



T.L.R.S.D.
TWIN LAKES REGIONAL SEWER DISTRICT
5636 N. WEST SHAFER DRIVE
MONTICELLO, IN 47960
PHONE: (219) 253-1105 FAX: (219) 253-1224



BOARD OF TRUSTEES MEETING
October 12, 2006

TRUSTEES PRESENT:	Jim Smith	President
	Reggie Shireman	Vice President
	Patrick Novotny	Secretary
	Art Anderson	Treasurer
	Wayne Garrison	Board Member
	Larry Dunn	Board Member
	Tom Pasquale	Board Member

SUPERINTENDENT	Mike Darter
ATTORNEY	Donald Tribbett

ABSENT

The meeting was called to order at 7:02 PM by Mr. Smith

A motion was made to approve the minutes of the September 28, 2006 meeting by Mr. Novotny, second by Mr. Anderson

Vote Ayes 7 Nays 0

TREASURER'S REPORT:

Mr. Anderson read by title Sewer Rate Ordinance 2006-02.

A motion made to adopt Ordinance 2006-02 on second reading made by Mr. Pasquale seconded by Mr. Shireman

Vote Ayes 5 Nays 2, Mr. Dunn, Mr. Garrison

Mr. Anderson presented the claim voucher for the operational and maintenance fund in the amount of \$19,040.80

A motion was made to approve the claim voucher by Mr. Novotny, second by Mr. Dunn

Vote Ayes 7 Nays 0

FILE COPY

Mr. Anderson presented the claim voucher for the Phase III construction fund in the amount of \$395.50

A motion was made to approve the claim voucher by Mr. Garrison second by Mr. Pasquale

Vote Ayes 7 Nays 0

COMMITTEE REPORTS:

Projects committee to be held on Monday, October 16, 2006 at 10:00 AM

OLD BUSINESS:

Mr. Darter requested a determination on the request made by Mrs. Boyer-High, dated August 23, 2006 concerning the Countree Aire Resort past charges.

- Mr. Garrison commented that the Board should follow the attorney's opinion and past charges bills should be paid by Mrs. Boyer-High.
- Mr. Anderson stated that it should not include late fees as previously waive by the Board.
- Mr. Smith stated that the real estate owner is responsible for payments

Mr. Garrison made a motion to accept the attorney's recommendation to collect monies due second by Mr. Dunn

Vote Ayes 7 Nays 0

SUPERINTENDENT'S REPORT:

Mr. Darter commented on the incidents and complaints report for the previous two weeks.

- There were 17 incident reports and 0 complaints.
- 94 permits left to be issued in Phase I and 12 left in Phase II
- Inspections made to date in Phase I were 640, and in Phase II 959

Mr. Shireman inquired about the "bad pumps" on incident reports and who is responsible.

- Mr. Darter stated that 15 of the 17 incidents reported were warranty issues. The "bad pump" designation is a general term used in the report to designate an issue with the pump in the field. Issues could be a worn stator, "on/off" switch bad or high level alarm switch bad as example. All trucks carry a spare core. To minimize amount of down time for the customer, the spare core is installed and the field pump is tagged with the problem and taken back to the shop for repair.

Mr. Anderson asked about email from the Web site being answered.

- Mr. Darter responded the office answers emails concerning adopted policy, procedure and ordinance issues, along with providing any information concerning Phase III as for potential construction start time and duration. Any questions and/or comments concerning a Board action and/or decision are forwarded to the Board.

ATTORNEY'S REPORT:

Mr. Tribbett stated that the request of the petitioners to extend their time to respond to our motion for summary judgement in the permit appeal proceeding was granted, and they were given until October 31, 2006.

Mr. Tribbett recommended payment of \$4000.00 for the Schmitz property, Lift Station #1.

A motion to pay per attorney's recommendation made by Mr. Dunn, second by Mr. Anderson

Vote Ayes 7 Nays 0

Mr. Tribbett then said the letter to the city regarding the Pine View area reverting to the District jurisdiction was dictated but not sent yet because the deadline for the city action has not yet passed.

