10, 2018, 4:00 p.m.** in the conference room of the HCPSD office located at 2094 US 220 South, Moorefield, West Virginia.

  
Matthew Gapp, Chairman

**HARDY COUNTY PUBLIC SERVICE DISTRICT**  
**NOVEMBER 1, 2017**  
**4:00 P.M.**  
**2094 US 220 South, Moorefield, West Virginia**

Present: Matthew Gapp, Rose Helmick, Rob Harper, Logan Moyers, Connie Sherman, Kevin Markwood, HCPSD; Kylea Radcliff, District Engineer, The Thrasher Group; Jean Flanagan, Media.

The meeting was called to order at 4:15 p.m. by Chairman Matthew Gapp. Rob Harper made a motion to approve the minutes of the October 4, 2017 regular meeting minutes as presented. Matthew Gapp seconded the motion. The motion was approved.

***Unfinished Business:***

***Upcoming Water Project Update*** – Logan Moyers provided an update on the MIEX and Oracle pilot studies for the Baker water system. The MIEX pilot unit has arrived and is in place. Photos of the pilot unit were available at the meeting. An Ixom representative is scheduled to be on site tomorrow to initiate startup of the pilot. Everything needed to begin testing and plan to begin the pilot testing is in place and testing will begin early next week and continue through the end of the calendar year. Mr. Moyers reported that a conference call was held this week with Ixom representatives, Ms. Radcliff and himself in which the results of the extensive water testing that has been ongoing over the past several months was discussed and test result information was made available to the District for the first time. Mr. Moyers reviewed the results of the data in detail for the board. Both the District and Ixom are very encouraged with the results of the testing which has shown significant improvement in both organic matter removal from the raw water as well as a reduction in the formation of DBP's in a simulated Baker distribution system. Ixom is so encouraged by these results they are prepared to move forward with the performance guarantee that will guarantee the MIEX system will allow the District to realize a reduction in DBP's to allowable levels. Ms. Radcliff recommended that the District's attorney review the performance guarantee document once it has been prepared to ensure the District's interests are covered.

Logan Moyers provided an update on the planned Oracle pilot study. As was reported at the last meeting, the District is looking at a new chemical by the name of Oracle that can be injected into the water distribution system to aid in the prevention of DBP formation. Kylea Radcliff has been in contact with CI Thornburg, the distributor of the Oracle chemical regarding the pilot study. Mr. Moyers reported that the Oracle pilot study will not begin until the MIEX pilot study is completed so that one pilot study will not alter the numbers of the other pilot study. Ms. Radcliff reported that the chemical will be injected in the clearwell at the water plant and that there is already a connection in place to allow for that. The District will work with CI Thornburg to be prepared to begin the Oracle pilot study after the first of the year once the MIEX pilot has been completed.

At the request of the Board, Mr. Moyers created an information sheet detailing the issue with DBP's in the Baker system which was distributed in the board packets. Robert Harper commented on the importance of sharing this information with the public and suggested it be made available to the public. Mrs. Radcliff suggested the information be added to the District's website so that it could be easily accessed and reviewed by the public.

Rose Helmick asked if the District had looked at extending water service on Parker Hollow Road past the water plant or in the Sperry's Run and Arkansaw areas near Baker. Mr. Moyers informed Mrs. Helmick that these areas were included in the original project but when the residents in these areas were surveyed almost no one was interested in receiving water

service. It was suggested to contact residents in these areas again once the DBP issue has been resolved to see if there is any new interest. It was also suggested to look at extending into the Needmore area at that time. Mr. Moyers reported that he has met with several poultry growers on Route 259 and is hopeful that the District may be able to add some poultry farms as new customers in that area which would help alleviate the low water turnover on Route 259.

Mr. Moyers reported that the Welton Family Partnership, property owners on Trough Road, has requested payment of \$1,000 for an easement needed for the Trough Road upgrade project. The District, in over thirty years of existence has never paid a single easement among the thousands of easements that have been secured for many water projects. Following discussion, it was suggested to look at other options for line location where the District could avoid paying for the easement. Mr. Moyers will contact the property owners again to see if an agreement can be reached before the planned line location will be moved.

Mr. Moyers also reported on the progress of acquiring property for the pump station that is needed for the Dover Hollow and Fort Run extensions. The District needs to purchase a 30'x40' area near the intersection of Dover Hollow and Fort Run roads for the pump station. Mr. Moyers has met with the property owner and negotiated a purchase price of \$2,500 for purchase of the property. Robert Harper made a motion to proceed with the process of purchasing the necessary property for the booster pump station. Rose Helmick seconded the motion. It was unanimously approved.

**Sewer Rate Increase** – Logan Moyers provided an update regarding the 19A sewer rate case the District has filed with WVPSC. Since last month's meeting the District has completed and filed its Fiscal Year 2017 Annual Report with WVPSC and the case is now ready to proceed. WVPSC staff will visit the District to review the District's sewer system operation and will recommend a new rate in January 2018. The new rate will become effective by May 2018.

**Election of Vice Chairman** – Following the resignation of Melvin Shook from the board, the District needs to fill the vice chairman seat previously held by Mr. Shook. Rose Helmick made a motion that Robert Harper be appointed Vice-Chairman. Matthew Gapp seconded the motion. It was unanimously approved.

***New Business:***

**Resolution Establishing Wastewater Service Territory** - A Resolution to establish wastewater service territories in Hardy County was included in the board packet. Although the District and the Moorefield/Hardy County Wastewater Authority (HCWWA) have operated under assumed service territory boundaries since the creation of the HCWWA, there has been no official action and there is no documentation on record with the WVPSC officially defining the service territory boundaries. The resolution includes a map indicating that the County is split in half with the District providing sewer service to the eastern part of Hardy County and the HCWWA providing service in western Hardy County with the dividing line being the top of the mountain separating the east and west sides of the County. Rose Helmick voiced concerns over adopting the Resolution because it did not detail the municipal service territories of Moorefield or Wardensville or areas served by the Hardy County RDA and as a result feared that a potential dispute over service territory with those entities could hinder potential future development. It was then pointed out that the resolution specifically mentioned that the established service areas of Moorefield, Wardensville & Hardy County RDA were excluded from the service territories of the District and the HCWWA. Kylea Radcliff stated that if there were to be any future dispute regarding service territory, the dispute would be settled by WVPSC. Logan Moyers stated that adoption of this resolution would in no way hinder future development. Following discussion and after reviewing the resolution and maps, Robert Harper moved to adopt the Resolution as presented thereby establishing wastewater service territories in Hardy County. Rose Helmick seconded the motion adding that any future disputes on wastewater service territories be could settled at PSC. It was unanimously approved.

***Miscellaneous Business:***

***December Meeting*** – Discussion was held regarding the date of December’s board meeting. The December meeting has typically been held on the second Wednesday and is also the date of the District’s Christmas dinner. Following discussion, it was decided that the December meeting will be held on Wednesday, December 13, 2017 with the dinner following at a location to be determined.

There were no members of the public in attendance for comment.

There being no further business, the meeting was adjourned at 5:20 p.m.

The next regular scheduled board meeting will be held ***December 13, 2017, 4:00 p.m.*** in the conference room of the HCPSD office located at 2094 US 220 South, Moorefield, West Virginia.

  
Matthew Gapp, Chairman

HARDY COUNTY PUBLIC SERVICE DISTRICT  
OCTOBER 4, 2017  
1:00 P.M.  
2094 US 220 South, Moorefield, West Virginia

Present: Matthew Gapp, Rose Helmick, Rob Harper, Logan Moyers, Connie Sherman, HCPSD; Kylea Radcliff, District Engineer, The Thrasher Group; Jean Flanagan, Media; Melissa Scott, Hardy County Planner; Lee Lehman and Greg Greenwalt, Hardy County Planning Commission.

The meeting was called to order at 1:05 p.m. by Chairman Matthew Gapp. Rob Harper made a motion to approve the minutes of the September 6, 2017 regular meeting minutes as presented. Rose Helmick seconded the motion. The motion was approved.

