

**CITY OF LAWRENCE  
UTILITY SERVICE BOARD  
FEBRUARY 14, 2023 – 5:30 PM  
Regular Meeting  
George Keller Public Assembly Room**

**Members Present:** Tracy Boyd, Zachary Brown, Steven Hall, David Parnell

**Members Present via Teams:** None

**Members Absent:** Dale Tekippe

**Others Present:** Recording Secretary Tina Whitcomb

**Staff Present:** Utilities Superintendent Scott Salsbery, Director of Operations Paul Wanner, and Billing Office Manager Cathy Retmier

**Other Staff Present via Teams:** Deputy Mayor David Hofmann

Chairman Steven Hall called the meeting to order at 5:30 p.m. and announced a quorum.

Mr. Hall requested a motion to approve the Minutes from the January 24, 2023 regular meeting. Mr. Parnell moved to approve the motion and Ms. Boyd seconded the motion. The motion was unanimously approved by a vote of 4-0.

Mr. Hall requested a motion to approve the payment of Claims for \$782,231.84, which included the Payroll Voucher for \$145,390.40. Mr. Parnell moved to approve the motion and Ms. Boyd seconded the motion. The motion was unanimously approved by a vote of 4-0.

**Superintendent's Report:** Mr. Hall asked Mr. Salsbery to give the Superintendent's Report. Mr. Salsbery reviewed the agenda items. He stated that Staff recommended denial of the sanitary sewer adjustment for a commercial property at 8320 Pendleton Pike for the full sewer balance of \$374.00. Per Resolution 2014-03, commercial customers are not eligible for adjustments. He then reviewed the four account adjustments and recommended approval. (A copy of the Superintendent's Report is attached for record-keeping purposes.)

**Unfinished Business:** There was none.

**New Business:** Mr. Hall requested a motion to approve a sanitary sewer adjustment for a commercial property at 8320 Pendleton Pike for the full sewer balance of \$374.00 due to frozen pipes. Mr. Parnell moved to deny the motion and Mr. Brown seconded the motion. The motion was unanimously denied by a vote of 4-0.

Mr. Hall requested a motion to approve Change Order No. 5 to increase the Lawrence 2022 Sewer and Manhole Rehabilitation Project by \$17,605.00. Mr. Parnell moved to approve the motion and Mr. Brown seconded the motion. The motion was unanimously approved by a vote of 4-0.

Mr. Hall requested a motion to approve Change Order No. 6 to increase the Lawrence 2022 Sewer and Manhole Rehabilitation Project by \$58,228.88. Mr. Parnell moved to approve the motion and Ms. Boyd seconded the motion. The motion was unanimously approved by a vote of 4-0.

Mr. Hall requested a motion to approve Change Order No. 2 from Miller Pipeline to decrease the cost of the Phase II Contract B Fall Creek Water Main Replacement Project by \$4,296.50. Mr. Parnell moved to

approve the motion and Ms. Boyd seconded the motion. The motion was unanimously approved by a vote of 4-0.

**Account Adjustments:**

Mr. Hall requested a motion to approve a sanitary sewer adjustment at 7970 Kersey Drive for \$280.04 due to a service line leak. Mr. Parnell moved to approve the motion and Mr. Brown seconded the motion. The motion was unanimously approved by a vote of 4-0.

Mr. Hall requested a motion to approve a sanitary sewer adjustment at 12348 Old Orchard Drive for \$392.85 due to a service line leak. Mr. Parnell moved to approve the motion and Ms. Boyd seconded the motion. The motion was unanimously approved by a vote of 4-0.

Mr. Hall requested a motion to approve a sanitary sewer adjustment at 11852 Bellridge Drive for \$301.75 due to an outside spigot leak. Mr. Parnell moved to approve the motion and Mr. Brown seconded the motion. The motion was unanimously approved by a vote of 4-0.

Mr. Hall requested a motion to approve a sanitary sewer adjustment at 7350 East 46<sup>th</sup> Street for \$1,141.30 due to a service line leak. Mr. Parnell moved to approve the motion and Ms. Boyd seconded the motion. The motion was unanimously approved by a vote of 4-0.

**Remonstrations of Ratepayer Dispute Regarding Disconnect Notice:** There was none.

**Citizens Comments:** There was none.

There being no further business to come before the Board, a motion was made to adjourn the meeting at 5:42 p.m. by Mr. Parnell and was seconded by Ms. Boyd. The motion was unanimously approved by a vote of 4-0.

