

Meeting Minutes
Board Meeting
Monday, March 12, 2007 at 7:00p.m.

Roll Call

Present were President Ron Houck, Vice President David DeVilbiss, Secretary Michael McDonald, Eric Hand, Bill Karns, Ron Hagan and Marilyn Anderson. Absent was Michael Kostrzewa. Treasurer Michael Claytor arrived during the Personnel & Benefits Committee Report. Staff present included Controller Ron Hansen, Utility Director Drew Williams, Director of Administration and Customer Service Candy Feltner, District Engineer Ryan Hartman and Legal Counsel Anne Poindexter. The audience sheet is attached.

Mr. Houck stated that an additional item would be added to the agenda. The Board presented former Board Member Diana Cremeans with a plaque for her many years of service. Mr. Houck gave a brief history of Mrs. Cremeans involvement with the District.

Consent Items

Mr. Houck asked for any corrections to the February 12, 2007 Executive Session Minutes. Mrs. Anderson motioned to approve the minutes as presented. Mr. McDonald seconded the motion. The motion unanimously passed.

Mr. Houck asked for any corrections to the February 12, 2007 Board Meeting Minutes. Mrs. Anderson changed the wording on page 2 under the Low Pressure System Policy to read "Mrs. Anderson explained that the Low Pressure System would be used when a Gravity System was not feasible." Mrs. Anderson motioned to approve the minutes as amended. Mr. Hagan seconded the motion. The motion unanimously passed.

Attorney's Report

Project Updates

Mrs. Poindexter reported that there were no Project Updates to report.

Report of Pending Litigation

Clay Township Trustee's Appeal to OEA

Mrs. Poindexter suggested this item be referred to as Zionsville Appeal of the OEA Decision on future agendas. She also stated that the Board's answer denying Zionsville's allegations and requesting the court not give Zionsville the releases they are requesting has been filed. Also, the Trustee's Council and IDEM's Council filed a similar response, while OEA's Council requested additional time to respond. Mrs. Poindexter then reported that she will file a motion asking the court to dispose of the item by motion and briefing unless otherwise instructed by the Board. There were no other instructions from the Board.

Deerfield easements- Carey foreclosure complaint

Mrs. Poindexter reported that the foreclosure case was dismissed. Mr. Williams explained that bidding will soon begin on both the original and alternate sewer route. He intends to present the lowest bid to the Board at next month's meeting. Therefore, Mrs. Poindexter should not move forward on the Carey Easement Case at this time. Mr. DeVilbiss motioned to vacate the

current hearing date for the Carey Easement Case. Mr. Karns seconded the motion. The motion unanimously passed.

Utility Director's Report

Director's Report and Selected Statistics

Mr. Williams reported that there are two job positions posted: one for the Pretreatment Compliance Specialist and the other for the Plant Supervisor. Mr. Williams also reported that Westfield's SCADA specialist came to look at the District's SCADA system and spent some time with the plant staff going over things. The specialist reported that it is a good system, but the bugs need to be worked out so that the staff regains confidence in the system.

Committee Reports

Budget & Finance Committee

Mr. McDonald stated that there are no action items to be addressed. He also reported that there were some issues raised at the Committee meeting concerning depreciation. The biggest issue is the Districts' sewer lines having a 100 year lifespan while other municipalities and entities have a 50 year lifespan on depreciation. Additionally, he reported that the Committee was considering adjusting the depreciation.

Personnel & Benefits Committee

Mr. Hand reported that the Committee is reviewing the on-call/take home vehicle policy and asked that if anyone had any comments or questions, they could contact anyone on the committee.

Mr. Claytor arrived at the Board Meeting.

Educational Assistance

Mr. Hand motioned to approve the revised Educational Assistance policy. Mr. Hagan seconded the motion. The motion unanimously passed.

Construction and Capital Committee

Mrs. Anderson reported that there was no Construction and Capital Committee meeting this month and there is nothing to report.

Old Business

Agreement concerning provision of sanitary sewer services within Zionsville, Boone County and Eagle Township

Mrs. Poindexter reported that she received a phone call from Mr. Sherman, Zionsville's counsel, requesting a meeting to create an agreement that would satisfy both the Board and Zionsville. Mrs. Poindexter reported that she told Mr. Sherman she would talk with the Board before such a meeting could take place. Mrs. Poindexter asked the Board if they wanted such a meeting to take place or if the Board would like to form a committee to study the matter and meet with Zionsville.

Mrs. Anderson stated that she believed some issues could not be negotiated away. Mrs. Poindexter reported that it appears after a brief discussion with Zionsville's counsel that some non-negotiable issues are up for negotiation.

Mr. DeVilbiss motioned to terminate discussion with Zionsville for purposes of reaching an agreement for sewer service for the time being. Mr. Claytor seconded the motion. After a discussion, the motion passed with a vote of seven in favor of and one opposed.

Mr. Houck, Mr. DeVilbiss, Mr. McDonald, ~~Mr. Hand~~, Mr. Karns, Mr. Hagan, Mrs. Anderson and Mr. Claytor voted in favor of the motion and Mr. Hand voted to oppose the motion.

Mr. Houck requested that Mrs. Poindexter convey the Board's concerns with this item to Mr. Sherman and express their continued desire to maintain a good relationship with Zionsville.

Appointment of the Wage Determination Hearing Committee

Mr. McDonald was appointed as the Owner's Representative at last month's Board Meeting and due to some scheduling conflicts, he needs to be replaced. Mr. Claytor motioned to appoint Mrs. Anderson as the Owner's Representative on the Wage Determination Hearing Committee for the Deerfield Sewer Project and Biosolids Facility and appoint to Mr. Hagan as the alternate Owner's Representative. Mr. McDonald seconded the motion. The motion unanimously passed.

New Business

Crooked Stick Lane/Spring Run Estates Sanitary Sewer CO#3

This item was withdrawn from the agenda because Atlas has requested the issue go back the Construction and Capital Committee before it is brought to the Board.


Claims Docket

Mr. Claytor motioned to accept the Claims Docket as presented. Mr. Karns seconded the motion. The motion unanimously passed.

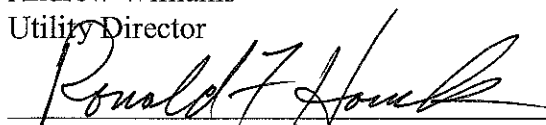
Adjourn

Mrs. Anderson motioned to adjourn. Mr. Claytor seconded the motion. The motion unanimously passed. The meeting was adjourned at 7:52 p.m.

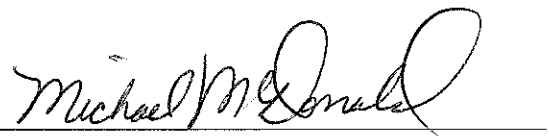
Respectfully Submitted:



Andrew Williams
Utility Director



Ronald Houck
President



Michael McDonald
Secretary

Accept the Meeting Minutes:

As Presented _____

As Amended X