***Unfinished Business:***

***Hardy County Planning Commission*** – Melissa Scott, Hardy County Planner, along with the President and Vice-President of the Hardy County Planning Commission were present at the meeting to discuss the District's proposed water extension projects and how they coincide with the Hardy County Comprehensive Plan. A letter was given to each District board member along with a soils and flood plain map of the proposed extension areas. Ms. Scott explained to the board that part of her job as County Planner is to ensure compliance with the County's Comprehensive Plan. Ms. Scott said that she and the Hardy County Planning Commission had reviewed the proposed extensions and that following review they did not oppose the District's proposed extension projects. The only extension the Planning Commission had reservations about was the extension on Killdeer Lane which is located in the 100 Year Floodplain and on what is considered to be "prime agriculture soils". The primary concern was that public water may promote further development in the area. Development in floodplain areas is discouraged by the Comprehensive Plan, as is the addition of more septic systems that would accompany further development. The District was previously notified by Bill Ours, Hardy County Sanitarian, that in order for Killdeer Lane property owners to install public water on their property it will be necessary for those property owners to have or install a septic system. Logan Moyers contacted property owners on Killdeer Lane with this information and the majority of the property owners have septic systems, those that didn't informed they will be installing septic systems prior to the public water being installed. Ms. Scott noted some concern because soils in some locations are not conducive to numerous septic systems being installed in the same area; something that ultimately leads to failing septic systems. These factors will be considered when the extension is designed by the District's engineer in an effort to avoid future development in this area. Ms. Scott stated the ideal situation would be for public sewer to be extended to serve areas where public water is present or where new extensions will be located. Logan Moyers stated that any extensions of the public sewer system in the Moorefield area of western Hardy County would be carried out by the Moorefield/Hardy County Wastewater Authority as the District's sewer service area is the eastern side of Hardy County only. This is because the District was required to relinquish its sewer service area on the western side of the County with the creation of the Moorefield/Hardy County Wastewater Authority. Ms. Scott stated that it may be a good idea for the Planning Commission to reach out to the Wastewater Authority and ask that they consider extending public sewer service to areas where public water is present. All in attendance agreed the ultimate goal of the District and the Planning Office is to work together when developing future extension projects to avoid any conflicts with the County's Comprehensive Plan.

***Upcoming Water Project Update*** – Project Engineer, Kylea Radcliff provided information on the industry's latest development to aid in the reduction of DBP formation in aged water which is part of the issue with the Baker Water System. A new chemical by the name of Oracle can be injected into the water distribution system to aid in the prevention of DBP formation. The City of Weirton is presently conducting a pilot test by injecting this non-toxic, EPA approved chemical into the main waterline. The representative for the Oracle chemical is The CI Thornburg Company which is where the District currently purchases all of its water treatment chemicals. Mrs. Radcliff is going to contact CI Thornburg representatives who are working with the chemical manufacturer to see if the District would be able to conduct its own pilot test using the chemical. If the pilot test proves successful in preventing the formation of DBP's in the Baker distribution system, a permanent setup for this chemical feed could be included in the upcoming project. If included in the project, this chemical feed process would be implemented in conjunction with the Xiom organics exchange removal system whose role is to address the issue of the organic matter in the raw source water. Mrs. Radcliff is hoping to have additional information regarding the initiation of a pilot study for this chemical at the next meeting. Rose Helmick asked if the use of this chemical could be used to improve the quality of the water at the schools. Mrs. Radcliff explained that while this chemical would certainly aid in preventing the formation of DBP's at the school's location, DBP's are not an issue at the school like they are on WV SR 259 because the water age for the water used at the schools is not near the age of water on WV SR 259. The water going to the schools receives constant water turnover due to the significant volumes of water used at the mulch plant and the nursing and rehab center. DBP's are formed over time in areas of the system where the age of the water is weeks old and as a result, areas of the system that receive continuous water turnover are not heavily influenced by DBP's. EPA rules mandate that the District test the water for the DBP's at the point in the water system with the oldest water because that is where DBP are mostly likely an issue. The oldest water in the Baker Water system is located at the end of the line on WV SR 259 near the Lost River Animal Hospital

Following a request from the Board at last month's board meeting, Project Engineer, Kylea Radcliff, provided detailed information on funding opportunities for the upcoming water project which includes the Dover/Fort Run and Killdeer Lane extensions as well as the Baker water system upgrades and the Trough Rd. and Trout Run Cutoff Rd. line replacements. Mrs. Radcliff presented estimates for the each portion of the project totaling approximately \$2.7 million. She presented funding scenarios for the project and provided an overview of each: Scenario #1 - Funding this project through the West Virginia Bureau for Public Health (WVBPH) would consist of a 30 loan term at a rate of between 2.5% and 3.5% without the possibility for WVBPH grant funding due to the ratio of the District's current water rates and Hardy County's Median Household Income (MHI); Scenario #2 - Funding this project through the West Virginia Infrastructure Jobs and Development Council (WVIJDC) funding would consist of a 20 year loan with an interest rate, determined by the District's water rates, of 2.0% to 3.0% without the possibility for WVIJDC grant funding due again to the ratio of the District's current water rates and Hardy County's Median Household Income (MHI); Scenario #3 - USDA-Rural Utility Service would consist of a 40 year loan with an interest rate, based on MHI, of approximately 1.875% with a possibility of obtaining several hundred thousand dollars in grant funds. It was also noted that USDA-RUS funding has been used in for every major project of the District's and that as a result the District has a good working relationship and a level of comfort with USDA-RUS. Mrs. Radcliff went on to discuss the difference in the funding applications of the different funding sources.

Following discussion regarding the preferred funding option for the District's upcoming project, Rob Harper made a motion to proceed with an application for USDA-RUS funding for the District's project. Rose Helmick seconded the motion. It was unanimously approved. The District Board selected the USDA funding scenario because it offered longer loan terms, a lower interest rate and the possibility of obtaining grant funding for the project, all of which means a lesser rate increase for the District's customers as a result of project. Mrs. Radcliff stated that the



first piece of information needed for a USDA application is an environmental report and that USDA applications do not need to be submitted for approval by the WVJDC board. Review by the WVJDC board can be a time consuming process and the other two funding scenarios require WVJDC approval prior to moving forward with the project, meaning the USDA-RUS funding scenario is not only more cost effective for the District it should also be less time consuming. Once prepared, the USDA-RUS application will be sent to USDA's State Office for review. Once USDA has reviewed the application, should the District be awarded funding for the project, the District will then be given a Letter of Conditions which outlines the items needed before closing of the loan.

Rose Helmick asked about a projected project completion date. Logan Moyers reported that the date of completion given in the response to the WVDEP's Administrative Order was December 2019. Mrs. Radcliff explained that it will take several months to complete the testing necessary for project permitting as well as preliminary engineering and project design but that all that work could be performed simultaneously. Once that has been completed, the WVPSC process and the bidding process will take the better part of a year to complete prior to beginning project construction. Construction on the many different portions of the project may then take up to one year.

Rose Helmick had previously requested that Kylea Radcliff look at two specific grant opportunities through USDA for this project and Mrs. Radcliff provided the information that she has researched as well as responses from USDA staff regarding those grant funding possibilities. In regard to the USDA Emergency Assistance Grant, USDA staff informed that while the work on the Baker water system as part of this project is work to be completed to bring the existing facility into compliance, it is not considered an emergency situation based on the requirements of this grant. In regard to the Search Grant, it is for a max amount of \$30,000 to be used for feasibility studies to pay for preliminary engineering fees for the project and that only PSD's with insufficient working revenue to fund this part of a project qualify, which eliminates the District.

In a final bit of related news, Logan Moyers reported that the Parker Hollow Impoundment has been added to the DEP's 303d List of Impaired Waters in the State of West Virginia. He also reported that the District is currently dealing with an algae bloom on the Parker Hollow Impoundment as a result of an overload of organic matter.

**Sewer Rate Increase** – Logan Moyers reported that the District has filed a 19A sewer rate case with the WVPSC. As part of the necessary information for the case, the WVPSC needs the District's Fiscal Year 2017 Annual Report. The District's auditor was contacted and she will have the report completed and submitted to WVPSC by October 20, 2017. WVPSC has issued a response date from WVPSC staff for the case as January 29, 2018. At that time WVPSC intends to have completed its review of the District's sewer system and made a determination as to where the new rate will be set.

### ***Miscellaneous Business:***

**Election of Vice Chairman** – With the resignation of Melvin Shook from the board, the District needs to fill the vice chairman seat. Due to a schedule conflict, Matthew Gapp had to leave the meeting prior to the election. No action was taken and this agenda item was tabled until the next meeting when a full quorum of the board can be present.

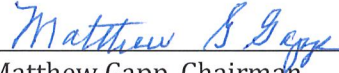


***District Board Meeting Time Change*** – Rose Helmick requested the time of the District’s board monthly meetings be changed due to her work schedule. Rose Helmick made a motion to change the start time of the board meetings to 4:00 p.m. beginning with the November 1, 2017 meeting. Rob Harper seconded the motion. It was unanimously approved.

There were no members of the public in attendance for comment.

There being no further business, the meeting was adjourned at 3:00 p.m.

The next regular scheduled board meeting will be held ***November 1, 2017, 4:00 p.m.*** in the conference room of the HCPSD office located at 2094 US 220 South, Moorefield, West Virginia.

  
Matthew Gapp, Chairman

*These minutes represent a summary of the subject discussed and the actions taken by the members of the Hardy County Public Service District for the regular meeting held on October 4, 2017. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.*

**HARDY COUNTY PUBLIC SERVICE DISTRICT**  
**SEPTEMBER 6, 2017**  
**10:00 A.M.**  
**2094 US 220 South, Moorefield, West Virginia**

Present: Matthew Gapp, Rose Helmick, Rob Harper, Logan Moyers, Connie Sherman, Kevin Markwood, HCPD; Kylea Radcliff, District Engineer, The Thrasher Group; Jean Flanagan, Media.

