

**CITY OF LAWRENCE  
UTILITY SERVICE BOARD  
NOVEMBER 9, 2021 – 5:30 PM  
Regular Meeting  
George Keller Public Assembly Room**

**Members Present:** Steven Hall, David Parnell, and Dale Tekippe

**Members Present via Zoom:** Zachary Brown

**Members Absent:** Tracy Boyd

**Others Present:** Recording Secretary Tina Whitcomb

**Staff Present:** Utilities Superintendent Scott Salsbery

**Others Present via Zoom:** Fredric Andes with Barnes and Thornburg, LLP

Chairman 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 October 26, 2021 regular meeting. Mr. Parnell moved to approve the Minutes and Mr. Tekippe seconded the motion. After a roll call vote, the motion was unanimously approved by a vote of 4-0.

Mr. Hall requested a motion to approve the payment of Claims for \$654,042.92, which included the Payroll Voucher for \$119,943.42. Mr. Parnell moved to approve the motion and Mr. Tekippe seconded the motion. After a roll call vote, 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 updated the Board on various on-going projects. Mr. Salsbery asked the Board to approve and make a recommendation that the Mayor sign the Administrative Order on Consent from the EPA. Mr. Salsbery provided a brief explanation of the contents of the order and the need to address the issues contained in the order. Mr. Salsbery asked the Board to consider approving the Low Income Household Water Assistance Program Memorandum of Agreement that was emailed to the Board prior to the meeting. He stated that this program would offer assistance to low-income households in maintaining or reconnecting the water and/or sanitary sewer service. Funds from this program will be used to cover and/or reduce arrearages, rates, and fees associated with reconnection, or prevent service disconnections of service for eligible households at or below 60% of the state median income (SMI). He also stated that there is no cost for Lawrence Utilities to participate in this program. (A copy of the report is attached to the Minutes for record-keeping purposes.)

**Unfinished Business:** There was none.

**New Business:** Mr. Hall requested approval of Administrative Order on Consent with USEPA on SSO Issues. Mr. Tekippe moved to approve the motion, adding approval for Mayor Collier to sign the agreement, and Mr. Parnell seconded the motion. After a roll call vote, the motion was unanimously approved by a vote of 4-0.

Mr. Hall requested a motion to approve the meeting dates for the 2022 calendar year. Mr. Parnell moved to approve the motion and Mr. Tekippe seconded the motion. After a roll call vote, the motion was unanimously approved by a vote of 4-0.


Mr. Hall requested a motion to approve the Low Income Household Water Assistance Program Memorandum of Agreement. Mr. Parnell moved to approve the motion and Mr. Tekippe seconded the motion. After a roll call vote, the motion was unanimously approved by a vote of 4-0.

**Account Adjustments:** There was none.

**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 5:46 p.m. by Mr. Parnell and was seconded by Mr. Tekippe. After a roll call vote, the motion was unanimously approved by a vote of 4-0.

  
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Tracy Boyd, Co-Chairperson

  
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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.*



## November 9, 2021 – Superintendent's Report

### ADMIN UPDATE:

The Utility has decided to delay the start of the Maple/Zoeller/Wallingwood Water Main Replacement Project until spring 2022. This is because the contractor's latest communication concerning the schedule stated that they would not be able to start until November 29. This places the commencement of the work at the beginning of the coldest months of the winter, which is not ideal for water main work. By delaying we will ensure that the contractor can get started and complete the work in a timely manner and we will not have streets and yards laying disturbed over the winter which could adversely impact drainage and street clearing activities.

The Utility and CFO plan to have the 2022 Budget and Salary Resolution submitted to the USB at the November 23rd meeting for approval in December.

The Utility has received the final version of the proposed Administrative Order of Consent (AOC) from the EPA. I am happy to report that in our negotiations, we were able to reach agreement on several issues and that EPA agreed to several of our proposed changes to the original order. To be sure, we must now take aggressive action to ensure compliance with all the requirements of the order. The details of the order have been sent to the Board for review and we recommend that the Board approve the order so that we may properly execute it and return to EPA. We believe that we have reached a reasonable agreement with the EPA and to challenge it further will incur tremendous legal costs and end in failure. This is because the findings of fact in the proposed AOC are accurate and we cannot refute them. We recommend approval of the AOC.

