THE SEWER BOARD OF THE CIVIL CITY OF NEW ALBANY, INDIANA, WILL BE HELD IN THE THIRD FLOOR ASSEMBLY ROOM OF THE CITY-COUNTY BUILDING ON THURSDAY APRIL 12, 2012 AT 9:00 A.M.

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

ALSO PRESENT: Shane Gibson, Sam Lahanis, Wes Christmas, April Dickey, Brian Dixon, Roger Harbison and Vicki Glotzbach

CALL TO ORDER:

Mayor Gahan called the meeting to order at 9:05 a.m.

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Wilkinson moved to approve the March 22, 2012 Regular Meeting Minutes with corrections, Mr. Brinkworth second, all voted in favor.

Mr. Brinkworth moved to approve the March 23, 2012 Work Session Minutes, Mr. Wilkinson second, all voted in favor.

BIDS:

NONE

COMMUNICATIONS - PUBLIC:

Mr. Brinkworth stated that he was recusing himself from the board for a moment to represent T. J. Sprigler on a project he did on Mt. Tabor Road called Wexford Manor. He stated that Mr. Sprigler built 5 out of 13 condominiums. He explained that with the economy being so bad it is hard to build condominiums so he is switching those to zero lot lines but they are going to be attached. He added that it has gotten preliminary approval from the Plan Commission and he redrew the plat to conform to the regulations of a zero lot line. He explained that all sewers are already in and already serve the site and all it needs is the board to sign the plans so that it can get final approval from the Plan Commission.

Mr. Wilkinson confirmed that the only thing that needs to happen here is signing the plat.

Mr. Brinkworth replied yes.

Mayor Gahan asked if this was something that could be put on the next agenda.

Mr. Brinkworth replied that the Plan Commission meets next Tuesday. He also explained that it doesn't affect anything that hasn't already been given approval. He stated that this was prior to him being on the board but Mr. Sprigler got sewer approvals back then. He added that he has 13 units total, 5 are built and he wants to build the other 8 but he can't build them with the same regime as far as condominiums. He stated that FHA won't loan money to an individual unless ³/₄ of them are sold and he may not ever get to that point with the economy the way it is today. He stated that this will allow buyers to actually get loans. He also stated that they did this in Pinehurst.

Mr. Gibson stated that it is just administrative from the board's standpoint because they are not asking for credits, they just the board to sign off on the plat and then the Plan

Sewer Board April 12, 2012 Commission will decide whether they are going to approve the changes.

Mayor Gahan asked Mr. Brinkworth how he was connected to this.

Mr. Brinkworth stated that he drew the designs for a subdivision several years ago for Mr. Sprigler and he drew the plat.

Mr. Gibson stated that he doesn't see an issue with signing it and moving it on.

Mr. Wilkinson stated that if all of the requirements are met by statute then he doesn't have an issue with it.

Mr. Wilkinson motioned to approve, Mayor Gahan seconded, both voted in favor, Mr. Brinkworth abstained.

COMMUNICATIONS - CITY OFFICIALS

Mr. Gibson stated that he would like to set up an executive session early next week to discuss personnel issues and to discuss the EMC issue.

SEWER ADJUSTMENTS:

Ms. Dickey presented the following claims for approval:

Kingsfield Apartments, 270 Mills Lane, \$1,317.59

Ms. Dickey stated that they had a water line in building 12 that had to be repaired and their usage has gone back down to normal. She also stated that they have an invoice for repair work from Abott & Abott. She added that the water company had given an adjustment and she took off what they had adjusted.

Mr. Brinkworth stated that this is T.J. Sprigler's rental and since he just represented him he is going to abstain.

Mr. Wilkinson stated that as long as we have a repair bill he is okay with it.

Ms. Dickey indicated that we do.

Mr. Wilkinson motioned to approve, Mayor Gahan seconded, both voted in favor, Mr. Brinkworth abstained.

Vance Collins, 2708 Clearstream, \$2,594.94

Ms. Dickey stated that they had a leak in the front yard a few feet away from the meter and Greenwell Plumbing repaired it.

Mr. Brinkworth asked if they are down to normal use.

