



BOARD OF TRUSTEES MEETING

Monday June 14, 2021, 6:00 p.m.

Memorandum

Mr. Mills called the meeting to Order at 6:05 p.m.

ROLL CALL

Present: President Carl Mills, Vice President Steve Pitman, Treasurer Jane Merrill, Secretary Michael McDonald, members, Amanda Foley, Jeff Kimbell, Eric Hand, and Jeff Hill. Others in attendance were Utility Director Andrew Williams, Legal Counsel Scott Wyatt, Engineering Manager Wes Merkle, and Controller Cindy Sheeks.

Mr. Ryerson was absent.

PUBLIC HEARING

Mr. Mills opened the public hearing for Sewer Use Ordinance 5-10-2021. No one wished to speak, the public hearing was closed.

PUBLIC COMMENT

Mr. Stephen Lipps resident at 4935 S. U.S. 421 asked about a letter he received regarding connection costs for sewer service. He asked if the connection fees are payable by an addition to the sewer bill over a period of time or if all the fees are required up front since they are substantial. Mr. Williams said the fees are due in a onetime payment up front.

Mr. Ryerson joined the meeting at 6:08 p.m.

APPROVAL OF MEETING MEMORANDUM

Mr. Kimbell made a motion to approve the Board meeting memorandum from May 10, 2021. Ms. Merrill seconded the motion, and it was unanimously approved.

APPROVAL OF CLAIMS DOCKET

Ms. Sheeks said the final payment was made for the Haver Way Sewer Project. Mr. McDonald made a motion to approve the claims docket. Ms. Merrill seconded the motion, and it was unanimously approved.

ATTORNEY'S REPORT

Mr. Wyatt had no report.

UTILITY DIRECTOR'S REPORT

Mr. Williams said June 3, 2021, was the Utility's 46th Anniversary. Staff is waiting for construction to wrap up so they can host a community open house, hopefully later this fall. TriCo will have a booth at CarmelFest on July 4th and 5th. The festival runs from 1:00 p.m. to 10:00 p.m. each day. The old odor control unit at Lift Station 2 at 106th Street and Spring Mill Road has been removed. The new one is being installed.

COMMITTEE REPORTS

Budget & Finance Committee

Ms. Merrill had no report, the committee did not meet.

Personnel & Benefits Committee

Mr. Kimbell had no report, the committee did not meet.

Capital & Construction Committee

Dedication

Mr. Pittman made a motion to accept the dedication of Bellevue sanitary sewers. Ms. Foley seconded the motion, and it was unanimously approved.

Generator Sale

Mr. Pittman made a motion to approve the sale of the old plant generator to Aqua Indiana, Inc. for \$77,500. Mr. Kimbell seconded the motion, and it was unanimously approved.

#2103 Neighborhood Sewer Extension Construction Contract Award

Mr. Pittman made a motion, contingent upon approval of construction permits from IDEM, to award the #2103 2021 Neighborhood Sewer Extension construction contract to TPI Utility Construction for \$340,840 and postpone Long Brook construction until one or more homeowners are ready to connect to sewer. Ms. Foley seconded the motion.

Mr. Hill asked if a homeowner were to show up today from Long Brook and ask to connect to sewers what would be the turnaround time to get them connected. Mr. Merkle said the design work is complete and we are in the process of acquiring easements so when a homeowner is ready to connect, staff can get quotes and likely have the work done in a few months. Mr. Hill asked if homeowners generally ask for connection when their septic systems are already failing, and Mr. Merkle said as far as we know.

Ms. Merrill said she found the disparity in the two bids interesting. Mr. Pittman said the Committee's thoughts were many companies are busy and did not need or want the work at this time. Mr. Merkle said Miller Pipeline did not aggressively bid the work. TPI has availability and provided bid numbers that were in line with similar projects recently bid. There were seven plan holders for the project and only two returned bids. Several contractors were interested in bidding but did not think they could finish on time given their current workloads.

Mr. Pittman asked what staff would have done if the Miller Pipeline bid was the only one received and asked if staff would have realized that the bid was way overpriced. Mr. Merkle said staff would not have recommended awarding the work because the numbers provided by Miller were out of line. Staff would have discussed with other plan holders why they did not bid, likely made adjustments to things like schedule to make the project more competitive and rebid the project. Mr. Pittman said there are ten homeowners in Long Brook, if one person had a failed septic and wanted sewer connection would TriCo run sewers to that neighborhood at that time. Mr. Merkle stated that the sewer would be extended.

Mr. Hand abstained from the vote because he owns property in one of the areas to be served.

Mr. Hill asked if there are any updates on the permit needed from IDEM. Mr. Merkle said he received a response from IDEM today stating they would review the plans the following week.

