



BOARD OF TRUSTEES MEETING

Monday, June 14, 2010 @ 7:00 P.M.

Minutes

ROLL CALL

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

Ms. Anderson asked if any member of the audience wished to address the Board. Ms. Suani Nieto was present to request that any personal information regarding her past employment with Clay Township Regional Waste District be removed from all internet search engines and only available upon request of the public. She provided a handout of the Google search of her name. Ms. Anderson responded that the District's labor attorney will be contacted to address this issue and the District will then follow up with Ms. Nieto. Mr. Houck questioned the technical aspect of removing this information from the internet. Mr. Williams will contact our IT consultant.

APPROVAL OF MINUTES

Ms. Anderson asked that the May 10, 2010 minutes be amended in the 2nd paragraph, last sentence under Ordinance 04-12-10 Public Hearing, to read: **Ms. Anderson again closed the public hearing on FOG Ordinance 04-12-10.** The next sentence should be moved to start the 3rd paragraph: **She asked if any member of the audience had questions on any other matters for the Board.** A motion was made by Mr. McDonald to approve the amended April 12, 2010 Board of Trustees Meeting 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

Nothing to report at this time.

UTILITY DIRECTOR'S REPORT

Director's Report and Selected Statistics

Mr. Williams discussed his report that is included in June's monthly newsletter. A call was received on May 28 to report a manhole overflow on Towne Road near the Treesdale subdivision and the blockage was removed. This segment of the sewer is part of the Year 1 cleaning schedule and for some unknown reason was not cleaned in 2006. All sewer segments are now being reviewed to determine if they have not been cleaned within the past 4 years.

Mr. Williams also reported another overflow today regarding a grease issue along Michigan Road north of the Marsh supermarket near St. Vincent's Clinic. There are two restaurants and one butcher shop on this line, but the butcher shop has been eliminated as a source of this overflow.

Mr. Lewin stated that he took pictures and samples of the grease interceptors from the restaurants, Stone Creek Dining and P J O'Keefe's. Mr. Lewin stated that quarterly inspections are made on these facilities and they have never been over the 25% capacity limit. This overflow will continue to be investigated and an update will be given at next month's Board meeting.

Board members received the Carmel Fest 2010 flyer listing CTRWD as a participant in the July 4 & 5 festival in the Carmel Civic Square. All customers of the District received this flyer in their June 6 invoices. The District will also be participating in the Zionsville Fall Festival this year.

June 3, 2010 was the 35th anniversary of the District. Although the District was formed on June 3, 1975, it took another 12 years to get the first pipe laid and the first customer hooked up. We are considering adding a 35th anniversary emblem to our letterhead to promote the District's years of success.

COMMITTEE REPORTS

BUDGET & FINANCE COMMITTEE

Surplus Equipment

A motion was made by Mr. Starleaf to recommend the Board's approval to dispose of the walk behind mower, the Kubota tractor backhoe and attachment, and the Dell PowerEdge 2800, and the motion was seconded by Ms. Merrill. Mr. McDonald inquired about the 4-wheel drive vehicle involved in the accident at the plant. Mr. Williams stated that it was overlooked when putting the surplus list together and will be placed on the surplus list for next month's Board meeting. After discussion, the motion was unanimously approved.

Carmel Treatment Agreement

Mr. Starleaf stated that the recent revision to the Carmel Agreement is to extend the termination date from 2019 to 2025 which corresponds with our investment depreciation. A motion was made by Mr. Starleaf to approve the revised Carmel Treatment Agreement, and was seconded by Ms. Merrill. Before the vote, Mrs. Poindexter explained that following last month's meeting, she reported to Carmel's attorney that the consensus of the Board is to recommend extending the termination date to 2025 with an additional option for the 10 year renewable term. After further discussion, the motion by Mr. Starleaf was approved, with Ms. Schaafsma abstaining.

FOG Enforcement Actions

Mr. Starleaf stated that the FOG enforcement actions were reviewed and the committee feels that the Pretreatment Specialists are doing a great job of implementing the FOG Ordinance. The committee agreed that the FOG Ordinance was well written, and they also had a good debate regarding whether a small business can absorb the range of FOG fines as stated in the ordinance.

A motion was made by Mr. Starleaf to recommend the Board's approval to enforce the FOG fines for Jimmy John's and KFC/Taco Bell, remove the fine for Noble Roman's since the business has closed, and keep the fine for Granite City Food & Brewery as previously assessed. The motion was seconded by Ms. Schaafsma. During further discussion, Mrs. Poindexter recommended that the notification of fines remain consistent for each facility, and if each franchise office or corporate office is to be notified, a search should be done on each facility for the proper information necessary to remain consistent in notification and treatment of the facilities. Mr. Starleaf recommends discussing this further at the next committee meeting to clearly define the matter of notification and consistency.

