

**THE SEWER BOARD OF THE CIVIL CITY OF NEW ALBANY, INDIANA, WAS HELD IN THE THIRD FLOOR ASSEMBLY ROOM OF THE CITY-COUNTY BUILDING ON THURSDAY, MARCH 27, 2014 AT 9:15 A.M.**

**PRESENT:** Mayor Gahan, Gary Brinkworth and Ed Wilkinson.

**ALSO PRESENT:** Wes Christmas, Roger Harbison, April Dickey, Larry Summers, Linda Moeller and Vicki Glotzbach

**CALL TO ORDER:**

**Mayor Gahan called the meeting to order at 9:15 a.m.**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Mr. Wilkinson moved to approve the March 13, 2014 Regular Meeting Minutes, Mr. Brinkworth second, all voted in favor.**

**Mr. Brinkworth moved to approve the March 18, 2014 Work Session Meeting Minutes, Mr. Wilkinson second, all voted in favor.**

**BIDS:**

**Mr. Wilkinson** presented the following bids for a new pickup truck:

Jim O’Neal Ford	\$21,050.00
John Jones Automotive	\$23,173.70

**Mr. Brinkworth moved to approve the bid from Jim O’Neal Ford in the amount of \$21,050.00, Mr. Wilkinson second, all voted in favor.**

**Mr. Wilkinson** presented the following bids for the Old Ford Road Lift Station:

Lawyer Excavation, Inc.	\$49,450.00
TSI Paving	\$69,000.00
MAC Construction	\$65,916.12

**Mr. Brinkworth moved to approve the bid from Lawyer Excavation, Inc. in the amount of \$49,450.00, Mr. Wilkinson second, all voted in favor.**

**COMMUNICATIONS - PUBLIC:**

**Greg Andres** explained that about 30 years ago he went before the City and had a private sewer line approved that went up Kenzig Road after they put the 265 interchange in and he bought three houses to move to that area. He stated that since that time Wright Woods Subdivision has went into that area and they were supposed to share the cost of that sewer line with him and because of the economy that subdivision was never built. He explained that now Autumn Grove is going in to that location and he wanted to get some advice from the board on how to get some compensation for the expensive line that they installed that will now be shared with that subdivision.

**Mr. Brinkworth** explained that John Neace is the developer on the expansion of that subdivision and during the Plan Commission meeting it was brought up that Mr. Andres installed this private line and that Wright Woods, who was pre Neace, had agreed to pay him half the cost and they didn’t but still tied into the sewers. He recommended that Mr.

Andres come to this board to see if anything could be done. He asked Mr. Andres if he remembered what he spent on the line.

**Mr. Andres** said that it was about \$30,000.00 but he did a lot of the work himself.

**Mr. Brinkworth** stated that the board attorney is not here and they will have to get his input before the make any decision.

**Mayor Gahan** stated that they would take it under advisement until the next meeting.

**Mr. Wilkinson** asked Mr. Andres if he has any documentation on the work that was done.

**Mr. Andres** stated that he does.

**Mr. Wilkinson** stated that would be helpful to the attorney.

**Mayor Gahan** stated that they would have Mr. Gibson get in touch with him.

### **COMMUNICATIONS - CITY OFFICIALS:**

**Mr. Brinkworth** stated that he and Mr. Gibson had a meeting with a couple of the council members and Georgetown's engineer about a week ago and decided that they are very willing to adjust their 4 miles except for a section that they already have sewers in. He explained that they agreed tentatively on a map but they have made adjustments that includes following the ridge of Corydon Pike and along a flood plain on Duffy and Luther Road. He stated that they carved out certain areas that would be better served by the City and areas that would be better served by Georgetown. He explained that he received a drawing from them but he was unable to print it so he will forward it to them to review.

### **SEWER ADJUSTMENTS:**

**Mrs. Dickey** presented a sewer adjustment request for Sara Glass in the amount of \$1,081.95 for a leak between the meter the house in the front yard. She explained that the water went around the house and into a creek at the back of the property. She stated that the leak was repaired by Stemler Plumbing and supporting documents are attached.

**Mr. Brinkworth moved to approve, Mr. Wilkinson second, all voted in favor.**

**Mrs. Dickey** presented an adjustment request for Robin Phipps in the amount of \$868.34 for a leak in the main line between the meter and the side yard. She explained that the water went into the yard and the leak was repaired by Thompson Bros. Plumbing. Supporting documents are attached.

