



CAPITAL & CONSTRUCTION MEETING

Monday, February 4, 2019 at 4:30 p.m.
Memorandum

Members Present: Committee Chair Steve Pittman, members Marilyn Anderson and Eric Hand. Others in attendance were Legal Counsel Anne Poindexter, Utility Director Andrew Williams, Engineering Manager Wes Merkle and Administrative Assistant Maggie Crediford.

Mr. Pittman called the meeting to order at 4:31 p.m.

Public Comment

There was no one from the public in attendance.

Dedications

Sanctuary at 116th Section 2B

The committee members had no questions or concerns. A recommendation will be made for the Board of Trustees to accept the dedication at the February meeting.

#1901 Lift Station 14 (Austin Oaks) Parallel Force Main

Mr. Merkle stated easements are needed from six property owners. One easement has been acquired. Condemnation is underway for the Artest Easement. Mr. Merkle is negotiating with four additional property owners, who he has been communicating with since July. Two owners are still actively engaged in negotiations and two have not been in contact with the Utility since November. Mr. Merkle has shared the appraisal reports with each property owners. The Utility needs to move forward with the project.

Ms. Anderson asked if the property owners were given a date at which the Utility would initiate condemnation proceedings to acquire the easements if an agreement could not be met. Mr. Merkle stated he likes to negotiate with property owners without making a threat of condemnation. The property owners are aware that the Utility has that capability but prefers not to use it. Ms. Anderson asked if sending a letter indicating that the Utility is reluctant to file proceedings but needs to move forward with the project might restart negotiations. Mr. Merkle stated that a statutory offer is the next step – it is a formal letter sent to property owners via certified mail. The property owners then have 30 days to reach an agreement before the utility can proceed with condemnation.

Mr. Pittman asked if the offer letters give the options available for the Utility to obtain the easement; allowing the property owner the opportunity to accept, reject, or negotiate the offer. Mr. Pittman asked if a property owner makes a counter offer to the Utility does Staff engage in discussions and negotiations with the property owner before resorting to

condemnation proceedings. Mr. Merkle confirmed that Staff will discuss options with property owners and consider reasonable counter offers.

Mr. Hand asked if there is a possibility that any of the property owners are confused between the work Duke Energy is doing in that area and what TriCo is requesting. Mr. Merkle stated Duke is working in the right-of-way and to his knowledge they are not acquiring easements along Michigan Road from property owners at this time.

Mr. Hand asked Mr. Merkle the width of the road right-of-way and if he knows how much will be taken when Michigan Road is widened by the State. Mr. Williams stated that Mr. Merkle asked for easements outside of the future right-of-way, eliminating the need to relocate in the future. Mr. Merkle confirmed the Utility should not have to relocate the lines if or when Michigan Road is widened and easements would not impact future development.

Mr. Hand asked if additional easements will be needed further north along Michigan Road. Mr. Merkle stated additional easements are not needed north of the Little Eagle Creek bridge.

Mr. Hand questioned why condemnation proceedings were filed against the Artest property and not any of the other properties the Utility needs easements from. He asked if there is a benefit to filing condemnation proceedings collectively over individually. Mrs. Poindexter said there is not a benefit to filing them collectively. Mr. Merkle stated Mrs. Artest never responded to any correspondence sent by the Utility, whereas the other property owners were communicating with staff, which led to the filing.

Mr. Pittman said it is important for the Staff to do what is needed to move forward with the project as discussions have been ongoing since July.

A recommendation will be made to the Board of Trustees directing staff to issue the statutory offers to property owners; if an agreement cannot be reached with property owners then Mrs. Poindexter will proceed with condemnation.

Other Business

Mr. Merkle stated a developer has approached the Utility regarding the extension of sewer lines to the far northwest corner of the service area in old Union Township. Many requests have been made from developers and property owners since becoming part of our service area. Mr. Merkle revisited a study previously done by GRW regarding work needed to extend sewers to that area. Acquisition of easements is needed. At least one property owner is opposed to the project. The Committee discussed their comfort level with potential condemnation for easements needed to extend sewers. The topic will be revisited at the March Capital and Construction meeting before being brought to the Board of Trustees for consideration.

Mr. Hand asked if anyone from the Country Wood neighborhood has reached out to the Utility requesting sewer service. Mr. Merkle stated in the next five years there is money

budgeted for neighborhood sewer projects. Country Wood is a neighborhood that cannot be serviced without extending the sewer system and would be a low-pressure system. There are 13 neighborhoods and over 300 homes yet to be served. Interest letters were sent last fall to unsewered neighborhoods, which included a postage paid return post card for homeowners to indicate their interest. Staff was disappointed that more people did not respond. Ms. Anderson stated that homeowners in her neighborhood (Brandywine) received a letter from the City of Carmel around the same time announcing water service coming to the area and may have been confused that the letters were two separate issues. Mr. Merkle stated letters will be sent to homeowners who did not respond to the first round of letters to clarify that we did not hear from them and ask them if they are interested in sewers. Property owners requesting sewers due to failed septic systems will be served first. Mr. Merkle recommends the following neighborhoods for the next low-pressure sewer extension project in 2019: Larkspur and Oak Tree located at 116th Street and Shelborne Road, and Crossfields located at 116th Street and Towne Road. There is enough money in the 2019 budget to include Brandywine if there is more interest from property owners.

Capital Project Updates

Mr. Merkle discussed projects with changes since last month.

#1901 – Lift Station 14 Parallel Force Main (located along Michigan Road from Austin Oaks to Ansley Park)

Staff continues to work with property owners to acquire easements needed for this project. The project will be bid once remaining easements are acquired, anticipated this spring, with construction to follow. Construction will last 6 months.

#1902 – TriCo WRRF Expansion

Staff is working with GRW to identify major equipment and process options. Staff has visited several plants including Westfield, Carmel, Peru, Grissom, Lebanon, and Erlanger, Kentucky to observe proposed equipment and speak with plant operators. GRW will present their findings in regard to equipment selection and recommendation in February. Site surveying continued through January. Surveying efforts revealed deteriorated concrete in the pretreatment building and influent splitter structure. The locations had been covered several years ago to help capture foul odor. Plant expansion work must now include concrete repair and lining. In the meantime, Staff will continue to monitor deterioration.

#1906 – Eagle Creek Outfall Sewer Expansion (located between TriCo WRRF and Eagle Creek to the west)

This project is in the final design phase. Part of the new sewer will run alongside Duke power transmission lines and a substation, which has unique challenges. Staff is working with the Town of Zionsville, Duke, and property owner Lids/Genesco to find a solution that works for everyone and allows the project to move forward. Staff found documentation showing that easements across two parcels where the existing outfall sewer is located went through condemnation in 1990-1991. While the current property owners are agreeable to granting new easements, there was a question regarding

payment for the easements covering the existing sewer. Records show the property owners were compensated at that time. If we were to purchase these easements today, they would cost over \$50,000. Staff desires to finish design, permitting, bidding, and construction by the end of 2019. Given the unique challenges presented on this project, completion of construction may have to be pushed into early 2020.

Mr. Williams told the committee that Mr. Merkle had the opportunity to visit wastewater plants in Denmark this past December. He asked Mr. Merkle to share his experience. Mr. Merkle provided an overview of what was included in the trip, what he learned, and mentioned several items that could provide substantial benefit to the Utility. Ms. Anderson asked Mr. Merkle to give a presentation on his trip at the next Board of Trustees Meeting.

The meeting adjourned at 5:43 p.m.

Respectfully Submitted,



Wes Merkle
Engineering Manager