

UTILITIES SERVICE BOARD MEETING

August 4, 2008

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 5:06 p.m. The meeting was held in the Utilities Service Board room at the City of Bloomington Utilities Department Administrative Building in Bloomington, Indiana.

Board members present: Tom Swafford, Pedro Roman, Jeff Ehman, Julie Roberts, Jason Banach, John Whikehart and ex-officio members Tim Mayer and Tom Micuda. Staff members present: Patrick Murphy, John Langley, Mike Bengtson, Mike Hicks, Jon Callahan, Shawn Miya, Michael Horstman, Michele Walden, Phil Peden and Tom Staley. Others present: Steve Miller representing the Tibetan/Mongolian Cultural Center and Sue Mayer.

Board President Swafford informed the USB that agenda item #4 was being pulled from the agenda.

MINUTES

Board member Roberts moved and Board member Roman seconded the motion to approve the minutes of the July 21st meeting. Motion carried, 5 ayes, 1 member absent, (Whikehart).

CLAIMS

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

Claims 08911063 through 0891132 including \$285,662.21 from the Water Operations & Maintenance fund and \$103,864.00 from the Water Construction fund for a total of \$389,526.21 from the Water Utility; Claims 0830646 through 0830704 including \$152,629.82 from the Wastewater Operations & Maintenance fund for a total of \$152,629.82 from the Wastewater Utility; and claims 0870067 through 0870075 from the Wastewater/Storm water Utility and \$980.00 from the Wastewater/Storm water Construction fund for a total of \$6,926.79 from the Wastewater/Storm water Utility. Total claims approved – \$549,082.82.

Board member Ehman asked about the claim for Environmental Field Services, Inc. He said that he has previously expressed concern over CBU bearing the full cost for this. He believes the City should share the cost with CBU. He is worried there could be a concern about transferring City responsibilities to CBU rate payers.

Deputy Director Langley said he didn't believe this particular claim or the last two had any Utilities funds being distributed to EFS. Shortly after the consent decree was passed by the USB the EPA and CBS were informed that CBU would not be making any more payments. CBU bills them in advance of making the payments.

Board member Roberts asked if the claim for Donohue and Associates for Jordan River and Lower Spankers is the big culvert project that is taking place. Utilities Director Murphy explained the present project is being done by the County. The claim is design work for the Jordan River Project that will follow the County project going to the north.

Board President Swafford asked about the claim for Environmental Services Group Lab. He asked if Utilities is required to sample the sludge at Dillman Road WWTP. Utilities Deputy Director Langley said any sludge that goes off site must be sampled. Utilities has received a land application permit for sludge from the Dillman Rd. landfill to be used in the closure of the old Anderson Rd. Landfill. Utilities will pay for half the transportation fees. This will allow about a year's worth of space in the Dillman Rd. WWTP landfill. The expected expenditure is about \$40,000 which has been budgeted for. That is around \$4 to \$6 per cubic yard. The tipping fee to take it elsewhere would be about \$32 per cubic yard. The sludge was sampled to have proof that the quality of the sludge is such that the environment and public health is not effected by it.

Board President Swafford then asked for an update to the USB, at some point, on the S.R. 45/46 project.

Motion Carried, 6 ayes.

REQUEST FOR APPROVAL OF AN AGREEMENT FOR CONSULTING SERVICES WITH MS CONSULTANTS FOR DESIGN FOR CULVERT REPLACEMENT ON DUNN ST OVER GRIFFY CREEK:

Assistant Director of Engineering Bengtson said this is a professional services contract. Ms consultants are the group that is putting a project together to rectify the deficiencies with the Griffy Dam. When the bridge was damaged and closed it was an emergency situation. With ms consultants already working in the area it made sense for them to do design work and acquire information about the size of the bridge so a new one could be ordered quickly. Because they had to do an emergency flood model in case the dam was ever breached they were able to use that information to determine the size of the bridge.

The contract is for design, assistance with and supervising the construction.

Ex-officio board member Micuda asked if any other firms had been solicited for estimates for this project. Mr. Bengtson said because ms consultants were already on site and had done some of the work necessary it seemed best to use them.

Board member Ehman asked how the \$21,000 fits into the cost sharing between the County, the City and CBU. Mr. Bengtson said that he wasn't sure how this amount fits into that agreement. All indications are that there will be 100% reimbursement from the Federal Highway Administration funds. In the process of applying for these funds a traffic count had to be performed. There were approximately 1,800 trips on this section of the road per day. It is a surprisingly heavily travelled roadway and it seemed important to get it opened again as quickly as possible.

