

**LEBANON UTILITY SERVICE BOARD**  
**Lebanon, Indiana**

June 8, 2011

Utility Conference Center

4:00 P.M.

Present:

Board:

Dan Lamar, Vice Chairman

Tom Temple, Secretary

Mike Thrine, Member

Jim Urban, Member

Staff:

Michael Martin

Sandra Morgan

Bob Waples

Mike Adams

Steve Large

Doug Zitzelsberger

Phil Rawlins

Linda Ridgway

Guests:

Gary Ladd – Ladd Engineering

John Brand – Butler, Fairman & Seufert

Frank Smith – Miller Pipeline

Steve Biggerstaff–Lebanon FiberNet

Legal Counsel - Larry Giddings

1. Vice Chairman Dan Lamar called the regular meeting of the Lebanon Utility Service Board to order at 4:00 P.M. Chairman Allen Milburn was not in attendance. Confirmation of appropriate notification was acknowledged.

2. Vice Chairman Lamar requested comments or changes to the minutes of the working session held May 18<sup>th</sup>, 2011 at 3:00. Hearing no comments or corrections Member Jim Urban made a motion to approve the minutes as written. Secretary Tom Temple seconded. Motion carried.

3. Vice Chairman Lamar requested comments or changes to the minutes of the May 18<sup>th</sup>, 2011 meeting. Hearing no comments or corrections Secretary Tom Temple made a motion to approve the minutes as written. Member Mike Thrine seconded. Motion carried.

Vice Chairman Lamar introduced Laurie Gross, Customer Service Manager who introduced to the Board two new employees in her department, Linda Little and Linda Sheets. Members of the Board welcomed them to the utility staff.

4. Gary Ladd of Ladd Engineering recommended to the board acceptance of Insituform Technologies USA, Inc. bid in the amount of \$389,763.40 as low responsive and responsible bidder for the 2011 Sewer Lining and Manhole Rehabilitation Project. Discussion was had as to certain deficiencies or concerns regarding the bids. Counsel Giddings stated his opinion as to the appropriateness of accepting Insituform's base bid even with the omission of Alternate A at the time of the reading since Alternate A was not utilized. Counsel Giddings stated it was his opinion that the awarding of the project

to Insituform was appropriate. Member Mike Thrine made a motion to accept Insituform Technologies base bid of \$389,763.40 for the 2011 Sewer Lining and Manhole Rehabilitation Project. Seconded by Secretary Tom Temple. Motion carried.

Mr. Frank Smith of Miller Pipeline approached the Board with objections to the awarding of the project to Insituform since their bid was turned in without Alternate A. Following discussion and a thorough presentation by Mr. Smith, Member Thrine made a motion to award the project to Insituform with the low base bid of \$389,763.40. Secretary Temple seconded the motion. Motion carried.

5 Mr. John Brand of Butler, Fairman & Seufert requested approval of their report as presented at the last Board meeting regarding the replacement of the filters at the Sugar Creek Water Plant. Butler, Fairman & Seufert recommended Alternative #4 as the most beneficial. Alternative #4 involved the removal of the existing filters, the installation of two new filters in future bays and one new filter into an existing bay as well as the installation of a new aerator at the future location. Member Urban made a motion to accept the report including the selection of Alternative #4 at a cost of \$1,985,000.00 and piping layout 4B. Member Thrine seconded. Motion carried.

Mr. Brand also recommended the Utility Board tentatively accept Bowen Engineering Corporation as the Guaranteed Savings Provider conditional upon them providing an acceptable agreement and proposal for Utility Board review and consideration in a subsequent meeting. Member Urban made a motion to accept Bowen Engineering as the Guaranteed Savings Contract Provider under the conditions of an acceptable contract and proposal being submitted to the Board. Secretary Temple seconded. Motion carried.

Finance Manager Sandra Morgan explained to the Board the Water Utility's budget plan to provide for this project and the acceleration of water projects to accommodate the city's construction of the gateway improvements on Indianapolis Avenue. Member Thrine made a motion to allow the needed changes to the Water Utility's budget. Member Urban seconded. Motion carried.

