



## BOARD OF TRUSTEES MEETING

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Monday, September 14, 2009 @ 7:00 P.M.

### Minutes

#### **ROLL CALL**

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

#### **APPROVAL OF MINUTES**

A motion was made by Mr. Hand to approve the August 10, 2009 Board of Trustees Meeting Minutes, and was seconded by Ms. Anderson. The motion was unanimously approved.

#### **ATTORNEY'S REPORTS**

##### Project Updates

Mrs. Poindexter stated that title searches have been ordered for the six or seven residents from 116<sup>th</sup> Street & Shelborne and Holaday Hills & Dales that failed to respond to their notices to pay construction fees. She will contact them once and then file suits against them for failure to respond or pay construction fees. Mrs. Poindexter will have an update at next month's Board meeting.

##### Report of Pending Litigation

Nothing to report at this time.

#### **UTILITY DIRECTOR'S REPORT**

##### Director's Report and Selected Statistics

Mr. Williams confirmed that the Preliminary Engineering Report for Bakers Corner went out to the 17 residents as well as the property owner Mr. Cook. Mr. Williams has heard nothing back from the residents, the county commissioners or the county health department.

Mr. Bob Holden contacted Mr. Watkins regarding the odor at the plant. Mr. Holden insists that the treatment process we use should move the sludge around enough to prevent any hydrogen sulfide odor coming off the sludge tanks. He also recommends that once the aerator has been repaired, tank 3 should be used in a rotation with tanks 1 and 2. Mr. Holden will be providing a written procedure for Mr. Watkins to follow. Although this procedure will hopefully eliminate the hydrogen sulfide odor in the sludge tanks, the headworks odor is another issue that was not addressed by Mr. Holden.

Mr. Williams discussed the feet of sewer cleaned year-to-date. We are looking at contracting with Fluid Waste to get caught up. The time study reports should indicate if cleaning sewers or raising manholes in-house is more cost effective for the District.

Mr. Williams stated that Carmel Wastewater sent the District an invoice for \$26,000 covering June and July, 2009 for a base charge we do not have in place, and for sending them insufficient flows. Mr. Williams is working with legal counsel on a response to Carmel.

Mr. Williams updated the Board regarding the Summerlakes I&I inspections. There were 12 violations out of 89 homes. Three violations were cracked cleanout stacks, and nine were illegal connections. Mr. Hartman will talk more about this issue in his C&C Committee report.

## **COMMITTEE REPORTS**

### **BUDGET & FINANCE COMMITTEE**

A motion was made by Mr. McDonald to approve the purchase of a 2010 F250 truck from Pearson Ford in the amount of \$24,890, and was seconded by Ms. Schaafsma. The motion was unanimously approved.

A motion was made by Mr. McDonald to approve the lift stations paving contract with Young & Sons Asphalt Paving for \$24,779, and was seconded by Ms. Schaafsma. The motion was unanimously approved.

A motion was made by Mr. McDonald to change the name of the Budget & Finance Committee to the Finance & Operations Committee and also make the proper updates in the By-Laws. The motion was seconded by Ms. Schaafsma. The Board discussed whether or not Operations should be included at the committee level instead of remaining the responsibility of the Utility Director and keeping the full Board as overseers. Mr. McDonald and Ms. Schaafsma withdrew their motions and this discussion is tabled until next month's meeting.

The Board discussed the Carmel treatment agreement. The three primary issues are overflows, flow variation, and EDU fees. There was a consensus of the Board that the issues of EDU fees and overflows be removed from negotiations. A motion was made by Ms. Anderson to direct legal counsel to move forward with Proposal #4 stipulating an average monthly flow, and that we move ahead with upgrading Lift Station #1 pump as proposed in Strand & Associates' letter of September 14, 2009. The motion was seconded by Mr. Starleaf.

After further discussion, Mr. Starleaf withdrew his second and Ms. Anderson withdrew her motion. A new motion was made by Ms. Anderson to move forward with Proposal #4 with a base charge of 1.75 mgd on a monthly average, and seconded by Mr. Starleaf. The motion was 7 in favor with Mr. McDonald against, and Ms. Schaafsma abstaining.

