



BOARD OF TRUSTEES MEETING

Monday, February 8, 2010 @ 7:00 P.M.

Minutes

ROLL CALL

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

PUBLIC HEARING FOR ORDINANCE 01-11-2010

Ms. Anderson opened the Public Hearing for Ordinance 01-11-2010: An Ordinance establishing the requirements and fees for the quarterly reading of exit meters for the purpose of providing consumption credits. There were no individuals in the audience to speak on Ordinance 01-11-2010 and the public hearing was closed by Ms. Anderson.

For record purposes, Ms. Anderson again read Ordinance 01-11-2010: An Ordinance establishing the requirements and fees for the quarterly reading of exit meters for the purpose of providing consumption credits. A motion was made by Ms. Schaafsma to approve Ordinance 01-11-2010 and was seconded by Mr. Starleaf. There was further discussion about customers that may qualify for consumption credits and the request deadline of February 15, 2010.

A motion was made by Mr. Houck to amend the first motion and revise Ordinance 01-11-2010 in Section 1, Exit Meter Requirement, item d, third sentence: **"The written request must be received by February 15 the 45th day of any quarter to receive a credit in the subsequent quarter."** The motion was seconded by Mr. McDonald.

Mr. Houck withdrew his previous motion and was then seconded by Mr. McDonald. Another motion was made by Mr. Houck to approve the amended language under Section 1, Exit Meter Requirements, item d, third sentence: **"The annual written request must be received by the 45th day of any quarter to receive a credit in the subsequent quarter."** Also, amend sentence in Section 2, Applicable Fee: **"A non-refundable fee of \$400 per year (prorated by quarter for the first year) per meter shall be paid with the annual written request."** The motion was seconded by Mr. McDonald and was unanimously approved.

A motion was made by Mr. Houck to approve Ordinance 01-11-2010 as amended, and was seconded by Mr. Starleaf. The motion was unanimously approved.

APPROVAL OF MINUTES

Ms. Anderson requested a revision to page 3, Fog Ordinance Enforcements, 5th paragraph, 1st sentence: **"...and the second violation fine of \$1,400 would be reduced by 50% to \$700 subsequent subject to two satisfactory subsequent inspections, with each inspection at \$100 for a total fine amount due by Lenny's Sub Shop of \$900."** A motion was made by Mr. Houck to

approve the January 11, 2010 Board of Trustees Meeting Minutes as amended, and was seconded by Ms. Merrill. The motion was unanimously approved.

ATTORNEY'S REPORTS

Project Updates

Mrs. Poindexter updated the Board regarding the Carmel Wastewater Service Agreement. A motion was made by Mr. Starleaf to recommend legal counsel respond to Carmel with the Board's approval of the surcharge and red line version as to the terms of agreement. The motion was seconded by Mr. Mishelow, and unanimously approved with Ms. Schaafsma abstaining.

Report of Pending Litigation

Nothing to report at this time.

UTILITY DIRECTOR'S REPORT

Director's Report and Selected Statistics

Mr. Williams discussed the new reporting format for the Director's Report and Selected Statistics in the monthly employee newsletter. The Selected Statistics Summary will also continue to be reported in a spreadsheet format for easier comparison of months/years.

COMMITTEE REPORTS

BUDGET & FINANCE COMMITTEE

Approval of Purchase Orders/Agreements

Mr. Starleaf stated that this issue came about when the C&C Committee asked for a review of the current policy for approving purchase orders and agreements in order to streamline the process while keeping the Board as final authority. The B&F Committee has asked Staff to develop a revised policy for the Committee to review next month.

A motion was made by Mr. Starleaf requesting the Board's approval of the four (4) purchase orders listed and was seconded by Mr. McDonald. The motion was unanimously approved.

FOG Fines

Before reviewing the FOG fines, Ms. Anderson asked that the Board keep in mind that the District's goal is to reduce or eliminate the fats, oil, and grease in our sewers and the paperwork is a means to reach that goal. The fine structure should reflect the differences between the two and their impact on the District.

