

Minutes

Board Meeting of November 17, 2009

THE BOARD OF SANITARY COMMISSIONERS met in the Muncie Sanitary District Administration Office, first floor of City Hall in Muncie, Indiana.

Board members present were: Tom Bennington, Steven D. Murphy, and Teresa L. Ford.

Department managers and staff present were: Barbara Smith, District Administrator; Peter Drumm, Legal Counsel; Steve Ballman, Sewer Maintenance; John Anderson, Engineering; Tammy Branson, Sanitation.

Also present were: Harold Dungan, HNTB Corporation and Tommy Loser, Indiana Films.

Mr. Bennington called the meeting to order. Mr. Bennington asked everyone to turn off cell phones and pagers.

Mr. Bennington announced the first item of business as consideration of the minutes of November 17, 2009. Ms. Ford moved to approve the minutes as submitted for November 17, 2009. Mr. Murphy seconded. Mr. Bennington asked if there was any discussion. There was none. The motion was approved (3-0).

Mr. Bennington announced consideration of the Register of Claims. Mr. Murphy moved to approve the Register of Claims in the amount of \$306,838.91. Ms. Ford seconded. Mr. Bennington asked if there was any discussion. There was none. The motion was approved (3-0).

Under old business, Mr. Bennington announced the award for the bid for the Tanglewood Project. John Anderson, Director of Engineering, said upon reviewing the bids with Delaware County Regional Wastewater (DCRW) with whom the Tanglewood Project is a joint effort, it was decided that DCRW desired some additional specifications added which were not part of the bid packet. Mr. Anderson requested the Board reject the bids and re-bid the project with the revised specifications that DCRW is requesting. Mr. Bennington said the Board would consider a motion to reject all bids. Mr. Murphy moved to reject all bids. Ms. Ford seconded. Mr. Bennington asked if there was any discussion. There was none. The motion was approved (3-0).

Under new business, Mr. Bennington announced consideration of Resolution 2009-19, a Red Flag Resolution. Peter Drumm, the District's legal counsel, said this Resolution dealt with a 2003 federal law aimed at preventing identity theft. Mr. Drumm said the law had been codified by the Federal Trade Commission, which determined that all organizations such as utilities that open accounts with individuals, need to create a red

flag policy. Mr. Drumm said about 98% of all covered accounts, accounts with individuals or companies or businesses, are opened using information directly received from Indiana American Water Company. Mr. Drumm said the policy itself provides that the Indiana American Water Company Red Flag Policy be attached with the District's Red Flag Policy so that it can be determined from their policy the steps and procedures used to determine that the information provided us is correct. Mr. Drumm said the District currently has approximately 817 accounts which are on non-metered service, and the Red Flag Policy discusses the things that would create red flags for the District on those accounts. Mr. Drumm said the District's Billing department would administer the policy along with Deana Cox, the supervisor of the Billing department, who would be the person overseeing the implementation of this policy. Ms. Ford asked if there was any training involved. Mr. Drumm said there would be training and reporting involved. Mr. Drumm said there is a requirement that every year the person in charge of administering the policy report back to the Board any instances found or changes deemed wise to make based on changes in the District's procedures or changes in the law. Mr. Murphy moved to approve Resolution Number 2009-19, a Resolution to Establish an Identity Theft Program for the Muncie Sanitary District.

Steve Ballman, Superintendent of Sewer Maintenance, requested the Board declare an emergency on the project for the White River Interceptor at the junction point of the principal sewer for the City of Muncie where the siphon comes into and joins the White River interceptor. Mr. Ballman said a seriously deteriorated pipe had been discovered which needed to be repaired before a more significant problem occurs. Mr. Murphy said the District looked at the sample that Mr. Ballman provided and it is clear that the District cannot wait to deal with this problem any longer. Mr. Murphy moved to declare the project an emergency and authorize the obtaining of quotes to fix the problem promptly. Mr. Drumm asked Mr. Ballman to recite the names of three companies that quotes would be sought from. Mr. Ballman said one company would be Muncie Reline and another company would be Miller Pipeline. Mr. Ballman said he would have to research for a third company which has the capabilities within the state to do this kind of specialized work. Mr. Bennington asked if the statute says three quotes are to be obtained if there are in fact, three qualified vendors. Mr. Drumm said that was correct. Mr. Bennington said if a third vendor could not be found it would be fine. Ms. Ford seconded. Mr. Murphy noted that the expected cost of the repair would be under \$50,000.00.

Mr. Bennington asked if there were any public comments. There were none.

Mr. Bennington adjourned the meeting at 5:43 pm. Mr. Bennington announced the next Board meeting as December 15, 2009 at 5:30 pm.

Respectfully Submitted,

Dana Young, Utility Billing

Approved by the Board of Sanitary Commissioners
Muncie Sanitary District

Tom Bennington, President

Steven D. Murphy, Vice President

Teresa L. Ford, Secretary