

UTILITY COMMITTEE MEETING
August 5, 2020 9:00 a.m. Newburgh Town Hall

Present: Steve Shoemaker, Carol Schaefer, Christy Powell (virtual attendee), Susan Helms, Leon Key, David Hynes and Chris Wischer. Others in attendance: Manuel Ball, Mike Ellison, Jeramy Elrod and Toby Church.

Utility Chair Steve Shoemaker called the meeting to order at 8:58 am with a quorum present.

Consent Agenda

Monthly Tracking Report, Inspection Status Report, Sewer Repairs Report, Tap Report, Financial Report, Monthly Sewer Adjustment and approval of July 1, 2020 minutes.

Motion: Carol Schaefer moved to approve the consent agenda.

Motion seconded: Susan Helms

Discussion: None

Motion passed unanimously.

Town Attorney, Chris Wischer

1. Victoria Cottages – Taps for cottages

Mr. Wischer stated at the February Utility Committee meeting Morley and Associates disclosed they were planning to construct four (4) cottages and a housekeeping suite within Victoria National Club Commons in the northwest corner and requested capacity. According to the minutes of the February 5, 2020 meeting, ‘the committee felt that since there is a plan in place to increase capacity and there will be limited use of the golf cottages, the capacity request could be granted; however, the committee will not allow additional connections to this line until the upgrade is completed’. At the June 9, 2020 meeting, ‘Mr. Elrod asked if the four (4) cottages in the northwest corner could be switched with the southeast cottages since the northwest cottages have been approved for capacity?’ The motion was made as follows: ‘Carol Schaefer moved to recommend to council to allow the previously approved four (4) taps for the northwest Victoria cottages to be transferred to the four (4) southeast cottage locations at the owner’s discretion provided the taps are purchased within six (6) months. Motion seconded: Steve Shoemaker. Discussion: Only approved subdivisions are in the 2016 flow modeling study. Roll Call Vote: In favor of the motion were Carol Schaefer, Steve Shoemaker, Christy Powell and Susan Helms. Leon Key opposed. Motion passed.’ Mr. Elrod has since contacted the sewer department requesting an additional tap in the southeast corner. The contractor would like to build five (5) new cottages and a housekeeping facility. Mr. Elrod will arrive at 10:15 am.

Discussion-Sewer Connection in Talbert’s Ridge at 8200 Oak Grove Road

Mrs. Helms requested a discussion of Mike Ellison’s request for a sewer connection at 8200 Oak Grove Road in Talbert’s Ridge which runs into the Pecka Ditch line. Mr. Hynes stated the Pecka Ditch upgrade must be completed and a contract for preliminary engineering is needed. Mr. Key stated the flows from Triple Crown, Green Springs Valley, Victoria and Pecka will greatly impact the plant. Possible solutions are to offload Station 2 into an equalization basin at the plant and in-line storage. A parallel line was suggested but the plant might not be able to handle the additional flow. Station 3 is also at risk of overload. Part of the flow could be redirected to a westside treatment plant; all solutions will be costly. Included in the bond ordinance is \$7 million for the Pecka Ditch project. Mr. Ellison will arrive at 10:00 am.

Motion: Carol Schaefer moved to recommend to Council to authorize Commonwealth Engineering Inc. (CEI) to prepare a contract for preliminary engineering to solve the Pecka Ditch capacity issue.

Motion seconded: Susan Helms

Discussion: None

Motion passed unanimously.

Utility Chair, Steve Shoemaker

No report.

Utility Committee Member, Carol Schaefer

1. Little Red Brick House Discussion

Mrs. Schaefer requested the Town pay for the sewer extension to connect the Little Red Brick House to sewer at the last Utility Committee meeting. Mrs. Powell stated the extension was discussed at the Finance Committee meeting and Civil Town is not comfortable financing the approximate \$50,000.00 expense. Using the Sewer's Return on Investment (ROI) fund would strain the Town's operating budget. Mr. Wischer stated a loan from the sewer department could be structured. Mrs. Schaefer stated residents and business entities are interested in the project based on the amount of donations received. All hard costs and engineering costs will be presented at the next finance meeting. Clerk-Treasurer Nanette Angel will determine if a loan is feasible. The Utility Committee will vote on the loan at the September 2020 meeting.

Petitions and Comments from Citizens Present

9:45 am: Manuel Ball, Jagoe Homes – Signs at Baywater Entrance

Mr. Ball presented the plans for the Baywater at Berkshire Phase I entrance signs, a 3-foot by 3-foot column and 8-feet tall. The goal is to avoid the restricted public utility easement making the signs close to the homes on Lot 1 and 39. Mr. Hynes suggested the signs be moved closer to the Oak Grove Road right-of-way. An encroachment agreement will be needed.

