



## BOARD OF TRUSTEE MEETING

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Monday, February 13, 2023, 6:00 p.m.  
Memorandum

Mr. Mills called the meeting to Order at 6:00 p.m.

### **ROLL CALL**

Present: President Carl Mills, Treasurer Jane Merrill, Secretary Michael McDonald, members, Eric Hand, and Jeff Hill. Others in attendance were Utility Director Andrew Williams, Legal Counsel Scott Wyatt, Engineering Manager Wes Merkle, Controller Cindy Sheeks, Pretreatment Coordinator Shaun Odom, and Administrative Assistant Maggie Crediford. Vice President Jeff Kimbell attended via GoTo Meeting.

Members absent: Steve Pittman, Chuck Ryerson, and Amanda Foley.

### **PUBLIC COMMENT**

There was no one present from the public.

### **APPROVAL OF MEETING MEMORANDUM**

Ms. Merrill made a motion to approve the January 9, 2023, Board meeting memorandum. Mr. McDonald seconded the motion, and it was unanimously approved.

### **APPROVAL OF CLAIMS DOCKET**

Ms. Sheeks said the Utility's insurance renewal was \$102,633 which was down from 2022.

Mr. Mills asked if there are any large expenditures coming up over the next few months. Mr. Merkle said the final payment has been made on the plant expansion project, and the only other expenses upcoming are for ongoing other Utility projects.

Mr. McDonald asked if the \$10,206 paid to CORE Managed is a regular monthly expense. Ms. Sheeks said it is.

Mr. Hand asked staff to research why the IPL bill was so much larger for Lift Station 10 than any of the other IPL lift stations. Ms. Sheeks said she would investigate it and report back to him. Mr. Hand noted that Lift Station 2 was 3.6 times the cost of Lift Station 1. He asked Ms. Sheeks to investigate those costs as well.

Mr. Hill noted that the electric bill was \$34,000 and asked staff if they have considered or investigated alternative power sources such as solar. Mr. Merkle has and continues to do so, however with the plant upgrades he needed several months of operation to get reliable numbers on the amount of energy the new equipment is using before getting reliable quotes. Mr. Mills noted that recent studies have shown that the rate of return on solar investment is showing a much longer recovery time. Mr. Mills asked the C&C Committee to add this topic to their agenda items for further research.

## **ATTORNEY'S REPORT**

Mr. Wyatt said a few months ago Mr. Kevin Hill and his wife, of 10646 Walnut Creek Drive West, came before the Board and asked for relief connecting to the sewers. They had purchased a home after the sheriff's sale that they believed was connected to the sewer system and had been paying for monthly service. However, they had some sewage issues at the home and found out the property had been permitted but the owner never connected to the sanitary sewers. When TriCo was alerted to the issue, they refunded Mr. and Mrs. Hill all payments they had made for sewer services at the property. Mr. Hill however believed that TriCo should share in the cost he had incurred to connect to the sanitary sewers since he believed he was already connected and was being billed. TriCo's Board of Directors heard the request and declined to participate in their connection costs. Mr. Hill filed a claim in small claims court seeking \$8,000 from the Utility, which is the maximum that can be requested in small claims. Mr. Wyatt and Mrs. Poindexter filed a motion to dismiss based on the statute of limitations and the claim was dismissed. Mr. Hill filed a motion to reopen the claim which was denied.

## **UTILITY DIRECTOR'S REPORT**

Mr. Williams had sent the Board members a link to an online interview from Channel 8 News. Mr. Roudebush, TriCo's Lab Coordinator, has been working with a University High School student with her studies on detecting microplastics in water. Their story was featured in the Hamilton County Reporter and on Channel 8. The Board thanked Mr. Roudebush for taking an interest in students and helping them with their research.

The Board appreciation dinner will be Tuesday, February 28, 2023, at 6:00 p.m. at Wolfies Grill, invitations were placed in Board member folders.

Mr. Williams said he provided the Board Members with an updated organizational chart per the request of Mr. McDonald.

Mr. Williams had lunch with the Executive Director of the Zionsville Chamber of Commerce who asked him to be considered for an open Chamber board seat.

## **COMMITTEE REPORTS**

### **Budget & Finance Committee**

#### **FOG Violations**

**C&C Realty:** Mr. Odom reported that to date nothing has been done by C&C Realty to mitigate the FOG issues coming into TriCo's system from their private sewer line. There have been two more violations since they were assessed their last fine. Ms. Merrill made a motion to fine C&C Realty another \$2500 for continuing to violate TriCo's FOG Ordinance. Mr. McDonald seconded the motion, and it was unanimously approved. Mr. Mills asked Mr. Wyatt to send the latest fine assessment with a letter from TriCo's legal counsel.

