

**STEUBEN LAKES REGIONAL WASTE DISTRICT
BOARD OF TRUSTEES MEETING
NOVEMBER 12, 2015
15-11R
6:00 P.M.**

MEMBERS PRESENT:

Bob Coder
Lyndon Tucker
Rob Moreland
George Pifer
Jim Van Vlerah
Chad Wise

MEMBERS ABSENT:

Jim Kidd

Also Present

--- Bruce Boxberger – District Attorney
--- Kenneth Jones, Jr. - Jones Petrie Rafinski

Jim Van Vlerah called the meeting to order at 6:00 p.m.

Jim Van Vlerah read the following statement: At the end of the meeting, the public will be given an opportunity to speak. In the interest of time, each person shall be limited to three minutes. Your comments will be part of the public record of the meeting so we ask that you present them in a professional manner and speak to issues relevant to the business of the District.

Jim Van Vlerah stated that there was no meeting in October because the Board did not have a quorum.

APPROVAL OF SEPTEMBER 10, 2015 REGULAR MEETING MINUTES CHANGES OR ADDITIONS AND APPROVAL OF SEPTEMBER 17, 2015 SPECIAL BOARD MEETING MINUTES CHANGES OR ADDITIONS.

The Board presented minutes of the September 10, 2015 meeting, and minutes for September 17, 2015 special board meeting, for review and approval. Upon motion made by Rob Moreland and seconded by George Pifer, the Board unanimously approved the minutes of September 10, 2015, and September 17, 2015 special meeting.

FINANCIAL REPORTS FOR SEPTEMBER 2015 AND OCTOBER 2015

The financial reports, check register, project check register, bank account report, and claims, were presented for review. Bob Coder moved and Rob Moreland seconded the motion to accept the financial reports of September, 2015, and October, 2015, as presented, which motion was unanimously approved.

OLD BUSINESS

Update of GPS/GIS System - Tim updated the Board regarding GPS/GIS System software issues. George Pifer stated that the GPS/GIS System was listed on the agenda at the Indiana Regional Sewer District Association Meeting in Noblesville and they spoke of the importance of the

GPS/GIS system as an emergency plan for all sewer districts, and the District is right on track for getting involved.

NEW BUSINESS

Resolution 2015-06 to Modify Formation Order for Bond Coverage - Tim read the resolution to the Board. Rob Moreland moved and Chad Wise seconded the motion to approve Resolution 2015-06, as presented, which motion was unanimously approved.

Upgrade the AutoCAD LT 2016 for Three Work Stations - They are no Longer Compatible with JPR's System Since they Upgraded. \$990.00 Government License Each Unit Plus \$9.49 Shipping for a Total of \$2,979.49 (Original AutoCAD LT has Been in Operation since 2001 Without any Upgrades.) - Tim stated that they have been updated, and only requires approval to pay the amount of \$2,979.49 out of the capital account. Lyndon Tucker moved and Bob Coder seconded the motion for upgrade to AutoCAD LT 2016 payment of \$2,979.49 to be paid out of the capital account, which motion was unanimously approved.

1960 LN 105 Lake James, Exception to 5 Feet Setback Rule - Tim presented pictures to the District. Vince Hansen, recent purchaser, spoke on behalf of his property. Mr. Hansen stated that he will reinforce the grinder tank in the driveway to be load bearing. The Board needs variance approval to do this. Rob Moreland moved and George Pifer seconded the motion that the homeowner's variance be approved upon providing the reinforcement of the tank according to the vehicle load bearing standards and approval of the District, and executing a waiver for the pavers placed on the driveway, which motion was unanimously approved. If and when these need to be removed for repair, the District will not be responsible for any damaged property.

175 LN 150 Crooked Lake, Kenneth and Sharon Emeigh, the District Does not Have Access to the Grinder Pump Tank for Excavating Equipment - The homeowner is in need of an occupancy permit, but is in violation of the District. George Pifer moved and Lyndon Tucker seconded the motion to have the homeowner sign the variance agreement and pay additional costs involved for repairs when they are necessary, which motion was unanimously approved.