Ms. Dickey replied yes.

Mr. Wilkinson motioned to approved, Mr. Brinkworth seconded, all voted in favor.

Richard Veit, 1020 Captain Frank \$683.74

Ms. Dickey explained that Mr. Veit's meter was broken so he was being billed zero consumption for 18 months. She explained that back in March, the water company sent a read of 89 cu. ft. and we billed him based on that. She stated that he doesn't think that he

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should have to pay a back bill because it wasn't his fault.

Mr. Brinkworth stated that he doesn't mind spacing the payments out but he feels that he owes that.

Mr. Wilkinson stated that the water was going into the sewer.

Mr. Lahanis stated that he suggests in these cases to go ahead and authorize Ms. Dickey to conduct those in that manner.

Mr. Brinkworth stated that he has paid minimum payments so we should calculate what he has paid and minus that from \$683.74.

Mr. Gibson agreed that is the way we should do it.

Ms. Dickey asked if he wants to spread the payments out is that okay.

Mr. Brinkworth replied yes, talk to Mr. Veit and see what he can afford.

Mr. Gibson asked if the board wants cases like this one brought to them or do you want to give her a little authority to handle those.

Mr. Brinkworth stated that there was a threshold of \$500.00 and anything below that could be handled by Ms. Dickey.

Mr. Brinkworth motioned for Ms. Dickey to work that out with him, Mr. Wilkinson seconded, all voted in favor.

FINANCIAL REPORT:

Mr. Wilkinson stated that the month was a little light and he noticed in the last two years that the last month of the quarter was a little light. He added that cash flow is pretty much on budget and the liens that Ms. Dickey got certified this month are about \$200,000.00 and the pre-lien letters that will be going into the next batch are approaching \$500,000.00. He added that the thing that they need to keep in front of them this year is that with no loans, no bonds and no major project financing; everything is coming out of pocket as far as cash flow.

Ms. Gibson stated that the liens have been taken down but will not be on the taxes until November. He added that Ms. Berger asked him to see if we could delay the lien letters being mailed out until after the first installment of taxes are paid because they are not on the taxes yet and it makes it really difficult.

Mr. Wilkinson asked if we are interrupting the 30 day statutory requirement to have the lien notice.

Ms. Dickey replied no. She added that the liens have been recorded and now the Auditor's Office is working on entering them into their system.

NEW BUSINESS:

Item #1 - Todd Solomon re: Wastewater Treatment Plant Improvements Project Agreement for Construction Administration and Observation Service

Mr. Lahanis stated that this is the agreement for inspection services on the Wastewater Treatment Plant Improvements Project. He added that it is a not-to-exceed figure and we will have a person on part-time. He stated that he believes that Mr. Gibson has reviewed

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the documents.

Mr. Gibson replied that he did.

Mr. Lahanis then stated that he recommends approval of the agreement.

Mr. Wilkinson motioned to approve the contract for signature, Mr. Brinkworth seconded, all voted in favor.

OLD BUSINESS:

Item #2 - Clark Dietz Update

Mr. Christmas discussed the following capital improvements projects:

Mt. Tabor Project – He stated that it is entirely completed and it will be reflected in the claims today. He added that they will be requesting all of the retainage with the exception of \$10,000.00. He stated that the \$10,000.00 will continue to be held as we work with them on the single pump that is having some vibration capacity issues.

Basin 14 Lift Project – He stated that it is entirely completed with the exception of the installation of two throttling devices on the relief valves. He added that the only reason that those aren't complete is because they had some difficulty getting those to thread into the existing valves due to some rust. He stated that they tried several things but they are just going to have to order new caps so they can screw those in. He added that you should see a pay request from them which would be for the full amount with the exception of the retainage that is still going to be held this month. He stated that there was a final change order for a credit in the amount of \$26,000.00 which included a credit for pump price negotiation that was done early in the project where we got a reduced price on the pumps. He stated that there a couple of more items that were added during the course of the project and a couple of them had to do with the air relief valve modifications. He added that there is one \$3,000.00 air relief valve modification that is outstanding which is the replacement of the caps that he spoke of earlier that was not able to be included in this payment application since it just came up this week. He stated that other than that all of the numbers should be final with the exception of the \$3,000.00 so in the end we should be about \$22,000.00 under on this project.

