

**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, JUNE 24, 2010 AT 9:00 A.M.**

PRESENT: Mr. Harbison, Mr. Wilkinson, Mr. Brinkworth, Mr. Sartell, Mr. Crawford,
Mr. Dixon, Mr. Marinaro, Mr. Christmas, Mr. Fifer, Mrs. Garry and Mindy Milburn

CALL TO ORDER:

Mr. Harbison called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

**Mr. Wilkinson moved to approve the June 10th meeting minutes with corrections,
Mr. Brinkworth second, all voted in favor**

BIDS:

COMMUNICATIONS - PUBLIC:

COMMUNICATIONS - CITY OFFICIALS

SEWER ADJUSTMENTS:

Corry Pollard 2506 Spring Ave

Mrs. Welsh stated that the water was going into crawl space and they had the pipe repaired and is asking for an adjustment in the amount of \$623.35 and this would be applied to his bill

Mr. Brinkworth asked about the penalties added to every bill.

Ms. Welsh stated that he has made one payment in 2010 in the amount of \$20.00 but she can request that he bring his account current before they make the adjustment.

**Mr. Brinkworth moved to approve contingent upon bringing his account current,
Mr. Wilkinson second all voted in favor**

Robert Lynn Co 1736 E. Oak Street

Mrs. Welsh explained that this is a vacant house and the pipes froze and burst. She stated that they have had zero usage until this incident and they have been making the base payments regularly. She stated that she is asking that they made the adjustment in the amount of \$534.24.

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

Ms. Welsh stated that Mr. Fifer asked her to provide the board with their revenue for 2009 so that they can see what their revenue would be after the increase. She stated based on the summer watering program, without it there would have been about an \$80,000.00 difference.

Mr. Wilkinson explained that he put together some tabulation's by hand of what they might be expecting and it is based on two different scenarios and he explained that they are losing a lot of money on non-payments. He stated that they have several issues with

collections that they need to deal with in the work session.

Mr. Brinkworth asked if the ones that are still out are duplicates or is it all new.

Ms. Welsh stated that some were duplicates but they have over \$600,000.00 in new delinquents. 1169 liens that they are going to go after and some of it is duplicated but the amount that they are going after is \$917,000.00

Mr. Wilkinson stated that they have a lot of bench work to do to correct this issue and get deposits and of course there are some purposeful offenders.

Mr. Brinkworth stated that the summer watering months is a time when people use the most water and maybe instead of doing those months they could average the whole year because there is a big discount given across the board.

Mrs. Welsh stated that they could ask for documentation to verify that they have a pool and give the credits to those individuals.

Mr. Wilkinson stated that whatever remedy they come up with it has to be now because they can't take a \$400,000.00 hit.

There was a lengthy discussion about shortening the summer months and requiring requests instead of a blanket discount.

Mr. Fifer asked Ms. Welsh to put together a list of apartment complexes that have outstanding liens.

Ms. Welsh explained about some of the challenges they have had with apartment complexes and condominiums changing names and making it difficult for them to get good information to file liens. She explained that her office has been working with State Board of Accounts to overcome these obstacles and she thinks they have a made a lot of progress and are ready to move forward.

Mr. Fifer stated that the bill is a charge against the real-estate and they have to get the liens recorded before there is an ownership change but once they secure the lien it supersedes everything but taxes and they have the right to foreclose on the lien. He explained that they have to live under the state statutes and as a Sewer Board they do not have the authority to have water shut off to a property but if they were a sewer district they could do so and then IN-AWC would be responsible for the unpaid bills if the water wasn't turned off.

Mr. Wilkinson stated that this might be one of the elements to help them get a sewer district.

Mr. Fifer stated that they could ask the legislature to give a Sewer Board the same rights as a sewer district.

Ms. Welsh stated that they all have the GSI software on the computers in their office and she thinks it will expedite the research process.

