

**MIDWAY SEWER DISTRICT
COMMISSIONERS MEETING
AUGUST 9, 2006**

Commissioners Hendrickson, Landon and Koester were present. Also present: Mr. Griffith, Ms. Ford, Mr. Snure, Mr. Grodt, and Mr. Kase.

The meeting was called to order by the President at 9:00 a.m.

M/S/C approving the minutes of the Meeting of July 26, 2006.

VOUCHERS:

M/S/C approving Maintenance vouchers #0260668 through #0260721 in the amount of \$102,727.96, including special vouchers #0260668 through #0260679 in the amount of \$26,943.3148. Capital Improvement voucher #0260029 in the amount of \$52,579.09. Board approval of payment of \$50,745.51 for 28 employees for direct deposit of the August payroll.

ADDITIONS:

M/S/C approving additions to accounts receivable as presented.

ADJUSTMENTS:

M/S/C approving adjustments to accounts receivable as presented.

SCOTT CONNECTION CHARGE AGREEMENT:

The Manager presented a connection charge agreement between the District and Ms. Teresa M. Scott, to the Board, for their review. This agreement is for the connection charge in lieu of assessment for a single family residence at 19018 47th Avenue South.

M/S/C approving the agreement as presented.

NGYEN/TRINH CONNECTION CHARGE AGREEMENT:

The Manager presented a connection charge agreement between the District and Linh Ngyen and Trang Trinh, to the Board, for their review. This agreement is for the connection charge in lieu of assessment for a single family residence at 18456 49th Avenue South.

M/S/C approving the agreement as presented.

TRUNK AND OUTFALL USE AGREEMENT AND EASEMENT THROUGH PLANT:

The Manager reported that on August 2, 2006, he received from the City a revised Trunk and Outfall Use Agreement and also a revised easement through the treatment plant property for the installation and operation of a creek bypass pipeline. He also had been contacted by the Des Moines City Manager, Tony Piasecki, who explained that the approval of the pending land use agreement, which would allow a staging area for the outfall project, requires the Board's approval of the revised use agreement and easement. The Board felt that it would be in the District's best interest to postpone any further discussion concerning the Trunk and Outfall Use Agreement and easement until the Submarine Outfall project is completed. A letter indicating the Board's position will be provided to the Des Moines City Council.

PLANT AND OFFICE COMPUTER UPGRADE:

The Office Manager reported that the District's computer support consultant, Lighthouse Consulting, Inc., has indicated that the current District computer network has some security issues. They are proposing several hardware and software upgrades to both the plant and office computer networks to increase security and improve the systems. They also must rebuild both networks to implement the system which would require a weekend long shutdown of the system. They have estimated the total cost of equipment, software and implementation at \$14,400.00. M/S/C authorizing the upgrade of the two computer networks for a total price not to exceed Lighthouse Consulting, Inc.'s estimate.

SOUTHWEST PLUMBING DISPUTES DISTRICT'S CODE ENFORCEMENT ACTION:

The Manager reported that an attorney representing South West Plumbing and Water Heaters has written a letter to the District which disputes the punitive action taken by the District sewer inspector, Brock Powell. Brock has denied them the issuance of future permits to do work in the District due to their repetitive failure to get permits for past work. Brock has followed District code in this matter. The existing code could be improved to provide for progressive punishment and fines for violations within a certain time frame. A provision for a hearing should also be incorporated into a new code provision. He suggested that the Board reinstate South West Plumbing and Water Heaters as a contractor who can obtain permits. The Board asked the Manager to work with Mr. Snure to develop an improved policy for consideration at a future meeting.

AWARENESS SEMINAR ON PANDEMIC FLU AUGUST 17, 2006, @ CRWSD:

The Manager reported that an awareness seminar on pandemic flu will be held on August 17, 2006, from 9:30 a.m. to 11:30 a.m. This seminar is for Commissioners and staff. He said he would RSVP on behalf of any Commissioner who wanted to attend.

OFFICE MANAGER'S REPORT:

Mrs. Ford reported on the following:

Commissioners and State Retirement – I was asked to do some research as to the eligibility of Commissioners to participate in State Retirement. The plan for Elected officials, as I understand it, is that it is an opt-in program. Elected officials can choose to be in the plan or not.

How the program is supposed to work is that an elected official would opt-in the program on their initial term. Employee contribution amounts would have to be paid by the elected official back to the beginning of their current term, and the District would need to pay the employer contributions for the same period of time. To receive a full service credit, an elected official would need to earn 90 times the state minimum wage, or \$686.00, or 10 meetings a month. Between 70 – 90 a .5 service credit is received, and for under 70, .25 service credit is received. The membership decision is final. It is an opt-in plan, but once you are in, you are in. You cannot choose to opt-out.

Alamo rent-a-car & National rent-a-car - ANC Rental Corporation is the parent company of both Alamo & National. ANC filed for Chapter 11 bankruptcy in November 2001. We were contacted by both Alamo and National in 2001 and notified that they filed bankruptcy. They asked us to start a new account for them to pay charges from the notification forward. We did that, and the new accounts that were set up for them have historically been paid current. We now have an issue with the old accounts. We are no longer billing these accounts, and they are sitting with balances due on both accounts. At the time we set up the new accounts, the balances due on the old accounts were not large enough to file a lien. I checked with Brian to see if we could file a lien for the amounts and try to collect money from the bankruptcy. Brian advised me that it would not be worth our time pursuing this, it would cost us a lot to have Brian do it, there is no guarantee that we will get paid and the amounts are \$398.23 for Alamo and \$71.09 for National. I am requesting approval to adjust off these amounts from these accounts and close the accounts. M/S/C authorizing the adjustment and closure of the Alamo and National derelict accounts.

TREATMENT PLANT SUPERVISOR'S REPORT:

Mr. Griffith reported on the following:

1. Plant communications improvements consist of the late shift operator calling the on-call pager just before he leaves. This has been forgotten twice so now an alarm has been set on the on-call pager for 5:45 as a reminder to communicate.
2. The "Des Moines Walkers", an informal senior citizen group came down for a tour of the plant unannounced. Participants were: Dick Vance, Ruth Heaton, Vilma Matz, Ann Lidzbarski, and John Corr. Jim Bailey conducted the tour.

ENGINEER'S REPORT:

Mr. Grodt reported that the bid opening has been extended to Thursday, August 10 at 10:30 a.m. The extension is at least in part due to changes to the plans mandated by the City of Des Moines. There has been four addendums to the plans and specifications. He indicated that it would speed up the construction project if the Manager could have the authority to award the contract if the lowest responsible bid was reasonable.

M/S/C authorizing the Manager to award the Submarine Outfall Contract.

ATTORNEY'S REPORT:

Mr. Snure reported on the following:

1. There are 4 customers in bankruptcy.
2. There is 1 active foreclosure with the sheriff's sale set for August 11, 2006.
3. There are 2 pending foreclosures.
4. There is 1 customer subject to trustee sale

The next meeting will be August 23, 2006, at the District office at 4:00 p.m.

The meeting adjourned at 10:14 a.m.

KEN J. KASE

ATTEST:

JACK W. HENDRICKSON - SECRETARY