A motion was made by Ms. Anderson to upgrade Lift Station #1 pump as proposed in Strand & Associates' letter dated September 14, 2009 for a total project cost of \$250,000, and was seconded by Mr. McDonald. The motion was unanimously approved.

Mrs. Poindexter asked the Board members to set a date for a meeting in order to select an arbitrator. The Board President will be out of town all next week, and in order for the Executive Committee to meet, the Board must appoint a member-at-large to fill the vacancy on the Executive Committee. A motion was made by Ms. Merrill to appoint Mr. Starleaf as member-at-large, and was seconded by Mr. Hagan. The motion was unanimously approved.

There were at least 5 board members that were able to attend a special board meeting on September 22. A meeting was then scheduled for September 22, 2009 at 5:30 p.m. at the Clay Township Government Center.

Two written requests were received to refund a \$20 surcharge for non-compliance with the I&I Ordinance. The I&I Ordinance does not contain any provision for refunding this surcharge without Board approval. A motion was made by Mr. McDonald to refund the I&I sewer surcharge of \$20 to the two new customers, and was seconded by Ms. Anderson. The motion was unanimously approved. All sewer surcharge refund requests will continue to be reviewed on a case by case basis.

#### PERSONNEL & BENEFITS COMMITTEE

There are no action items for the Board this evening.

#### CAPITAL & CONSTRUCTION COMMITTEE

A motion was made by Ms. Anderson to recommend the Board approve dedication of the Village of West Clay, 3001-A, Buildings #1 and #2, along with the recommendation that the Maintenance Bond requirement be waived. The motion was seconded by Ms. Merrill and the motion was unanimously approved.

A motion was made by Ms. Anderson to recommend the Board approve a gravity sewer design for Lakewood Gardens reserving the right to pull this project and service with a low pressure system if the bids come in higher than the engineer's estimate. The motion was seconded by Ms. Merrill and the motion was unanimously approved.

A motion was made by Ms. Anderson to recommend the Board approve a low pressure sewer design for Edgewood Subdivision, and was seconded by Mr. Starleaf. After further discussion, the motion was 8 in favor, with Mr. Houck against.

There are still 3 property owners in the Summerlakes subdivision that have not scheduled their I&I inspections. The Committee recommends that the Board determine a fine structure for these property owners that have not complied with the District's letters and timeframes to have their I&I inspections completed by September 14, 2009. A motion was made by Ms. Anderson to send a letter to the 3 property owners in Summerlakes assessing a fine of \$100 per day that will start 14 calendar days after the date of the letter until their I&I inspection is scheduled and completed by the District. The motion was seconded by Ms. Merrill and the motion was unanimously approved.

A motion was made by Ms. Anderson to proceed with a 1<sup>st</sup> reading of Springmill Streams Rate Ordinance 09-14-09, with the deletion on Page 2, Section 4, 3<sup>rd</sup> line, striking ~~defer connection to the system for~~. The motion was seconded by Mr. Mishelow, and the motion was unanimously approved.

Mr. Houck read the following into the record: Ordinance 09-14-09, an ordinance establishing a sewer surcharge to pay for the cost of the local sewers in the Springmill Streams Subdivision serving lots 2-19, 21-34, P35, 36-43, 45-56, 63-73, and 89-101 in Hamilton County; Indiana; provisions for financing of payment and other matters connected therewith.

A motion was made by Ms. Anderson to proceed with publishing and a 2<sup>nd</sup> reading of Springmill Streams Rate Ordinance 09-14-09 at next month's Board meeting, and was seconded by Mr. Mishelow. The motion was unanimously approved.

SAFETY COMMITTEE

There were no questions from the Board regarding the August 19, 2009 minutes of the Safety Committee meeting.

**OLD BUSINESS**

Ms. Anderson would like to schedule a Board meeting in the very near future (preferably October) to discuss the Master Plan. Mr. Williams will coordinate the scheduling of this meeting.

**NEW BUSINESS**

Claims Docket

A motion was made by Mr. Hagan to approve the claims docket, and was seconded by Ms. Merrill. 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 10:08 p.m.

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

Respectfully submitted,

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Andrew Williams, Utility Director

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Eric Hand, Secretary

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Ronald Houck, President

Accept the Meeting Minutes:

\_\_\_ as Presented

\_\_\_ as Amended