

## **Virtual Utility Committee Meeting January 6, 2021 9:00 a.m.**

Present: Steve Shoemaker, Christy Powell, Susan Helms, Leon Key, David Hynes and Chris Wischer. Also attending virtually were Don Gore, Hunter Fields, Russel Powell, Rebeka Kaufman and Marilyn Doyle.

Utility Chair Steve Shoemaker called the meeting to order at 9:07 a.m. with a quorum present.

### **Petitions and Comments from Citizens Present**

#### **9:15 am: Don Gore, 609 W. Jennings, Sewer Easement Encroachment**

Mr. Gore is planning to build a home on the property at 609 W. Jennings Street; part of the home, the workshop, will extend into the 20-foot sanitary sewer easement along the west side of the property. Mr. Gore requested permission to allow the building to extend into the easement. The 18" sewer line is located fifteen-feet below the surface and in the center of the easement. Mr. Key stated that due to the depth of the sewer line, the sewer department can't afford to lose any of the easement in the event the line must be accessed. Mr. Gore has received both plan and variance approval. Mr. Hynes suggested strengthened footers be used if the workshop will be built near the easement as there may be settlement in the area. The committee suggested Mr. Gore prepare alternative plans.

### **Engineer Report, David Hynes**

#### **1. Triple Crown Lift Station Elimination Project, Status Update**

Mr. Hynes stated the Triple Crown Lift Station Elimination Project experienced problems early due to rock in the bore pits making it difficult to keep the bore on grade. Instead of open-cut, hand tunneling was chosen as the best method for this area. A soil consultant found a clear path a bit further south of the original crossing on Libbert Road which did not change the scope of the project. The contractor began jacking pipe across the Wellness Trail and hit another pipe. The contractor, unaware the pipe was obstructed, continued jacking the pipe which veered off course at a 45-degree angle. Ragle submitted a very large change order which was rejected by Commonwealth Engineering Inc (CEI). A second change order of approximately \$125,000.00 was approved by the council. The bore contractor, Cornerstone, seems to be the main problem on this project. Mr. Hynes stated Ragle is requesting additional compensation of \$376,198.00 due to the issues they've encountered. Mr. Hynes stated another bore error was discovered today inside the retaining pond that is one-foot below its expected level. The contractor has not devised a plan to rectify the error at this time. The committee is prepared to notify Ragle that the subcontractor is not capable of project completion.

**Hunter Fields, Ragle representative, joined the meeting at 9:30 a.m.** Mr. Fields stated a meeting with Cornerstone will be held this afternoon to discuss the issues and problems and expects the project will be completed by the end of February. Mr. Fields was told the committee has lost confidence with Cornerstone and is worried the bore across Highway 66 will be unsuccessful. Mr. Hynes will attend the meeting this afternoon with Ragle and Cornerstone. The committee also expressed dismay of the \$376,198.00 change order. Mr. Fields explained the change order request was due to the change in route due to rock in the bore pits. Mr. Hynes reiterated the course of events in chronological order. Warrick County Commissioners last week approved the request to close Libbert Road for six (6) days to allow the open cut across the road and a \$10,000.00 per day fine if the work is not completed. This part of the project will be done next week. Mr. Shoemaker stated a change order of approximately \$125,000.00 was previously approved for the open cut across Libbert Road and now Ragle is requesting another \$376,198.00 for the same thing. Mr. Fields stated the expenditure request is for the additional costs incurred and there were some lump sum charges in the original bid that didn't cover the additional costs. Mr. Hynes stated the work change directive was covered by unit prices in the contract and offered to meet to discuss the items included in the change order request. Mr.

Wischer asked if the project was mistakenly underbid and the company is attempting to recoup lost revenue. Mr. Fields stated he was not involved with the bid proposal. Mr. Shoemaker stated he knows Ragle is a good contractor but Cornerstone is making them look inadequate. Completion was expected by September 2020 and has delayed the start of the Town's next project. Mrs. Powell and Mr. Hynes will review the items requested in the change order and report to the committee. Following Mr. Fields departure, the committee stated they did not feel they received anything usable from the change order and the work directive was covered under unit prices. They do not feel Cornerstone has incorporated standard operating procedure protocol. Mr. Wischer stated the Town can charge \$1,000.00 per day for liquidated damages. Mr. Hynes will update the committee following the afternoon meeting.

