

# Tippecanoe & Chapman Regional Sewer District Board Meeting Minutes

North Webster Community Center – P.O. Box 572 North Webster, IN 46555-0572

The Tippecanoe Chapman Regional Sewer District Board met in regular session on Monday, February 8, 2021 6:30 pm at the North Webster Community Center and via Zoom at <https://us02web.zoom.us/j/244811872?pwd=ZklJZkIRWFCSVhSUDRXMTZlVzUrZz09> Meeting ID: 244 811 872 Passcode: 041891 One tap mobile+16465588656,,244811872#,,,,\*041891# US

MEETING ATTENDANCE: Meeting was called to order at 6:30 pm by Jon Tyler with the pledge of allegiance.

## ROLL CALL:

TCRSD Board: Ed Ormsby, Jon Tyler, Jeff Thornburgh, Brian Davison, Bob Weaver, Chuck Simpson, Kim Hathaway  
Carson, LLP: Atty. Andrew Boxberger  
JPR: Ken Jones, Steve Henschen, P.E., Dan Byam, P.E., Victoria Trujillo

## APPROVAL OF MINUTES (January 08, 2020)

Jon Tyler motions for approval of meeting minutes. Motion seconded by Jeff Thornburgh. Motion approved unanimously.

## APPROVAL OF CLAIMS

Carson, LLP  
JPR – 3 invoices received  
NWCC

Total of claims \$188,000

Ed Ormsby motions for approval of claims. Motion seconded by Bob Weaver. Motion approved unanimously.

## APPROVAL OF INVOICES/CLAIMS

- 1.) Baker Tilly – professional services rendered in the amount of \$1,345.00 (11/23/2020-12/30/2020)

Motion made by Chuck Simpson for the approval of submitted claims from Baker Tilly. Motion seconded by Ed Ormsby. Motion approved unanimously.

### i. Additional Withdraw from The Ban

Kim Hathaway indicated the Board has been requested to draw an additional \$300,000 out of their loan to continue making payments on the invoices they have been receiving.

From Jon Tyler's understanding there is no limit in the number of withdraws they are making as long as they are within their credit limit. Andy Boxberger responded that he spoke with Patty Zelmer and there is no limitation on the number of withdraws they can make as long as they are in round dollar amounts and not cents, there are no limitations.

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Andy Boxberger indicated if there is a need for a draw, as long as a mechanism is in place for the approval of payments, a draw can be made.

Kim Hathaway indicated a draw of \$300,000 should keep the Board current.

## JPR PROJECT UPDATE

Steve Henschen provided the status of JPR's on-going tasks and distributed the Engineering Report

### i. PER

The draft of the PER has been posted to the TCRSD website.

Everything is complete except for about eight checklist items that includes the following:

- public hearing documentation
- transcript of the public hearing
- archaeological report should be completed by the end of the month
- two resolutions for the Board to act on next month if they are ready to accept the Preliminary Engineering Report. The first will be the Preliminary Engineering Acceptance Resolution and then, a Designated Signatory Authorization which implies that one of the Board members is selected to act as the signatory authority for the duration of the SRF project. This will be drafted and sent to Andy in preparation of it being accepted in the final form at the next Board meeting.
- Farmland Conversion which is a response JPR needs from USDA whenever they are doing pipeline projects that will be crossing through farm fields or the edge of farm fields. They are required to receive comments.
- Formal SRF application is drafted and will be presented to the Board next month. This goes along with the PER for submittal.
- An updated financial model can be presented between now and July. The Board authorized Baker Tilly to proceed with this at their last meeting.
- A cost and effectiveness certification will be prepared for the Board's signature at their next meeting. That requires a signature from JPR and from the signatory authority which states that they are going through a cost-effective analysis for the project. This is a special certification that is required.

This wraps up the items that are yet to be completed.

### ii. Survey and Design

Pipeline alignments have been established. Survey work is on-going, primarily in the Tippecanoe Lakes region at this time. Chapman Lakes is almost complete except for a few utility locates that are necessary. JPR is adding in buffer zones which they got from their wetland consultants on the wetlands and delineation work that was completed. JPR will take that data and put that into their AutoCAD drawings and create buffer zones for contractors. This identifies restricted areas for the contractors before beginning construction as a safety measure.