Mr. Brinkworth motioned to approve change order for Basin 14, Mr. Wilkinson seconded, all voted in favor.

Jacobs Creek Project – He stated that the project is started and the clearing and erosion control devices have been installed and they plan on getting started with the installation under Charlestown Road as soon as the agreement on the easement purchase is finalized.

Mr. Gibson stated that he would need the board's approval to finish that. He added that basically they agreed to the appraised value and requested five sewer taps. He stated that they had a court hearing and he tried to get them off of the five and down to three but they wouldn't budge.

Mr. Brinkworth asked Mr. Gibson if he was sure about the appraisal value and stated that he thinks that Mr. Fifer made them an offer of an additional \$2,400.00 which included three appraisal fees if we had to go to court. He added that he thinks they are sticking to that number along with the five taps.

Mr. Christmas said that he thought the agreed amount was \$15,500.00.

Mr. Gibson asked for the authority for \$15,500.00 and hopefully he can get it wrapped

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up and close it out.

Mr. Brinkworth motioned to approve, Mr. Wilkinson seconded, all voted in favor.

Mr. Christmas stated that the storage facility is essentially completed. He stated that last week the only thing they were waiting on were service connections from Duke and Vectren.

Mr. Lahanis stated that Vectren did get their power to us but we are still waiting on Duke to put a meter in. He added that they are scheduled to move in on Monday so hopefully all issues will be taken care of this week. He stated that all electrical inside has been completed and all of the hookups to the overhead doors and closures have been completed and final cleanup is being done today so they should be moving in on Monday.

Mr. Christmas stated that that the last update he has is on the lining rehabilitation project. He stated that Mr. Lahanis' crew is continuing to do a mainline lining at Basin 16 and we are going to hopefully be doing the lateral rehabilitation by the end of May that was also a part of the project.

Mr. Lahanis stated that we have 16 sections of line put in for a total of 4,188 ft. He stated that the total is a little disappointing with the time that they had invested but they are getting better. He added that this week they put in three liners with very little overtime. He stated that the guys are getting much better at the installation and things are moving along a little quicker. He also stated that the equipment problems have finally started easing up.

Mayor Gahan asked if they have equipment problems, do they have someone in the area do repairs.

Mr. Lahanis stated that it has been all over the place. He stated that they had some warranty issues through Virginia and they sent their employees to make some corrections on the equipment. He stated that they have local vendors for some warranty issues. He added that there have been a multitude of issues that they have had to deal with along those lines but it seems to be easing up.

Mr. Gibson asked Mr. Christmas if there was any way to have comparisons on the areas that have been done.

Mr. Christmas stated there are flow monitors in place in Basin 16 in three different locations. He added that will be a part of the demonstration to EPA as to the effectiveness of what has been done and what additional work may need to be done.

Mr. Lahanis stated that hopefully by the end of June or the middle of July we will have the basin completed and we will be able to gather data from that point forward.

Mr. Brinkworth asked when the other contractor is coming in to do his work.

Mr. Christmas stated that it is contingent on getting the main line done but it looks like the end of May.

EMC REPORT:

Mr. Sartel reported on the following:

February Operations Report

There were no effluent violations for February. The plant was in full compliance.

Sewer Board April 12, 2012 Pretreatment conducted a site visit at Wise Technical and General Mills 41 restaurants or food preparation facilities reported they were in compliance or inspected for compliance.

The treatment plant had a daily average flow of 8.43 MGD and there were 1.55 inches of rain for the month.

The plant had a daily average of 17,006 lbs/d of TSS which is at 92% capacity of the plant design limit and 9,533 lbs/d of CBOD which is at 67% capacity of the plant design limit.

The plant had a safety rating of 99.6% for February and the staff completed safety training on Personal Protective Equipment and Respiratory Protection.

There were no rain events in February that required monitoring by Stantec Consulting Services and no system overflows.

There were 170 preventative and 14 corrective work orders completed in February.

Mr. Brinkworth asked how many restaurants did not report that they were in compliance.

