

**WEIRTON AREA WATER BOARD  
REGULAR SESSION- 2021 AGENDA**

**September 16, 2021**

A regular session of the Weirton Area Water Board was held at 12:00 p.m. on Thursday, September 16, 2021, in Room 201 of the City Building, with James Shockley, Chairman, presiding.

Those members in attendance were: James Shockley (phone); Don Gianni, Jr.; Sonny Marino (phone); Ron Jones (phone); George Ash (phone); and Flora Perrone, ex-officio member, (phone).

WAWB Staff present were Butch Mastrantoni; Jasen Havens; Lori Veltri; Ken Hartley; Brian Kuntz; and Dan Guida, WAWB attorney.

Also attending were Jesse Alden of Thrasher Engineering; Craig Howell of the Weirton Daily Times; and Mark Miller of BHJ.

**MINUTES**

Mr. Jones made a motion to approve the minutes from the August 12, 2021, Board meeting. Mr. Marino seconded. The motion passed unanimously.

**REPORTS**

**Administrative Report:** With no questions from Board members, the Administrative Report was approved as submitted.

**Finance Report:** Mr. Kuntz reviewed the finance report, which was included in the Board packet. Mr. Gianni made a motion to reimburse the General Fund for our shared expense in the amount of \$3,276.00 for the month of September 2021. Mr. Jones seconded. The motion passed unanimously. Mr. Gianni made a motion to reimburse the General Fund in the amount of \$2,081.30 for the August 2021 Smart Bill. Mr. Ash seconded. The motion passed unanimously. Mr. Gianni asked what the maturity date is on the United Bank loan. Mr. Kuntz replied that he thought we had another year or two on it. Mr. Gianni asked what the balance is. Mr. Kuntz stated that he could check and let him know. Mr. Guida asked if it balloons in a year. Mr. Kuntz stated that it was fixed for a certain period and then it hits the adjustable rate. We have to keep it for so long before we pay it off, or we have to pay a big penalty. Mr. Guida clarified that it is not coming due, but the prepayment penalty is lapsing. Mr. Gianni was thinking that we have some money sitting there right now earning very little interest. If we're paying 3.5% on the loan, we should do that analysis to see if it would benefit us to pay off the loan now. Mr. Guida asked Mr. Kuntz to see if the prepayment penalty included partial payments. Mr. Mastrantoni stated that if he remembers correctly, that was capitalized at \$1,000,000.00. It was to pay for that problem where we had to get the 18 re-established outside the plant walls out to the distribution point in the yard. He

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thought that it was a five year note that we took, and we had to keep it three years at an interest rate differential and the last two years it dropped off. Mr. Mastrantoni stated that if we don't do anything with it now, we should dispose of it when we finance the upgrades to the plant. Mr. Shockley requested that Brian look into it and give the Board members a summary so they will have it available in case there are any questions on it. Mr. Kuntz said that he will get something together and put it in the mail to the Board members.

**Delinquent Report:** Mr. Hartley gave the delinquent report. The shut off date for the July bill run was September 1, 2021. The 30 day cycle ends on October 1, 2021. Total accounts to be collected or terminated as of the September 1, 2021, shut off date were 1,150. Of this number, 236 were more than one bill past due, 74 have paid in full, 24 made partial payments and still have an outstanding past due balance, 17 have been shut off, 3 paid and were re-connected, 48 received time extensions and will be collected in regular procedure should they fail to pay as agreed, 8 customers received pledges, and 7 customers are under multi-payment contracts. Seven hundred thirty-five single bills are past due.

Due to a lost connection with Mr. Shockley, Mr. Gianni continued with the meeting.

**Citizens' comments and communications:** Mr. Mastrantoni stated that he had received several comments from individuals in the community that did not wish to be recognized but wanted the Water Board to know that they appreciated the outlay of funds expended concerning the review of the drilling application that was recently done. There were no other citizens' comments or communications to be reported.

