

Weaverland Valley Authority

Meeting Minutes

July 12, 2021

The Board of the Weaverland Valley Authority (“Authority”) met at the East Earl Township building 4610 Division Hwy, East Earl, Lancaster County, Pennsylvania on July 12, 2021. Chairman Kenneth Witmer called the meeting to order at 6:30 p.m.

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

MINUTES: A motion was made by Harold Kilhefner, seconded by Gene Pierce, that the minutes of the June 14, 2021 meeting be approved as submitted. The motion carried unanimously.

PUBLIC COMMENT:

Daryl Peck, Concord Public Finance – Daryl presented a schedule for the sewer project which includes permitting, funding and construction and was prepared jointly with Becker Engineering. Daryl explained that the amount for the third interim financing will be determined after the bids are received but is estimated to be between \$8 and \$10 million. The plan would be to send out the RFP in mid-August, receive proposals in September, accept a proposal in November and close on the loan in December. The schedule also notes that the Authority would close on the USDA loans around substantial completion or when the amount for their loan has been expended. Gary noted that the goal is to put the project out for bid by mid-August. He also noted that the bidding will all be done electronically through PennBid. Chuck requested conditional approval for Becker Engineering to release the Regional WWTP & Collection & Conveyance system for bid. Gene Pierce made a motion to give conditional approval for Becker Engineering to release the Regional WWTP & Collection & Conveyance system for bid contingent on USDA’s approval and Becker Engineering’s concurrence and for Denise to run the ad in the paper, seconded by Harold Kilhefner. Motion carried unanimously. Gene Pierce made a motion to conditionally authorize Concord Public Financial to send out Request for Proposals for interim financing #3 with the amount to be determined contingent upon USDA’s authorization to go out to bid and Becker Engineering’s concurrence, seconded by Randy Miller. Motion carried unanimously. Gene Pierce made a motion to authorize signing the engagement letter with Concord Public Financial for the third interim financing, seconded by Randy Miller. Motion carried unanimously.

CORRESPONDENCE:

1. M.J. Reider lab reports (Shady Maple) June. There will be no surcharge for June.
2. PA DEP – Letter regarding Terre Hill WWTP Chapter 94 Report – It was noted that the plant is both hydraulically & organically overloaded and DEP recommends limiting connections. Gary explained that we are aware of the overloading and DEP is aware that a new plant is in the works. He also explained that single lots, or even a few lots of infill that require connection can probably be accommodated. However, if a land development project or subdivision project is presented to the Authority, connections may need to be prohibited until the new facilities are constructed and operational.
3. Sundance Car Wash – Letter regarding storm water issues in the area of the Authority EQ station driveway easement. Frank was consulted and his opinion is that the Authority isn’t responsible for the pipe in question. Scott reported that he called Ed Hollinger and explained that the pipe is not the Authority’s responsibility and Ed understood. Denise will follow up with a letter.

4. Becker Engineering for Earl Twp. Sewer Authority - 2021 flow projections and a \$75,081.00 credit for 2020. Quarterly payments of \$66,083 will be due for 2021.
5. SRBC – Docket Approval for Blue Ball System Well No. 4.
6. PA DEP – WQM/NPDES Permit transfer for Terre Hill WWTP. Gary noted that this transfer was due to changing the permit from Terre Hill Borough to Weaverland Valley Authority.
7. Fry Surveying – Resubmittal of Usner/Eby land development plan.
8. ELA Group – Updated Opinion of Probable Cost (OPC) for Regional WWTP project. This updated OPC is needed to project the amount needed for the 3rd interim financing. Chuck noted that USDA requires bidders to hold their bids for 120 days and for this reason, ELA is recommending using the high estimate. The high estimate extends the estimated cost past the USDA loan value. Gene asked if this would give the Authority the chance to ask USDA for more funding. Gary reported that the question was asked during the last call and Sean said the Authority would be able to ask for more or look for alternate financing but at this time he is taking a wait and see approach.
9. PADOT HOP – Approved for Usner/Eby connection of the to the system.

ADMINISTRATIVE REPORT:

Denise requested the board to allow her to purchase screens for the office windows. She explained that the cost is \$66.00 per window. Scot Ash made a motion to purchase screens for the 5 office windows, seconded by Scott Marburger. Motion carried unanimously.

Denise reported that she received a call from a rental customer because their consumption was double their normal consumption. She also reported that this customer is having a difficult time paying right now because she works at the school and has not received any unemployment benefits yet. She is asking for a payment plan and a waiver of the penalty fees. Scott Marburger made a motion to waive the penalty fee and set up a payment plan, seconded by Scot Ash. Motion carried unanimously.

Denise also discussed the new Sunshine Law rules that Frank distributed. Beginning Aug. 29, 2021, the Authority will need to start posting the agenda on the website or at the meeting place at least 24 hours before the meeting. The agenda needs to contain all items that will be voted on. The act does allow authorities to vote to add unadvertised items to the agenda if agreed to by a majority of board members.

FINANCIAL REPORT:

The Financial report was read with \$189,293.51 (Sewer \$139,014.98 Water \$50,278.53) in bills for approval.

