

Manager's Agenda

Board Meeting

February 21, 2006

➤ DOCUMENTS ATTACHED

- Agenda
- Meeting Minutes
 - *January 23, 2006 (to be delivered at meeting by Delbert Vincent)(Agenda Item)*
- Claim Dockets
 - *Month of January claims and transfers (Agenda Item)*
- Document; Miscellaneous Fee Ordinance
 - *Adoption of fee changes (Agenda Item)*
- Policy; Mileage Pay Rate Policy
 - *Adoption of policy change; prepared for Employee Handbook (Agenda Item)*
- Documents; 4th Quarter Financial Charts
 - *For review and discussion (Agenda Item)*
- Letter; Jennings Water, Inc.
 - *Letter requesting "a more equitable, fair, and reasonable wholesale water rate", etc...*
- Document; Local Communities Water Rates Table
 - *Water rate comparison by community rate tiers*
- Document; IDEM, Final Revocation/Reissuance of NPDES Permit
 - *For review and discussion*
- Letter; "Final" delivered to County Officials
 - *Letter to the County Commissioners outlining sewer projects and requesting their written input.*
- Letter; Law Office of Cline, King & King, P.C.
 - *Phase I Public Hearing Comments on behalf of Jennings Water, Inc.*
- Letter; Donna Marsh
 - *Phase I Public Hearing Comments*
- Letter; Richard Morin
 - *Phase I Public Hearing Comments*
- Letter; Customer Complaint from lot No. [REDACTED]
 - *Letter requesting payment for cost of damages (Agenda Item)*

➤ GENERAL INFORMATION

- Common Water/Sewer Department Issues:
 - **State Board of Accounts Financial Audit of 2003-2004; Final Report**

- *Provided in January for your review; staff and board treasurer are prepared for discussion this evening* (Agenda Item)
- **2005 Fourth Quarter Financial Charts and Reports**
 - *Provided for your review and discussion*
 - *Review of December Final Budget Approval*
- **Employee Handbook; New Policy to incorporate into the Employee Handbook:** (Agenda Item)
 - Privately Owned Vehicle Mileage Reimbursement Rates Policy: *“Jennings Northwest Regional Utilities will follow the United States General Services Administration established federal reimbursement rates and schedules for employees who use privately owned vehicles while on official travel.”*
- Water Department
 - **Jennings Water, Inc. (JWI); UPDATE; Planned Rate Increases**
 - Mamie Erickson, JWI Manager: *I recently spoke with Mamie Erickson to request updated information regarding the implementation of increased water service rates.*
 - She stated the following:
 - *JWI plans to close their Rural Development (RD) loan for their system improvements project by the end of March 2006;*
 - *JWI improvements project will bid in April 2006;*
 - *That their accountants are still calculating the new rates; and*
 - *That they still do not know the schedule for implementing the new rates.*
 - I explained that I intend to begin attending the JWI Board meetings beginning in March 2006 and am interested in reviewing the prior twelve months board meeting minutes, then requested a copy of each. She stated the following:
 - *She would have to ask the board about providing them.*
 - I asked if there is typically a fee associated with providing document copies, and then further asked what the fee would be. She replied:
 - *Yes there is. And, that their attorney would figure the cost.*
 - Mary Ann Gay (Legal council): *Mary Ann and I discussed the updated information and its relevance to the JNRU Board concerns expressed in a certified letter (attached) sent to JWI in December 2004, which requested “a more equitable, fair, and reasonable wholesale water rate”, and expressed JNRU’s concerns of being obligated to another*

40-year term loan with RD, and subsequently having no opportunity for negotiating better purchased water rates and terms with other providers. Mary Ann suggested that I contact RD locally to provide and review the December 2004 letter, and express JNRU's concerns with the impact of the loan closing without JNRU having the opportunity to address these concerns.

- USDA, Rural Development; Larry Coon, Acting Director: I met Mr. Coon in his office and provided a copy of the letter and a brief synopsis of its contents and intended purpose. I described some of the litigated history behind JNRU's alleged obligation to remain as a JWI customer (*as stated by Pete King, JWI legal council, to Mary Ann Gay, JNRU legal council*) and expressed that not having a bulk purchase water rate is the basis for JNRU's concerns. I provided Mary Ann's name and telephone number, as well as my own, for him to contact. I suggested that he would probably hear from Mary Ann and/or me early next week prior to our board meeting on Tuesday evening. I believe that, from my discussion with Mr. Coon, he has an appropriate understanding of our concerns. He stated that he would do the following:
 - Draft a letter expressing JNRU's concerns to the State RD office; and,
 - Do his "very best" to assist in resolving these issues.
- Sewer Department
 - **Wastewater Treatment Plant (WWTP)**
 - "Ammonia" Violations in January: Influent flows were diverted back to the SBR on January 9, 2006 to avoid any bypassing of treatment; however the temperature swings are still adversely affecting the treatment process and causing ammonia violations. Temperature changes will continue to be an operational concern.
 - **IDEM Agreed Order; WWTP**
 - Preliminary Engineering Report (PER) submitted to IDEM for approval in December based on "economic feasibility".
 - Supplemental documents to the PER provided in January.
 - Mary Ann asked what the board plans to do with regard to repairing the WWTP; emphasizing that the plant is violating environmental laws.
 - **IDEM Agreed Order; CSL Sewer Collection System**
 - "Collection System Evaluation and Rehabilitation Plan" (CSERP) due July 2006. In progress...
 - Collection system maps and bypass/overflow reports provided to Commonwealth.