10:00 am: Mike Ellison, 8200 Oak Grove Road – Sewer Connection in Talbert's Ridge

Mr. Ellison, 8200 Oak Grove Road, requested permission to connect to the Newburgh sewer. His septic system is in need of repair; the cost to upgrade would be equivalent to connecting to the sewer. Due to the capacity issue, the committee could not allow the connection.

Motion: Steve Shoemaker moved to recommend to Council to allow a sanitary sewer connection at 8200 Oak Grove Road.

No second on the motion.

Motion failed.

If needed, Susan will prepare correspondence for the Warrick County Health Department.

Town Manager, Christy Powell

Mrs. Powell asked about the sewer overflow at the park over the weekend. Mr. Key stated the overflow was due to a contractor working at the park. The rain fell directly into the lateral line which overloaded the Darby Hills pump station. Sewer Department employees capped the lateral line. Danco was awarded the park project but was using a subcontractor to complete the project. An investigation will determine if the contractor is liable.

Utility Manager, Susan Helms

1. Financial Report

Mrs. Helms stated the Sewer Operating Account balance is \$6,678,468.04. Approved projects in the amount of \$421,447.18 have not been disbursed. The Town's accounting and consulting firm, Baker Tilly, sets the required reserves that are not included as available funds. Bond interest is paid every July and the bond payments are made each January.

2. Public Utility Easement (PUE) Vacate-Lot 7 in the Replat of Lots 3, 4 & 5 of Warrick Place

Morley and Associates have requested a Public Utility Easement Vacate of Lot 7 in the Warrick Place Replat of Lots 3, 4 and 5. The sewer lines are not located in the Public Utility Easement.

Motion: Christy Powell moved to recommend to Council to approve Morley Engineering's request to vacate the Public Utility Easement (PUE) of Lot 7 in the Replat of Lots 3, 4, & 5 of Warrick Place.

Motion seconded: Susan Helms
Discussion: None
Motion passed unanimously.

3. Sewer Statements

The new sewer statements will be used with August billing. Customer comments have been mostly favorable.

Town Attorney, Chris Wischer

1. Victoria Cottages – Taps for cottages (cont.)

Jeremy Elrod joined the meeting at 10:15 am. Mr. Wischer connected Alex Essay, Victoria National attorney, to the meeting by phone. Mr. Elrod stated correspondence was sent to Mrs. Helms regarding a request to add a sixth sewer tap to service lots 2, 3, 4, 5, 6, and 9 in Victoria PUD section 1 in the southeast section. The cottages in the northeast section will connect to septic. Mr. Wischer stated the subdivisions Berkshire, Baywater, Eastwick, Victoria National Commons and Freidman Park are considered in the model. A capacity letter for Victoria National was provided based on a snapshot at that time for the sole purpose of the Warrick County Plan Commission and feels the Town is not obligated to honor or reserve that capacity.

Motion: Carol Schaefer moved to recommend to Council to approve six (6) taps for Victoria Cottages, Lots 2, 3, 4, 5, 6 and 9.

Motion seconded: Christy Powell

Discussion: None

Roll Call Vote: In favor of the motion: Carol Schaefer, Steve Shoemaker and Christy Powell.

Opposed: Susan Helms and Leon Key.

Motion passed.

Engineering Report, David Hynes

Mr. Hynes introduced Toby Church, electrical engineer with CEI.

1. Solar Power at Wastewater Treatment Plant (WWTP) Site

Mr. Hynes stated CEI explored the option of using solar power at the plant. Mr. Church stated solar is becoming very competitive with payback in the 11- to 15-year range. Installation costs, rebates and the utility's cooperation, must be considered to determine if solar is viable. Mr. Key stated solar could not create the energy needed to operate the WWTP. A solar system must generate enough power to fulfill 40% of the needed energy to be profitable. The sewer department is in the very preliminary stage of considering solar.

2. Victoria and Pecka Ditch Basins – Capacity Report

Mr. Hynes distributed a Narrative for the Victoria and Pecka Super Basin Capacity Analysis which is included with the minutes of this meeting. The narrative explains the modeling history of the Victoria and Pecka Ditch Basins and why there is no capacity. When modeling is done, meters are placed along the line. The meters are cleaned and downloaded each week and reviewed for accuracy. 181 miles of sanitary sewer is in the collection system and nearly the same amount of private line. The flow meters remain in the system until a large rain event occurs to mimic a ten-year, one-hour storm. When a flow study determines limited capacity, the Town Council is notified and proactive steps are immediately taken but the process is time consuming. Mr. Hynes stated that a 12" pipe is installed on all remodeled gravity lines.

Town Attorney, Chris Wischer (cont.)

Mr. Wischer distributed a Memorandum on the Bond Ordinance and Rate Ordinance. The memo detailed why the bond ordinance needs to proceed, what projects are included in the bond and why the rate increase is necessary to pay for the bond. Mr. Wischer feels the rate ordinance and bond should be approved now with the rate increase beginning in January giving the rate payers time to adjust to the new rate. The memo is included with the minutes.