**Valvoline Instant Auto Change:** Mr. Odom said Valvoline Instant Auto Change on Michigan Road is in violation of TriCo's FOG Ordinance by not adhering to or reporting their oil interceptor cleanings. They have not had a discharge violation at their site. Per the Ordinance they are

required to provide TriCo with the name of the company cleaning their interceptor along with the dates of their cleanings. Without this reporting TriCo has no way to know that the oil from the traps is being cleaned and disposed of properly. Mr. Odom has made several attempts to speak to the manager at the location and his calls and emails are not being answered. He has spoken with their corporate offices who say someone will be in touch and no one calls or emails him. They have been assessed and paid fines in the amounts of \$100, \$200, and \$400. This is their fourth violation, and further fine amounts need to be decided by the Board. Mr. McDonald made a motion to assess Valvoline Instant Auto Change with a \$2500 fine to be held in abeyance if proper proof of cleaning can be provided. Mr. Hand seconded the motion, and it was unanimously approved. Mr. Mills asked Mr. Wyatt to send a letter with the fine assessment from TriCo's legal counsel.

### **Citizens Water Agreement**

Ms. Merrill said staff and legal counsel have reviewed the agreement and agree with its terms. Ms. Merrill made a motion to approve the Citizens Water Agreement. Mr. McDonald seconded the motion, and it was unanimously approved.

### **Stale Dated Checks**

Ms. Merrill made a motion to void the stale dated checks as allowed by the State of Indiana two years after their issuance. Mr. McDonald seconded the motion, and it was unanimously approved. Mr. Hill asked if the checks get reissued. Ms. Sheeks said only if a request is made by the customer.

### **IT Testing**

Mr. McDonald conducted some security vulnerabilities testing on the Utility's website. He has discussed with staff any issues that needed to be addressed, and those have been taken care of or are being addressed. Having a strong cyber security posture will help insure that TriCo receives the best possible pricing on cyber security insurance.

### **Personnel & Benefits Committee**

Mr. Kimbell said the Personnel and Benefits Committee did not meet.

### **Capital & Construction Committee**

#### **Dedication**

Mr. Hill made a motion to accept the dedication of Reserve at Springmill Section 2 sanitary sewers. Ms. Merrill seconded the motion, and it was unanimously approved.

### **#2208 Lift Station 16 Reconstruction**

Mr. Hill made a motion to approve the Sewer Service Agreement with Pittman Investors, LLC and The Farm at Zionsville Propco, LLC. Ms. Merrill seconded the motion, and it was unanimously approved. Mr. Mills noted that Mr. Pittman was absent and did not participate in the vote.

### **Construction Contract Award**

Mr. Hill made a motion to award the Lift Station 16 Replacement construction contract to Ottenweller Contracting, LLC for \$1,052,892. Ms. Merrill seconded the motion, and it was

unanimously approved.

#### **#2208 Lift Station 16 Reconstruction Pumps**

Mr. Hill made a motion to approve purchasing replacement pumps from Xylem Water Solutions USA, Inc. for \$108,307. Mr. McDonald Seconded the motion and it was unanimously approved.

#### **#2208 Lift Station 16 Reconstruction Control Panel**

Mr. Hill made a motion to approve purchasing a new control panel from Shambagh & Sons for \$68,990. Mr. Hand seconded the motion, and it was unanimously approved.

#### **OLD BUSINESS**

Ms. Sheeks explained in March of 2021 one of TriCo's mains was hit by a contractor. TriCo paid TPI to repair the line and invoiced the contractor. The Contractor said it was hit by one of his sub-contractors and would be checking with their insurance. Ms. Sheeks has heard nothing further from them about the outstanding bill. Ms. Merrill asked how much the bill is. Ms. Sheeks said \$7,495. Mr. Wyatt said in December of 2022 a demand letter was sent from their office. The Statute of Limitations runs out on the claim in March of 2023. Ms. Merrill made a motion to file a claim against Lineal Contracting in small claims court in the amount of \$7495. Mr. Hill seconded the motion, and it was unanimously approved. Mr. Wyatt said legal counsel will file the claim.

#### **ADJOURNMENT**

Mr. McDonald made a motion to adjourn the meeting. Mr. Hand seconded the motion. The meeting adjourned at 7:09 p.m.

The next Board of Trustees Meeting is scheduled for Monday, March 13, 2023 at 6:00 p.m.


Respectfully submitted,



Andrew Williams  
Utility Director

Approved:

☒ as Presented  
☐ as Amended



Michael McDonald, Secretary



Carl Mills, President