Water & Sewer Collection Fund	\$3,318.54
Business Checking Water Fund – ENB	\$100,000.00
FDIC Insured Sweep Account – Water	\$765,008.23
FDIC Insured Sweep Account - Sewer	\$2,156,097.94
Business Checking Sewer Fund - ENB	\$250,000.00
FDIC Insured Sweep Account – Fulton (June balance)	\$1,026,393.65
Joint WWTP Business Checking – Fulton Bank	\$2,500.00
Joint WWTP Business Checking – Ephrata National Bank	\$2,500.00

A motion was made by Harold Kilhefner to approve the financial report and pay the bills, seconded by Randy McDermott. Motion carried unanimously.

ENGINEERS' REPORT:

Gary Martin reported:

CA/CM: The USDA E-500 was approved and circulated to the board. Harold Kilhefner made a motion to approve and sign the E-500 and Engineering Certification, seconded by Scot Ash. Motion carried unanimously.

Regional WWTP NPDES & WQM Permit: Still waiting on DEP.

Wildflower Development: The Phase 1 record plans and video have been reviewed. A punch list of items has been issued for the water and sewer facilities. Becker has issued email comments on Phase 2 draft Record Plans. Waiting on submission of updated Record Plans.

Horst Farm Market: Construction has been completed. Waiting on grinder pump start up report.

Timberline Estates: Still working towards dedication.

322 Properties: Shop drawings are being reviewed. A resubmittal was received July 7th.

Terre Hill Water System: A groundwater elevation plan for Well 3 has been submitted and Well 1 groundwater elevation monitoring plan is due by Sept. 19, 2021.

Blue Ball Water System: Well 4 has received PA DEP approval to convert to a community source of water. SRBC has also issued Docket approval for the project. The water quantities approved are 140 gpm instantaneous withdrawal (currently 59 gpm). Backer has completed the bidding documents.

Bruce and Becker received a proposal from Dave Gettle to update the Blue Ball Water System's communications system. The update would also incorporate the operation of Well 4. This is projected to be on the August meeting agenda.

Chuck Haley reported that ELA is preparing for an Aug. 2nd bid release. The Building Permit application and plans will be submitted to the Township for code review. The WQM and NPDES permits with a new construction schedule have been submitted to PA DEP and are waiting on approval.

Revised construction Documents were provided to USDA on June 25th and the MEP drawings and specs were submitted on July 2nd. USDA engineer, John Brady, plans to review the submission in the next 2 weeks.

One item that needs to be submitted is the WBE/MBE affidavit. Chuck explained that this requirement is not a stipulation for this project but it is encouraged. Gene Pierce made a motion to approve and sign the WBE/MBE affidavit for USDA, seconded by Harold Kilhefner. Motion carried unanimously.

SOLICITOR'S REPORT:

Frank Mincarelli distributed his report via email which included reviewing USDA Amendment to the Letter of Conditions with regard to the environmental mitigation measures and the Letter of Intent to Meet Conditions. He also replied to an email from the engineer noting that he has not received a response from Marvin Zimmerman regarding the easement agreement across Lot #13 in Twin Springs. Frank also noted that a draft Developer's Agreement was sent to Lighthouse Church back in September and has yet to be signed and returned to the Authority.

Frank reviewed the Usner/Eby Sewer Plan and responded that a Sanitary Sewer Lateral Installation Agreement is needed because the facilities will be dedicated to the Authority and because it will require work in the PADOT right of way. Frank also noted that in regards to the Sensenig easement encroachment, the preferred solution would be to get Martin Land Development to sign the Deed of Dedication to retroactively create the easement.

OPERATIONS REPORT:

Bruce reported that the Day-to-Day committee discussed the temporary employee situation and decided to rerun the ad through Indeed. Bruce also reported that the first lead and copper samples in Terre Hill were done since the installation of the new treatment and none of the samples were over the allowable amount. The treatment appears to be working.

DAY-TO-DAY COMMITTEE:

Harold reported that reviewed the 2020 Audit Report with the auditor over the phone. The auditor explained the Authority received the best opinion given which is an unmodified opinion. He noted that there were

some deficiencies with segregation of duties due to having a small office staff. The audit report recommended developing a Technology Disaster Recovery Plan. Denise reported that she is in the process of updating the Emergency Response Plan which will also address cyber-attacks. There was discussion about possibly forming a committee to address security measures.

The status of the search for a temporary employee was discussed. Bruce will repost the ad on Indeed.

NEW BUSINESS:

Building Permit Applications & Plans for WWTP & Conveyance System Project – The building permits for the project were delivered by Eldon Stoltzfus’ office. There was a question regarding the inspection company for the project. Chuck will clarify so the permits can be signed and given to the Township for review. Approval for submitting the permits was given in November 2020.

Having no further business, Harold Kilhefner moved to adjourn the meeting at 8:18, seconded by Scott Marburger. The next meeting will be held on August 9, 2021 beginning at 6:30 p.m.

Respectfully submitted,

Denise A. Bensing

Cc: Scot Ash
Harold Kilhefner
Scott Marburger
Randy Miller
L. Eugene Pierce
Kenneth Witmer
Jason Firestine
East Earl Township
Terre Hill Borough
Robert Rissler
Charles Haley, ELA
Gary Martin, Becker Engineering
Frank Mincarelli, Blakinger Thomas