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Septic locate is on-going and will continue for several more months depending on the weather and snowfall.

JPR is working on detailed power pole inventory as well. It's helpful if they are going to use the grinders that are pulling off of the grid and they would like to have them pull ID numbers. Whether that pole has a transformer or not, will help the engineers through the design process.

Road right-of-way research is continuing and right now they are going through all of the public records and plat. They will come up with a map that shows how much of a project that is proposed to be in an already platted right-of-way or how much of it might be in ingress egress lanes instead of a platted right-of-way. JPR should have this determination in the next month or so. This will help in the pursuing of easements on where they need to get additional easements for main line routes versus easements for grinder stations.

### iii. Property Owner Database

This property database list is completed for both Tippecanoe Lake and Chapman Lake areas and JPR is getting mailing labels put together. This week JPR is beginning detailed house counts and creating unique parcel numbers for every parcel within the District territory. Once this has been completed, an inventory will be created with each house, commercial property, or abandoned lot that as part of a detailed list that will help the firm track and maintain easements that are required from all of the property owners for grinder stations, etc.

### iv. Easements/Land Acquisition

JPR met with Andy Boxberger and began putting together a plan for obtaining easements. There will be general easements for grinder stations and other facilities. There will be specific easements for locations where pipelines are crossing properties not being served by the proposed sewer system. These are the two general categories. What was not listed includes authorized land purchases for the pump station sites.

The first mailing date has not been set as of yet.

### v. Website

Board meetings have been updated on the website for the remainder of the year and some of the documents presented at the Board meetings are being uploaded as well.

This concludes the JPR update.

## GRINDER PUMP LOCATION GUIDELINE

Steve Henschen discussed grinder location and electrical service criteria.

Steve handed out a document to the Board with information on grinder pump location guidelines and this information will be published to the TCRSD website.

Steve went through the steps with the Board. This did not need to be adopted at this meeting.

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This process begins with how far the properties are between grinder pumps. There will be more costs added to the project the further back the grinder pumps will go. (*see Tippecanoe and Chapman Regional Sewer District Location Guidelines Handout*)

It is noted that most units are 8' deep and a 4' lateral is allowed. Typically, you do not want to go more than 10' deep because it becomes tough to complete repairs.

JPR will have unit prices broken down after construction bids are received so they can figure out what the additional costs would be for that homeowner if they are going to extend that further onto their properties.

In the past there have been costs associated with grinder station location changes after installation of the grinder station will be at the property owners expense. There are a few occasions where grinders have been installed and the property owner disagrees with the location of the grinder. There is specific language that has been added in the guidelines in case this arises. It is important to put this in writing to avoid any misunderstandings with grinder station locations and installation on those properties.

These are suggestions at this time and this is a good practice to establish some type of policy to control costs.

Andy Boxberger asked if there is a date by which JPR plans to have all grinders located and suggests maybe they can include a date to appeal.

Steve responds that a date in July would probably be unrealistic and usually they submit design. Next, they submit for permits and then the project goes to bid. Before that point dates often change and fluctuate. Andy Boxberger asks Steve when they would plan to submit and Steve responds that they would plan to submit in December, early January. The goal would be by the end of this year.

Andy Boxberger asked if it would be appropriate to include a deadline on when permits would be due. An example would be permits being due by December 1<sup>st</sup>.

Steve responds that in reality they don't get feedback as quickly as they would expect, however, maybe this would be helpful in speeding up the process of getting information from property owners.

Jon mentions that he likes the idea of setting a deadline to avoid "chasing" the property owners down for information.

The other thing that comes to mind is how far can a homeowner travel to get to the 4' connection from their existing septic

Steve responds if it's flat ground, it would be about 100' and if you're going downhill, it's almost unlimited. If you're going uphill, it would be less than 100'.

When JPR completed their drive-by analysis a month or two ago, they indicated it looked as though 50% or more located at the right-of-way would not work.