Mr. McDonald then asked for clarification of the detailed report on KFC/Taco Bell. This facility is fairly new to this location and it seems they have been hit with a big fine. Mr. Lewin responded

that the fine is basically due to KFC/Taco Bell's neglect. He has personally communicated with the general manager regarding his letters and received verbal confirmation they were received, but were tossed aside. Mr. Starleaf's motion was then unanimously approved.

Two additional FOG issues have come up since the B&F committee meeting. One is Tomato Pie which could be characterized similar to KFC/Taco Bell. A motion was made by Mr. Starleaf to recommend the Board keep the \$200 fine for the 2nd NOV and \$3,000 fine for the 3rd NOV for Tomato Pie. The motion was seconded by Ms. Merrill and was unanimously approved. Mr. Lewin informed the Board that he finally received the quarterly report from Tomato Pie.

There appears to be a mix up with the delivery of the quarterly report from Heidi's Brooklyn Deli and the committee is recommending the \$200 fine be waived. A motion was made by Mr. Starleaf to recommend the Board's approval to waive the \$200 fine against Heidi's Brooklyn Deli, and was seconded by Ms. Merrill. The motion was unanimously approved.

PERSONNEL & BENEFITS COMMITTEE

Mr. Hand discussed the Employee Service Awards program. This is a new program that will be funded by the District's credit card points and paper recycling proceeds, as well as the budget line item "Other Employee Expense". A motion was made by Mr. Hand to adopt the Employee Service Awards program, and was seconded by Mr. McDonald. The motion was unanimously approved.

CAPITAL & CONSTRUCTION COMMITTEE

Dedications

- a. Hearth at Tudor Gardens, 11755 N Michigan Rd, Zionsville
- b. Ashbury Park, Section 2

A motion was made by Mr. Hagan to approve the dedication at Hearth at Tudor Gardens and Ashbury Park, Section 2, as well as waive the maintenance agreement and 3 year bond for Ashbury Park, Section 2. The motion was seconded by Mr. Mishelow and was unanimously approved.

LS#23 Improvements Project – Final CO #1

Oles Engineering discovered that LS #23 was backfilled with sand and trash that required additional interlocking shoring with steel plates, which took more time than originally quoted by Oles for this project. A motion was made by Mr. Hagan to approve Oles Engineering's final CO #1 for \$6,328, and was seconded by Mr. Mishelow. The motion was unanimously approved.

LS #1 Renovation – CO #1

Maddox Industrial Contractors is experiencing longer component delivery time for this project and is requesting an additional 14 days, moving the completion date to June 15, 2010. A motion was made by Mr. Hagan to approve Maddox Contractors' CO #1 for an extension of 14 calendar days, and was seconded by Mr. Mishelow. The motion was unanimously approved.

LS #8 Renovations – CO #2

Maddox Industrial Contractors is experiencing ITT pump delivery delay and is requesting 28 additional calendar days and \$1,520 which will put the contract completion date to June 18, 2010. A motion was made by Mr. Hagan to approve Maddox Industrial Contractors' CO #2 for \$1,520 and 28 additional calendar days, and was seconded by Mr. Mishelow. The motion was unanimously approved.

Springmill Streams Low Pressure Force Main Project – Final CO #2

Atlas Excavating submitted final CO #2 for \$824.60 due to the overrun and underrun quantities of the contract minus \$500 for missing the substantial completion date of April 12, 2010 by one day. Mr. Hagan stated that the committee agreed to withhold the \$8,000 retainer amount until all the restoration is complete and acceptable. A motion was made by Mr. Hagan to approve Atlas Excavating’s final CO #2 for \$824.60 and was seconded by Mr. Mishelow. The motion was unanimously approved.

LS #2 Piping Modifications Quote Award

A motion was made by Mr. Hagan to award the LS #2 Piping Modifications contract to Walker & Sons Construction for \$88,500, and was seconded by Mr. Starleaf. The motion was unanimously approved.

LS #2 Electrical Transfer Switch Installation Quote Award

A motion was made by Mr. Hagan to award the LS #2 Electrical Transfer Switch Installation to Sims Electric for \$18,890, and was seconded by Mr. Houck. The motion was unanimously approved.

OLD BUSINESS

Nothing to report at this time.

NEW BUSINESS

Claims Docket

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

ADJOURN

A motion was made by Mr. Houck to adjourn, and was seconded by Mr. Hagan. The motion was unanimously approved. The meeting adjourned at 7:56 p.m.

The next Board of Trustees Meeting is scheduled for July 12, 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