### **Consent Agenda**

Monthly Tracking Report, Inspection Status Report, Sewer Repairs Report, Tap Report, Financial Report, Monthly Sewer Adjustment and approval of December 8, 2020 minutes.

Motion: Susan Helms moved to approve the consent agenda.

Motion seconded: Leon Key

Discussion: Mrs. Helms stated tap sales remain strong and are in-line with past years.

Motion passed unanimously.

### **Committee Discussion Items**

**Wastewater Treatment Facility Superintendent, Leon Key**

#### **1. Discussion on Leon's cell phone upon retirement.**

Mr. Key stated the cell phone assigned to him several years ago was allowed for business and personal use. He requested he be allowed to retain the phone and phone number after he retires.

**Motion: Steve Shoemaker moved to recommend to Council to surplus the cell phone assigned to Leon Key at no value and allow Mr. Key to retain his phone and phone number upon retirement.**

**Motion seconded: Christy Powell**

**Discussion: Mr. Key has been with the Sewer Department for over 20 years.**

**Motion passed unanimously.**

#### **2. Request a recommendation to Council to waive the requirement of an external Fats, Oils and Grease (FOG) interceptor in favor of an internal grease trap for the Old Fashioned Butcher Shoppe located at 7766 D Fruitwood Lane.**

Mr. Key stated the Old Fashioned Butcher Shoppe requested a waiver to require an external FOG interceptor in favor of a minimum size, 66 gallons, internal grease trap. The lease at 7766 D Fruitwood Lane address will only be for two (2) years and nine (9) months. The cost to install an external FOG interceptor will be approximately \$10,000.00.

**Motion: Leon Key moved to recommend to Council to approve the request made by the Old Fashioned Butcher Shoppe, 7766 D Fruitwood Lane, to waive the requirement of an external Fats, Oils and Grease interceptor in favor of an internal grease trap.**

**Motion seconded: Susan Helms**

**Discussion: The request was made due to a limited time lease at this address.**

**Motion passed unanimously.**

### **Engineer Report, David Hynes**

#### **1. Triple Crown Lift Station Elimination Project, Status Update**

This item was discussed earlier in the meeting.

### **Utility Chair, Steve Shoemaker**

Mr. Shoemaker requested an update on employees affected by the COVID-19 virus. Mr. Key stated he is working from home; he is quarantined for travel. Scott Merta is out but all other

employees are back at the plant. The utility office employees are working split shifts between office and home.

**Utility Committee Member, Leanna Hughes** (not in attendance)

Mr. Shoemaker welcomed Mrs. Hughes as the new Town Council liaison to the Utility Committee.

**Town Attorney, Chris Wischer**

Mr. Wischer stated he believes the Town should offer more than the appraised value of the Prow property as it will add value to the Town.

The Victoria Project land and easement acquisitions are in process with hopes all will be acquired by the end of January 2021.

**Town Manager, Christy Powell**

Mrs. Powell stated she is working on the amended COVID-19 travel policy. Quarantine has been reduced from 14 to 10 days for Red Zone visits over 100 miles away; and, return to work is allowed after four (4) days of quarantine and testing negative. Mr. Shoemaker considers the sewer, fire and police department as essential and hopes they can be vaccinated in advance. Mrs. Powell stated the fire and police departments have been vaccinated. Sewer department employees are not considered "front-line" and therefore must wait until their zone is scheduled.

**Utility Manager, Susan Helms**

Mrs. Helms stated the Sewer Operating Account balance is \$5,730,933.93. Approved expenses in the amount of \$507,805.40 have not been disbursed. A rate increase will go into effect on January 1, 2021. Mr. Key state that since the new rates have gone into effect, he will request the new plant positions be filled at the next meeting.

Mr. Wischer stated he will notify Health South that the warranty issues must be corrected.

Motion: Susan Helms moved to adjourn the meeting.

Motion seconded: Leon Key

Discussion: None

Motion passed unanimously.

Mr. Shoemaker adjourned the meeting at 10:31 a.m.

Respectfully submitted,  
Marilyn Doyle