

BOARD OF TRUSTEE MEETING

Monday, April 8, 2019 at 7:00 p.m.
Memorandum

ROLL CALL

Present: President Marilyn Anderson, Vice President Steve Pitman, Treasurer Jane Merrill, Secretary Michael McDonald, Members, Barb Lamb, Jeff Kimbell, Carl Mills and Chuck Ryerson. Others in attendance: Utility Director Andrew Williams, Legal Counsel Anne Poindexter, Engineering Manager Wes Merkle, Controller Cindy Sheeks and Administrative Assistant Maggie Crediford.

Mr. Hand was absent.

Ms. Anderson called the meeting to order at 7:02 p.m.

PUBLIC COMMENT

There was no one present from the public.

APPROVAL OF MEETING MEMORANDUM

Mr. McDonald made a motion to approve the March 11, 2019 Board Meeting Memorandum. The motion was seconded by Ms. Lamb and approved unanimously.

APPROVAL OF CLAIMS DOCKET

Ms. Sheeks stated the monthly claims include easement acquisition payments and a payment to the Merrillville Conservancy to purchase a camera. All other payments were normal monthly expenses. Mr. Mills made a motion to approve the April Claims Docket. The motion was seconded by Mr. McDonald and approved unanimously.

ATTORNEY'S REPORT

Easement Acquisitions

Mrs. Poindexter said the Utility has two Easement Condemnation cases pending in Boone County. The court date for the Artest easement is scheduled for April 10, 2019 in Boone County Circuit Court. The property owner in the second filing now has attorney representation and Mrs. Poindexter is hopeful it can be resolved without litigation.

Spring Mill Road Interceptor Repair

As previously discussed, a contractor for Duke Energy installed large heavy steel utility poles along the Spring Mill Road Interceptor, damaging TriCo's sewer main. The contractor repaired the broken pipe but still installed poles on the very edge of the sewer pipe. Engineering staff is concerned there will be future issues with load and force due to the weight of the poles and the proximity to the sewer pipe. Staff feel

there is not enough room between the pole and the pipe to allow for proper access if the pipe needs repair or maintenance.

Mrs. Poindexter is trying to resolve proximity issues with Duke. Duke has agreed to pay for the cost of the original damaged pipe. She is reviewing assurances from Duke about how they will prop up the poles, how long poles can be propped up and how fast Duke can get them propped up for an emergency sewer repair. If Duke can not assure proper access to the pipe in an emergency, the Utility will need to file a lawsuit. The Statute of Limitations expires soon. A lawsuit may need to be filed protectively, to allow more time for negotiations.

Ms. Anderson questioned if a written guarantee from Duke would hold them to acting swiftly and prudently in an emergency. Mr. Kimball pointed out the written guarantee would hold them accountable if there is a pipe access issue during an emergency.

Mrs. Poindexter stated that if an agreement is reached regarding response times to an emergency and Duke does not meet the terms, TriCo would have to hire a contractor to complete the work needed for access, incur the cost, then sue Duke for damages.

UTILITY DIRECTOR'S REPORT

HRD Workshop Update

Mr. Williams stated the DiSC assessment workshop was very successful. It was the most engaging work session the Staff has participated in. He would like to bring HRD back for a shorter training session on how to use the data collected from the DiSC assessment.

Managers will begin the six-month "Management Essentials" training program next month. The training will include live training sessions, homework and accountability partners. Mr. Williams hopes the management training will lead to employee issues being addressed in a timelier manner.

COMMITTEE REPORTS

Budget & Finance Committee

Camera System Purchase

Ms. Merrill made a motion to approve the resolution to purchase a camera system from the Merrillville Conservancy. The motion was seconded by Mr. Mills and approved unanimously.

Plant Flow Meter Replacement

Ms. Merrill made a motion to approve the purchase of five plant flow meters from BL Anderson in the amount of \$35,062. The motion was seconded by Mr. Mills and approved unanimously.

**Personnel & Benefits Committee
Labor Attorney Selection**

Ms. Lamb said the Utility previously used Baker & Daniels for labor issues. The attorney the Utility worked with has retired. She said Mr. Williams researched other available firms in the area and recommended Ogletree Deakins. Ms. Lamb made a motion to approve Ogletree Deakins as the Utility's labor attorney going forward. The motion was seconded by Ms. Merrill and approved unanimously.

Capital & Construction Committee

There were no action items from the Capital & Construction Committee.

Adjournment

Mr. Mills made a motion to adjourn the meeting. Mr. Pittman seconded the motion and it was approved unanimously. The meeting adjourned at 7:24 p.m.

The next Board of Trustees Meeting is scheduled for Monday, May 13, 2019 at 7:00 p.m.

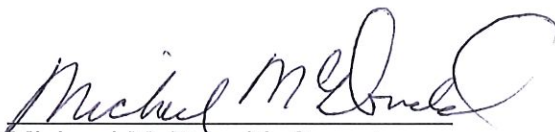
Respectfully submitted,



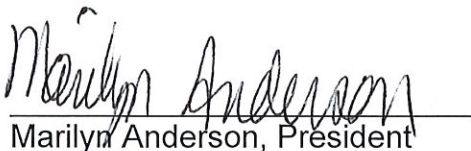
Andrew Williams
Utility Director

Approved:

as Presented
 as Amended



Michael McDonald, Secretary



Marilyn Anderson, President