  
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Steven Hall, Chairman

  
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Tina Whitcomb, Recording Secretary

*These Minutes are not intended to be verbatim. They are a summary of discussions held, except for motions.*



## February 14, 2023 – Superintendent’s Report

### ADMIN UPDATE:

There are 4 customer adjustments on the agenda for approval this evening. The Business Office has reviewed all these requests and recommends approval. Factors affecting adjustments are typically the nature of the leak and the amount of time between when the leak is discovered and when it is fixed. As we continue to deploy more and more cellular end-point meters, more and more customers will be able to utilize the full features of the Eye On Water app, and we will continue to make customers aware of this feature.

This evening, we have a request from a commercial customer for a sewer adjustment due to a leak resulting from frozen pipes. This request was denied by the Business Office per our approved policy as detailed in Resolution 2014-03 (see attachment) and the customer has elected to petition the Board directly. The policy states that neither residential nor commercial customers are eligible for adjustment of the water portion of the bill, and for “water usage that appears not to enter sanitary sewer” (i.e. a “sewer adjustment”), “sewer only” and commercial customers are not eligible for adjustment. Our recommendation is that the Board adhere to the policy.

Utility management is seeking the approval of Change Order No. 5 to increase the Lawrence 2022 Sewer and Manhole Rehabilitation Project by \$17,605. The CO is to perform certain work that was determined during the course of the construction activity to be necessary. The increase is still within the budget for the project. We recommend approval of this Change Order.

Utility management is seeking the approval of Change Order No. 6 to increase the Lawrence 2022 Sewer and Manhole Rehabilitation Project by \$58,228. The CO is to perform certain work that was determined during the course of the construction activity to be necessary and includes decrease of other items. The net increase is still within the budget for the project. We recommend approval of this Change Order.

Utility management is seeking the approval of Change Order No. 2 for the Phase II Contract B Fall Creek Water Main Replacement project. This CO is a result of the adjustment of final quantities at the end of the project (a process of determining all the increases and decreases in quantities used in order to determine what the actual amounts were for the project). The end result was a decrease of \$4,296.50 on the final project cost. We recommend approval of this Change Order.

### OPERATIONAL DATA:

#### January Totals

#### SANITARY SEWER SYSTEM

- (19) Sanitary sewer lift station work-orders completed.
- (3) Sanitary sewer grinder pump station work-orders completed.
- (3) Sanitary sewer manholes repaired.
- 704 LF of sanitary sewer main cleaned.
- 444 LF of sanitary sewer main CCTV'd.

## **Water Distribution Underground Maintenance**

- (1) Water main breaks repaired.
- (1) Water service line meter pits installed.
- (2) Water service line repairs completed.
- (1) Fire hydrants repaired.
- (116) Fire hydrant pump outs performed in preparation for below freezing temperatures.
- (7) Water main valves exercised.
- (5) Water main line valve box repaired.
- (2) Water main shut outs performed.
- (1) Water line leak investigations performed.
- (20) Inspections for projects performed.
- Performed vehicle and equipment maintenance as needed.
- Maintained all street and sidewalk cuts until final restoration can be made.

## **WATER PLANT/WELL ACTIVITY**

### **Fort Harrison Water Plant**

- Installed a sump pump at the filter building.
- Installed a "Y" strainer and shut off valve on chlorine day tank.
- Performed maintenance on chlorine pump.
- Cleaned chlorine injection quill.
- Peerless Midwest reinstalled the motor for Well 9, required water samples passed, and Well was placed back in service.
- Lionheart replaced the block heater on backup generator for Well 8.
- Well readings were taken for Wells 8, 9, & 10.

### **Indian Lake Water Plant**

- National Water Solutions diagnosed and quoted what repairs were needed for Well 14.
- National Water Solutions began repair and cleaning of Well 14.
- Cleaned and rebuilt phosphate pump.
- Maintenance on chlorine pumps.
- Cleaned chlorine injection quill.
- Inspected and tested all spare chemical feed pumps to make sure they were in working order if needed.
- M.E. Simpson tested effluent water plant meter.

### **Richardt Water Plant**

- Maintenance chlorine feed pump.
- Peerless Midwest installed new motor for Well 2.
- M.E. Simpson tested effluent water plant meter.
- Received delivery of fuel for backup generator.

### **Winding Ridge Booster Station**

- Received delivery of fuel for backup generator.
- Facility inspections.

### **52<sup>nd</sup> Street Tower**

- Facility inspections.