If you look at the majority of lots, a lot of them are only 120' deep or so from the road to the lake. 100' should cover a majority.

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Brian Davison asked if there is a way to provide the homeowners with an estimate of what the cost would be.

Steve responded with “yes”, they would be able to provide the homeowner with an estimated cost. It will still be an estimate but it will be in the ballpark.

Jeff Thornburgh asks what if the property owner does not want to share. Would there be a penalty? Will he get to tell the contractor where he wants it.

Steve responds with, “no”. The engineers will set that criteria whether it is shared or not.

Does the homeowner have the option to say they do not want to share based on the engineers on the engineer’s decision or preference to share with those adjacent to their property?

Steve responded to help control cost this would not be recommended as it would increase the cost of the project.

Steve suggests that this could be an option if a homeowner wants to pay for their own extra grinder pump or lateral at the cost of \$10,000-\$15,000. Andy added the cost would also need to include the cost of maintenance. However, Andy suggests to avoid any disagreements that this decision be left up the engineers and the District.

Steve and Andy conclude that this should not be an appealable decision.

There may be instances where one or both property owners present a case where their grinder pump could not be shared and they will need to look at other options.

The language in the guidelines/policy is in the best interest of the District.

Ed Ormsby ask when will a policy like this need to be adopted?

Steve recommends the Board take this month to review the policy and act on this next month at the Board meeting. Once approved, this information will be posted to the website for property owners to become familiar with these guidelines and policies for the District.

Ed would like to work with Andy Boxberger to change some of the language to make some of the items permissible rather than mandatory.

Andy will work on the policy and circulate the revised version to Steve, Jon, and Ed for review.

Ken mentions that property owners and engineers will need to think about the location of the grinder. If the grinder is 100’ from the right-of-way but 30’-40’ deep, the engineers will need to determine how the technician would service the grinder. The engineers and the Board will need to make a judgement call as to what is realistically feasible. The Board would also need to consider the additional costs from a topographical standpoint.

Andy indicated he is working with Steve on a draft of the easement and will provide this to the Board next month. Ken indicated they will need to work on the language of the easement they are expected to receive from the property owners for placement and what the restrictions are relative to future improvement of their land.

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The language of the easement will be presented to the Board at their next meeting.

## **DISCUSS OVERALL PROJECT SCHEDULE**

Steve provided the Board with the project schedule as discussed in the Public Hearing.

## **RE-CAP PER PUBLIC HEARING**

Steve provided the Board with a re-cap of the public hearing.

Steve plans for design to be complete this year, bidding into early next year, and closing in March of 2022.

The Public Hearing was to satisfy the requirements of the funding agency, SRF and public comments will be open until February 15<sup>th</sup>.

The Board will not act on the PER until the window for public comments has closed.

The next step would be for the Board to decide if they are ready to proceed to the next step of submitting the PER and application to the State Revolving Fund Loan Program. Steve and Andy will have the application at the next meeting for SRF. The USDA RD application will follow upon the District providing JPR with a letter authorizing JPR to act on behalf of the District. The PER will satisfy the requirements for both applications for funding.

The USDA requires a separate environmental document and that will be forthcoming.

Cardno is preparing the environmental review.

JPR will finetune the Preliminary Engineering Report.

JPR added one more set of alternatives which originally had the pressure sewer and vacuum sewer. The vacuum does have pressure sewer components of 10% grinders, 90% vacuum.

After additional discussion and feedback, JPR added a 3<sup>rd</sup> hybrid option that is 50% vacuum and 50% pressure. JPR evaluated the vacuum system as having ten stations. The second alternative for vacuum systems was reduced to five vacuum stations. This option would be half vacuum and half pressure sewer systems. As JPR works through the present worth analysis and capital operating costs, the vacuum cost changed closer to the cost of the pressure sewer system, however, the pressure sewer system had the lowest net present worth of the alternatives. JPR also updated all of the project alternatives with the additional lateral lengths to make sure they had adequate budget to extend the grinders to 100'. The capital cost was at about \$21M instead of \$39M last month.

Next month JPR will be seeking approval from the Board to act on the above and whether they are going to proceed.