Motion: Christy Powell moved to recommend to Council to approve the bond ordinance and rate ordinance based on Mr. Wischer's memorandum dated August 4, 2020.

Motion seconded: Susan Helms

Discussion: None

Roll Call Vote: In favor of the motion: Carol Schaefer, Steve Shoemaker, Christy Powell, Susan Helms and Leon Key.

Motion passed unanimously.

3. Triple Crown Lift Station Elimination Project – Progress Update

Mr. Hynes stated Ragle submitted Change Order #1 for the Triple Crown Lift Station Elimination Project which was near \$500,000.00. The sewer had to be relocated due to rock in the bore pits. CEI rejected a sizeable portion of the change order including rental equipment and notified Ragle. Mr. Hynes will update the committee when Ragle responds.

4. Central Towers Lift Station – Capacity Report

Mr. Hynes distributed copies of the Central Towers Lift Station capacity study that CEI revised August 4, 2020. The lift station was upgraded in 2010 and today the available capacity is 377 gallons per minute (gpm). Connections to the system were reviewed in the subdivisions of Waterstone Village, Pemberly Place and Brookstone with the total capacity usage of 364 gpm, leaving 13 gpm available which equals 'none' according to Mr. Hynes. Danny Ubelhor is planning a subdivision with seven lots generating less than 1 gpm and requested taps for these lots and to use the 13 gpm remaining. Some contend households no longer use 310 gpm due to low flow toilets and water efficient washing machines but this is merely theoretical. The Central Towers Lift Station runs to the Pecka Ditch line which is at capacity. The Victoria project will solve the Central Towers capacity issues and should be completed within 18 months. Mr. Hynes stated a meter could be placed at the lift station but it could take time until a measurable rain event occurs. Mr. Key stated the metal finishing business, a very large user of the sewer, is not in operation at this time and must be taken into consideration if a flow meter is placed at the lift station. Mr. Wischer stated the Town will attempt to accommodate the builder's time lines but can't allow additional taps. A meeting will be requested with the Warrick County Plan Commission to discuss alternatives to allow continued activity while the capacity issues exist.

Motion: Carol Schaefer moved to recommend to Council to instruct Mr. Wischer to meet with the Warrick County Plan Commission to develop a plan to assist developers in moving forward in the Central Towers Lift Station area until the capacity issues are rectified.

Motion seconded: Susan Helms

Discussion: None

Motion passed unanimously.

5. Forest Park Drainage and Sewer Improvements – Update on Project

Mr. Hynes stated bids were opened for the Forest Park Project - Division A and Phelps and Yorkshire Drive - Division B. The Forest Park subdivision project includes roadway, drainage and gravity sewer improvements. For the Forest Park Project, Blankenberger Brothers submitted a bid for \$1,204,725.00; Koberstein Contracting at \$1,165,082.00; and, Ragle at \$1,222,605.90. Based on the low bidders' figures, the Sewer Department would be responsible for \$578,505.00 and Civil Town \$586,577.00 of which a 75% grant will be applied leaving the Town responsible for \$144,626.25. A Notice of Award will be announced at the August 12th Town Council meeting. Division B does not involve the sewer department.

Motion: Carol Schaefer moved to recommend to Council to accept the Koberstein Contracting Inc. bid in the amount of \$1,165,082.00 for the Forest Park Subdivision Roadway, Drainage and Gravity Sewer Improvement Project of which the sewer department is responsible for \$586,577.00.

Motion seconded: Susan Helms

Discussion: None

Motion passed: Steve Shoemaker abstained due to a business relationship.

Committee Discussion Items

Wastewater Treatment Facility Superintendent, Leon Key

1. Discussion of the Central Towers Lift Station Capacity Study

Covered earlier in the meeting under David Hynes' report.

2. Discussion concerning the Ben Bush Landscaping Tap

Covered earlier in the meeting during the Central Towers Discussion.

3. Discussion concerning the Prow Property Appraisal

Mr. Key stated the Prow Property was appraised at \$510,000.00 which includes 23.98 acres, a home and two additional buildings. Mr. Key stated the plant needs to expand and all the space on the Prow property would be utilized. An offer will be made for the appraised value.

Motion: Leon Key moved to recommend to Council to proceed with an offer for the Prow property at the appraised value of \$510,000.00.

Motion seconded: Christy Powell

Discussion: None

Motion passed unanimously.

4. Discussion concerning the new Indiana Utility Regulatory Commission (IURC) rules for main extension

Mr. Wischer stated his firm is reviewing the new requirements for sewer extensions. The regulations may require the sewer contacts, permits and recoupment to be adjusted.

Mr. Key stated the drawings for the splash park are needed for a new lateral.

Mr. Shoemaker adjourned the meeting at 12:14 PM.

Respectfully submitted,
Marilyn Doyle