



BOARD OF TRUSTEES MEETING

Monday, November 9, 2009 @ 7:00 P.M.

Minutes

ROLL CALL

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

APPROVAL OF MINUTES

Mr. Houck stated that he did not close the public hearing for the Springmill Streams Rate Ordinance 09-14-09; therefore the October 12, 2009 meeting minutes should be amended by removing that sentence.

A motion was made by Mr. Hand to approve the October 12, 2009 Board of Trustees Meeting Minutes as amended and was seconded by Mr. Starleaf. The motion was unanimously approved. *[Note: At 44.06 minutes into the meeting, Mr. Houck did state "this concludes the public hearing."]*

A motion was made by Mr. Starleaf to approve the October 26, 2009 Master Plan Meeting, and was seconded by Ms. Merrill. The motion was unanimously approved.

ATTORNEY'S REPORTS

Project Updates

Nothing to report at this time.

Report of Pending Litigation

Mrs. Poindexter updated the Board regarding the abandoned property at 10905 Crooked Stick. The District had placed a lien against the property owner, Walter Coe, and requested Mrs. Poindexter to move forward with foreclosure. The judgment of foreclosure has now been entered and the District is first in line for the liens listed in the foreclosure, and any occupier of the property will have 90 days to connect to the sanitary sewer. Mrs. Poindexter commented that this property will probably not be occupied for some time, and should get scheduled for a sheriff sale.

Mr. Houck inquired about the pending litigation on hold regarding the residents in Holaday Hills and Dales and 116th Street and Shelborne that failed to respond to notices to pay construction fees. The District does not have any construction liens on file for these properties and several title searches revealed that Carmel already had liens on file. This issue will be discussed further at the next Budget & Finance Committee meeting.

UTILITY DIRECTOR'S REPORT

Director's Report and Selected Statistics

Mr. Williams discussed Ms. Nieto's article submission to *The Digester* regarding the District's participation in the Wildlife Friendly Certification Program managed by the Indiana Wildlife Federation. Ms. Nieto is also speaking at the annual conference for the Indiana Water and Environment Federation regarding the District's FOG program.

Regarding the Selected Statistics Report for 2009, Mr. Houck would like to see the 2009 YTD monthly average daily flow, as well as the minimum daily flow for both the Carmel and Michigan Road plants.

As a PR initiative, Mr. Hand asked that the District contact the local Zionsville newspaper regarding the treatment plant's participation in the Wildlife Friendly Certification Program.

COMMITTEE REPORTS

PERSONNEL & BENEFITS COMMITTEE

Mr. Hand gave an overview of the health insurance for 2010. Basically, the program will remain the same with Anthem as well as the concept of the seed money and matching funds. However, there will be an increase to the employee cost share of the premium.

A motion was made by Mr. Hand recommending the District provide seed money of \$1,000 for each employee's HSA, and match up to \$1,000 of the employee's contribution to their HSA, and to also increase each employee's share of the premium from 13% to 16%. The motion was seconded by Mr. Starleaf, and the motion was unanimously approved.

BUDGET & FINANCE COMMITTEE

Ms. Schaafsma stated that the Budget & Finance Committee discussed at length the four requests from the Springmill Streams residents regarding the Rate Ordinance 09-14-09. After listening to comments from several Springmill Streams residents in attendance, the Committee voted to recommend that the rate ordinance be approved as written with no changes.

Ms. Schaafsma explained that the 2010 preliminary budget was reviewed a second time by the Committee. The major change that occurred was reducing the Investment and Bank Interest by \$75,000 due to the current money market rate of 1.81% the District is receiving from the Teacher's Credit Union. The Employee Health Insurance budget was also increased by \$15,000 due to the premium increase received from Anthem. A motion was made by Ms. Schaafsma to approve the 2010 Budget as presented with a Net Income of \$548,500, and was seconded by Ms. Merrill. The motion was unanimously approved.