The meeting was called to order at 10:05 a.m. by Chairman Matthew Gapp. Rose Helmick made a motion to approve the minutes of the August 2, 2017 regular meeting minutes as presented. Matthew Gapp seconded the motion. The motion was approved.

The District was informed at the onset of the meeting by board member, Rose Helmick, of the resignation of board member Melvin Shook and the subsequent appointment of Rob Harper to the board. Mr. Harper was welcomed by the board.

***Unfinished Business:***

***Upcoming Water Project Update*** – Logan Moyers provided an update on the status of the installation of the organics removal system at the Baker water plant. Mr. Moyers provided a brief summary of the history of the issues experienced on the Baker water system for the benefit of new board member Mr. Harper. Mr. Moyers reported that since the last board meeting, increased water sampling continues both in-house at the Baker water plant laboratory and the District continues to send 5-gallon samples of raw water to Ixom, the organics removal system manufacturer, every few weeks for testing. This testing is part of the pilot study being done in cooperation between Ixom and the District. The pilot study is being done 1) to be sure the proposed equipment will work as anticipated removing organic matter and 2) to provide sufficient data to Ixom so that they are willing and able to provide a guarantee that use of the organics removal system will result in full compliance with DBP's and DBP precursor removal. Mr. Moyers reported that thus far the pilot testing has shown very positive results in DBP precursor removal and that testing for DBP formation potential was still in incubation and incomplete at this time. As part of another portion of the pilot study, the District anticipates receiving a miniature 1 gallon-per-minute organics removal system in the near future to be tested on site at the Baker water plant. Project Engineer, Kylea Radcliff, reported that the District is also working with Tonka Equipment, the company that provided the original plant equipment, to ensure all plant processes will be optimized and operating as efficiently as possible following the addition of the organics removal system. We have requested that representatives from Tonka come to Baker to observe current operating processes and work with us to ensure a smooth transition when the organics removal system is ready to go into operation.

Logan Moyers informed the board that the District received an Administrative Order from WVBPH for the Baker water system mandating that the District resolve the issues leading to exceedances of the maximum contaminant levels for disinfection by-products and for inadequate disinfectant by-product precursor removal. Mr. Moyers explained that source water organic matter levels are the root of the problem and that is what needs addressed to resolve the issue. The WVBPH has informed the District that they understand that the District has spent countless hours and money trying every feasible suggestion from outside consultants including many engineers and chemists over the past several years, and that the District has done everything within its power to bring the water in the Baker system into compliance and that resolving the issues are simply not possible with the water plant as it is constructed today. The WVBPH is encouraged by the early testing of the organics removal system and they, like the District, are optimistic this will resolve all issues. The District will respond to the Administrative Order detailing its plan and a timeline for installation of the organics removal system.

Kylea Radcliff explained in detail the organics removal system and how it will work to assist with the issues at the Baker Water plant. Mr. Moyers explained that this type of system is cutting edge in water technology and will be one of the first of these types of organic removal systems in operation all over the world. Board member, Rose Helmick, asked about natural buffer zones around the impoundment to aid in preventing agricultural runoff from adding additional organic matter to the impoundment. Logan Moyers explained that organic matter from agricultural runoff is already in the water by the time it reaches the impoundment and that a buffer zone would need to be located along streams in the agricultural locations rather than around the impoundment to be effective. Mr. Moyers also noted that a majority of the streams in the watershed ran through wooded areas that are already acting as a buffer zone. Mrs. Helmick also asked if any type of fish could be introduced to the impoundment that may consume the organic matter. Mr. Moyers stated he was unaware of any such fish. He also stated that he believes the addition of the organics removal system is the District's best option for resolving the ongoing organic matter (DBP precursor) and DBP issues and that is what the District should focus on at the present time.

Board member, Rob Harper, asked about funding sources for the project. Project engineer, Kylea Radcliff stated that USDA had been selected by the District board previously as its targeted funding source for the project because they offer longer loan terms and potentially more grant opportunities than other potential lenders. Mrs. Radcliff explained that utilizing funding from USDA would mean a lesser rate increase as a result of this project than would be seen if another lender was used and that is why the District Board has targeted USDA funding. Mrs. Radcliff went on to say that USDA has not yet received funding from the Federal Government for the upcoming fiscal year which is the funding pool from which we would receive funding for this project. It is hoped that the Federal Government will include funding for USDA in the coming year's Federal Budget, but it is something to be monitored over the coming weeks as the Federal Budget is finalized. Mrs. Radcliff stated that the District has two things going for it that will move the District up the priority list for projects seeking funding: 1) the issuance of an administrative order requiring action being taken and 2) the fact that the District has already completed nearly all the work that is typically not started until after a project has been funded such as acquiring necessary easements and project signups.

Rose Helmick previously suggested two grant opportunities through USDA for this project and Mr. Moyers and Mrs. Radcliff researched those grant funding possibilities. They reported to the board that they had contacted USDA and Region VIII Planning & Development Council to determine if the PSD was eligible for the grants in question and were told the District does not qualify for either grant due to eligibility issues, specifically the Water Rate/MHI ratio for the SEARCH grant and not meeting the required emergency status qualifications for the emergency assistance grant. Mrs. Helmick stated she was under the impression that the District is eligible for both grants and requested that USDA representatives provide a written statement as to the District's eligibility for these grants.

Mr. Moyers provided an update on the Dover Hollow/Fort Run extension projects and the Trough Road upgrade project that will also be completed as part of this upcoming project. Nearly all of the easements and customer sign-ups for these projects have been acquired. Work continues to acquire the few remaining easements that are needed as well as acquiring the property for the booster pump station that must be installed as part of this project.

Mr. Moyers provided information on a possible extension on Kill Deer Lane off of Trough Rd. and the possibility of including it as part of this water project. Board member Rose Helmick previously requested the District consider extending water to serve these properties. Mr. Moyers has contacted the property owners and out of the 14 total lots on the lane, 10 individuals are willing to sign up to receive public water. Following discussion, Rob Harper made a motion to include the Kill Deer Lane extension area with the upcoming water project. Matthew Gapp seconded the motion. It was unanimously approved. Rose Helmick recused herself from voting on the extension due to being a property owner in the extension area.

Mr. Moyers also provided information regarding the possible inclusion of an upgrade to the water line on Trout Run Cut-Off Rd as part of the upcoming water project. This section of line would benefit from a complete upgrade and replacement due to recurring water leaks on the line. Mr. Moyers reported that there have been more leaks on this 2,500 foot section of line over the past 10 years than on the rest of the District's water system, which is made up of over 600,000 feet of line. The project would include replacing the entire 2,500 feet of 4" line on Trout Run Cut-Off Road. Rob Harper made a motion to include the line replacement as part of the water project. Rose Helmick seconded the motion. It was unanimously approved.

Following discussion, it was agreed that Kylea Radcliff would prepare cost estimates for each area of the proposed water project and the estimates will be presented at the next meeting.

**Sewer Rate Increase** – Logan Moyers informed the board that the District has filed a 19A sewer rate case with the WVPSC. As part of the case, the District has requested a WVPSC staff engineer and accountant be assigned to review the income and expenses of the sewer system and then determine the rate. The District is requesting to pass the majority of the increase onto commercial sewer customers rather than residential customers of the system due to the fact that 91% of the billed volume is generated by commercial customers versus only 9% generated by residential customers.

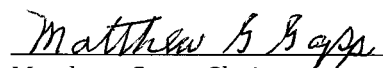
***Miscellaneous Business:***

**District Board Meeting Time Change** – Rob Harper raised the question of the possibility of changing the time of the District's board monthly meetings due to his work schedule as a poultry farmer. Discussion was held by the board and staff of a meeting time that would suit all members. Following discussion, Rose Helmick made a motion to change the start time of the board meetings to 1:00 p.m. beginning with the October 4, 2017 meeting. Rob Harper seconded the motion. It was unanimously approved.

There were no members of the public in attendance for comment.

There being no further business, the meeting was adjourned at 11:45 a.m.

The next regular scheduled board meeting will be held **October 4, 2017, 1:00 p.m.** in the conference room of the HCPSD office located at 2094 US 220 South, Moorefield, West Virginia.

  
Matthew Gapp, Chairman

*These minutes represent a summary of the subject discussed and the actions taken by the members of the Hardy County Public Service District for the regular meeting held on September 6, 2017. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.*

HARDY COUNTY PUBLIC SERVICE DISTRICT  
AUGUST 2, 2017  
10:00 A.M.  
2094 US 220 South, Moorefield, West Virginia

Present: Matthew Gapp, Melvin Shook, Rose Helmick, Logan Moyers, Connie Sherman, Kevin Markwood, HCPSPD; Jean Flanagan, Media.