The motion was approved unanimously, Mr. Hand abstained.

Old Business

Mr. Mills gave the Second Reading of the Sewer Use Ordinance 5-10-2021, This Ordinance replaces Ordinance No. 6-9-2014. Be it Ordained by the Board of Trustees of the TriCo Regional Sewer Utility (Herein Referred to as the "Utility") This Ordinance regulates the connection to and use of public and private sewers and drains, the installation and connection of building sewers, and the discharge of waters and wastes into the sewage system of the TriCo Regional Sewer Utility and provides rates and charges for violations thereof.

Mr. Pittman made a motion to approve Sewer Use Ordinance No. 05-10-2021. Ms. Merrill seconded the motion.

Ms. Merrill asked for highlights of the changes to the ordinance. Mr. Williams said under the FOG requirements for restaurants modifications were made to the cleaning schedule for FOG traps vs. grease interceptors. Since there is a fee if the traps are not cleaned on the required schedule the updates needed to be approved by the Board through a public hearing. Ms. Merrill asked if the updates were made to Section 11. Mr. Williams said that was correct.

Mr. Hand said on page number five in 3.1 the use of the letters POTW were not clarified until page 36 where it says "WWTP, Wastewater Treatment Plant same as POTW". Mr. Hand asked that POTW either be defined on page five or substituted for what TriCo is currently calling its plant. Mr. Williams said the majority of the ordinance came from what the State of Indiana provided to TriCo four years ago when the Utility was asked to pass a new ordinance. Mrs. Poindexter allowed staff to tweak the document with fees and cleaning requirements, but the definition page came from IDEM.

Mr. Wyatt said the request is not a substance change and a motion to amend the language is needed in Section 3.1 by inserting a bracket after the letters stating (also referred to as wastewater treatment plant WWTP)

Mr. Hand made a motion to define the acronym POTW in section 3.1 by inserting a bracket after the letters stating (also referred to as wastewater treatment plant WWTP). Ms. Merrill seconded the motion, and it was unanimously approved.

There was no further discussion regarding Sewer Use Ordinance No. 05-10-2021 and the motion to approve passed unanimously.

New Business

Mr. Mills asked for an update on where the plant expansion project stands. Mr. Merkle said he had a lengthy meeting with Ken Thieneman, owner of Thieneman Construction. They discussed

outstanding change requests. Thieneman requested an additional 49 days to complete the contract. Thieneman was adamant that they would have construction completed by the end of 2021. Communication issues regarding value engineered changes resulted in a need for additional time. Mr. Merkle said he feels the 49-day extension request is reasonable based on their original scheduled delivery and installation, and when the materials actually arrived on site.

Mr. Ryerson asked how much of the materials and equipment is on site or soon to be onsite. He asked if the project is being affected by material shortages. Mr. Merkle said most of the materials and specialty equipment are onsite at this time. There had been delays with certain equipment with limited overall impact to the project timeline. In several cases, staff allowed substitutions for certain products that could not be delivered on time.

Mr. McDonald asked if staff has any concerns with the quality of concrete. Mr. Merkle said Thieneman has dedicated a lot of manhours to mediating issues with concrete that they had created. Mr. Merkle described some of the issues. He expects all issues to be addressed with no reduction in strength or service life. Mr. McDonald asked if there is a performance bond in the event there is anything catastrophic with the work. Mr. Merkle confirmed there is a performance bond in place for 100 percent of the contract amount, just under \$22 million, in accordance with state requirements.

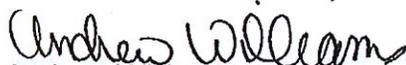
Mr. Hill asked how long the maintenance bond is good for. Mr. Merkle said TriCo requires a 3-year maintenance bond for 10 percent of the final contract amount to cover the 3-year warranty period. Mr. Hill said it looks like there is a substantial completion date in October and a final completion date in December and he asked if the extra 49 days will be added to both of those. Mr. Merkle said yes. Mr. Hill asked if there are costs incurred by TriCo to have inspection staff onsite longer. Mr. Merkle said yes.

Adjournment

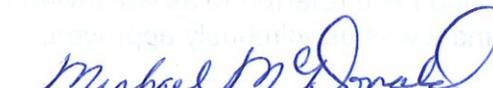
Mr. Pittman made a motion to adjourn the meeting. Ms. Merrill seconded the motion and the meeting adjourned at 6:42 p.m.

The next Board of Trustees Meeting is scheduled for Monday, July 12, 2021, at 6:00 p.m.

Respectfully submitted,


Andrew Williams
Utility Director

Approved:


Michael McDonald, Secretary


Carl Mills, President

as Presented
 as Amended