Mrs. Poindexter gave a brief update on the negotiations with Carmel. She is hopeful she will soon have revisions to the contract for the Board to review and bring closure to negotiations.

CAPITAL & CONSTRUCTION COMMITTEE

Regarding dedication of the Aaron-Rubin-Nelson Mortuary Force Main, Ms. Merrill explained that the state has requested the District to take ownership of the force main, which will be on a temporary basis and will likely be abandoned within a year. A motion was made by Ms. Merrill to approve dedication of the Aaron-Rubin-Nelson Mortuary Force Main, and was seconded by Mr. Mishelow. The motion was unanimously approved.

Second Reading of Rate Ordinance 09-14-09 Springmill Streams Low Pressure Sewer Project. Mr. Houck read the following into the record: 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. Mr. Starleaf, as a resident of Springmill Streams, abstained from the discussion and voting.

A motion was made by Ms. Merrill to approve the second reading of Rate Ordinance 09-14-09 Springmill Streams Low Pressure Sewer Project, and was seconded by Mr. Mishelow. The motion was unanimously approved, with Mr. Starleaf abstaining.

A motion was made by Ms. Merrill to adopt Rate Ordinance 09-14-09 Springmill Streams Low Pressure Sewer Project, and was seconded by Mr. Hand. The motion was unanimously approved, with Mr. Starleaf abstaining.

A motion was made by Ms. Merrill to move forward and award the Springmill Streams Low Pressure Sewer Project, No. 052007, to Atlas Excavating, Inc. in the amount of \$170,000, and was seconded by Mr. Mishelow. The motion was unanimously approved, with Mr. Starleaf abstaining.

INDOT has requested the District to sign an agreement for a sanitary sewer reroute that is necessary to install a new tunnel for the Monon Trail that runs under I-465. A motion was made by Ms. Merrill to approve signing the INDOT I-465/Monon Trail Work Agreement with the understanding that any construction inspection performed by CTRWD personnel will be at CTRWD's expense. The motion was seconded by Mr. Mishelow, and the motion was unanimously approved.

Mr. Hartman contacted the few residents of Laurelwood, as directed by the C&C Committee, that have not scheduled their I&I inspections. To date, four residents have finally scheduled their I&I inspections, with one resident still outstanding. This particular property is for sale and believed to be unoccupied. The realtor was contacted and said she would contact the owner, but an inspection still has not been scheduled. Mr. Hartman was directed to contact the realtor again and reiterate the ramifications of not scheduling the I&I inspection before closing. A motion was made by Ms. Merrill to send one final letter to the realtor/property owner and assess a fine of \$100 per day if no response is received within 14 calendar days of the date of final letter sent by the District. The motion was seconded by Mr. Mishelow, and the motion was unanimously approved.

A motion was made by Ms. Merrill to approve the final change order #2 for \$886.78 to Veolia Water, LLC for the Holaday Hills & Dales project, and that final payment be made. The motion was seconded by Mr. Mishelow, and the motion was unanimously approved.

OLD BUSINESS

Mr. Williams stated that there appears to be a lack of interest for the Lakewood Gardens/Edgewood projects. The C&C Committee is not comfortable moving forward with either project due to the low number of responses and interest by the residents. Mr. Hartman will send a letter informing the residents of the Committee's decision. Mr. Williams explained that grant money could possibly be available for the residents of these two projects. The Board further discussed the District's plans for applying for grants and becoming "shovel ready" for future sewer projects.

NEW BUSINESS

Claims Docket

A motion was made by Mr. Mishelow 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. Merrill. The motion was unanimously approved. The meeting adjourned at 7:58 P.M.

The next Board of Trustees Meeting is scheduled for December 14, 2009 at 7:00 p.m.

Respectfully submitted,



Andrew Williams, Utility Director

Eric Hand, Secretary

Ronald Houck, President

Accept the Meeting Minutes:

as Presented

as Amended