The meeting was called to order at 10:05 a.m. by Chairman Matthew Gapp. Melvin Shook made a motion to approve the minutes of the July 6, 2017 regular meeting minutes as presented. Rose Helmick seconded the motion. The motion was approved.

***Unfinished Business:***

***Upcoming Water Project Update*** – Logan Moyers provided an update on the progress of the organics removal system to be installed at the Baker Water Plant. Mr. Moyers reported that since the last board meeting, the “modified” pilot testing has commenced. Two 5-gallon samples of raw water have been sent to Xiom, the organics removal system manufacturer, for testing. This testing plus a significant amount of additional in-house testing covering a wide array of parameters will continue in order to gain an understanding of the benefits that can be realized with the addition of the organics removal system to the plant’s existing capacities. It is still planned for Ixom to provide a miniature one gallon- per- minute pilot test unit for testing from late September through the end of the calendar year. The information gained through the pilot testing phase will be used by Ixom in the development of the organics removal system and will also be provided to the WVBPH and the WVPSC.

Mr. Moyers provided an update on the Dover Hollow/Fort Run extension projects and the Trough Road upgrade project that will also be completed as part of this upcoming project. Nearly all of the easements for these projects have been acquired. Work continues to finalize design for these projects as well as to develop mapping and acquire the few remaining sign-ups and easements that are needed.

Rose Helmick inquired about the possibility of including an extension on Kill Deer Lane as part of this water project. Mrs. Helmick owns property in the proposed extension area and has been approached by neighbors requesting water service. Mr. Moyers is familiar with the area and indicated if the residents are agreeable to granting easements the only real hurdle would be the railroad crossing. Mr. Moyers was given names of interested residents from Mrs. Helmick and will prepare a cost estimate to present to the board to aid in determining if this extension will be added to the upcoming water project.

***Sewer Rate Increase*** – Logan Moyers provided an update on the sewer rate increase for the Baker Sewer system. Mr. Moyers has been in contact with the an accountant who will be working on an information sheet to submit to WVPSC as part of a 19A Rate case filing. The District plans to ask that a WVPSC staff engineer be sent to review our sewer operations as part of the case filing. It is anticipated this filing will occur during the month of August.

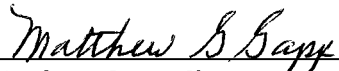
***Miscellaneous Business:***

***District Bank Accounts*** – Bank Resolutions and new signature cards were presented for the District board members for approval and execution. It was necessary to update this information with all three local banks due to the change in board members with the passing of Clyde See and the appointment of Rose Helmick. Rose Helmick made a motion to approve the documents as presented. Melvin Shook seconded the motion. It was unanimously approved.

There were no members of the public in attendance for comment.

There being no further business, Melvin Shook made a motion that the meeting be adjourned at 10:25 a.m. The meeting was adjourned.

The next regular scheduled board meeting will be held **September 6, 2017, 10:00 a.m.** in the conference room of the HCPSD office located at 2094 US 220 South, Moorefield, West Virginia.

  
Matthew Gapp, Chairman

*These minutes represent a summary of the subject discussed and the actions taken by the members of the Hardy County Public Service District for the regular meeting held on August 2, 2017. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.*

HARDY COUNTY PUBLIC SERVICE DISTRICT  
JULY 6, 2017  
10:00 A.M.  
2094 US 220 South, Moorefield, West Virginia

Present: Matthew Gapp, Melvin Shook, Rose Helmick, Logan Moyers, HCPSD; Jean Flanagan, Media; Kylea Radcliff, The Thrasher Group.

The meeting was called to order at 10:05 a.m. by Chairman Matthew Gapp. Melvin Shook made a motion to approve the minutes of the June 7, 2017 regular meeting minutes as presented. Rose Helmick noted a change in the minutes to strike "following executive session". With the revisions noted, Rose Helmick seconded the motion. The motion was approved.

***Unfinished Business:***

***Upcoming Water Project Update*** – Logan Moyers provided an update on the progress of the organics removal system to be installed at the Baker Water Plant. We have been working with the organics removal system manufacturer, Ixom, to formulate a water testing plan for preliminary testing in advance of the organics removal system installation. Since the decision was made to forego pilot testing, this preliminary testing will be completed to provide water testing results and information to the WVBPH. Ixom will provide a miniature one gallon- per-minute pilot test unit for us to utilize for testing from late September through the end of the calendar year. This testing will allow Ixom to monitor and receive necessary water test results without the need for a full scale pilot demonstration and should allow the project to be completed approximately six months earlier than originally planned. Beginning next week, the District will begin sending five gallon samples of water to Ixom's facility in Colorado for testing. The District will also begin testing in accordance with Ixom's test plan. Most of the necessary water tests can be completed in-house with the District's existing testing equipment however some of the required testing will need to be sent to an outside laboratory.

Kylea Radcliff provided an update on the Dover Hollow/Fort Run extension projects and the Trough Road upgrade project that will be completed along with the Baker project. Most of the mapping for these projects has been completed. A majority of customer sign-ups and easements have also been acquired. Work continues to finalize design for these projects as well as to acquire the few remaining sign-ups and easements that are needed.

Rose Helmick asked if there was any grant funding available for the projects, specifically for the engineer and testing costs. Kylea Radcliff, project engineer, informed that she has contacted representatives from USDA-RUS regarding grant possibilities. USDA-RUS representatives have agreed to meet with District representatives to determine the District's eligibility for any and all grant opportunities available to the District once all preliminary engineering work has been completed and an official funding application has been submitted.

***Sewer Rate Increase*** – Logan Moyers provided an update on the sewer rate increase for the Baker Sewer system. Mr. Moyers has contacted an accountant who will be working on an information sheet to submit to WVPSC as part of a 19A Rate case filing. The District plans to ask for a split rate for residential and commercial customers due to the large percentage of commercial use compared to residential use in the project area.



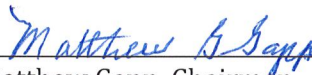
***New Business:***

***Engineering Contract*** – Logan Moyers presented a contract to enter into an agreement for engineering services for the upcoming water project with the The Thrasher Group. This is an amendment to an existing engineering contract for the extension projects that now includes the Baker Water Plant project. Melvin Shook made a motion to accept the amendment to the engineering agreement as presented. Rose Helmick seconded the motion. It was unanimously approved.

There were no members of the public in attendance for comment.

There being no further business, Melvin Shook made a motion that the meeting be adjourned at 10:36 a.m. The meeting was adjourned.

The next regular scheduled board meeting will be held ***August 2, 2017, 10:00 a.m.*** in the conference room of the HCPSD office located at 2094 US 220 South, Moorefield, West Virginia.

  
Matthew Gapp, Chairman

*These minutes represent a summary of the subject discussed and the actions taken by the members of the Hardy County Public Service District for the regular meeting held on July 6, 2017. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.*

HARDY COUNTY PUBLIC SERVICE DISTRICT  
JUNE 7, 2017  
10:00 A.M.  
2094 US 220 South, Moorefield, West Virginia

Present: Matthew Gapp, Melvin Shook, Rose Helmick, Logan Moyers, Kevin Markwood, Connie Sherman, HCPD; Jean Flanagan, Media.

The meeting was called to order at 10:05 a.m. by Chairman Matthew Gapp. Melvin Shook made a motion to approve the minutes of the May 3, 2017 regular meeting minutes as presented. Matthew Gapp seconded the motion. The motion was approved.

***New Board Member*** – Rose Helmick was appointed to the District board by the Hardy County Commission and was present at her first board meeting.

***Unfinished Business:***

***Baker Water Quality Issues*** – Logan Moyers reported on the organics removal system to be installed at the Baker Water Plant. This system, once installed and operational, should solve the District's ongoing water quality issues in Baker. Since the last board meeting a final draft of the agreement was completed with Ixom, manufacturer of the organics removal system. The proposed agreement was reviewed by the District's attorney who informed Mr. Moyers that the District could not legally enter into the agreement due to three issues. The first issue was the cost of the pilot project being over the threshold amount which requires public bid. The second issue is that the District cannot commit to a purchase without first having the financing in place and the last issue is that the District cannot commit to a project or purchase that affects customer's rates without completing a certificate case with the WVPSC. In light of these issues, the District intends to proceed with the project without first undertaking a pilot study. In lieu of an onsite pilot study, the District will provide Ixom with numerous water samples over the coming months and Ixom will essentially conduct an in-house pilot study in their lab. Following completion of this lab testing, Ixom will provide the District with a performance guarantee, guaranteeing that the organics removal system will allow the District to be in full compliance with US-EPA's TOC and DBP regulations or the District will receive a full refund of the cost of the system. The District's engineer continues to work on the preliminary engineering report for the project. Mr. Moyers presented a proposed timeline for the project which projected project construction to begin late summer 2018. Melvin Shook made a motion to proceed with the project without a pilot study as long as Ixom provides a performance guarantee of the system. Matthew Gapp seconded the motion. The motion was approved. Rose Helmick raised the question of the possibility of a water plant to be located at Kimsey's Run to tie in with the existing Baker water system. Mr. Moyers stated that this had been looked into in the past and it was not cost effective. He also added that he was informed by representatives from the WVDNR and the WV Conservation Agency that the quality of the water in Kimsey's Run dam was very similar and would likely present the same issues that are present at the Parker Hollow dam. Discussion was held on including the Dover Hollow/Fort Run/Trough Road projects with the Baker project. These projects have not been able to receive funding due to the high cost per customer, and so the District has long anticipated including these projects in the next major project of the District. Following discussion, Melvin Shook made a motion to include the Dover Hollow/Fort Run/Trough Road extension as part of the Baker project. Matthew Gapp seconded the motion. The motion was approved.