Mr. Sartel replied that there are around 250 restaurants and they are required to report twice a year.

Mr. Brinkworth stated so you are getting them throughout the year.

Mr. Sartel replied yes.

Mr. Brinkworth then asked if we have anyone who is not in compliance.

Mr. Sartel replied that they have had some that weren't in compliance and they have met with them personally. He stated that it is a \$2,500.00 a day fine if they don't get in compliance.

Mr. Lahanis stated that back at the March 12th Sewer Board meeting there was a discussion with Aqua Utility Services in regards to their bill. He stated that Mr. Toliver agreed (minus the deductions that we had discussed) to rebuild the pump for \$28,872.00. He stated that he feels that is the number we should hold him to, minus the \$4,004.00 that we spent with Derby City. He then recommended issuing a check for \$24,868.00.

Mayor Gahan asked if the pump failed as rebuilt.

Mr. Lahanis replied that they went out and did the wiring correctly and did some work on the pump and put the necessary parts back into it but then assembly it incorrectly and that's why they had to hire the other company to come back in and finish up.

Mr. Wilkinson asked Mr. Lahanis to supply a spread sheet starting with the gross number and setting out the credits.

Mr. Lahanis stated that he did attempt to do that but we have gotten so many estimates and numbers and it is difficult to pin it down and that's why he had Mr. Toliver at the meeting to discuss all of those items.

Mr. Wilkinson stated that the \$24,868.00 that is now the agreed upon number is the remaining net and asked that Mr. Lahanis provide a spread sheet setting out all payments

so that we know what that total number was.

Mr. Lahanis agreed that he would provide that.

Mayor Gahan asked if this was a two year period.

Mr. Lahanis replied yes that it started back in July, 2010.

Mr. Brinkworth motioned to approve the \$24,868.00, Mr. Wilkinson seconded, all voted in favor.

CLAIMS

April Claims

Mr. Sartell presented the following sanitary sewer claims for approval:

VENDO	INVOICE	DATE	COST	
American Water- EMC	MA007-200181 98	4/1/201 2	\$152,048. 91	April Wastewater Operation Fee
N A Municipal	4005010	4/5/201	\$150.12	Basin 14 LS
N A Municipal Utilities	4006370 0	4/5/201 2	\$12.51	Old Ford Rd LS
N A Municipal	4023830	4/5/201	\$875.70	WWT
MAC Construction	#8	4/9/201 2	\$52,511.8 0	Request for Retainage
Pace Contracting	#9	4/9/201 2	\$63,386.0 0	Request for Retainage

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Mr. Christmas asked to pull the MAC Construction #8 Invoice for \$52,511.80 because they weren't able to add the throttling devices to the air relief valves yet so he wanted to hold on to the retainage.

Mr. Brinkworth moved to approve in the amount of \$216,473.24, Mr. Wilkinson second, all voted in favor.

Mr. Sartell presented the following SRF Disbursements for approval:

VENDOR	AMOUNT	PROJECT	
Mac Construction	\$18,094.11	Basin 14 LS Upgrade #6 #7	
Mac Construction	\$952.35	Retainage Basin 14 LS Upgrade #6	

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

Mr. Lahanis presented the following sanitary sewer claims for approval:

Vendor	Invoice	Date	Cost	Descriptio
Ace Hardware	214678, 214952, 215426, 215609, 215614, 215783, 21576, 216044, 216109, 216127, 216064, 215680, 215756, 215977, 216006, 216028, 216464, 217056. 217033, 217126, 217118, 217185, 217231, 217820,	2/2, 2/7, 2/16, 2/21, 2/23, 2/29, 3/1, 2/22, 2/28, 2/29, 3/8, 3/19, 3/20, 3/21, 3/22, 3/24, 3/26, 3/27, 3/28, & 4/2	\$ 1,103.43	Misc Supplies
Advantetex	217412. 217452.		\$	Top & Bottom
International	498	9-Mar	2,900.00	Belts
AML, Inc	Pay request	9-Apr	\$	Storage Bldg
American Trailer Sales & Svc	8182, 8175 & 8164	3/21 & 3/19	\$ 825.00	Trailer & drops
Bio Chem Inc.	10738 &	3/19 & 4/2	\$	Barren
Black Diamond	694319	21-Mar	\$	Pest Control
Carriage Ford, Inc		26-Mar	\$	Checked
Cintas	302678286, 302677208, 302680509 & 302681574	3/23, 3/21, 3/28 & 3/30	\$ 461.90	Uniforms & Rugs
Cornell Harbison	6400 & 6400	22-Mar	\$	Sewer Repair
Coyle Chevrolet			\$	
Crane America	90089357	23-Mar	\$	Inspection
Crum's Heating &	2012-2 & 2012-3	16-Mar	\$	Svc
Derby City Pumps &	29-Jan	23-Mar	\$	Repair wemco
Earth First	65439, 66042 & 66111	2/29, 3/25/2012	\$ 369.37	2yd to 7 yd load
Ernst Concrete	31220 & 31097	3/22 & 3/25	\$ 108.26	3500 AE Ext
Eye tronics	1191ET	3/23/2012	\$	Pole down
Fastenal	INCLA69606	3/15/2012	\$ 47.08	Reline pro
Fleet One	4043900002 & 4043800006	4/2/2012	\$ 4,862.12	Gas
Frakes Engineering	24918	3/19/2012	\$ 1 127 00	Annual
Frank Kruer	1398 & 1400	3/26 & 3/27	\$ 2.950.00	Reimburseme nt

Hawkeye Security & Electronics	22609	3/30/2012	\$ 5,510.00	Security Sys
	10510652088	,	•	• •
luoi aht	-01 &	2/20/2012	\$ 1,406.37	Internet/
Insight	10510679268	2/29/2012	1,496.27 \$	Cable
Innovative Crushing	34898	3/15/2012	10.00	Dump fee
Inter City Auto	364102	3/20/2012	\$ 287.22	Misc parts
Kentuckiana Wire & Rope	120001 & 120099	3/15 & 3/20	\$ 198.53	Nylon Rope & 6 ratchet fixed ends
Marvins Auto	31456	3/20/2012	\$ 32 50	Check brakes
Mettler Toledo	157-005572	3/21/2012	\$ 1.127.00	Annual Lab
Murphy Elevator	80689	3/19/2012	\$ 1 124 22	Elevator
New Albany Tribune	01522657-0	2/29/2012	\$	Publication
Office Depot	59771274100 1 &	3/5 & 3/15	\$ 136.42	Office supplies
Office Supply	172566 &	3/19/2012	\$ 122.72	Ink
Orr Safety	INV2182052, INV2193632 &	3/16, 3/26 & 3/28	\$ 514.94	LBRLVICR
Red Wing Shoe	2050000045	3/16/2012	\$ 778 82	Shoes
Rental Mart	17880	3/7/2012	\$ 17.90	Gas Can & oil
Robinson & Assocs	51470	3/20/2012	\$ 528.06	misc supps
Rodefer Moss	2000050902	3/26/2012	\$ 1,350.00	Dec 2011 Financial
Ross Bros Auto Trans	1699	4/2/2012	\$ 1.674.10	Flusher Svc
S & R Truck Tire Center	21-49302 & 21-50115	3/20 & 4/5	\$ 324.72	Truck Svc
Simplex Grinnell	67601350	3/22/2012	\$ 51.20	First Aid
Souths Cleaning	WO4	4/10/2012	\$	Office
Spencer Machine &	14700	3/8/2012	\$	Repair pump
Supreme Oil	56273 & 56233	3/26 & 4/2/2012	\$ 107.62 \$ 252.00	Oil
Tri-State	114296	3/7/2012	\$	Repair Kit
Uhl Truck Sales	HW41545 & HW41655, HW41522 & HW41547	3/22 & 3/28 & 3/22	\$ 2,396.71	Svc to trucks
USA Bluebook	63268	3/28/2012	\$ 625.80	Signs
Wash o rama			\$	
Xerox	60800489	4/1/2012	\$	Copier Maint.
VWR	4882135	3/20/2012	\$ \$ 600.10	gloves

Total:	\$

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Mr. Brinkworth asked what the claim for Robinson & Associates was for.

