

UTILITIES SERVICE BOARD MEETING

February 5, 2007

Utilities Service Board meetings are recorded electronically or stenographically and are available during regular business hours in the office of the Director of Utilities.

Board President Swafford called the regular meeting of the Utilities Service Board to order at 5:04 p.m. The meeting was held in Conference Room 100B at the Indiana University Research Park at 501 North Morton Street in Bloomington, Indiana.

Board members present: Tom Swafford, John Whitehart, Pedro Roman, Julie Roberts and ex-officio members Tim Mayer and Tom Micuda. Staff members present: Patrick Murphy, John Langley, Tom Staley, Mike Bengtson, Jane Fleig, Mike Trexler, Michael Horstman and Mike Hicks. Others present: Ben Beard representing Gentry Estates, Margaret Fette representing the Libertarian Party, Hank Hewetson and Jeff Kaden representing Indiana University and Sue Mayer.

MINUTES

Board member Robertson moved and Board member Whitehart seconded the motion to approve the minutes of the January 22nd meeting with corrections. Motion carried. 4 Ayes, 3 members absent, (Henke, Ehman and Banach).

CLAIMS

Board member Whitehart moved and Board member Roberts seconded the motion to approve the 2006 claims paid in 2007 as follows:

Claims 0790137 through 0790188 including \$23,033.36 from the Water Operations & Maintenance fund for a total of \$23,033.36 from the Water Utility; Claims 0730078 through 0730083 including \$27,821.11 from the Wastewater Operations & Maintenance fund for a total of \$27,821.11 from the Wastewater Utility. Total claims approved – \$50,854.47.

Board member Roberts asked how the debt collection agency gets paid. She wanted to know whether it's a flat fee or a percentage of what they collect. Assistant Director of Finance Horstman said that they get paid a percentage of the collections.

Motion carried. 4 ayes, 3 members absent, (Henke, Ehman and Banach).

Board member Roberts moved and Board member Roman seconded the motion to approve the claims as follows:

Claims 0790147 through 0790218 including \$268,889.70 from the Water Operations & Maintenance fund \$8,129.13 from the Water Construction fund for a total of \$277,118.83 from the Water Utility; Claims 0730084 through 0730123 including \$375,315.36 from the Wastewater Operations & Maintenance fund and \$214.64 from the Wastewater Construction fund for a total of \$375,530.00 from the Wastewater Utility; and claim 0770011 through claim 0770012 for a total of \$33,978.07 from the Wastewater/Storm water Utility. Total claims approved – \$686,626.90.

Ex-officio board member Mayer asked about the claim for Hylant. Utilities Director Murphy explained that it is for liability insurance.

Motion carried. 4 ayes, 3 members absent, (Henke, Ehman and Banach).

Wire transfers and fees for the month of January 2007:

Board member Roberts moved and Board member Roman seconded the motion to approve the wire transfers and fees for the month of January 2007 in the amount of \$567,294.47.

Motion carried. 4 AYES, 3 members absent, (Henke, Ehman and Banach).

APPROVAL OF THE SUBLEASE WITH INDIANA UNIVERSITY:

Attorney Renfrow from the City of Bloomington Legal Department reminded the USB that after the fire burned the old Administration building most of Utilities' personnel moved to a space in North Showers that is owned by Indiana University. In April of 2004 Utilities and IU signed a lease that expired in December of 2005. Since that time it has been continued on a month by month basis as authorized by the USB while negotiations were taking place with IU. They have come to an agreement which entails three minor changes in the lease. The first is to delete the use of room 210 as of the end of October, 2006. Secondly the charge per square foot has changed from \$13 to \$14, which will be applied back to January of 2006. Finally, the lease has been extended through July of 2007.

Board member Whitehart moved and board member Roman seconded the motion to approve the sublease with Indiana University. Motion carried. 4 ayes, 3 members absent, (Henke Ehman and Banach).