Board President Swafford asked if it still seems possible that the project will be completed by August 30th. Assistant Director of Engineering Bengtson said that things are already a little behind for that schedule. No bids have been received from contractors yet. They are supposed to be available by the end of the week. The bridge is being manufactured and should be delivered in a couple of weeks. Mr. Bengtson said he hopes that by the time the bridge is delivered a contractor will have been chosen. The preparation of the site will take longer than assembling the bridge. Things will move quickly once the preparation is done.

Board member Roberts moved and board member Banach seconded the motion to approve the agreement for consulting services with ms consultants for design for culvert replacement in Dunn St. over Griffy Creek.

REQUEST FOR APPROVAL OF AN INDUSTRIAL WASTE PRETREATMENT PERMIT FOR ALL SOURCE PACKAGING GROUP:

Pretreatment Program Inspector Miya introduced the Industrial Waste Pretreatment Permit for All Source Packaging group which is located at 301 W. Grimes Lane. They manufacture liquid soaps and detergents; consequently they are regulated by federal regulations. Their permit will have limitations and reporting requirements for biological oxygen demand, chemical oxygen demand and total suspended solids, surfactants, oil, grease and pH. Samples will be required on a quarterly basis. This permit is not expected to have any significant impact on the collection or treatment system.

Board member Roberts moved and board member Roman seconded the motion to approve the Industrial Waste Pretreatment Permit for All Source Packaging Group.

Board member Ehman asked about surfactants listed in a table of pollutants in the permit. The table just says "report". He wanted to know what that meant. Ms. Miya said there are no limitations in the Federal Pretreatment Standards so instead of reporting a numerical limitation they just need to report the concentration. This will allow collection of data over time. If any problems should occur it will be possible to go back to look at their data to see if there has been an increase in concentration.

Mr. Ehman asked if Ms. Miya knows what All Source Packaging Group's emissions are at this time. Ms. Miya said she took some base line samples and did not see anything to be concerned about.

Motion carried, 6 ayes.

OLD BUSINESS:

No old business was presented.

NEW BUSINESS:

No new business was presented.

SUBCOMMITTEE REPORTS:

Board President Swafford told the USB there had been a meeting of the Engineering Subcommittee on the previous Thursday. They heard a request from the Tibetan/Mongolian Cultural Center for a sewer extension. The subcommittee did recommend approval.

Utilities Director Murphy said this was the first request for a sewer extension in the exclusionary area since the USB passed the new version of Rule 24. It is now up to the USB to make the decision. Mr. Murphy said that the staff had solicited input from the petitioner. When they felt they had enough information to move forward Mr. Murphy addressed the various participants that are outlined in Rule 24 asking them if they had any concerns or input regarding this project and to please provide it within 14 days. Rule 24 allows for a window of 30 days once the petitioner has supplied all the necessary information. Mr. Murphy said he had also spoken with Gregg Zody, Director of the County Plan Department, as the subcommittee had requested. Mr. Zody questioned the number of yurts that have been proposed. He suggested that the number allowed not exceed 15.

Mr. Murphy went on to say that Assistant Director of Engineering Bengtson had previously explained to the USB how the requested sewer would be hooked on to the Sterling Woods lift station. It has been discovered that there is more capacity than had been expected.

Based on these things the staff believes this proposal can be handled since the capacity is available in the treatment plant and at the lift station. They recommend the petition be granted.

Board President Swafford said, for the record, that the USB had watched a video of the meeting in 2001 when the Sterling Woods' sewer was discussed. At that time the City was still responsible for the two mile fringe which is why Sterling Woods got their sewers. In 2003 the County took over the 2 mile fringe in accordance with their new master plan. Today Sterling Woods probably would not have gotten sewers under Rule 24.

Assistant Director of Engineering Bengtson said that when he and Utilities Engineer Peden went through the Sterling Woods lift station folder they found 2 sets of information that seemed to conflict. One said it could pump more than the other. They consulted American Structure Point who are currently under contract with CBU to do an inventory of all the lift stations and their flow capability. It happened they had already done the work at the Sterling Woods lift station. They found it pumps at a rate of 640 gal./minute. The design for Sterling Woods only called for 143 gal./min. with 110 gal./min being their peak. Having accounted for everything on site and everything being proposed by the Tibetan/Mongolian Cultural Center they would have an approximate peak flow from their site of 20 gal./min. This gives about 380 gal./min. in spare capacity. There are no technical barriers.

Ex-Officio board member Mayer asked if the 143 gal./min. needed for Sterling Woods is for once it is completely built out. Mr. Bengtson said it was.

Steve Miller, the architect representing the Tibetan/Mongolian Cultural Center, told the USB said he has been working with Mr. Norbu from the beginning when he started the Cultural Center so he has followed the history through the years. Right now, with everything that has been built, including a temple built in 2002, they are pumping about 38 gal./min. That is what their total use would be if they used every fixture at the same time. Now some new projects have been proposed.