## **PER SUBMITTAL TIMELINE**

To maximize points for SRF, the PER and application will need to be submitted by March 31<sup>st</sup> for July's funding cycle.

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Steve added the Board can make any modifications or submit any comments to him prior to the next Board meeting.

### ADDITIONAL TOPICS FROM SUBCOMMITTEE MEETING

Ken pointed out that going forward, Steve will take over the production work of the project and Ken will transition to Principal Staff. Ken will continue to attend meetings, however, the Board will not be charged for his time. Ken will still be active and available in this project.

Ed asked if the Board has purchased insurance.

Jon responds that he does not think they are insured.

Andy Boxberger indicated the formation order has a bond amount that the Board is required to have and he will look into this further to make sure they have the right coverage amount.

Lakeland order is \$15,000 policy per member. All the orders are different. The older orders had to be revised as they were a percentage amount of revenue which has changed due to small Districts having higher revenues that results in a larger bond.

Andy will gather the parameters and provide Ed with contacts of people who can provide those bonds.

The insurance topic will be part of the next meeting's agenda.

Andy indicated that the Board is required to sign an Oath of Office. Andy will bring this to the next Board meeting. The Board indicated they believe they signed and Andy will confirm if this has been done.

Andy indicated that each political subdivision is required under Indiana Statute to have an Internal Controls and Materiality Policy. This policy sets criteria to protect funds including checks and balances. Andy can create this policy as he does this work for all of the Districts he represents. The Materiality Policy sets a threshold dollar amount that if something is missing, the Board would report to the State Board of Accounts if it is around \$5,000. If there are funds that unaccounted for, the amount will need to be reported. This is important because typically, after closing with SRF, an audit is required that is no older than two years. Andy will need to confirm with Jeff if this audit will be required prior to the closing in March. If the Board was to have an audit and does not have an internal Materiality and Controls Policy, they will be flagged. Andy will follow-up to make sure they have this in place.

Andy and Steve are working on a letter that will go out with the easements to the property owners. Andy will provide this letter to the Board for review. Andy and Steve discussed having working sessions where property owners can come to the office and sign. Ken suggested having open office

hours in the future to speed up the process on collecting easements. Property owners will be able to mail or e-mail back the signed easements with electronic recording.

There is now the option in Indiana law for a remote notary that predates Covid. The State only allows certain vendors to provide a remote notary. Andy spoke with Metropolitan Title and they do have a program at the cost of \$100. Andy can include this option in the letter if the Board would like

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to offer this service to property owners to execute their easements remotely. This would be a cost the District would need to pass on to the customer if they are interested. The cost to the customer would be \$100.

Property owners will have a variety of options to turn in their easements. A few of the options discussed include, mailing in the easements, e-mail, visit one of the Attorney's working sessions, or visiting during office hours, once those times have been established. These are all no-cost options, however, the remote notary would be another option.

It was advised for the remote notary to be posted on the TCRSD website.

Every resident will be provided with the same letter. Andy indicated that every property owner has the right to keep their septic system if it meets certain criteria's such as an exemption if their septic system is less than 10-years-old. The Attorney is required by statute to send residents written notices on how to file an exemption.

Ed Ormsby asked who is uploading TCRSD's website materials. Ken responds that Mike Hanyzewski is responsible for this work.

Andy will send any information that was discussed to Mike to post on the website. All information is provided to Jeff Thornburgh for approval prior to posting materials or content on the website.

Ken indicated he would like to have half day office hours at the NWCC for property owners to assist with their easements.

Andy suggests that April or May would be a great time to begin having open office hours.

Andy indicated that as soon as the PER is approved, the team will work on sending out the letters to the property owners.

Ken mentioned having a District specific telephone number. Ken agrees with using the office space and having open office hours to speed up the acquisition process. As part of this acquisition process, Ken would like to see the office space being utilized the entire summer. Ken also suggested hosting an open house to assist people with processing their easements.

Jon agreed with Ken's recommendations.

Mike and Victoria will explore the best option for District phone system.

### PUBLIC INPUT

There was no public input.

Motion to Adjourn made by Ed Ormsby at 7:28pm.