NEW BUSINESS:

Mr. Sartell presented bids for easement machine

Brown equipment	\$38,192.00
Jack Doheny	\$42,100.00

He stated that he would like to take these under advisement and bring them back to the next meeting.

Sales quote for TV Trucks

Brown Equipment	\$39,826.00
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Mr. Brinkworth proposed that they table this and discuss it at their work session.

Mr. Marinaro presented a copy of the American Beverage Marketers ban waiver to be signed by the board.

OLD BUSINESS:

DA Andrews addressed the board and stated that they want to revisit and extension of the Georgetown contract because they will not be completed until the spring of this year so they are proposing \$25,000.00 to extend the contract along with the new rate increase.

Mr. Fifer stated that they are running into some additional snags in closing their SRF funding and asked if there was a problem if they approved the agreement contingent upon finalizing their SRF loan.

Mr. Andrews stated that he doesn't think that would be a problem at all.

Mr. Brinkworth moved to approve the agreement contingent upon finalization and closing of New Albany SRF loan, Mr. Harbison second, all voted in favor

Item #1 - Clark Dietz Update

Mr. Christmas explained that he did send out a draft response for the additional approval. He stated that if they have a work session scheduled for the near future they may want to discuss this.

Item #2 - Donahue Update

No update.

Mr. Crawford stated that he did receive some additional information on the Market and Vincennes issues and explained that the stance of the water company has not changed and they do not feel like they have any responsibility. He explained that their stance is that their contractor did not disturb their lines and this was confirmed so they need some direction on how to proceed. He stated that they did say that if the area was excavated and it was determined that they were at fault they would step up to the plate to take care of the costs but they are unwilling to initiate the project.

Mr. Harbison suggested they draft a letter reiterating their claim that they would pay for the repairs if it was determined that they are responsible.

There was a lengthy discussion on the condition of the lines and previous work as well as how to mill the area.

Mr. Marinaro stated that he thinks that they should excavate the area and he would not put asphalt on to see if it settles because that would be a cost they would have to eat if it did start to settle.

Mr. Fifer stated that they could add into the letter that they are going to try to fill it with asphalt but if that doesn't work they will excavate and then they will come after them for the cost.

Mr. Wilkinson stated that they should do minimal repair until they see if it will settle any more.

Mr. Fifer stated that he would suggest they go ahead and get the letter out with the changes they discussed today.

Mr. Brinkworth moved to send the letter with changes, **Mr. Wilkinson** second, all voted in favor.

CLAIMS

Mr. Marinaro present the June 2010 Sewer Claims to the board for their approval in the amount of \$407,845.79 which included the following:

VENDOR	INVOICE DATE	ITEM	INVOICE	COST (\$)
EMC	5/1/201	EMC May Monthly Billing	2001685	307,524.1
EMC	5/1/201 0	Duke Electrical Rate Increase Retroactive to 3/1/09	2001689 0	87,760.68
ITT Water & Wastewater U.S.A.	2/5/201 0	WWTP Pump Repair	7566981	7,261.00
Dan Cristiani		BASIN 35 INTERCEPTOR PHASE II and III	52524	3,000.00
Pace Contractors		15th STREET SANITARY SEWER REPAIRS PHASE I & II	1614	2,300.00
May 13, 2010 Sewer Board Meeting		SUB TOTAL		407,845.7 9

Mr. Wilkinson moved to approve the claims as submitted, **Mr. Brinkworth** second, all voted in favor except for **Mr. Harbison** who abstained.

Mr. Crawford asked if they had any time frame on when they would be catching up on back invoiced particularly with regards to EMC.

There was a lengthy discussion regarding unpaid invoices and Mr. Fifer stated that he could see what could be done about the EMC invoice and get back with them.

The board scheduled a work session for **June 29th @ 1 p.m.** in the assembly room

ADJOURN:

There being no further business before the board, the meeting adjourned at 9:55 a.m.

Roger Harbison, President

Mindy Milburn, Deputy City Clerk