



BOARD OF TRUSTEES MEETING

Monday, May 11, 2009 @ 7:00 P.M.

Minutes

ROLL CALL

Present: President Ron Houck, Vice President Marilyn Anderson, Treasurer Michael McDonald, Secretary Eric Hand, Ron Hagan, Jane Merrill, Sam Mishelow, Greg Starleaf, Utility Director Andrew Williams, and Legal Counsel Anne Poindexter. The audience sheet is attached.

ELECTION OF TREASURER AND SECRETARY

A motion was made by Ms. Merrill to nominate Mr. McDonald as Treasurer for the Board of Trustees, and was seconded by Ms. Anderson. The motion was unanimously approved.

A motion was made by Mr. McDonald to nominate Mr. Hand as Secretary for the Board of Trustees, and was seconded by Mr. Starleaf. The motion was unanimously approved.

APPROVAL OF MINUTES

A motion was made by Ms. Merrill to approve the April 13, 2009 minutes, and was seconded by Mr. Hagan. The motion was unanimously approved.

ATTORNEY'S REPORTS

Project Updates

Nothing to report at this time.

Report of Pending Litigation

Mrs. Poindexter discussed the demand letter from Millennium's attorney. Staff and consultants recommend against the change order for \$16,098.28 submitted by Millennium. A motion was made by Ms. Anderson to direct counsel to again reject Millennium's request for payment, and was seconded by Ms. Merrill. The motion was unanimously approved.

UTILITY DIRECTOR'S REPORT

Director's Report and Selected Statistics

Mr. Williams stated that the FTC had previously requested that financial institutions and lenders have a "Red Flag" policy in place by May 1, 2009 to address identity theft prevention. The FTC postponed the compliance date of May 1 to August 1, 2009.

All Board members have received a copy of HNTB's Master Plan Study, which is also included on our website. Working sessions should be scheduled soon to review HNTB's recommendations.

The Board members are invited to the District's social gathering on Thursday, May 28, 2009 at the Fox & Hound from 4:30 to 6:30 p.m. The Fox & Hound is offering free appetizers, pizza, use of pool tables, etc. to all chamber members. Approximately 12 employees have signed up to attend. Mr. Houck suggested sending the Board an email reminder as the time gets closer.

Regarding the Selected Statistics Report, it is not clear what the column "2009 YTD" entails. Ms. Anderson would like a column heading change or a footnote added for clarity purposes. Mr. Williams will also include a rolling 12 month summary sheet in his report.

COMMITTEE REPORTS

BUDGET & FINANCE COMMITTEE

There are no action items for the Board at this time. Mr. McDonald updated the Board regarding the meeting with John Duffy and Ed Wolf on the Carmel Treatment agreement. Carmel has asked that the agreement be negotiated this year. Mrs. Poindexter and Mr. Williams will again meet with the rate consultant, Mr. Krohn, to discuss the specifics of the Carmel Treatment plant meeting.

PERSONNEL & BENEFITS COMMITTEE

Mr. Hand discussed the Employee Handbook revisions that were included in the Board members' packets. A motion was made by Mr. Hand to accept the revisions as presented, and was seconded by Mr. Hagan. The motion was unanimously approved.

Mr. Hand asked the Board for their comments regarding the District's participation in the July 4th CarmelFest. The Board agreed they would like to see an outline of plans before making any comments.

CAPITAL & CONSTRUCTION COMMITTEE

A motion was made by Ms. Anderson to accept dedication of 141st Street Extension (Grubaugh Residence) Sanitary Sewer Project, and was seconded by Ms. Merrill. The motion was unanimously approved.

In regards to appointing representatives to a construction wage hearing committee, a motion was made by Ms. Anderson to recommend Jane Merrill to the Hamilton County Commissioners for their consideration in appointing a representative, Sam Mishelow as the Industry Representative, and Marilyn Anderson as the Rate Payer. The motion was seconded by Mr. Mishelow and was unanimously approved.

There was a brief discussion on I&I inspections and the recent NO SHOWs.

OLD BUSINESS

Carmel Clay Schools

Mrs. Poindexter received correspondence from the Schools' attorney proposing a resolution to the outstanding FOG issues. Carmel Clay Schools (CCS) would pay the District \$15,000 as reimbursement of cleaning charges the District believes they have incurred as a result of Carmel Clay Schools' activities at Creek Side Middle School. Payment will be made at the end of June and would be included on the school's June docket. They are asking that the District give Carmel Clay Schools until the start of school to make the plumbing changes requested by the District, instead of the June date set earlier. Conditioned upon this

agreement, Carmel Clay Schools is not admitting any liability or responsibility. The District would agree to revoke the fines or other charges imposed and accept this payment as full payment arising from Creekside Middle School through the date of the agreement. Mrs. Poindexter stated that the District's consultants have reviewed this and recommend accepting this settlement. A motion was made by Ms. Merrill to accept the settlement offered by Carmel Clay Schools, and was seconded by Mr. Hagan.

Following further discussion, Mrs. Poindexter will reply back to CCS that the Board has accepted their proposal, but with the following clarification that CCS will continue the voluntary food handling practices that address the problem and that CCS notify the District when the repairs have been made. The original motion to approve was withdrawn by Ms. Merrill and Mr. Hagan.

A new motion was made by Ms. Merrill to accept the proposal offered by the Carmel Clay Schools with the addition that CCS continue their voluntary food handling practices and notify the District upon completion of repairs. The motion was seconded by Mr. Hagan, and was unanimously approved.

NEW BUSINESS

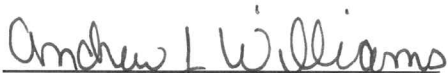
Claims Docket

A motion was made by Mr. Hagan to approve the claims docket, and was seconded by Mr. Mishelow. The motion was unanimously approved.

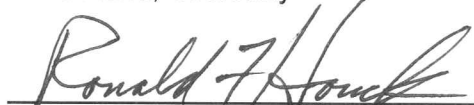
ADJOURN

A motion was made by Mr. Mishelow to adjourn, and was seconded by Ms. Anderson. The motion was unanimously approved. The meeting adjourned at 8:20 p.m.

Respectfully submitted,


Andrew Williams, Utility Director


Eric Hand, Secretary


Ronald Houck, President

Accept the Meeting Minutes:
 as Presented
 as Amended