***New Business:***

***Sewer Rate Increase*** – Logan Moyers reported that the Baker Sewer system does not generate enough revenue to cover the expenses of operating the system. The rates set by WVPSC for the original project did not allow for sufficient funds to operate the system. Due to the lack of sewer revenue, the water revenue has subsidized the sewer system and the District's attorney and auditor tell us that this cannot continue. Mr. Moyers recommended asking WVPSC for a rate increase that would place a large majority of the increase on the commercial sewer customers who generate nearly 90% of the total volume of the sewage treated in the Baker system. If the District contacts the WVPSC and requests a 19A rate case the WVPSC would send staff persons to assess the sewer system and make a determination of a rate increase. Mr. Moyers is going to recommend a split-rate for commercial and residential customers due to the large majority of sewage coming from commercial customers on the Baker sewer system. Rose Helmick asked if the District had considered turning the Baker Sewer system over to the Moorefield/Hardy County Wastewater Authority (HCWWA). This possibility has been looked into and the HCWWA indicated to us they were not interested in ownership of the Baker Sewer system. Melvin Shook made a motion to proceed with contacting WVPSC to conduct a 19A rate study to determine the necessary rates for the Baker Sewer system. Matthew Gapp seconded the motion. The motion was approved.

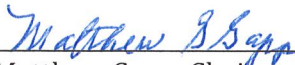
***Executive Session:***

The board went into executive session to discuss employment and personnel reasons. Following executive session, Melvin Shook made a motion for the District to enter into an employment contract with General Manager, Logan Moyers, ensuring Mr. Moyers' employment for years into the future. Matthew Gapp seconded the motion. The motion was approved. It was also announced that following discussion, it was decided to table the hiring of a new field staff person at this time.

There were no members of the public in attendance for comment.

There being no further business, Melvin Shook made a motion that the meeting be adjourned at 10:50 a.m. The meeting was adjourned.

The next regular scheduled board meeting will be held **July 6, 2017, 10:00 a.m.** in the conference room of the HCPSD office located at 2094 US 220 South, Moorefield, West Virginia. Please note the change in the meeting date due to schedule conflicts on July 5, 2017.

  
\_\_\_\_\_  
Matthew Gapp, Chairman

# Employment Agreement

This **AGREEMENT**, entered into this 7<sup>th</sup> day of June, 2017, between the Hardy County Public Service District (**DISTRICT**), a public corporation, and Logan R. Moyers (**EMPLOYEE**).

## WITNESSETH THAT:

**WHEREAS**, the parties hereto desire to enter into this **AGREEMENT** to define and set forth the terms and conditions of the employment of the **EMPLOYEE** by the **DISTRICT**.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements set forth below, it is hereby covenanted and agreed by the Company and the Employee as follows:

### 1. Position & Employment Period

The **DISTRICT** hereby employs the **EMPLOYEE** as its General Manager and the **EMPLOYEE** hereby agrees to serve in such capacity for the period beginning June 7, 2017 and ending fifteen years later on June 7, 2032. Upon expiration of this **AGREEMENT**, both parties may opt to agree to extend the **AGREEMENT** for a yet to be determined term.

### 2. Performance of Duties

The **EMPLOYEE** agrees that during the Employment Period he shall devote his full business time to the business affairs of the **DISTRICT** and shall perform his duties faithfully and efficiently subject to the direction of the **DISTRICT** Board of Directors.

### 3. Compensation

During the Employment Period the **EMPLOYEE** shall be compensated by receiving an annual salary as approved by the **DISTRICT** Board of Directors, payable semi-monthly. This salary shall not be subject to decreases during the Employment Period, but may be subject to increases as may from time to time be determined by the **DISTRICT** Board of Directors.

**IN WITNESS WHEREOF**, both parties hereto set their hands the day and year first above written.

  
\_\_\_\_\_  
MATTHEW G. GAPP, DISTRICT Board President

  
\_\_\_\_\_  
LOGAN R. MOYERS, EMPLOYEE



STATE OF West Virginia,  
COUNTY OF Hardy, TO-WIT:

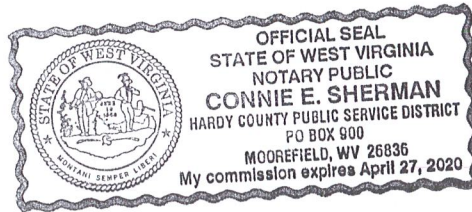
I, Connie Sherman, a Notary Public of said County of Hardy do  
certify that MATTHEW G. GAPP, whose name is signed to the writing above has this day  
acknowledged the same before me in my said county.

Given under my hand this 7<sup>th</sup> day of June, 2017.

Connie E. Sherman  
NOTARY PUBLIC

My commission expires:

April 27, 2020



STATE OF West Virginia,  
COUNTY OF Hardy, TO-WIT:

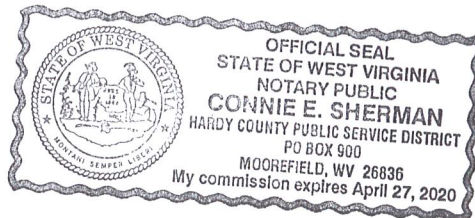
I, Connie Sherman, a Notary Public of said County of Hardy do  
certify that LOGAN R. MOYERS, whose name is signed to the writing above has this day  
acknowledged the same before me in my said county.

Given under my hand this 7<sup>th</sup> day of June, 2017.

Connie E. Sherman  
NOTARY PUBLIC

My commission expires:

April 27, 2020



HARDY COUNTY PUBLIC SERVICE DISTRICT  
MAY 3, 2017  
10:00 A.M.  
2094 US 220 South, Moorefield, West Virginia

Present: Matthew Gapp, Melvin Shook, Logan Moyers, Kevin Markwood, Connie Sherman, HCPSD; Jean Flanagan, Media; Kylea Radcliff, The Thrasher Group.

The meeting was called to order at 10:10 a.m. by Chairman Matthew Gapp. Melvin Shook made a motion to approve the minutes of the April 5, 2017 regular meeting minutes as presented. Matthew Gapp seconded the motion. It was unanimously approved.

**Resolution** – Logan Moyers presented and read aloud a Resolution in memory of Clyde See, Jr., HCPSD board member who passed away April 6, 2017. Melvin Shook made a motion to authorize the adoption of the Resolution. Matthew Gapp seconded the motion. It was unanimously approved. The Resolution will be given to Mr. See's family.

***New Business:***

***Engineering Consultant Selection Committee:*** The HCPSD is in the process of conducting interviews for engineering consultants for future HCPSD projects. Due to the passing of HCPSD board member Clyde See, the HCPSD must select an individual for an engineering consultant committee because the committee must consist of at least three people. Melvin Shook made a motion to appoint HCPSD General Manager, Logan Moyers, to the selection committee. Matthew Gapp seconded the motion. It was unanimously approved.

***Selection of Engineering Consultant*** – The District advertised for engineering services for future projects of the HCPSD and received one proposal from The Thrasher Group, who is the current HCPSD engineer. Logan Moyers presented the board members with some information on the work and history of the HCPSD and The Thrasher Group. Kylea Radcliff, representative of The Thrasher Group, was available for any questions. Following discussion, Melvin Shook made a motion to retain the services of The Thrasher Group as the HCPSD's engineering firm. Matthew Gapp seconded the motion. It was unanimously approved.

***Unfinished Business:***

***Bond Refunding Supplemental Resolution*** – Logan Moyers presented a resolution which will allow the transfer of funds from the "old" bond reserve account to the Municipal Bond Commission to fully fund the remaining reserve on two water bond series. This "old" reserve account will be closed and the remaining funds will be transferred to a savings account. This is the final stage of the refunding process and will save the HCPSD approximately \$1,200 per month. A Supplemental Resolution authorizing to provide funds to fully fund the reserve accounts with the Municipal Bond Commission was presented. Melvin Shook made a motion to approve the resolution as presented. Matthew Gapp seconded the motion. It was unanimously approved.