### **Oaklandon Tower**

- Repaired fence gate.
- Facility inspections

### **Water Quality Samples**

- 50 water samples were taken from the distribution system and taken to an independent lab for testing.

- Fluoride samples were collected and taken to the state laboratory.

### **Business Office/Service Department**

#### **December Totals**

- 15274 Active accounts.
- 2054 Work orders completed.

#### **Adjustments**

- 7970 Kersey Dr. – customer is requesting a sewer adjustment in the amount of \$280.04 due to a service line leak. We recommend approval.  
Leak on service line in yard burst; repaired by contractor verified; one month of consumption was adjusted.
- 12348 Old Orchard Dr. - customer is requesting a sewer adjustment in the amount of \$392.85 due to a service line leak. We recommend approval.  
Pipes in garage froze and burst; repairs by contractor verified; one month of consumption was adjusted.
- 11852 Bellridge Dr. - customer is requesting a sewer adjustment in the amount of \$301.75 due to an outside spigot leak. We recommend approval.  
Outside spigot found cracked and leaking; customer replaced it with a locking freeze-proof spigot (supplied pictures); two months consumption were adjusted.
- 7350 E 46<sup>th</sup> St. - customer is requesting a sewer adjustment in the amount of \$1141.30 due to a service line leak. We recommend approval.  
Service line leak on customer side of the meter; repairs by contractor verified; two months consumption were adjusted.

SB (3)

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**RESOLUTION NO. 1, 2014  
A RESOLUTION AMENDING RESOLUTION NO. 4, 2010, OF  
THE CITY OF LAWRENCE, INDIANA UTILITY SERVICE  
BUSINESS OFFICE AND ESTABLISHING  
COLLECTIONS AND SERVICES POLICIES  
FOR THE OPERATION OF THE LAWRENCE UTILITIES**

**WHEREAS**, the City of Lawrence, Indiana (the "City") is the owner and operator of a sewage works utility pursuant to IC 36-9-23 and a water works utility pursuant to IC 8-1.5 (collectively "Utilities"); and,

**WHEREAS**, the Common Council of the City has established a Utility Service Board (the "USB") to operate and administer the Utilities; and,

**WHEREAS**, the USB desires to establish certain collection and service policies of the Utilities.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Lawrence, Indiana Utility Service Board does hereby resolve that:

- Section 1. The USB finds that it is of benefit and utility to the Utilities for the Superintendent or his designee to be authorized to apply certain policies relating to collection and services of the Utilities in order for the efficient operation of the Utilities and convenience of its customers.
- Section 2. The attached list, Exhibit "A", of policies is hereby approved and adopted by the USB.
- Section 3. The Superintendent is authorized to approve sewer adjustments to a maximum adjustment of \$250.00.
- Section 4. Those adjustments in excess of \$250.00 or not enumerated on Exhibit "A" shall be presented to the USB for determination.

PASSED AND ADOPTED this 8 day of July 2014.

Attest:

Samuel E. Cuthbert  
Secretary

Utility Service Board of the  
City of Lawrence, Indiana  
Anna C. Walcott  
Chairman

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USB RESOLUTION 7, 2014  
EXHIBIT 'A'

- Situation
  - Conditions for and type of adjustment
- Leak Adjustment
  - Residential and commercial customers are not eligible for adjustment of the water portion of their utility bill due to leaks
- Late charge waiver
  - Customer shows strong circumstantial or documented reason deemed to be beyond the control of the customer
  - Waive or credit late charge
  - Limit of one waiver per calendar year
- Late charge waiver - Mail claimed not to have been delivered
  - Customer shows excellent payment history for two years
  - First billing on a new account – consider one-time late fee waiver or credit
  - Limit of one waiver per calendar year
- Waive reconnect fee
  - Show hardship with reasonable and plausible description of circumstance deemed to be beyond the control of the customer
  - Show evidence of having timely paid the disconnect billing
  - Limit of one waiver per calendar year
- Extension of time to pay bill
  - Enter into a short term binding agreement for amounts equal to or less than thirty (30) days in arrears
  - Agreement must be personally executed at the billing office by a customer named on the account or by someone having said customer's power of attorney
  - No extensions may be granted after a service disconnect due to non-payment until all amounts in arrears have been satisfied.
  - If an extension is not satisfied according to its terms and the extension avoided a disconnect, then the failure to satisfy the extension agreement may cause the water service to be disconnected without additional notice being provided by the utility and remain so until all amounts in arrears have been satisfied.
  - Failure to honor the extension requirements for two consecutive months makes a customer ineligible to apply for an extension for six months from the termination date of the last extension agreement
- Meter accuracy test
  - Comply with utility test procedures
  - If meter flow is over-registering beyond testing accuracy standards, negotiate a mutually acceptable credit in accordance with look back period established in Resolution 2009-10.
  - Customer requesting accuracy test must be present for the removal of the meter from the structure/meter pit and testing of the meter at the Utility Operations Center.
- Water usage that appears not to enter sanitary sewer
  - Residential customer provides repair description and plumber's bill stating when and what nature of leak was repaired/stopped
  - Adjust sewer portion of bill to previous six (6) month's water usage average. If leak is within the months the summer sprinkling rate is applied, no additional adjustment will be provided
  - Apply credit for as many as three (3) month's usage above 'normal' usage
  - Residential adjustments limited to one adjustment per calendar year