6. General Manager Mike Martin presented the results of the bidding process and advertisement for sale of utility property adjacent to Sam Ralston Road on the railroad right-of-way. Manager Martin reported only one bid was received. Lebanon FiberNet submitted a bid for \$15,000.00. Secretary Temple made a motion to accept Lebanon FiberNet's bid to purchase the approximate 0.254 acres located at 529 Sam Ralston Road, Lebanon, Indiana for the sum of \$15,000.00 with General Manager Mike Martin as signatory. Member Urban seconded the motion. Motion carried.

7. Discussion was held regarding endorsement of site preparation work by Lebanon FiberNet on the Lebanon Utilities' property at 529 Sam Ralston in readying the site for service prior to closing. This seemed satisfactory as long as Lebanon FiberNet returns the site to its original state if the site plan is denied by the Plan Commission or if Lebanon FiberNet is not able or willing to close on the property. A motion was made by Member Urban stating the Utility Board concurs with the opinion of the Building Inspector, Charlie Campbell in regards to the conditional approval of Lebanon FiberNet's

use and construction improvements for site preparation on the subject property owned by Lebanon Utilities prior to the closing of the sale of the property and before the plan is approved by the Plan Commission as long as the site is restored to its original state if the Plan is not approved by the Plan Commission or closing does not take place. Member Thrine seconded the motion. Motion carried. The pre-site plan of construction was thus approved by the Utility Board.

8. A License Agreement between Lebanon Utilities and Lebanon FiberNet, LLC allowing for Lebanon FiberNet's use of 20' of land to lay cable along the railroad right-of-way from their Hut property to the Lebanon Utilities' pole line adjacent to the Sale Barn property and including the right of ingress and egress to the Lebanon Utilities' access road was presented. A motion was made by Secretary Temple to approve the License Agreement with General Manager Martin as signatory. It was seconded by Member Urban. Motion carried.

A motion was made by Member Thrine to approve Lebanon FiberNet's ingress and egress to the property at 529 Sam Ralston Road via the Lebanon Utilities' access road during and after the course of installation of the Hut. It was seconded by Member Urban. Motion carried

9. Telecommunications Field Engineer, Phil Rawlins presented to the Board a list of remaining BPL equipment that the department would like to have declared as surplus. Member Urban made a motion to accept the listed items as surplus. Member Thrine seconded. Motion carried.

10. Network Administrator Doug Zitzelsberger presented to the Board his request to declare outdated computers and printers as surplus equipment. Member Thrine made a motion to declare the outdated computers and printers as surplus and asked the department to investigate the possibility of donating rather than destroying these items. Member Urban seconded. Motion carried.

11. Member Thrine made a motion to pay the claims dated, May 31<sup>st</sup>, 2011 for \$314,812.20 and June 8<sup>th</sup>, 2011 for \$373,146.00. Member Urban seconded. Motion carried.

12. Vice Chairman Lamar asked for any other business that should be brought before the Board.

General Manager Martin presented to the Board a resolution supporting dedication of employee time to the Lebanon S.C.O.R.E. Mentoring program to promote scholarship, citizenship, organization, responsibility and effort in our children. This program is known as S.C.O.R.E. Acceptance of this resolution he said would allow qualified Lebanon Utilities' volunteers to utilize up to one hour of company time per week with pay in order to participate as mentors. A motion was made by Member Urban to accept the resolution. Secretary Temple seconded. Motion carried. All Board Members and Manager Martin signed the document.

13. Hearing of no further business to be brought before the Board a motion was made to adjourn the meeting by Secretary Temple. Member Thrine seconded. Motion carried.

The meeting was adjourned at 4:47 pm.

The next Utility Board Meeting will be Wednesday, July 6, 2011 at 4:00 pm.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011

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CHAIRMAN OF THE BOARD

ATTEST:

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CLERK OF THE BOARD