***Fiscal Year 2018 Water and Sewer Budget*** – Logan Moyers provided an update on the current water budget of the HCPSD. Mr. Moyers feels that the HCPSD needs to hire an additional field staff person to begin employment in the upcoming fiscal year. After review of the existing operating budget, the HCPSD can financially handle the expense at this time and the new employee is included in the proposed fiscal year 2018 water budget. Melvin Shook made a motion to advertise and hire a field staff employee. Matthew Gapp seconded the motion. It was unanimously approved. An advertisement will be placed in the Examiner for the next three weeks with a deadline for applications of May 31, 2017. With the addition of a field staff employee, the HCPSD will need to purchase a vehicle. Mr. Moyers has received quotes from several auto dealerships that are within the public bid limit. Melvin Shook made a motion to


approve the purchase of a truck for the HCPSD fleet and requested the purchase be made locally if possible. Matthew Gapp seconded the motion. It was unanimously approved. The HCPSD will need a letter from the Hardy County Commission (HCC) to purchase the truck under the HCC's Fleet Contract with Ford in order to take advantage of rebates to purchase the truck at a price less than the public bid limit. Mr. Moyers presented the proposed fiscal year 2018 water and sewer budgets. On the water budget, it was noted that there was a small decrease in projected water revenue for the coming year but it could be offset by the savings realized by the bond refunding. Mr. Moyers noted it was also the savings realized from bond refunding that made it possible to add a new field staff employee. It was also discussed that the HCPSD has requested a quote on property and liability insurance with a new company who may be able to provide this insurance cheaper than the HCPSD's current insurance provider. However, any savings that may be realized have not been factored into the proposed budget. On the sewer budget, Mr. Moyers noted that sewer revenues do not allow for any staff salary and the District must resolve by either raising rates or possibly transferring the system to the Hardy County Wastewater Authority. Melvin Shook made a motion to approve the fiscal year 2018 water and sewer budgets as presented. Matthew Gapp seconded the motion. It was unanimously approved. Any action regarding a sewer rate increase or transfer of the Baker Sewer System will be taken up at a future meeting.

***Baker Water Quality Issues*** – Logan Moyers reported that a conference call with Ixom representatives and the District's engineer, was held and the remaining issues regarding the contract have been resolved and he is waiting to receive the revised draft agreement for the completion of a 12-month pilot testing period and implementation of the organics removal system for the Baker Water Plant. Once the agreement is received, he will forward it to the District's attorney for review before being presented to the HCPSD board for approval. It is anticipated to have the agreement ready for approval at next month's meeting.

There were no other members of the public in attendance for comment.

There being no further business, Melvin Shook made a motion that the meeting be adjourned at 11:00 a.m. The meeting was adjourned.

The next regular scheduled board meeting will be held ***June 7, 2017, 10:00 a.m.*** in the conference room of the HCPSD office located at 2094 US 220 South, Moorefield, West Virginia.

  
Matthew Gapp, Chairman

*These minutes represent a summary of the subject discussed and the actions taken by the members of the Hardy County Public Service District for the regular meeting held on May 3, 2017. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.*



# HARDY COUNTY PUBLIC SERVICE DISTRICT

## Resolution in Memory of Clyde M. See Jr.

**WHEREAS**, Clyde M. See, Jr., a resident of Hardy County, West Virginia, passed from this earth on April 6, 2017; and,

**WHEREAS**, Clyde M. See Jr. was a member of the Board of Directors of the Hardy County Public Service District and held the position as a Director of the District for over 10 years; and,

**WHEREAS**, during his tenure as a member of the Board of Directors Clyde M. See Jr. faithfully served the District and the citizens of Hardy County, West Virginia and saw the District expand to previously unserved areas of Hardy County bringing public water and wastewater service to residents who previously had no such access

**WHEREAS**, during Director Clyde M. See Jr.'s tenure on the Board of Directors, the District has grown to serve over 2,000 homes and businesses throughout Hardy County.

**WHEREAS**, Clyde M. See Jr., also served his community in countless other ways, all of which were for the good of the citizens of Hardy County, West Virginia.

**NOW, THEREFORE, WITNESSETH**, that the Hardy County Public Service District adopts this Resolution recognizing the life of Clyde M. See Jr. and his service to this District and to Hardy County, West Virginia.

**Adopted this 3<sup>rd</sup> day of May, 2017.**

[Seal]

By:

Cornie E. Sherman  
Secretary

W. J. Shady  
Vice-Chairman

Attest:

Logan Moyers  
General Manager

Matthew G. Gopp  
Board Member

HARDY COUNTY PUBLIC SERVICE DISTRICT

Water Revenue Bonds, Series 2001 A; and  
Water Revenue Bonds, Series 2008 A  
(United States Department of Agriculture)

SUPPLEMENTAL RESOLUTION

RESOLUTION PROVIDING FOR THE AUTHORIZATION  
TO PROVIDE FUNDS TO THE MUNICIPAL BOND  
COMMISSION TO FULLY FUND RESERVE ACCOUNTS  
FOR THE SERIES 2001 A BONDS AND SERIES 2008 A  
BONDS

**WHEREAS**, the Series 2001 A Bonds Reserve Account has been created and established at the West Virginia Municipal Bond Commission (the “Commission”) for the Water Revenue Bonds, Series 2001 A (United States Department of Agriculture), dated September 18, 2001, issued in the original aggregate principal amount of \$650,000 (the “Series 2001 A Bonds”) by Resolution adopted by the Hardy County Public Service District (the “Issuer”) on September 14, 2001.

**WHEREAS**, the Series 2008 A Bonds Reserve Account has been created and established at the Commission for the Water Revenue Bonds, Series 2008 A (United States Department of Agriculture), dated October 14, 2008, issued in the original aggregate principal amount of \$2,366,000 (the “Series 2008 A Bonds”) by Resolution adopted by the Issuer on October 9, 2008.

**WHEREAS**, the Reserve Requirement for the Series 2001 A Bonds is \$37,680 and the amount on deposit in the Series 2001 A Bonds Reserve Account as of March 31, 2017 is \$26,808.68.

**WHEREAS**, the Reserve Requirement for the Series 2008 A Bonds is \$127,764 and the amount on deposit in the Series 2008 A Bonds Reserve Account as of March 31, 2017 is \$104,850.75.

**WHEREAS**, the Issuer desires to provide funds to fully fund the Series 2001 A Bonds Reserve Account and the Series 2008 A Bonds Reserve Account.

CERTIFICATION

Certified a true copy of a Resolution duly adopted by the Board of Hardy  
County Public Service District on the 3rd day of May, 2017.

[SEAL]

Connie E. Sherman  
Secretary

**WHEREAS**, the Issuer deems it essential and desirable that this resolution be adopted.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE HARDY COUNTY PUBLIC SERVICE DISTRICT:**

Section 1. It is hereby authorized to transfer funds to the Commission in the amount needed to fully fund the Series 2001 A Bonds Reserve Account and the Series 2008 A Bonds Reserve Account.

Section 2. This Resolution shall be effective immediately following adoption hereof.

Adopted this 3rd day of May, 2017.

HARDY COUNTY PUBLIC SERVICE DISTRICT



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Chairman

# HARDY COUNTY PUBLIC SERVICE DISTRICT

APRIL 5, 2017

10:00 A.M.

2094 US 220 South, Moorefield, West Virginia

Present: Matthew Gapp, Melvin Shook, Logan Moyers, Connie Sherman, HCPSD; Jean Flanagan, Media; Vickie Dyer, resident, Town of Wardensville; Kylea Radcliff, The Thrasher Group; John Stump, Steptoe & Johnson, PLLC.

The meeting was called to order at 10:10 a.m. by Chairman Matthew Gapp. Melvin Shook made a motion to approve the minutes of the March 1, 2017 regular meeting minutes as presented. Matthew Gapp seconded the motion. It was unanimously approved.

**Election of 2017 Officers:** According to the WV State Code, the District must elect officers each calendar year. Previously the District was holding the election at the beginning of each fiscal year. Melvin Shook made a motion that the District's current officers remain in place for 2017. Matthew Gapp seconded the motion. It was unanimously approved. The officers are as follows: Matthew Gapp, Chairman; Melvin Shook, Vice-Chairman; and Connie Sherman, Secretary/Treasurer. This election is necessary as part of the requirements for the pre-closing for the bond refinancing project.

### ***Unfinished Business:***

***Town of Wardensville*** – Logan Moyers provided an update on the transfer proposal from the Town of Wardensville for their water and sewer systems. Mr. Moyers reported that since the last board meeting both the Mayor and Recorder of the Town of Wardensville have resigned from their seats following pressure from residents opposing the transfer of ownership of the water and sewer systems. Because of the change in leadership, the proposed systems transfer is at a standstill. The District will pull the sewer flow meters and will share the information with the Town. The Mayor seat was filled by a council member so a new council member and recorder must be appointed. The Town of Wardensville has asked for some time to decide what direction the new administration wants to pursue regarding the water and sewer systems. The District will set aside its plans regarding the proposed transfer until the Town of Wardensville informs the District on how they plan to proceed.


