

JOINT POWERS WATER BOARD MINUTES
Regular Meeting of
September 28, 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: Kelly Daleiden and Shelly Keyes, Veolia Water NA; Chris Larson, HR Green

Staff Absent: None

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

MOTION BY KLECKER, SECOND BY ZACHMAN, TO APPROVE THE MINUTES OF THE AUGUST 24th, 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 reported that EnComm's attorney agreed to the settlement offer of \$21,231 for valve malfunction damages at the Wellhouse 9 site. Larson explained the insurance company will probably cut the check along with a Release Settlement Agreement. Larson recommended review of that document by the JPWB attorney to avoid any liability limits for future claims against the contractor regarding potential damages which are not yet identified. General discussion followed. **MOTION BY ZACHMAN, SECOND BY HAGERTY TO ACCEPT THE INSURANCE SETTLEMENT CHECK OF \$21,231 AFTER REVIEW OF THE RELEASE SETTLEMENT BY THE BOARD ATTORNEY. MOTION CARRIED UNANIMOUSLY.**

Other **Unfinished Business** included Pay Estimate 20 to reduce retainage on the Wellhouse 9 project from 2.8% to 0.5%. The reduction would be contingent upon receiving the insurance check for the valve failure damages. Waters asked what the remaining retainage covered and Larson explained a lock/key issue needs to be completed along with some administrative paperwork for occupancy. Hagerty asked about security measures at the plants and Daleiden explained that staff members have keys and are required to lock/unlock facilities for all contractors. **MOTION BY ZACHMAN, SECOND BY FAY TO APPROVE PAY ESTIMATE 20 FOR \$35,000 TO REDUCE RETAINAGE CONTINGENT ON RECEIPT OF THE VALVE MALFUNCTION SETTLEMENT CHECK AND REVIEW BY BOARD ATTORNEYS. MOTION CARRIED UNANIMOUSLY.**

Under **New Business** Daleiden presented a Hardship Appeal form for Board review and briefly explained to Members that customers are able to keep their water service as long as current charges are paid in full and some additional money is paid toward the delinquent charges. The Hardship Appeal form is for official documentation of circumstances such as a medical or divorce crisis where money may not be immediately available. General discussion followed and Daleiden agreed office staff would handle each hardship appeal on a case by case basis. No action required by the Board at this time.

Under **Engineering**, there were no additional items.

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

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

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

MOTION BY ZACHMAN, SECOND BY KLECKER, TO ADJOURN THE MEETING AT 6:17 PM. MOTION CARRIED UNANIMOUSLY.