A goal for the Board is to delegate in-depth issues back to the appropriate committees. Ms. Anderson asked the Board for consensus to send the issue of FOG fines back to the B&F Committee to review again. Ms. Anderson suggests that Board members email any questions or concerns to the appropriate committees to be addressed at their scheduled meetings instead of at the Board meetings.

Mr. Starleaf discussed the recent FOG fine assessed Lulu's Café. A motion was made by Mr. Starleaf to waive the \$400 FOG fine assessed Lulu's Café for 1st Notice of Violation of the Grease Trap Cleaning Schedule and was seconded by Ms. Merrill. After further discussion, the motion was unanimously approved.

PERSONNEL & BENEFITS COMMITTEE

Mr. Hand stated that the major topics discussed at the P&B Committee were the Wellness Program for employees and the 2010 Goals. The Safety Committee was discussed and may possibly become a part of the P&B Committee. There are no action items for the Board.

CAPITAL & CONSTRUCTION COMMITTEEDedications

A motion was made by Mr. Starleaf to approve the dedications for the Sanctuary @ 116th Street, Sections 1, 2A, 3, and 4A and also the Prudentia Building @ the Village of West Clay, Section 3004; Block D. The motion was seconded by Mr. Mishelow and was unanimously approved.

Clarifier #5 Design Contract

Mr. Williams is recommending that the Clarifier #5 Design Contract be awarded to HNTB for \$69,000 and that the District and HNTB continue to monitor the availability of federal funds for this project. A motion was made by Mr. Starleaf to award the Clarifier #5 Design Contract to HNTB for \$69,000 and was seconded by Ms. Merrill. The motion was unanimously approved.

Common Construction Wage Hearing Representatives for Boone County

A motion was made by Ms. Merrill to appoint either Jim Shields or Pat Sheehan of Weihe Engineers as the rate payer, Sam Mishelow as the industry representative, and recommend Eric Hand to the Boone County Commissioners. The motion was seconded by Mr. Houck and was unanimously approved.

Capital Expenditures

A motion was made by Mr. Starleaf to approve the following budget items: VFD Replacement at LS #2 for \$15,525 and Control Panel for LS #8 for \$15,346. The motion was seconded by Mr. Mishelow and was unanimously approved.

Capital Projects: LS #1 and LS #8 Renovations

These renovations were approved in the 2009 budget, but are still ongoing items and did not get included in the 2010 capital budget. A motion was made by Ms. Schaafsma to add LS #1 and LS #8 renovations to the 2010 capital budget and was seconded by Mr. McDonald. The motion was unanimously approved.

Award of LS #8 Construction Contract

A motion was made by Mr. Mishelow to approve the LS #8 construction contract to Maddox Industrial Contractors and was seconded by Mr. Starleaf. The motion was unanimously approved.

Rejection of Bids for LS #1 Upgrade Project

A motion was made by Ms. Merrill to throw out all bids for this project and rebid the project after the February 23, 2010 wage hearing and was seconded by Mr. Houck. The motion was unanimously approved.

OLD BUSINESS

Nothing to report.

NEW BUSINESS

FOG Ordinance Enforcement Actions

Mr. Williams discussed the recent FOG updates included in the Board packets. It was agreed that the items go back to the Budget & Finance Committee for further discussion, while keeping the Board as final authority.

I/I Ordinance Enforcement Actions

Mr. Williams stated that there are no non-compliance issues at this time.

Claims Docket

A motion was made by Mr. Houck to approve the claims docket and was seconded by Ms. Merrill. The motion was unanimously approved.

ADJOURN

The meeting adjourned at 8.36 P.M. The next Board of Trustees Meeting is scheduled for March 8, 2010 at 7:00 P.M.

Respectfully submitted,

Andrew Williams, Utility Director

Michael McDonald, Secretary

Marilyn Anderson, President

Accept the Meeting Minutes:

___ as Presented

___ as Amended