



## BOARD OF TRUSTEE MEETING

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Monday, March 10, 2014 @ 7:00 P.M.  
Memorandum

**The meeting was called to order at 7:00 by Mr. Hagan**

### **ROLL CALL**

Present: Carl Mills, Barb Lamb, Michael McDonald, Eric Hand, Ron Hagan, Jane Merrill, Marilyn Anderson, and Joe Clark. Also in attendance: Utility Director Drew Williams, Legal Counsel Anne Poindexter. The audience sheet is attached.

### **Election of Vice President**

Mr. Hagan stated that with the resignation of Mr. Mishelow, a new Vice President needed to be elected. Ms. Anderson nominated Mr. Joe Clark as Vice President. Ms. Merrill seconded the nomination. The nomination was approved unanimously.

### **APPROVAL OF MEMORANDUM**

A motion was made by Ms. Anderson to approve the Board Meeting Memorandum dated February 10, 2014 and was seconded by Mr. Clark. The motion was approved unanimously.

### **PUBLIC COMMENTS**

Mr. Hagan received no Public Comment Cards.

### **ATTORNEY'S REPORTS**

Mrs. Poindexter updated the Board regarding the lawsuit filed by property owner Christine Altman against Chase Bank and naming the District as well due to the lien. Chase Bank has requested a 30 day extension to respond. Mrs. Poindexter requested a 45 day extension so that she can see Chase Bank's response before she responds. The District does have the superior lien in this case and should be paid the outstanding balance owed for sewer construction.

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

Mr. Williams explained that the yellow handout was the copy of the District's response letter sent to the State Board of Accounts regarding their comment pertaining to the banking loss in 2012. The SBA should release their examination report in three to four weeks.

Mr. Williams stated that the response letter to IDEM violation letter for the high ammonia levels was attached to the C&C committee memorandum in the Board packet. The ammonia levels were due to the impact the construction had on the treatment process. As soon as the VLR was fully back on line the levels returned to well below the permit levels. Mr. McDonald asked if the testing results were from IDEM or self reported by the District. Mr. Williams indicated that the District performs all testing and submits a monthly report to IDEM. Any time there is a violation of the permit limits on the monthly report, a letter is

sent explaining the cause. This was done with the ammonia issues, but it appears that 3 months of violations triggers a violation letter. IDEM typically only responds to the local utility if they are not satisfied with the response letter. Hopefully the District does not hear from IDEM again regarding this matter.

Mr. Williams informed the Board that the sale of the Westfield Utilities to Citizens should be official on March 21. Citizens contacted the District and wishes to continue the testing contract that Westfield has with the District.

#### **BUDGET & FINANCE COMMITTEE**

Ms. Merrill stated that four I&I enforcement matters were discussed at the meeting. The homeowner at 1238 Orchard Park Drive has paid the \$100 and \$200 fines and then allowed the inspection to take place. The sump was connected to the sanitary sewer in the basement. A repair had not been completed within the 30 day period. Mr. Williams stated that after additional discussion with the property owner it was learned that the owner had a leak in the sump discharge line that was flooding her window well and getting into the basement and back into the sump pit. The owner had a friend of a friend come over and fix the problem. Unfortunately the friend illegally connected the sump into the sanitary lateral. Mrs. Kreyling contacted the friend to inform him of his mistake and he was going to get in touch with the property owner. Before the Board takes action Mr. Williams recommended waiting 30 days to allow the repair to be completed.

The second property was 1640 Marbro Lane and they have paid the \$100, \$200 and \$300 fines but will not contact the District in order to schedule an inspection. The house is occupied and there are dogs barking when staff has stopped by to make contact with the residents. Mr. Williams recommended continuing the \$300 per month fine until they allow an inspection. Mrs. Poindexter suggested a letter be sent on her company's letterhead informing the property owner of the District's ability to fine from \$100 to \$1000 per day for non-compliance. The Board directed Mrs. Poindexter to send the letter.

The third property was 1608 E. 110<sup>th</sup> Street and they have been billed the \$100, \$200 and \$300 dollar fines. A \$700 payment was made in February 2013. Mr. Williams stated that staff has been unable to contact anyone at this property. The door hanger that was left in November is still on the door and there are other signs that no one has been there for a long time. Mr. Williams recommended that the Board take no additional action until the staff is able to contact the property owner. The Board took no action at this time.

A fourth property had been assessed the \$100, \$200 and \$300 fines and had paid the first two before they made the needed repair. Ms. Merrill asked if the property owner had requested in writing the waiving of the \$300 fine. Ms. Kreyling stated that a written request had not been received. No action will be taken at this time.

#### **PERSONNEL & BENEFITS COMMITTEE**

Ms. Lamb reported that the Budget & Finance Committee did not meet in February.

#### **CAPITAL & CONSTRUCTION COMMITTEE**

Ms. Anderson made a motion to accept the dedication of the Meridian Corners Phases 1 & 2 sewers with a notification to the building owners that the brick trash enclosure that has encroached into the easement and over the sewer will be their responsibility to remove should the sewer every need repair. The motion was seconded by Ms. Merrill and was approved unanimously.

Ms. Anderson explained that the C&C committee had reviewed the policy for the use of low pressure sewer systems and had a recommended revision that would better address the service needs for parcels of land that cannot be serviced by gravity sewer. Ms. Anderson made a motion to modify the I&I Policy by striking the remainder of the sentence after "New development" in the second paragraph. The motion was seconded by Ms. Merrill and was approved unanimously.

#### **OLD BUSINESS**

Mr. Williams stated that he had contacted Robin Mills at Hamilton County to make her aware that the County Council needed to appoint a replacement for Mr. Mishelow. Ms. Mills indicated that she would inform the Council of this matter.

#### **NEW BUSINESS**

A motion was made by Mr. Mills to approve the claims docket totaling \$619,280.83 and was seconded by Mr. McDonald. The motion was approved unanimously.

#### **ADJOURN**

A motion was made by Ms. Merrill to adjourn the meeting and was seconded by Ms. Anderson. The motion was approved unanimously at 7:35 p.m.

The next Board of Trustees Meeting is scheduled for Monday, April 14, 2014 at 7:00 p.m.

Respectfully submitted,



Andrew Williams  
Utility Director

Approved:

as Presented  
 as Amended



Michael McDonald, Secretary

  
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Ronald Hagan, President