- 'Sewer Only' customers are not eligible for adjustments
- Commercial customers are not eligible for adjustments
- Sewer fees charged but not connected to sewer
  - Refund or credit amount charged to sewer account for a period not to exceed 24 calendar months billing prior to discovery.
- Non-Sufficient Funds checks
  - A customer submitting NSF checks for two sequential months must settle the account using cash, money order, certified check or other common monetary instrument used for general exchange in ordinary business. The Utility will not accept checks of the individual for a period of not less than six (6) months
  - If a check from a customer, presented in order to avoid disconnection, is returned for NSF, the water service shall be subject to disconnection without additional notice being provided
  - The Utility shall be the sole and final judge regarding the adequacy and sufficiency of the medium of exchange acceptable to it
- Collections
  - The Utility sends a final bill to each customer closing an account and moving. If the customer does not pay this final bill on or before the due date of the final bill, a letter will be sent via regular first class mail to the last known address to try and collect the outstanding balance. If the outstanding balance is not paid within sixty (30) days of the date of the letter, the balance remaining will be sent to an outside collection agency, which will act for the utility to collect the debt. In addition, once the account is sent to the collection agency, an administrative fee will be added to the outstanding balance.
  - The sewer arrears shall remain attached to the property and are ultimately the responsibility of the property owner. State law allows the utility to file liens for past due sewer amounts. If the outstanding sewer charges remain unpaid after all reasonable attempts to collect have been made, the utility will proceed to file a lien against the property for unpaid sewer charges plus penalties and fees. The liens will be filed with the Records office and then certified with the Treasurer's Office.
  - Whenever a property is being sold, title companies are required to send a sewer assessment request for outstanding sewer charges on the property and the sewer will be paid at the closing of the sale of the property. Sewer assessment requests shall be considered expired if payment is not received in 45 days. A new assessment request is required after 45 days.
- Bad Debt/Uncollectible Debt
  - The Business Office is authorized to perform the appropriate adjustment to accounts that fall within the range of approved write off per the guidelines as described without additional USB review and approval. All forms of Bad Debt Write Off are to be verified and approved by the Business Office Manager and Superintendent. Once verified the account will be brought to a zero balance and recorded as uncollectible debt.
  - Final Aged Trial Balance Reports that indicate a customer has a remaining balance of \$5.00 or less are considered to be too small to collect. Adjustments will be made to reduce the balance to zero as uncollectible debt.
  - When a customer files Bankruptcy and the Discharge is entered, the utility has no recourse to collect that debt from the discharged individual. Once the Discharge is entered, the proper adjustment to the account will be made to reduce the account to a zero balance as an uncollectible debt; provided however, to the extent that an account is for outstanding sewer charges and a lien has been properly placed on the property, the normal procedure for payoff of the lien shall be followed and the account shall be marked to indicate that the customer no longer has any personal liability.



- With respect to an account where the account holder has died with no assets and no Estate is established, it will be considered an uncollectible debt and the proper adjustment will be made to reduce the account to a zero balance as uncollectible debt; provided however, to the extent that an account is for outstanding sewer charges and a lien has been properly placed on the property, the normal procedure for payoff of the lien shall be followed.
- Sales Tax
  - All accounts will be charged sales tax on water consumption. Any account holder that is Sales Tax Exempt must supply the sales tax exemption certification document to the Utility. The Utility will not reverse previous sales tax paid to the Utility but will, with proper documentation, change the customers billing account to tax exempt status. No additional sales tax will be billed from the date the exemption certification has been provided to the Utility.