**OLD BUSINESS**

**Update on Radio Read Meter Project** - Mr. Alden reported that at last month's meeting he was directed to coordinate with Mueller and legal counsel for the city regarding the term sheet that was verbally agreed upon prior to last month's meeting. Since the meeting, he has worked with Mr. Guida to prepare a written letter agreement that had various terms and conditions associated with it and the specific items that were required by Mueller to uphold to satisfy the Board's requirements of that agreement. That document was drafted, sent to Mueller, and signed by Mueller so we have a copy. It was forwarded on to the group. The big sticking point on the agreement was the payment to the Water Board, which they did agree on. He had expected them to cut a check to the Water Board, but what they have done is set the Water Board up as an outside subcontractor vendor through Mueller Systems so they could provide payment via direct deposit. They had to work through that process with Mueller, which essentially required the Board to provide some

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bank account information and W-9 information so they could put all that together. As of this morning, the direct deposit has not hit the account, but it is Mr. Alden's understanding that it should happen any day now. The other outstanding item is to have the storage pod removed from Weirton. The Water Board staff has taken all the inventory out of that unit and relocated it to another storage location. Mr. Alden has informed Mueller that is where it stands with that. Now it is their duty to come back and get that unit off site. Eric from Mueller told Mr. Alden that would be resolved by the end of next week. He has already talked to the storage pod folks, and it should be out of here by close of business Friday. Without having the money in the account, we can't really consider it fully closed yet. He has asked Brian to check the account daily and let him know.

**Update on the WTP Expansion Project** – Mr. Alden reported that they are continuing to work on the design for the treatment plant. He came up to meet with staff the week before last. They are continuing to get ready for permit submissions at the end of October.

Mr. Miller presented Draw #18 in the amount of \$50,650.00 to Thrasher Engineering. Mr. Ash made a motion to approve Draw #18. Mr. Jones seconded. The motion passed unanimously.

**NEW BUSINESS**

- 1. Resolution #178 – To Remove and Install a New Auma Actuator Valve** – Mr. Havens reported that a couple months ago the Board approved to do the other one. Unfortunately, now the second one has become inoperable. We discharge backwash slow to the river, and this is the valve that has to open up to allow that to happen. We've gotten to the point where it is inoperable and there is no fixing it so we just need to purchase a new one and have it installed. Mr. Ash made a motion to approve Resolution #178 in the amount of \$6,789.00 to Total Equipment Company for replacement of the Auma actuator valve from the R & R Account. Mr. Marino seconded. The motion passed unanimously.
- 2. Resolution #179 – To Purchase Two Chevy Equinox LS** – Mr. Havens reported that we need to replace some fleet vehicles. We've had to move some vehicles around, and one has become inoperable. We budgeted \$80,000.00 in this budget for vehicle purchases. Based on two Equinoxes, we are looking for approval not to exceed \$52,810.00. The one Equinox has been ordered. They didn't order it for us, but the dealership had one ordered and is hoping it arrives in the next few months. The

dealership said they would have to place the order for the second one. It probably won't be in until January or February, but that is not promised. Mr. Gianni asked what these vehicles are used for. Mr. Havens replied that the Canyon that Ms. Ptaszek was driving got transferred over to Steve in the Meter Department. Ms. Ptaszek took Mr. Stoneking's old Equinox because she has to go out daily for samples. Mr. Havens has been driving his personal truck since January. So that will replace a vehicle for him. Mr. Wells was driving the Trailblazer, which is the vehicle that is inoperable. We need to give him a car back because he took Ms. Willson's Liberty. Mr. Mastrantoni stated that in the past we were fortunate to be able to seek used vehicles through the DOH and WV Surplus. They have no surplus available. Mr. Shockley asked how many personal vehicles we are using right now besides Mr. Havens'. Mr. Mastrantoni stated that Mr. Kuntz uses his personal vehicle. Mr. Shockley asked if he had ever had one assigned to him. Mr. Mastrantoni replied that he had not, but he was hoping to get to a situation where we could have one on standby to be used by Mr. Kuntz or Ms. Veltri or anyone else who needs to conduct company business so they do not have to use their personal vehicle. Mr. Jones asked if we paid Mr. Kuntz mileage when he uses his personal vehicle. Mr. Kuntz replied that we do. Mr. Gianni asked Mr. Havens if he was being paid for mileage. Mr. Havens replied that he has not submitted any paperwork for reimbursement. Mr. Guida asked why he hadn't. Mr. Havens stated that he was fine. It was the general consensus of the Board that Mr. Havens should be reimbursed for his mileage. The Board asked Mr. Havens to begin turning in his miles. Once they have a two to three month sample size, they will go back and pay him retroactively to the beginning of the year. Mr. Jones made a motion to approve Resolution #179 to purchase two Chevy Equinoxes in an amount not to exceed \$52,8100.00. Mr. Marino seconded. The motion passed unanimously.