**Mr. Brinkworth moved to approve, Mr. Wilkinson second, all voted in favor.**

**Mrs. Dickey** presented an adjustment request for Durick Hawkins in the amount of \$579.36 for a leak in the outside faucet. She explained that the water went into the yard and supporting documents are attached.

**Mr. Brinkworth moved to approve, Mr. Wilkinson second, all voted in favor.**

### **FINANCIAL REPORT:**

**Mr. Wilkinson** stated that there were a couple of invoices that came in for projects that were started in 2013 and he and Mrs. Moeller got them worked into the current budget so the next report will reflect that carry over.

**NEW BUSINESS:**

**Item #1 - John Edrington re: Sewage liens**

**Mr. Edrington** stated that he is a landlord and wanted to talk to the board about the fact that there is no maximum on the amount of liens that are placed on properties from landlords. He explained that he has a rental property that had an \$1800 lien and a \$1400 bill as well which averages out to about 100 times the minimum monthly payment for sewage. He asked if there was anything that the board to do to get a max cap in the \$300-\$400 range.

**Mrs. Dickey** explained that the tenants were getting the bills but he just switched over to have them go to him.

**Mr. Brinkworth** asked how long they went without paying

**Mrs. Dickey** stated that they sent out pre-lien letters at the end of last year to try to give people a little more time to pay.

**Mr. Brinkworth** asked if this was for one property.

**Mr. Edrington** stated that it was but he just got hit on two other properties for about \$1100.

**Mrs. Dickey** gave the board a list of his properties with the total amount of liens.

**Mr. Edrington** stated that looking that list they can see how that could destroy a landlord if it happens multiple times a year.

**Mr. Brinkworth** stated that on the flip side when they have customers that do not pay that can destroy the utilities.

**Mr. Edrington** stated that he completely understands that and he would just ask that there be a cap on the amount. He stated that the currently policy is a nicety on the boards behalf that they allow payments even if it isn't the full payment they don't put a lien but for a landlord this will come back to bite them.

**Mrs. Dickey** stated that they do have a landlord notification list that he can get on where he can be notified on a monthly basis when their tenants are behind.

**Mr. Brinkworth** stated that when the liens went out he was made aware a while back about this lien.

**Mr. Edrington** stated that he was but then it jumped another \$1400 in the last six month. He explained that he doesn't want to contradict what is being said but he didn't receive the 90 day letter and asked that there be a better system of checks and balances with some type of limit.

**Mr. Wilkinson** stated that they have the 90 day notice as well as the monthly notice to make them aware of arrears but ultimately they are his tenants and his responsibility.

**Mr. Brinkworth** stated that Mr. Edrington is not the first person to have this issue and they are very sorry that this happened but in the end they are using this service and simply not paying their bills. He explained that he doesn't think there is any way they can put a maximum on the bills and unfortunately this wasn't taken care of in a timely matter because this could have been brought to the board months ago.

**Mr. Edrington** stated that the other issue is that if he goes to small claims he can only sue for \$1500 and he has one bill that exceeds that and he will never be able to get his money back.

**OLD BUSINESS:**

**Item #1 - Clark Dietz Update**

**Mr. Christmas** presented a final change order for the Old Ford Lift Station project to close it out that consisted of a credit of \$2,800.00 for some modifications to and underground conduit and the second was for the extension of the storm culvert and that was for \$3,700.00. He stated that the net effect of those two changes is \$893.42 and asked for the board's approval.

**Mr. Brinkworth moved to approve the change order, Mr. Wilkinson second, all voted in favor.**

**Mr. Christmas** stated that this project is complete pending a walk through with Mr. Sartell to sign off on the punch list. He explained that they are in the process of compiling data to submit to the EPA for review and approval for sewer credits. He asked if they had any questions regarding the agreement that was presented to move forward with the Jacobs Creek Project to provide for evaluation of a possible extension to service Chapel Wood.

**Mr. Wilkinson** asked if the extension would be 300-400 feet.

**Mr. Christmas** stated that it could end up 600-700 ft and this is more to let them know if it is even possible to service them and the best way to extend the route.

