



**BOARD OF TRUSTEES MEETING**  
Monday, December 8, 2008 @ 7:00 P.M.

Meeting Minutes

**ROLL CALL**

Board members present: President Ron Houck, Vice President David DeVilbiss, Secretary Michael McDonald, Treasurer Michael Claytor, Marilyn Anderson, Ron Hagan, Eric Hand, Jane Merrill, Utility Director Andrew Williams, and Legal Counsel Anne Poindexter. Absent: Greg Starleaf. The audience sheet is attached.

**APPROVAL OF MINUTES**

Under Old Business and the Valvoline violation, Ms. Anderson had concern that the minutes regarding the District not budgeting for legal fees in the event Great Lakes Quick Lube/Valvoline files a lawsuit might be misleading and perceived to be the only reason the District wanted to dispute this issue. Mr. Houck commented that the stated motion made did not capture the Board's concerns and what they did agree upon. Approval of the minutes has been suspended until the minutes are revised, and the adjournment time of the meeting added.

**ATTORNEY'S REPORT**

Project Updates

Mrs. Poindexter is ready to file against three property owners on St. Andrews Lane/Circle who have received numerous notifications from the District to connect and have failed to respond: James S & Margaret M Irsay, Mahmood Nawaz & Mansoor Ahsan, and Christopher & Patti Savage. Ms. Feltner stated that the Savage's had asked to meet her to sign a promissory note on a day the office was closed and she was not able to meet them. She has also had conversation with the engineers for Irsay's property. The District states the consequences of not acknowledging or failing to connect in their letters to the property owners. Mr. Houck added that the property owners do have the option of waiting five (5) years. They can elect to defer under the District's connection policy, but they need to sign a promissory note or pay immediately the fees. The next step for the property owners would be to either hire a lawyer to dispute the District's request, or call the District and follow the proper steps to take care of the issue. In past years, there have been a number of times that counsel filed non-connect cases, but Mrs. Poindexter only tried one out of that number.

Report of Pending Litigation

Nothing to report at this time.

**UTILITY DIRECTOR'S REPORT**

Director's Report and Selected Statistics

Mr. Williams reviewed the Director's Report with Board members. All complaints this month were odor related. Several were due to lack of water in their traps.

Staff reviews are completed and the District made a transition to the pay-for-performance compensation program this year. Raises for 2009 range from 0% to 6% with an overall average of 3%.

Mr. Williams invited the Board members to join the District's Christmas Luncheon on Tuesday, December 16<sup>th</sup> at 11:30 a.m.

An informational meeting on the new health insurance plan was held for spouses on December 2<sup>nd</sup>. A representative from Teachers Credit Union was here this morning to meet with the staff regarding setting up their health savings account.

The plant lab has been completed and the staff has now moved in. Plant tours will be scheduled in the near future.

Mr. Houck was under the assumption that the District was increasing their flow to Carmel during the month of November. Mr. Williams clarified that we have not made the switch over to Carmel yet. Mr. Hansen prepared a variable cost comparison, excluding labor, which shows it is cheaper to treat the waste at our plant for \$500 per million gallons, than it is to send it to Carmel at \$1000 per million gallons. Mr. Williams summarized it by saying it would be cheaper to send flow to Carmel if we had 3 less staff members. Carmel would like to renegotiate with us and put a base charge into the contract. Mr. Williams stated that our contract with Carmel is a 10-year renewal, and he believes the last renewal was two years ago. Carmel is considering an expansion and Mr. Duffy would like definitive numbers from the District as soon as possible. This issue will be discussed at the December 19<sup>th</sup> Budget & Finance Committee meeting.

## **COMMITTEE REPORTS**

### **BUDGET & FINANCE COMMITTEE**

A motion was made by Mr. Claytor to increase the Employee Insurance expense in the 2009 Budget by \$19,200.00 for a new total of \$260,300.00, and seconded by Mr. McDonald. The motion was unanimously approved.

### **PERSONNEL & BENEFITS COMMITTEE**

A motion was made by Mr. Hand to approve the 2009 Holiday Schedule, and seconded by Mr. Hagan. The motion was unanimously approved.

A motion was made by Mr. Hand to approve the revised health insurance budget number allowing for the Anthem E10 high deductible plan and health savings account seed and match program. The motion was seconded by Mr. Claytor. The motion was unanimously approved.

### **CAPITAL & CONSTRUCTION COMMITTEE**

A motion was made by Ms. Anderson to accept the dedication for Heather Knoll, Section 3A, and seconded by Mr. DeVilbiss. The motion was unanimously approved.