***Bond Refunding Pre-Closing*** – John Stump, Steptoe & Johnson, the District's bond counsel, was present at the meeting to present the bond refinancing pre-closing resolution for approval. Mr. Stump presented the board with a summary showing the current USDA bonds including the existing rates, existing annual payments versus the new interest rates and the new annual payments. The District will realize an annual savings of \$10,715.00 and a total net savings of over \$213,000.00 over the life of the bonds. Highland Bank Shares (Capon Valley /Grant Co Bank) offered interest rates for the bond refunding from a low of 2.95% to 3.4%. A Resolution authorizing the refunding of the water revenue bonds was presented. Melvin Shook made a motion to approve the resolution as presented. Matthew Gapp seconded the motion. It was unanimously approved. A Supplemental Resolution providing as to dates, maturity, interest rates and other terms of the water refunding revenue bonds was presented. Melvin Shook made a motion to approve the supplemental resolution as presented. Matthew Gapp seconded the motion. It was unanimously approved. A Sweep Resolution authorizing the monthly debt service payments be made to the Municipal Bond Commission by electronic transfer by the State was presented. Melvin Shook made a motion to approve the sweep resolution as presented. Matthew Gapp seconded the motion. It was unanimously approved. The closing date for the refunding of the bonds will be April 19, 2017.

**Baker Water Quality Issues** – Logan Moyers provided an update on the District’s plans to install an organics removal system to resolve the DBP issue in Baker. An agreement for completion of a 12-month pilot testing period and implementation of the organics removal system between the District and manufacturer, Ixom, is still being negotiated by the District along with our attorney and engineer. The District is requesting a 5-year performance guarantee on compliance with TOC and DBP levels whereby Ixom will refund the cost of the system less the cost of the pilot study if the system is unable to keep the Baker Water system within regulatory compliance. In return, the District will acquire funding necessary to complete full scale implementation of the MIEX system at a cost of \$500,000.00. A conference call is scheduled for tomorrow with the District, our engineer and Ixom representatives to work on the contractual agreement. Once finalized, the agreement will be reviewed by the District’s attorney before being returned to Ixom for final approval. Once the agreement is approved by both parties it is anticipated to take 6-8 weeks before startup of the pilot testing will occur. Logan Moyers reported that District field staff will do the majority of the assembly and set-up of the pilot system but will need the assistance of a contractor for plumbing work and an electrician. It is anticipated to have the agreement ready for approval at next month’s meeting. John Stump informed the board of the need for a Reimbursement Resolution which would permit the District to reimburse should funding be acquired from a non-governmental source. Mr. Stump will have this document prepared and available for approval at the next board meeting. Mr. Stump also mentioned when evaluating funding options for this project, a lease option should also be considered. In a separate update, Mr. Moyers informed the board that the new membrane filters are performing as advertised and continue to allow the plant to run at its designed capacity.

There were no other members of the public in attendance for comment.

There being no further business, Melvin Shook made a motion that the meeting be adjourned at 10:55 a.m. The meeting was adjourned.

The next regular scheduled board meeting will be held **May 3, 2017, 10:00 a.m.** in the conference room of the HCPSD office located at 2094 US 220 South, Moorefield, West Virginia.

  
Matthew Gapp, Chairman

*These minutes represent a summary of the subject discussed and the actions taken by the members of the Hardy County Public Service District for the regular meeting held on April 5, 2017. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.*

**HARDY COUNTY PUBLIC SERVICE DISTRICT**  
**Water Refunding Revenue Bonds, Series 2017 A;**  
**Water Refunding Revenue Bonds, Series 2017 B;**  
**Water Refunding Revenue Bonds, Series 2017 C;**  
**Water Refunding Revenue Bonds, Series 2017 D; and**  
**Water Refunding Revenue Bonds, Series 2017 E**

MINUTES ON ELECTION OF OFFICERS FOR YEAR 2017,  
ADOPTION OF BOND RESOLUTION, SUPPLEMENTAL RESOLUTION  
AND SWEEP RESOLUTION

The undersigned Secretary of the Public Service Board of Hardy County Public Service District hereby certifies that the following is a true and correct excerpt of the minutes of a regular meeting of the said Public Service Board:

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The Public Service Board of Hardy County Public Service District met in special session, pursuant to notice duly given, on the 5th day of April, 2017, at Moorefield, West Virginia, at the hour of 10:00 a.m.

PRESENT: Matthew Gapp - Chairman  
Melvin Shook, Jr. - Boardmember  
Connie Sherman - Secretary  
Logan Moyers, Manager  
John Stump, Steptoe & Johnson

ABSENT: Clyde M. See, Jr. - Boardmember

Matthew Gapp, acted as Chairman, presided, and Connie Sherman, acted as Secretary.

The Chairman announced that a quorum of members was present and that the meeting was open for any business properly before it.

Thereupon, following nomination and vote for each office, the following members were elected to the following offices for the 2017 calendar year:

Matthew Gapp - Chairman  
Connie Sherman - Secretary



Next, the Chairman presented a proposed Bond Resolution in writing entitled:

RESOLUTION AUTHORIZING THE REFUNDING OF THE WATER REVENUE BONDS, SERIES 1988; WATER REVENUE BONDS, SERIES 1990; WATER REVENUE BONDS, SERIES 1993, WATER REVENUE BONDS, SERIES 1995 A; WATER REVENUE BONDS, SERIES 1995 B; WATER REVENUE BONDS, SERIES 1998 A AND WATER REVENUE BONDS, SERIES 1998 B OF THE HARDY COUNTY PUBLIC SERVICE DISTRICT THROUGH THE ISSUANCE BY THE HARDY COUNTY PUBLIC SERVICE DISTRICT OF NOT MORE THAN \$139,000 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REFUNDING REVENUE BONDS, SERIES 2017 A; \$26,000 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REFUNDING REVENUE BONDS, SERIES 2017 B; \$208,000 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REFUNDING REVENUE BONDS, SERIES 2017 C; \$422,900 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REFUNDING REVENUE BONDS, SERIES 2017 D; AND \$430,400 IN AGGREGATE PRINCIPAL AMOUNT OF WATER REFUNDING REVENUE BONDS, SERIES 2017 E; PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE HOLDER OF SUCH BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO.

and caused the same to be read and there was discussion. Thereupon, on motion duly made by Melvin Shook and seconded by Matthew Gapp, it was unanimously ordered that the said Bond Resolution be adopted and be in full force and effect on and from the date hereof.

Thereupon, the Chairman presented a proposed Supplemental Resolution in writing entitled:

SUPPLEMENTAL RESOLUTION PROVIDING AS TO DATE, MATURITY, INTEREST RATE AND OTHER TERMS OF THE WATER REFUNDING REVENUE BONDS, SERIES 2017 A; WATER REFUNDING REVENUE BONDS, SERIES 2017 B; WATER REFUNDING REVENUE BONDS, SERIES 2017 C; WATER REFUNDING REVENUE BONDS, SERIES 2017 D AND WATER REFUNDING REVENUE BONDS, SERIES 2017 E OF THE HARDY COUNTY PUBLIC SERVICE DISTRICT; AUTHORIZING AND APPROVING THE SALE AND DELIVERY OF SUCH SERIES 2017 BONDS TO CAPON VALLEY BANK AND THE GRANT COUNTY BANK, AND

MAKING OTHER PROVISIONS AS TO THE SERIES 2017  
BONDS.

and caused the same to be read and there was discussion. Thereupon, on motion duly made by Melvin Shook and seconded by Matthew Gapp, it was unanimously ordered that the said Supplemental Resolution be adopted and be in full force and effect on and from the date hereof.

Next, the Chairman presented a proposed Sweep Resolution for the authorization of electronic monthly debt service and reserve fund payments to the Municipal Bond Commission. Thereupon, on motion duly made by Matthew Gapp and seconded by Melvin Shook, it was unanimously ordered that the said Sweep Resolution be adopted.

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There being no further business to come before the meeting, on motion duly made and seconded, it was unanimously ordered that the meeting adjourn.

**HARDY COUNTY PUBLIC SERVICE DISTRICT**  
**MARCH 1, 2017**  
**10:00 A.M.**  
**2094 US 220 South, Moorefield, West Virginia**

Present: Melvin Shook, Clyde See, Logan Moyers, Connie Sherman, HCPD; Jean Flanagan, Media; Vickie Dyer, resident, Town of Wardensville.

The meeting was called to order at 10:10 a.m. by Vice-Chairman Shook. Melvin Shook made a motion to approve the minutes of the January 11, 2017 regular meeting minutes as presented. Clyde See seconded the motion. It was unanimously approved.