Mr. Lahanis replied that he couldn't remember right at the moment but he would get back with him.

Mr. Wilkinson stated that he would also like to know.

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

Mr. Gibson stated that he asked Ms. Dickey to get a quote from Keystone to clean up the lien paperwork and make the process a little smoother and that quote was \$900.00. He added that he recommends that the board approve it.

Ms. Dickey explained that this would allow them to put the service address on the actual liens which would help in the process of researching the liens and would eliminate confusion between the service address and the mailing address. She also stated that they would like to have the word "Controller" put in so that it doesn't have to be handwritten on the form for each lien.

Mr. Brinkworth asked how many liens that we send out.

Ms. Dickey replied that this last time they had about 1,069.

Mr. Brinkworth then asked if they do it four times a year.

Ms. Dickey replied that they strive for that.

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

Mr. Lahanis stated that with the storage building being completed he would like authorization to look at purchasing shelving and some work benches for the various bays. He stated that he doesn't know what that cost would be right now but Kentuckiana Sales has a lot of used equipment and furniture type things. He added that he would like authorization up to \$10,000.00 and then he could bring back a better number to the board.

Mr. Brinkworth stated that he would like to authorize \$5,000.00 and then Mr. Lahanis can bring the numbers back and they can negotiate.

Mr. Lahanis stated that he wanted authorization to price out two vehicles one for the plant which is the utility truck with crane. He stated that it is a 1999 model with about 90,000 miles on it and the bed is rusted out. He also stated that the crane does not have the capacity on it to lift some of the newer pumps that we are getting for larger stations so we are trying to buy a piece of equipment that can do that. He added that it will probably be in the \$50,000.00 range. He said it will probably be at least a 3500 GM model or Chevy model with a utility bed on the back. He then said that for the collection system, he would like to purchase another crew cab pickup truck with a one ton model like we just purchased and we are talking \$30,000.00 on that.

Mr. Wilkinson asked if the truck that we just purchased is handling the trailer with the weights alright.

Mr. Lahanis replied yes that the guys are really pleased with it.

Mr. Wilkinson asked if they are using it on the big trailer with the blower on it.

Mr. Lahanis replied on the trailer with the blower and other trailers too.

Mr. Brinkworth asked if it is a one ton.

Mr. Lahanis replied yes.

Mr. Wilkinson stated that he would like to get another 90 days down the road with our cash flow because right now we have \$400,000.00 cash flow and we have the contract for Jacobs Creek which is \$500,000.00 so we need a little time to get some cash available.

Mr. Lahanis stated that he understands but would still like to get authorization to get some prices together. He added that if we do hold off that 90 days is not going be the issue because it does take some time to develop the specs and get all of that information in

Mr. Brinkworth stated that he has seen the truck and it is not in good shape. He then asked about a trade in.

Mr. Lahanis stated that he doesn't think they could get much out of the existing one. He said that his thought was to put it in the yearly auction that the city has and see what they could get out of it from that.

Mr. Wilkinson stated that the most important thing is to get something big enough to handle these jobs so that we are not just right on the edge of being able to do it.

Mr. Lahanis stated that they have a contractor that comes in and does work for them and the specs that he is trying to put together are based on that vehicle. He added that it is below needing CDLs so the guys won't have to worry about needing those.

Mayor Gahan stated that he could go into with the understanding that it may be July or August before the purchase can be made.

Mr. Lahanis stated that the board has not received any FEMA documents at all. He added that they were told that they were going to get money to pay for the project that GRW is doing. He explained that is another hit that they may have to take that will come out of cash flow.

Mr. Gibson stated that the insurance money is not in the sewer account.

Mr. Lahanis stated that it was his understanding that Ms. Garry put that money in the sewer account when it came in.

Mr. Gibson stated that Ms. Prestigiacomo asked him about it because it was sitting in another account. He added that he would verify with her and send out an email.

ADJOURN:

There being no further business before	the board, the meeting adjourned at 11:12 a.m.
Jeff M. Gahan, Mayor	Vicki Glotzbach, City Clerk
•	