

JOINT POWERS WATER BOARD MINUTES
Regular Meeting of
August 24, 2009
6:00 PM JPWT Plant Board Room

6:00 PM **Call to Order** by Martin Waters

Board Members Present: Jerry Zachman, Ron Klecker, Tom Fay, Dave Malewicki, Joe Hagerty.

Board Members Absent: None

Staff Present: Shelly Keyes, Veolia Water NA; Chris Larson, HR Green

Staff Absent: Kelly Daleiden, Veolia Water NA

MOTION BY ZACHMAN, SECOND BY KLECKER, TO ADOPT THE AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

MOTION BY KLECKER, SECOND BY MALEWICKI, TO APPROVE THE MINUTES OF THE JULY 27th, 2009, REGULAR MEETING. MOTION CARRIED UNANIMOUSLY.

MOTION BY MALEWICKI, SECOND BY HAGERTY, TO APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

Under **Unfinished Business**, Larson presented the second settlement offer for the resolution of the Wellhouse #9 Valve Malfunction from Acord Claim Service c/o General Casualty Company in the amount of \$14,369.18. Larson estimated the total costs incurred by the JPWB to date at \$27,971.00 which includes engineering fees; total "hard costs" at approximately \$21,231.00, with the remaining cost the value of the water lost. Waters asked about the engineering fees paid and Larson explained the fees were for on-site project management and meetings with EnComm, valve representatives and insurance agents. Zachman asked if EnComm filed a claim with their insurance and Larson explained that Acord Claim Service is negotiating on behalf of EnComm. General discussion followed. Larson suggested the Board approve staff to negotiate a settlement from the \$21,231.00 with a no limit agreement for potential future unidentified damages. **MOTION BY ZACHMAN, SECOND BY KLECKER TO APPROVE STAFF NEGOTIATION OF A SETTLEMENT FROM HARD COSTS OF \$21,231.00 TO RESOLVE THE WELLHOUSE #9 VALVE MALFUNCTION ISSUE. MOTION CARRIED UNANIMOUSLY.**

Under **New Business** there were no items for discussion.

Under **Engineering**, Larson explained the draft ASR Summary Report should be issued to the EPA and the Minnesota Department of Health within the next month. The Report is necessary for the approval of the variance permit to use the ASR Well. No action required by the Board at this time.

There were no items under **Operations/Office**.

The Board reviewed the list of claims. **MOTION BY ZACHMAN, SECOND BY FAY, TO APPROVE THE LIST OF CLAIMS AS PRESENTED. MOTION CARRIED UNANIMOUSLY.**

There was no **Other Business/Announcements/Correspondence**.

MOTION BY KLECKER, SECOND BY HAGERTY, TO ADJOURN THE MEETING AT 6:21 PM. MOTION CARRIED UNANIMOUSLY.