Mr. George Loy discussed the Oct 23, 2006 deadline for Pine View area and said it was part of the 6th Street expansion plan and more time is needed because of the changes made to original plans and the delay was due to the changes. He then requested an extension for 1 year from the October 23, 2006 deadline.

- Mr. Anderson said 3 years was plenty of time to finish and they had discussed it at previous meeting with city officials.
- Mr. Smith said we should not have a turf war over matter and a year's extension is within reason.

A motion to approve 1 year extension to city made by Mr. Dunn, second by Mr. Garrison

Vote Ayes 6 Nays 1 Mr. Anderson

Mr. Garrison asked where properties are and Mr. Smith, Mr. Tribbett, and Mr. Anderson answered

Mr. Pasquale asked what the schedule looked like on time line and Mr. Loy said the schedule was on time and project was being done in 3 phases.

- Mr. Spackman stated the project should be finished by July 2007

Mr. Smith commented on the letter from H.J. Umbaugh on Snow Ditch B Bonds refunding and said we should take necessary steps to approve.

- Mr. Tribbett also commented on the bond(s) refunding and the money that could be saved.

A motion was made to approve Snow Ditch refunding and to follow the accountant's recommendation made by Mr. Shireman, second by Mr. Anderson

Vote Ayes 7 Nays 0

Mr. Anderson asked about meeting with Mr. Spackman to discuss issues

ENGINEERS REPORT:

None

PUBLIC COMMENT:

Mr. Spackman commented about the 8% rate increase and asked why the costs were out of line and the increase was above the 5% statue and requested to see financial analysis. He also asked about issuance cost for any refunding bonds.

- Mr. Tribbett stated that Ice Miller generally charges between \$10,000 to \$15,000 for a bond issue and that there charge is considerably less than quotes received from other firms. Mr. Spackman responded that bond counsel charges are very reasonable.

Mr. Spackman commented the District should publish the facts to appease the public and give proper information regarding increases.

- Mr. Smith stated that if we had started to equalize rates previously it would not show as much.
- Mr. Anderson said that no more grants were available at this time and that is why rates are higher in areas

Janice Williams asked if rates would be raised again next year and how people on fixed incomes could afford. Also she has not received informational cards and she has two properties in the Big Monon Bay service area.

Larry Blazer asked about the 6" line going back in area along with Tom Spackman asking also.

- Mr. Darter responded the 6" line crossing under the Honeycreek Bay at this time was still planned to be installed. The line was removed from the bay because it had been "bored in" inside the new right of way for the road. Cost for the reinstallation is being discussed between the engineer and the contractor.

Tom Spackman asked who determines expenses outside of the budget for trips sending attorneys and members to Indianapolis for the Environmental Quality Service Council meeting.

- Mr. Tribbett answered asking who is better equipped to address and understand issues on legal matters than the Board's attorney.
- Mr. Garrison stated that the meeting in Indianapolis was not representative of the whole state, because if it were not for Mr. Smiley o Koontz Lake, it consisted entirely of people from the Twin Lakes Regional Sewer District.

Pat Robertson commented that she did not go to Indy to bash Twin Lakes Regional Sewer District but only to speak about changing the laws in order to have more control

Don Apple asked what happened to the \$216,000.00 check due from Mr. Buyer and what it is being used for. Also stated he would like to see the budgets showing where monies were going. Don asked if John Julien screwed up the original rates.

- Mr. Apple was informed the monies reside in the Sinking Fund account at this time.
- Mr. Tribbett responded stating it was the previous Board's responsibility and not this one only. He also pointed out that John Julien had recommended that the rates be set higher, but that the Board, under Mr. Apple's leadership and direction, was not willing to do so.
- Mr. Anderson talked about Susan Mrzlack not being retained during Mr. Apple's presidency and using H.J. Umbaugh Associates at higher cost.

A motion to adjourn was made by Mr. Novotny, second by Mr. Dunn at 8:07 PM

Vote Ayes 7 Nays 0