West Otter Mobile Home Court Disconnection - Tim Frederick stated that the mobile homes are still on the lots and should be removed since they are no longer connected. The ordinance states that removal is necessary. George Pifer stated that all units should be removed within one year, according to Frank Carlton, Steuben County Building Commissioner. Gary Lallo, 115 LN 165, Crooked Lake, spoke on behalf of the West Otter Mobile Home Court. He stated that the trailer park is abandoned by the Health Department and IDEM. Chad Wise moved and Bob Coder seconded the motion that Mr. Lallo is given five months and up to a year, to move the existing trailers in the West Otter Mobile Home Court, which motion was unanimously approved.

DISRICT BUSINESS AND OTHER GENERAL MATTERS

Lake Pleasant - Ken Jones suggested the Board re-advertise the bidding process due to being compliant with the State code. The Board is holding the construction bids scheduled to be opened December 10, 2015, to be delayed until the May meeting, when the Pocock easement will be finalized. Lyndon Tucker questioned the Board why the project went to bid without full Board approval of the project. Jim Van Vlerah stated that it was discussed during an executive meeting. Bruce Boxberger stated that the engineers should not have moved forward as they have done, and the entire Board should have participated in that decision. Bruce also stated that you should not

limit conversations the Board members have, and should not be governed by individual opinions. Rob Moreland suggested defining what actions the Executive Committee can decide. George Pifer suggested that all emails be directed to all Board members. Lyndon Tucker moved and Chad Wise seconded the motion to authorize engineers for the Lake Pleasant to go out for bid as discussed during this meeting, which motion was unanimously approved. Jim Van Vlerah stated that 57 out of the 80 possible tanks are not located by the road as planned. Ken stated that the revisions were provided by staff and he followed their direction. Tim stated that changes had to be made due to well circles, satellite dishes, and buried propane tanks, being in the proposed area.

Dafforn Easement - Tim stated that an easement could be obtained for the exchange of a tap on Lake Pleasant. Rob Moreland moved and Lyndon Tucker seconded the motion for purchase of the Dafforn easement in exchange of a sewer tap, which motion was unanimously approved.

Pocock Easement - Tim distributed a proposal regarding this easement. Mr. Pocock's proposal asked for \$57,000.00 with 5 additional taps with the capacity fees waived for family or new owners, and another tap for a property located at LN 250A with capacity fee waived. The toll road is not an option anymore for the District, which opens the way for a condemnation procedure. Bruce Boxberger stated that \$7,500.00 - \$10,000.00 would be the cost for a condemnation procedure. He recommended drafting a letter to Mr. Pocock setting the purchase price at \$25,000.00, including one tap fee, with the alternative action of a condemnation procedure that would be followed according to law. George Pifer moved and Lyndon Tucker seconded the motion that a letter be sent from counsel suggesting payment of \$25,000.00, with one tap included, or in the alternative, a condemnation procedure would take place, which motion was unanimously approved.

NED Project - Pokagon directed a letter to the Board suggesting that Pokagon Park pay no hook-up fees or monthly fees. Counsel for Pokagon State Park said further dialogue would be helpful after discussion with counsel for District. Jim Van Vlerah listed three options:

- (1) boring line under lake for Lone Tree Point with waste going to Fremont;
- (2) renegotiation with Park;
- (3) acquiring easement through Park for Lone Tree Park and sending waste to Fremont.

Ken discussed the three options with the Board. Pokagon submitted estimated operating costs in the past. Ken would like to have accurate figures from them. Bruce Boxberger suggested sharing two easement documents with Pokagon that Pokagon already has in place, to put figures in perspective, and to have Ken talk with Pokagon regarding current figures and to establish a deadline in doing so. Jim Van Vlerah stated that a letter would be sent with a deadline of December 21, 2015, in which Pokagon has to respond.

Public Comments - Paula Thomas was questioning Lake Charles West inclusion in the project. Ken Jones stated that even if Pokagon does not participate in the project, Lake Charles West is still in the project.

MOTION TO ADJOURN

There being no further business to come before the meeting, Mr. Van Vlerah asked for a motion to adjourn. Such motion was made, seconded, and unanimously carried, the meeting was adjourned.