

UTILITIES SERVICE BOARD MEETING

January 13th, 2014

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 Vice President Roberts called the regular meeting of the Utilities Service Board to order at 4:59 p.m. The meeting was held in the Utilities Service Board room at the City of Bloomington Utilities Administrative Building in Bloomington, Indiana.

Board members present: Julie Roberts, Jim Sims, Sam Frank, Jeff Ehman, Pedro Roman, Jason Banach, Tim Mayer, Ex-Officio, and Tom Micuda, Ex-Officio. Staff members present: Patrick Murphy, Michael Horstman, John Langley, Tom Axsom, Mike Bengtson, Nolan Hendon, and Greg Small.

MINUTES

Board Member Ehman moved and Board Member Roman seconded the motion to approve the minutes of the December 16th and December 27th meetings. Motion carried, 6 ayes, 1 member absent, (Swafford).

CLAIMS

Board Member Roman moved and Board Member Ehman seconded the motion to approve the claims as follows:

Vendor invoices submitted to the Controller's Office on January 17th included \$124.44 from the Water Utility and \$1,762.28 from the Wastewater Utility. Total Claims approved, \$1,886.72.

Motion carried, 6 ayes, 1 member absent, (Swafford).

Board Member Ehman moved and Board Member Roman seconded the motion to approve the payables as follows:

Vendor invoices that will be submitted to the Controller's Office on January 17th included \$59,156.69 from the Water Utility; \$151,188.69 from the Wastewater Utility; and 1,302.38 from the Stormwater Utility. Total Claims approved, \$211,647.76.

Motion carried, 6 ayes, 1 member absent, (Swafford).

Vice President Roberts introduced the new Board Member, Jim Sims.

REQUEST FOR APPROVAL OF MODIFICATION NO. 1 TO AGREEMENT FOR CONSULTING SERVICES WITH MS CONSULTANTS

Assistant Director of Engineering Bengtson presented this request and explained that since the Griffy Dam Project experienced some delays in meeting its final completion date (inclement weather), some

additional engineering fees were incurred. MS Consultants provided additional construction administration and inspection services beyond the contract amount, for an additional \$9,400.00. Grant funds will be utilized for these fees once the modification is made to the contract. This will complete the project.

Board Member Banach noted two errors in the modification; under Article 1 it states "One Hundred Eighty-two Nine Hundred dollars", which should read "One Hundred Eighty-Two Thousand Nine Hundred dollars". Under the In Witness Whereof section, it states "City of Butler", and should state "City of Bloomington".

Board Member Roman brought up the point that the original contract was signed by the USB President with the owner listed as the City of Bloomington Utilities.

Board Member Roman and Board Member Banach seconded an amendment to correct the Scribner's Errors on the Modification No. 1 to Agreement with MS Consultants as follows: "One Hundred Eighty-two Nine Hundred dollars", should read "One Hundred Eighty-Two Thousand Nine Hundred dollars"; "City of Butler" should state "City of Bloomington"; and signature block will be corrected to read "City of Bloomington Utilities" with the proper signature lines attached.

Motion carried, 6 ayes, 1 member absent, (Swafford).

Board Member Ehman and Board Member Roman seconded the motion to approve the amended document Modification No. 1 to Agreement for Consulting Services with MS Consultants.

Motion carried, 6 ayes, 1 member absent, (Swafford).

OLD BUSINESS:

N/A

NEW BUSINESS:

N/A

SUBCOMMITTEE REPORTS:

N/A

STAFF REPORTS:

Director Murphy introduced Assistant City Attorney Greg Small, who had previously addressed the Board regarding a Consent to Serve Agreement with Eastern Richland Sewer Corporation (ERSC). ERSC is entering into a territory swap with South Central Regional Sewer District (SCRSD). CBU currently offers services to a portion that is tangentially involved in the proposed service area, and wants to make sure that the right to service that is already in place is still recognized. Hence, the formal agreement is before the Board. There is a pending review date for the Indiana Utilities Regulatory Commission (IURC) to review that swap, and this agreement would be filed in that case.

Board Member Roman inquired whether a copy of the agreement had been previously presented to the Board, and Mr. Small responded negatively. Mr. Roman stated that such an item should be given to the Board ahead of time for review, and should then be voted on.

With an IURC hearing on January 21st, it would be ideal to have a Board decision on this agreement beforehand. Given the confusion over this process, and the Board not having been given the document ahead of time for review, it was decided that the item will be taken up at an upcoming meeting, perhaps a special one to be scheduled.

Director Murphy apologized for the confusion and thanked the Board for their understanding and willingness to reschedule this item.

PETITIONS AND COMMUNICATIONS:

N/A

ADJOURNMENT:

The meeting was adjourned at 5:24 p.m.

Julie Roberts, Vice President