We failed to meet the obligations under the previous order, due primarily to lack of adequate revenue to properly operate, maintain and invest in our sewer system. We continue to be in violation of the Clean Water Act by virtue of having sanitary sewer overflows. This situation further underscores our need to adjust our sewer rates in order to begin investing in improvements to address the regulatory issues under the AOC as well as to be able to properly operate and maintain our sanitary sewer system for the benefit of our customers and the city as a whole. Failure to address these issues will put an end to further development as well as place the city at risk for even more regulatory action, which will come at an even higher cost.

On a more upbeat note, we are close to firing up our new Fort Water Plant to start getting everything wet and testing processes and controls. While we still have a ways to go to achieve substantial and final completion, we are close to having these refurbished plants on-line. This will complete one of our primary goals of replacing or renovating all of our water treatment facilities. Once we complete the 52nd Street elevated storage tank in 2022, we will have addressed all our water treatment and storage facilities as well as completed significant improvements in our well fields and with our SCADA system. Additionally, as you are well aware, our water main replacement program, which again will be an ongoing program from here on out, is proceeding at a good pace too. And although we have some additional change orders coming, roughly \$130,000 worth, we will still be pretty much on budget too.

Now it is time to give the same attention to our sanitary sewer system. Had the pandemic not intervened, we would have been in front of the USB and council for a sewer rate increase back in mid-2020, but we felt it would not have been the right thing to do at the time, so consequently we are behind where we intended to be. Nevertheless, we have to move forward now to rectify this situation. While we look forward to completing \$4,100,000 worth of sanitary sewer improvements with the recently awarded SWIF Grant and matching ARP funds, the projects that still need to be completed from the original SSES recommendations total more than \$32-million. This does not include the costs to address the chronic SSO's mentioned specifically in the AOC from the EPA. But we did in fact turn the water system around, saving it from bankruptcy and I am positive we can do the same with our sanitary sewer system!

**Operational Data:**

**October Totals**

**SANITARY SEWER SYSTEM**

- 38 Sanitary sewer lift station work orders completed.
- 1 Sanitary sewer grinder pump station work orders completed.
- 163 Sanitary sewer manhole inspections performed.
- 36,304 LF of sanitary sewer main cleaned.
- 4 Sanitary sewer lift station/grinder pumps rebuilt in house.
- Assisted with power outage at Fort Harrison Well Field.
- Cutting grass and trimming trees as needed at lift stations.

**Water Distribution Underground Maintenance**

- 4 Water main break repaired.
- 5 Water service line meter pits installed.
- 2 Water service line leaks repaired.
- Maintaining street & sidewalk cuts until final restorations can be made.
- 126 Fire hydrants inspected.
- 4 Water main shut outs performed.
- 55 Water main valves turned.
- 1 Water main valve box repaired.
- 5 Water line leak investigation performed.
- Plan review performed.
- 22 Inspections projects performed
- Performing Fall water main flushing of water distribution system.
- Cutting grass as needed.

**WATER PLANT/WELL ACTIVITY**

**Fort Harrison Water Treatment Plant**

- National Water Services LLC has been cleaning Well 8
- Performed startup on new high service pump 2 and new VFD.
- Cutting grass as needed.
- Working/coordinating with contractor as needed for the water plant renovation project.

**Indian Lake Water Treatment Plant**

- Working/coordinating with contractor as needed for the water plant renovation project.
- Replaced section of piping for chemical bulk tank.
- Met with DNR to download data for the ground water monitoring.
- Replaced head on phosphate feed pump.
- Cutting grass as needed.

**Richardt Water Treatment Plant**

- Cutting grass as needed.
- Replaced mixer motor for phosphate tank.

**Winding Ridge Booster Station**

- Cutting grass as needed.

**52<sup>nd</sup> Street Water tower**

- Cutting grass as needed.

**Oaklandon Water Tower**

- Cutting grass as needed.

**Misc.**

- 51 Water distribution samples were collected and taken to an independent lab for testing.

**BUSINESS OFFICE/SERVICE DEPARTMENT**

**Totals to be provided on November 23, 2021, report**

- Active accounts.
- Work orders completed.

**BILLING ADJUSTMENTS: None**