- Coordination of meeting with Airvac, Inc., Commonwealth Engineering, Inc., and JNRU: *Airvac, Inc. will provide technical expertise on troubleshooting the vacuum portion of the sewer collection system.*

- **IDEM; National Pollution Discharge Elimination System” (NPDES) Permit: Final Revocation/Reissuance (Attached)**
 - The final NPDES Permit becomes effective March 1, 2006
 - Highlights of the permit:
 - Reduced monitoring from five (5) times/week to three (3) times/week on CBOD, TSS, Ammonia-Nitrogen and E.coli.
 - Written into the permit
 - Authority to utilize two (2) lagoons for storage when the SBR facility experiences frozen conditions.
 - Authority to discharge from the previously permitted lagoon outfall (outfall 001), although subject to the bypass provisions in Part II.B.2 of the permit.

- **Phase I Sewer Expansion Project**
 - Public Hearing held on January 23, 2006
 - Public hearing written comments were received from the following:
 - Jennings Water, Inc. *(Attached)*
 - Donna Marsh *(Attached)*
 - Richard Morin *(Attached)*
 - County Commissioners:
 - A copy of the Phase I PER, Public Notice, and written comments from the Public Hearing were delivered to the County Commissioners and County Health Department followed by a letter *(Attached)* from the JNRU board with this purpose:
 - “... to not only bring you (the commissioners) up-to-date regarding the District’s proposed sewer projects, but also to request your written comments regarding these projects and the District’s growth potential; projects and growth that are directly related to the County Commissioners’ plans for, and support of, sanitary sewers and/or other methods of addressing sanitation problems in Jennings County”
 - Three JNRU Board members will be attending a representative meeting scheduled for March 1, 2006 at 6:00PM with the following:
 - **Richard Schneider**, *Jennings County Commissioner*
 - **Ed Judd**, *Jennings County Auditor*
 - **Robert Curry**, *Chairman, Jennings County Board of Health*

- **Dr. Gregory Heumann**, *Health Officer; Jennings County Health Department*
 - **Kevin Starks**, *Assistant Sanitarian; Jennings County Health Department*

- **Vacuum Station No.4; Fire damage claim**
 - All *building* and *pump* repairs are complete. The final steps are scheduled for next week when the REMC will set a new pole for the upgraded *electrical* service and Hoosier Electric, Inc. will install the new control panel and wire the electrical circuits.

- **Customer Claim for Damages; Lot No. [REDACTED], [REDACTED]**
 - Claim Scenario: Mr. [REDACTED] is requesting compensation for the repair of property damage and cost of cleaning his bathroom after a sanitary sewer backed up into his home for several days after reporting the incident to the JNRU utility office. Mr. [REDACTED] home experienced a sewer backup that was reported on February 8, 2006, along with three other properties, in a single telephone call by his neighbor that lives across the street from him. Unfortunately, his neighbor making the call is served by a different sewer line.
 - JNRU Response: On Wednesday, February 8, 2006 the utility office staff received a customer call from Lot No. [REDACTED] *identifying a sewer backup at [REDACTED] and at a couple of their neighbors homes having the same problem; including Lots [REDACTED], [REDACTED], and [REDACTED].* Immediately thereafter, office staff issued a work order for the inspection and repair of “*Lot No. [REDACTED], and a couple of neighbors having the same problem*”, but not to Lot No. [REDACTED] *specifically*. The field crews responded immediately, identified the problem for [REDACTED] and several neighbors on the same sewer line, and then remedied the sewer backup. Once finished, field staff checked with the owner of Lot No. [REDACTED] to confirm that everything was working properly. Everything was working fine.
 - Subsequent call from Mr. [REDACTED]: Mr. [REDACTED] called the On-Call field staff on Sunday, February 12, 2006 to again report a sewer backup in his home. Field crews responded immediately and remedied the problem and, through further discussion, realized that Mr. [REDACTED] had reported the problem on the prior Wednesday, February 8, 2006, via his neighbor’s call. Mr. [REDACTED] has since provided a written claim for damages to the Board for consideration (Attached). (Agenda Item)

➤ **DOCUMENTS TO REMEMBER**

- Board Meeting minutes approval
 - **January 23, 2006:..... (Monthly meeting)**

- Claim Dockets
 - **January 23, 2006**

- DMR/MRO signatures
 - **January 2006 reports**

- Miscellaneous
 - Miscellaneous Fee Ordinance No.