Courtyard by Marriott Sewers and Interstate at Meridian Sewers are old projects that have never been dedicated due to outstanding issues. Mr. Williams explained that in the correspondence between the original builders of the sewers back in 1992 through 1994, there were some items not repaired and the projects never got dedicated. The new owner of a medical building near the property does not want to take ownership until the sewers are dedicated. Mr. Williams has

asked legal counsel to determine who can dedicate the sewers since ownership has changed. For the present time, these two sewer projects are on hold.

1st Reading of Ordinance 12-08-08, Inflow and Infiltration. Mrs. Poindexter is not finished with her comments of this ordinance and does not want the District to adopt an ordinance for which there truly isn't an underlying policy or program; therefore, she discourages any action on this item at this evening's Board meeting. A motion was made by Ms. Anderson to table the 1<sup>st</sup> reading of Ordinance 12-08-08 until next month's Board meeting, and seconded by Ms. Merrill. The motion was unanimously approved.

A motion was made by Ms. Anderson to request the Board's approval of the Capital Budget with a contingency that large item capital project costs be added to the budget upon completion of the Master Plan. The motion was seconded by Mr. DeVilbiss. The motion was unanimously approved.

A motion was made by Ms. Anderson to request the Board's approval of the Lab Expansion Change Order #2 in the amount of \$1,380.20, and seconded by Ms. Merrill. The motion was unanimously approved.

Mike's Express Carwash, Store #35, has not made the required corrections by this evening's Board meeting. Their engineer told the District Engineer Ryan Hartman that the plates necessary to make repairs were special ordered and should arrive within a week from today. Repair time should be approximately two days. Mr. Houck would like to see the District's process for fines, notification, and violations. Mrs. Poindexter commented that the only way a fine can be levied is by the Board's actions. A motion was made by Ms. Anderson that the Board give Mike's Express Carwash until December 17, 2008 to make the corrections as accepted by the Staff; if not corrected by that time, the Board will fine Mike's Express Carwash \$100 per day beginning December 18, 2008. The motion was seconded by Ms. Merrill, and the motion was unanimously approved.

Mr. Williams reviewed the Safety Committee meeting minutes of November 20, 2008. There was an incident today at the plant with the Kubota utility vehicle. It slid sideways on the snow and ice and then rolled on its side. There were no injuries. The latch on the door was bent. The incident is presently under investigation.

## **OLD BUSINESS**

Mrs. Poindexter updated the Board regarding FOG violations for Great Lakes Quick Lube/Valvoline. They received her letter sent following last month's meeting, and she received several voicemail messages. Reading between the lines, she feels there are two issues: one is that their counsel has been in trial quite a bit the past few weeks, and two, they may or may not be having difficulty even with the financial portion that they originally suggested. Mrs. Poindexter suggests that the Board leave this matter pending for another month and hopefully the matter will be resolved or further action will be taken.

Mr. Williams stated that the letter to Carmel Clay Schools was sent today to Dr. Underwood and all the school board members, and Mr. Williams anticipates a response by the end of the week.

**NEW BUSINESS**

The claims docket was revised to reflect two additional invoices which are listed on page 6, claim #s: 17129, Gov. Util. Tech Serv., and 17132, Merrell Brothers. One invoice from Campbell Kyle Proffitt was removed. A motion was made by Mr. Claytor to approve the claims docket as amended, and seconded by Mr. McDonald. The motion was unanimously approved.

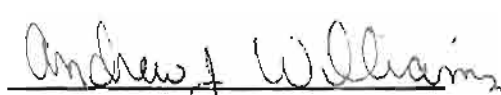
Mr. Williams made the Board aware of changes to the Inflow and Infiltration Program that were discussed in the C&C Committee meeting recently. Inspections were proposed to be done by certified inspectors, but the District is now looking at doing inspections in-house. The District will have more control in making sure the inspections meet our specifications. Mr. Houck favors the option of a certification program in the I&I language so that we can invoke this without revising the policy. Mrs. Poindexter added that she is also in favor of the District's employees completing the inspections. The number of employees and the costs of the inspections still need to be determined.

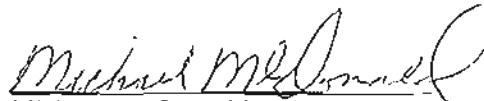
**ADJOURN**

A motion was made by Ms. Anderson to adjourn, and seconded by Mr. McDonald. The motion was unanimously approved. The meeting adjourned at 8:12 p.m.

The next Board of Trustees meeting is scheduled for Monday, January 12, 2009 at 7:00 p.m.

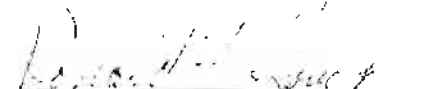
Respectfully submitted:

  
Andrew Williams, Utility Director

  
Michael McDonald, Secretary

Accept the Meeting Minutes:

As Presented  
 As Amended

  
Ronald Houck, President

