

# TWIN LAKES REGIONAL SEWER DISTRICT

*"Protecting the Environment Today for Tomorrow's Generations"*

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## BOARD OF TRUSTEES MEETING JANUARY 10, 2008

TRUSTEES PRESENT: WAYNE GARRISON PRESIDENT  
TOM PASQUALE VICE-PRESIDENT  
JIM SMITH SECRETARY  
PAT NOVOTNY BOARD MEMBER  
JOHN MITCHELL BOARD MEMBER  
LARRY HOLDERLY BOARD MEMBER

TRUSTEES ABSENT: LARRY DUNN TREASURER

SUPERINTENDENT: MIKE DARTER

ATTORNEY: DONALD TRIBBETT

The meeting was called to order at 7:00 p.m. by Mr. Smith. Mr. Smith welcomed and introduced Mr. Larry Holderly as the new Board Member.

Mr. Smith stated that the nominations for the 2008 officers were recommended by the Nominating Committee at the last regularly scheduled board meeting. Mr. Smith asked for any other nominations from the floor. Mr. Novotny nominated Mr. Smith as President. The nomination was withdrawn after being informed that Mr. Smith cannot serve another consecutive term as President.

Mr. Smith announced the nomination for President as Mr. Garrison. Mr. Pasquale moved to nominate Mr. Garrison as President, seconded by Mr. Mitchell.

Vote Ayes 6 Nays 0

Mr. Smith announced the nomination for Vice-President as Mr. Pasquale. Mr. Garrison moved to nominate Mr. Pasquale as Vice-President, seconded by Mr. Novotny.

Vote Ayes 6 Nays 0

Mr. Smith announced the nomination for Treasurer as Mr. Dunn. Mr. Pasquale moved to nominate Mr. Dunn as Treasurer, seconded by Mr. Mitchell.

Vote Ayes 6 Nays 0

Mr. Smith announced the nomination for Secretary as Mr. Smith. Mr. Pasquale moved to nominate Mr. Smith as Secretary, seconded by Mr. Novotny.

Vote Ayes 6 Nays 0

Mr. Novotny moved to close the election of officers, seconded by Mr. Mitchell.

Vote Ayes 6 Nays 0

Mr. Smith presents Mr. Anderson with a plaque for his dedication and service to the TLRSD.

Mr. Smith turned the meeting over to Mr. Garrison, newly elected President.

Mr. Smith presented the minutes of the December 13, 2007 regular Board of Trustees meeting for approval. Mr. Mitchell moved to approve the minutes, seconded by Mr. Novotny.

Vote Ayes 5 Nays 0 Abstain 1 (Mr. Holderly)

Mr. Smith presented the minutes of the December 28, 2007 special meeting for approval. Mr. Novotny moved to approve the minutes, seconded by Mr. Pasquale.

Vote Ayes 5 Nays 0 Abstain 1 (Mr. Holderly)

#### **TREASURER'S REPORT:**

Mr. Darter presented and requested approval for the operation and maintenance fund claim voucher in the amount of \$77,441.27. Mr. Novotny moved to approve the operation and maintenance fund claim voucher, seconded by Mr. Smith.

Vote Ayes 6 Nays 0

Mr. Darter presented and requested approval for the construction fund claim voucher in the amount of \$ 792,083.36. Mr. Novotny moved to approve the construction fund claim voucher, seconded by Mr. Mitchell.

Vote Ayes 6 Nays 0

Mr. Darter presented and requested approval for the payroll claim voucher in the amount of \$31,052.75. Mr. Pasquale moved to approve the payroll claim voucher, seconded by Mr. Smith.

Vote Ayes 6 Nays 0

Mr. Darter reported that the Petty Cash fund had checks written in the amount \$76.00 as indicated on the petty cash voucher distributed.

Mr. Darter reported and summarized the lien activity for 2007.

Mr. Darter presented and requested approval of the Accounting Services Agreement for Phase IV with H.J. Umbaugh & Associates in an amount not to exceed \$45,000.00. Mr. Smith moved to approve the agreement, seconded by Mr. Novotny.

Vote Ayes 6 Nays 0

### **COMMITTEE REPORTS:**

#### Finance/Insurance Committee:

None

#### Personnel Committee:

None

#### Nominations Committee:

None

#### Projects Committee:

Mr. Garrison announced that the Pre-bid meeting was held today for the office building and bids will be due January 23<sup>rd</sup> by 2:00 p.m. at BMB.

Mr. Darter commented on the change made to construction time limit, changing to 150 days for substantial completion and 180 days for final completion.

#### Old Business:

Mr. Darter reports that GRW should have a resolution to the Elizalde easement in the near future.

### **SUPERINTENDENT'S REPORT:**

Mr. Darter publicly thanked the District Staff for the time put in and for doing an outstanding job on Tuesday during the flood conditions.

Mr. Darter summarized the incident report and notes that the District received 39 flood calls on January 8, 2008. All but two (2) of these calls cleared themselves. This is an indication of possible clear water inflow and the District will investigate each incident.

Mr. Darter reports that Mr. Bob Jordan was in today and graciously is providing two service technicians to help with the pump rebuilds due to the flooding.

Mr. Darter presented and requested approval for the 2008 retainer agreement for legal services with Tribbett law. Mr. Smith moved to approve the retainer agreement, seconded by Mr. Novotny.

Mr. Tribbett clarified, for Mr. Holderly, his question regarding the retainer agreement, indicating that the \$1,500.00 was the retainer fee that included the first 30 hours of services.

Vote Ayes 6 Nays 0

**ATTORNEY'S REPORT:**

Mr. Tribbett reported that the depositions in the Untalulti Case have been rescheduled for January 24, 2008. Mr. Tribbett reports that he has received documents requested through discovery.

Mr. Tribbett reported that the District has been sued by Lafayette Bank and Trust (mortgage foreclosure property served by the District). He reported that he has entered his appearance, filed an answer, as well as a counterclaim requesting attorney fees. Mr. Tribbett will keep the District advised on the status.

**ENGINEERS REPORT:**

Mr. Tierney commented on the recent flood situation and has been in contact with Tony Stalker, Reynolds Inc. and Bob Jordan, Thermal Fluid Systems, grinder pump supplier, in regards to equipment installed in areas of flooding.

Mr. Tierney reported that GRW took aerial photographs of the entire District, excluding Idaville. Mr. Tierney indicated that the photographs should be helpful for the Phase IV Project engineering.

Mr. Garrison commented on outstanding service line easements for the Phase III and IIIB project. He requests that the District send a final notice for the service line easement by certified mail to outstanding property owners. Mr. Smith moved to send another certified mailing to obtain service line easement, seconded by Mr. Novotny.

Vote Ayes 6 Nays 0

**OTHER BUSINESS:**

Mr. Garrison distributes committee assignments for 2008.

**PUBLIC COMMENT:**

None

There being no further business, Mr. Smith moves to adjourn the meeting, seconded by Mr. Mitchell and thereupon adjourned at 7:44 p.m.

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James Smith, Secretary

Approved: \_\_\_\_\_  
Wayne Garrison, Presiding Officer