***Unfinished Business:***

***Town of Wardensville*** – Logan Moyers provided an update on the transfer process of the Town of Wardensville's water and sewer systems. Mr. Moyers reported that the District has changed its position as it regards taking over the Town of Wardensville's existing sewer lagoon. A meeting is scheduled this afternoon with DEP at the Wardensville sewer lagoon to determine if the lagoon can remain operational for an extended period of time if the sewer system is transferred to the District instead of building a sewer treatment pre-packaged facility right away. This is being considered due to the high anticipated costs to remediate the lagoon. The lagoon are on a large parcel of land which includes the Town of Wardensville's maintenance building so the Town of Wardensville would transfer approximately 18 acres to the District. This acreage would be large enough to build the sewer plant in the future. The Town of Wardensville is working on this and other real estate issues with their attorney. The Town of Wardensville has had its first reading of the ordinance to raise water and sewer rates to match the District's and the second reading and hearing will be scheduled next month. Mr. Moyers attended a Town of Wardensville workshop and was available to answer questions from the Town of Wardensville residents along with the Mayor and others. Mr. Moyers anticipates that a draft asset transfer agreement will be ready for review and approval at the next board meeting. Once the asset transfer agreement is agreed upon between both entities, a case can be filed with WVPSC.

***Bond Refunding Proposal*** – Logan Moyers provided the results from the District's request for proposals from commercial banks for its bond refunding. Following review of the responses, Clyde See made a motion to select Highland Bank Shares (Capon Valley /Grant Co Bank) who offered the lowest rates for the bond refunding. Melvin Shook seconded the motion. It was unanimously approved. The District's bond counsel will attend the next board meeting and pre-closing documents will be executed. Following the refinancing of the bonds, the District will have fully funded reserve accounts and will realize savings from no longer having to fund bond reserve accounts in addition to the savings realized from the refunding.

***Baker Water Quality Issues*** – Logan Moyers provided an update on the improvements being made at the Baker Water plant. A proposal from Ixom for the organics removal system pilot project was presented and reviewed by the board. Per the proposal, the District will pay a down payment in the amount of \$18,000 and \$1,000 each month for the one year pilot period. The proposal included a product performance guarantee from Ixom that states that they will guarantee the system will effectively remove disinfection by-products (DBP) precursors beyond EPA required levels and will reduce the formation of DBP's to levels below EPA requirements. It is anticipated a contractual agreement will be presented to the board at next month's meeting where the District will enter into a contract with Ixom for the organics removal system pilot project and to ultimately construct a full scale organics removal system at the Baker Water Plant. A second agreement detailing the product performance guarantee will also be considered in conjunction with the pilot contract. In a separate update, Mr. Moyers informed the board that the new membrane filters have been installed and are operational. The new membranes have a 10 year warranty from the manufacturer and will allow the water plant to make water at the plant's designed capacity so that shift work at the plant will not be needed.

***New Business:***

***Request for Proposals for Engineering Services-*** The District needs to procure engineering services for future projects including the organics removal system project and potentially the tank painting project in Wardensville should the transfer take place. As part of the process the District must place a legal advertisement in the local newspaper. Logan Moyers presented an advertisement for consulting engineering services in accordance with the District's engineering services procurement policy. Clyde See made a motion to approve the publication of the advertisement. Melvin Shook seconded the motion. It was unanimously approved. Interviews will be held in the upcoming weeks.

***Miscellaneous Business:***

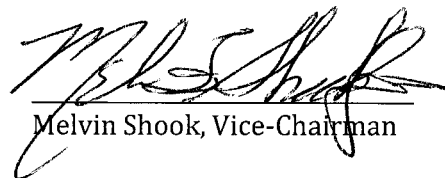
***FY17 Financial Audit*** – The fiscal year 2017 financial audit was provided as part of the board packet. No significant deficiencies were reported. Clyde See made a motion to approve the audit as prepared. Melvin Shook seconded the motion. It was unanimously approved.

***Purchase of Materials-*** Clyde See asked if the District was able to purchase any of the materials from the Pendleton Community Bank's public auction. Logan Moyers reported that the District purchased water pipe, fittings and other miscellaneous water system items at the auction at a good price. Clyde See made a motion to approve the purchase of these materials. Melvin Shook seconded the motion. It was unanimously approved.

There were no members of the public in attendance for comment.

There being no further business, Clyde See made a motion that the meeting be adjourned at 11:55 a.m. The meeting was adjourned.

The next regular scheduled board meeting will be held ***April 5, 2017, 10:00 a.m.*** in the conference room of the HCPSD office located at 2094 US 220 South, Moorefield, West Virginia.



Melvin Shook, Vice-Chairman

*These minutes represent a summary of the subject discussed and the actions taken by the members of the Hardy County Public Service District for the regular meeting held on March 1, 2017. The meeting and proceedings were electronically recorded. In the event there may be discrepancies or contradictions between the written minutes and the audio recording, the audio recording shall take precedence.*

HARDY COUNTY PUBLIC SERVICE DISTRICT  
JANUARY 11, 2017  
10:00 A.M.  
2094 US 220 South, Moorefield, West Virginia

Present: Matthew Gapp, Melvin Shook, Clyde See, Logan Moyers, Kevin Markwood, Connie Sherman, HCPSD; Jean Flanagan, Media; Betsy Orndorff-Sayers, Vickie Dyer, Gina Atkinson, Teryl Hott, Anna Dunlap and Marsha Rudolph, residents of the Town of Wardensville.

The meeting was called to order at 10:05 a.m. by Chairman Matthew Gapp. Melvin Shook made a motion to approve the minutes of the December 14, 2016 regular meeting minutes as presented. Clyde See seconded the motion. It was unanimously approved.

***Unfinished Business:***

***Town of Wardensville*** – Logan Moyers provided an update on the transfer process of the Town of Wardensville’s water and sewer systems. A conference call is scheduled for Friday, January 13<sup>th</sup> with Attorney John Stump and Terry Lively, Region VIII Planning & Development Council, and representatives from both utilities for the purpose of discussing the next steps in the transfer process. The group will work on formulating a purchase agreement along with a second document that will work to act as a list of action items and conditions for each entity to help facilitate the transfer. Clyde See asked if the WVPSC had been contacted regarding the rate issue. Logan reported that it is still to be determined but Mr. Stump has spoken briefly with WVPSC staff regarding the issue. Several concerned citizens from the Town of Wardensville were in attendance at the meeting to voice their concerns and to ask questions regarding the possible transfer. Topics included ownership of the property where existing water and sewer facilities are located especially property located in the Town Park; which entity would handle payments and billing; charges for water used by the swimming pool; deferred payment options for customers; sewer lagoon; notice of future public hearings; time frame of the transfer process; etc. Logan Moyers addressed the questions of the group. An update will be provided at the next meeting.

***Bond Refunding Proposal*** – Logan Moyers reported that there will not be any action taken on the selection of a commercial bank as part of the District’s refunding of a portion of its existing debt at this meeting as was listed on the agenda. An error was made on the schedule by bond counsel and review of bank proposals and pre-closing documents will be ready at the March 1<sup>st</sup> board meeting.

***Emergency Preparedness Project*** – The final pay request from contractor, Michel, Inc., for the Emergency Preparedness Project was distributed as part of the board packet. All work has now been completed. Clyde See made a motion to approve the final pay requisition for the project in the amount of \$77,244.00. Melvin Shook seconded the motion. It was unanimously approved.

***Baker Water Quality Issues*** – Logan Moyers provided an update on the work with Water Membrane Systems, Inc. to address the water quality issues at the Baker Water plant. The District continues to pursue an organics removal system that utilizes ion exchange technology to reduce organics levels in raw water. By removing a high level of organics from the raw water, the Baker system should realize a reduction in DBP levels to a level below the maximum contaminant level as well as more efficient plant operation. A chemist with Ixom, the manufacturer of the ion exchange system, recently spent 3 days at the water plant conducting tests and will use the results of this testing to develop a pilot project using the MIEX ion exchange system. The District will continue its work in developing a pilot project and hopes to have a pilot operational in the coming months. This type of removal system uses salt in the removal process which will result in a salt brine residue material that will require disposal and salt replacement after approximately every 1 million gallons of water is treated. The District will

work to determine a disposal method for the salt brine waste prior to implementation of the pilot project. New membrane filters have been ordered with installation scheduled for February 22, 2017.

**Miscellaneous Business:**

**HCPSD Deferred Payment Policy** – A Deferred Payment Agreement policy was included as part of the board meeting packet. This agreement outlines the conditions for which a customer can choose to pay their water or sewer bill in payments to avoid termination. Melvin Shook made a motion to approve the policy as proposed. Clyde See seconded the motion. It was unanimously approved.

**Certificate of Deposit** – A certificate of deposit with the Pendleton Community Bank is expiring and due to the low interest rates it was decided to transfer these funds to a savings account rather than renewing the certificate. Clyde See made a motion to transfer the funds. Melvin Shook seconded the motion. It was unanimously approved.

There were no members of the public in attendance for comment outside of the residents of Wardensville.

There being no further business, Clyde See made a motion that the meeting be adjourned at 11:15 a.m. The meeting was adjourned.

The next regular scheduled board meeting will be held **February 1, 2017, 10:00 a.m.** in the conference room of the HCPSD office located at 2094 US 220 South, Moorefield, West Virginia.

  
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Matthew Gapp, Chairman

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