**Mayor Ghana** asked if the addition was all survey work.

**Mr. Christmas** stated that it was primarily survey work with a few hours of his time to review the survey.

**Mr. Wilkinson moved to approve moving forward, Mayor Gahan second, all voted in favor with the exception of Mr. Brinkworth who abstained.**

**UTILITY REPORT:**

**CLAIMS:**

**Mrs. Moeller presented the following claims for approval:**

**Sewer Claims 3/14-3/27/2014**

<b>Vendor Name</b>	<b>Amount</b>	<b>Department</b>
Indiana American Water	\$74.59	Thursday Utilities
Gibson Law Office, LLC	\$1,730.76	Thursday Utilities
Silver Creek Water	\$84.15	Thursday Utilities
Clark Co. REMC	\$1,269.66	Thursday Utilities
Verizon Wireless	\$1,116.96	Thursday Utilities
Harrison Co. REMC	\$325.23	Thursday Utilities

Duke Energy	\$1,634.09	Thursday Utilities
Time Warner Cable	\$1,513.17	Thursday Utilities
<b>Total</b>	<b>\$7,748.61</b>	
Office Supply	\$6.00	SEW
Postmaster	\$32,181.72	SEW
Silver Creek Water	\$1,240.40	SEW
L & D Mailmasters, Inc	\$1,460.16	SEW
Your Community Bank	\$852.67	SEW
Steven Thieneman	\$852.67	SEW
Don Thieneman	\$852.67	SEW
Renny Russell	\$36.63	SEW
Jason Lemon	\$2.24	SEW
Gerald Schnieder	\$6.94	SEW
Weber Group	\$164.72	SEW
Delores Grether	\$180.01	
<b>Total</b>	<b>\$37,836.83</b>	
Ace Hardware	\$581.66	WWTP
Sherwin-Williams	\$86.64	WWTP
Retailers Supply	\$324.64	WWTP
Clark-Floyd Landfill	\$5,851.70	WWTP
Mircrobac Laboratories	\$38.10	WWTP
Quill	\$259.46	WWTP
Cintas	\$865.41	WWTP
Fastenal	\$164.36	WWTP
Allegra	\$53.00	WWTP
Clark-Dietz	\$8,840.96	WWTP
Staples	\$65.89	WWTP
MAC Construction Escrow	\$6,138.92	WWTP
Culligan Water Systems	\$80.00	WWTP
CDW Government INC	\$991.73	WWTP
Robert Elsby & Robert Koetter	\$818.00	WWTP
Orr Safety Equipment	\$218.57	WWTP
Brown Equipment Co, Inc	\$10,300.00	WWTP
Triplett Striping, Inc	\$23,757.00	WWTP
Earth First	\$14.85	WWTP
AT&T	\$114.27	WWTP

Edwardsville Water Co	\$14.15	WWTP
MAC Construction & Excavating	\$116,639.38	WWTP
PNC Equipment Finance, LLC	\$601.23	WWTP
Delta Services	\$3,392.94	WWTP
Norfolk Southern Corporation	\$100.00	WWTP
Metro Answering Service	\$69.36	WWTP
EcomTek Telecom LLC	\$92.88	WWTP
Kentuckiana Wire & Rope	\$102.00	WWTP
Pitney Bowes	\$124.00	WWTP
Airgas-Mid America	\$85.15	WWTP
Commonwealth Biomonitoring	\$2,000.00	WWTP
Bale Equipment Solutions	\$272.89	WWTP
Xerox Corp	\$235.02	WWTP
Bohnert Equipment Co, Inc	\$450.00	WWTP
Independent Piping, Inc	\$793.55	WWTP
Lehigh Hanson	\$258.46	WWTP
Technical Balance, LLC	\$400.00	WWTP
Tom Drexler Plumbing	\$2,000.00	WWTP
Underground Detective	\$455.00	WWTP
Kentuckiana Concrete & Walls	\$3,030.00	WWTP
Environmental Laboratories Inc	\$375.00	WWTP
Meiners Medical, Fire & Safety	\$961.20	WWTP
Teledyne ISO	\$68.25	WWTP
Element Materials Technology	\$517.46	WWTP
Napa of New Albany	\$38.59	WWTP
Bryan L. Raymond	\$1,350.00	WWTP
Katherine S. Newbanks	\$1,700.00	WWTP
Norma Whitaker	\$1,475.00	WWTP
Howard K. Royalty, Jr	\$1,025.00	WWTP
Arthur E. Wernert	\$475.00	WWTP
Jerry & Joyce Bachelder	\$6,575.00	WWTP
William Richard Fischer, Jr.	\$2,125.00	WWTP
<b>Total</b>	<b>\$207,366.67</b>	

**Mr. Wilkinson moved to approve, Mr. Brinkworth second, all voted in favor.**

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 9:40 a.m.

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Mayor Gahan, President

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Vicki Glotzbach, City Clerk