APPROVAL OF AN ACCESS AGREEMENT AND LICENSE WITH INDIANA UNIVERSITY:

Attorney Renfrow explained that this is a document that Tim Mueller has been working on for quite some time. Utilities owns infrastructure on property that Indiana University owns. Occasionally it is necessary to do projects there. Indiana University prefers not to convey easements to Utility providers. They prefer rights of entry or access agreements with license. That gives Utilities the legal right to enter IU property to work on infrastructure owned by Utilities. This had been happening on a case by case basis but it is much easier to have blanket permission subject to the conditions specified in the agreement. If IU decides to do construction in an area where Utilities has infrastructure IU will have to move it subject to Utilities specifications. If Utilities disturbs an area while working on infrastructure they must return it to the condition it was in before.

Ex-officio board member Micuda asked if any changes had been made with regard to past agreements. Ms. Renfrow explained that this is the first time there has ever been an agreement. Previously everything was been done on a case by case basis.

Board member Roberts moved and board member Whitehart seconded the motion to approve the access agreement and license with Indiana University. Motion carried. 4 Ayes, 3 members absent, (Henke, Ehman and Banach).

APPROVAL OF THE PROJECT AWARD RESOLUTION FOR WIRED COMMUNICATIONS:

Capital Projects Manager Hicks told the USB that on January 10th bids were opened for the fourth and final contract for the new Administration Building. This contract is for the structured cabling which includes a Public Announcement system. Eight bids were received and reviewed with the Architectural firm and the City's IT department. Wired Communications out of Franklin, IN was the lowest responsible and responsive bidder. Their references showed that they have successfully

completed a number of large projects around Indiana. The bid was for \$109,721.00. It will be funded from the miscellaneous projects fund that the USB approved. The estimate for this project was \$120,000. Mr. Hicks was very pleased to see the bid come in significantly below the estimated amount.

Board President Swafford asked if Mr. Hicks was asking for approval of the base bid only. Mr. Hicks agreed that was correct.

Board member Roberts moved and board member Roman seconded the motion to approve the project award resolution for Wired Communications. Motion carried. 4 Ayes, 3 members absent (Henke, Ehman and Banach).

OLD BUSINESS:

Utilities Director Murphy reminded the USB that they had contracted with Black & Veatch for a water quality study. He said that an Engineering Subcommittee would be scheduled for February 15th to allow the presentation of some of the data related to water quality and water supply issues. This Subcommittee meeting will also serve as a forum for public input. Mr. Murphy said that the contract had been executed with Black & Veatch at the end of October and a preliminary report is to be presented by the end of February and a final report by the end of March.

NEW BUSINESS:

Board member Roman brought to the USB's attention a legislative bill, sponsored by State Representative Matt Pierce that is being considered by the House of Representatives. This bill concerns the future of Lake Monroe.

Mr. Roman also suggested that the efficiency of the USB could be improved if they had laptop computers available so they could view the packet on the computer. He already owns his own laptop so he would not need one. Board President Swafford said that when the new Administration Building is complete there will be a Board room with much more room which would make it easier to consider this suggestion. Utilities Director Murphy said that the new building will have much more technology available for this kind of improvement. He also offered Mr. Roman the opportunity to look at the floor plans of the new building.

Mr. Roman also asked about email accounts. He said that he is using his personal account for communications with Utilities staff and the USB. He wondered if that would make everything on his computer subject to disclosure to the public. Attorney Renfrow assured him that would not be the case. Only information related to Utilities would be subject to public disclosure.

SUBCOMMITTEE REPORTS:

There were no subcommittee meetings.

STAFF REPORTS:

Superintendent of Operations Staley reported that there had been 7 main breaks during the past 2 weeks due to the extreme cold. There have been approximately 70 calls about frozen pipes and meters.

Board member Roman asked if there is an emergency phone number for the public to call if they have problems with pipes or meters freezing. Utilities Director Murphy replied that Utilities operates a 24/7 emergency line that handles all emergency calls for the City.

Assistant Director of Engineering Bengtson informed the USB that he and Capital Projects Manager Hicks had performed a final inspection of the Dillman Road equalization basin liner repair. They found it to be complete and ready to use. It was actually finished ahead of schedule!

PETITIONS AND COMMUNICATIONS:

There were no petitions or communications.

ADJOURNMENT:

The meeting was adjourned at 5:28 p.m.

L. Thomas Swafford, President