Mr. Miller is hoping that the USB will let them hook to a sewer so they will not have to put more septic systems in the Lake Monroe watershed. They have been approved at the County level to build another main building. When they got the approval it was to be, according to Mr. Norbu, a World Peace Cultural Center. It hasn't been designed yet. Now they are proposing a residence. They have a building and septic permit. They would prefer to not put another septic system in. If the USB permits it they would like to take out the present septic systems in the near future.

When Mr. Miller was speaking to County officials about this project they suggested that he come to the USB to see if they could hook on to the sewer. If they can the County would put all of it into a PUD.

At this time they are pumping 38 gal./min. If they build everything they have discussed it would go up to 43 gal./min. more for a total of 81 gal./min. They have projected an extra 50 gal./min in case the Cultural Center were to need more capacity. That brings it up to 121 gal./min. if all fixtures were being used at the same time which doesn't happen.

This is their request, primarily focused on the Lake Monroe watershed and to move forward with the master plan.

Board President Swafford said that according to new maps that Mr. Miller had passed out they have 15 yurts with 3 new buildings proposed. One existing building and one temple already exist.

Mr. Miller said that if the USB allows it they would like to hook all the buildings, including the one that already exist, to the sewer in the near future.

Ex-officio board member Mayer asked about a residence shown on the map that is located on Snoddy Rd. He asked if that is part of the present proposal. Mr. Miller said it at the County level it is a part of the proposal. It's a single family residence with 2 bedrooms. It was bought later after all the property had been approved at the planning level with the County. They bought the additional 12.3 acres which are zoned residential. If they can get a sewer hook on they would like to build 5 new yurts and up at the front there would be a little yoga meditation building that might be a 30' diameter yurt that could have a bathroom in it.

Mr. Miller said he wanted to make it clear that he knows this is in the exclusionary area but it is an approved development. Nothing is being expanded.

Board member Ehman asked for clarification of several items on the map.

Board member Roman asked if they are willing to put everything on a sewer. Mr. Miller said he is although the substantial fees for hooking on could be a problem but yes, they would like to eventually get everything hooked on. Some of the septic are quite new and working well so they may wait to hook those buildings on until they have accumulated a little bit of money.

Mr. Roman said he thinks a PUD works very well on this project. He said he will support it.

Board member Ehman asked what the anticipated hook-on fees will be. Assistant Director of Engineering Bengtson said this situation is a little unusual. There is a commercial fee that is based on the size of the meter. Most of the rest of the site is viewed as residential. He isn't sure just how the yurts would be handled. It is something that still has to be worked out. There will be at least a fee of \$4,000 plus additional items. A few years ago the east fork of the Jackson Creek interceptor sewer was built. It's a big sewer that was put in the low spot of this drainage basin. Every property in that basin was designated as having an obligation to pay a construction fee based on acreage. This is one of those properties. Mr. Bengtson said he thinks there is a \$53,000 fee associated with this particular site and its acreage. The hook-on fees would be that plus any new customer service fees. Mr. Ehman asked if they would retain ownership of this sewer. Mr. Bengtson said they will own it all the way to the connection.

Board member Roberts asked for some clarification about the yurts shown on the map. Mr. Miller said there are 15 that already exist and 5 more to be added for a total of 20.

Board member Roman asked if the fee based on acreage is the same no matter how many residences are there. One building with 39 rooms would be very different that a development of 250 houses. Mr. Bengtson said it is an evenhanded per acre fee. Mr. Roman said that would mean the people with acreage that have fewer residences would be charged more per person or per room. Mr. Bengtson said that is the way it was arranged in the original obligation filed at the courthouse. Mr. Roman asked Utilities Director Murphy if that expense becomes a problem for the Cultural Center, with regards to getting everything connected to the sewer, if it is something where he would have some flexibility to deal with it. Mr. Murphy said there have been some discussions about this but given the agreement in place he would have to refer it to the legal staff. There is more flexibility in wastewater than there is in water because CBU is a member of the IURC.

Board member Roman then asked if it would be possible to consider the rest of the property owners in the area for sewer service extension. Mr. Murphy said he would look into it.

Board member Roman seconded the recommendation of the Engineering committee to approve the request for a sewer extension by the Tibetan/Mongolian Cultural Center.

Board President Swafford stated that the motion only covers what is on the map provided by the Cultural Center. They would have to come back to the USB for approval of any changes in the map. Board member Roberts asked if they were only granting permission for the lines as they are drawn or for everything on the map. Mr. Swafford said it is for everything on the map.

Motion carried. 6 ayes.

STAFF REPORTS:

There were no staff reports.

PETITIONS AND COMMUNICATIONS:

No petitions or communications were presented.

ADJOURNMENT:

The meeting was adjourned at 5:50 p.m.

L. Thomas Swafford, President