- 3. Resolution #180 –To Purchase One 2021 GMC Sierra 4WD 2500 Truck–** Mr. Havens stated that we will take the vehicle that Mr. Hartley is currently driving and move it around where we need it to get some more time out of it. This vehicle is in Columbus. Mr. Havens spoke with someone at the dealership on Monday, and it is still on the lot. He said he was not able to hold it for us. All we could do is call back on Thursday to see if it is still available. Mr. Mastrantoni stated that we have \$80,000.00 in our budget for vehicles. We've spent over \$50,000.00, so it will be somewhat lower and will require an amendment. He spoke to Mr. Kuntz before the meeting and he said we could take it right out of our main cash. We have plenty in there and do not want to hit any of our other accounts. Mr. Gianni stated that the money for the second vehicle we are ordering may not be expended until next budget year anyway. Mr. Havens stated that if we purchase one Equinox and this truck in this budget period, we will be under

the \$80,000.00 limit. If we purchase all three, we are roughly \$17,000.00 over the \$80,000.00 budget. Mr. Gianni stated that we did not need to make an amendment to the budget at this time until we find out if we are going to get the truck and if the second Equinox becomes available. Mr. Ash made a motion to approve Resolution #180 to purchase a 2021 GMC Sierra 2500. Mr. Jones seconded. The motion passed unanimously.

**4. Next meeting date – October 14, 2021**

**INFORMATIONAL ITEMS**

- 1. Early Monitoring Grant Funds** – Mr. Havens reported that we did receive the funds we applied for in the amount of \$30,460.00. This will allow us to purchase new Petrocheck algae probes, a part of our daily monitoring system. It also gives us extended warranties on both of those for an additional 12 months. It covers the three year monitoring fee for the software, and that total comes to \$3,600.00. We pay \$300.00 a month currently.
- 2. Met with Representatives from the offices of Senator Joe Manchin and Senator Shelley Moore Capito** – Mr. Mastrantoni informed the Board that the Water Board staff, Sanitary Board staff, BHJ, and the city’s planning division made presentations to representatives from Senator Manchin’s and Senator Capito’s offices regarding the two plant upgrades. Our reason was to get on their radar screen to be considered for possible infrastructure funding. Regarding the funding scenario for the water project upgrade, we are still waiting on a Moody’s rating in order to finalize our WIFIA application. We are hopeful that it will occur before October 1. We also have a \$5 million US EDA grant that we are working on. BHJ says that it is ready for submission, but we can’t submit it until we get the WIFIA acknowledgement and approval of our application. We do not have a Plan B if we cannot complete our WIFIA application. Mr. Gianni asked if we are up against any timelines with this project. Mr. Mastrantoni stated that we are not, but he wants to be shovel ready when the infrastructure dollars become available. He is looking at having everything ready by the end of May 2022.
- 3. Oil/Gas Drilling – Brownlee Property** – Mr. Guida stated that the Zoning Appeals Board denied the conditional use application submitted by Southwestern. We should expect Southwestern to file an appeal. Thrasher did not have adequate information to complete their study of the aquifer. Southwestern wanted a continuance or postponement

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of the hearing in order to provide that information. We took the position that they did not have a sufficient application. The motion for continuance was denied, and the application was denied. We do want to continue with that study. We need to request that information from Southwestern, have Thrasher complete their report, and go from there. If it is a problem, we could have a nuisance claim or some nuisance causes of action if that is the finding of Thrasher. Southwestern's position is that they know all about aquifers and they drill around them all the time. Ms. Perrone thanked the Water Board for their presentation to the Zoning Board regarding the application.

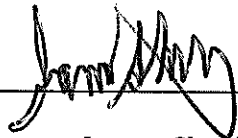
Mr. Mastrantoni reported that the Weirton Area Water Board was defendant in an allegation by the Rood family concerning their house that was damaged by a landslide or a slip. The city had condemned the home and then demolished it consistent with the regulations in the city. Bailey and Wyant was able to secure a settlement on behalf of our insurance carrier. The letter states that for a settlement of \$40,000.00, we are now out of the case.

**CITIZENS COMMENTS**

**EXECUTIVE SESSION**

**ADJOURNMENT**

With no further business before this September 16, 2021, Regular Session of the Weirton Area Water Board, the meeting was adjourned at 12:53 p.m. Motion to adjourn was made by Mr. Jones and seconded by Mr. Marino. The next Regular Session of the Weirton Area Water Board was set for October 14, 2021.



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James Shockley, Chairman