

## **MINUTES**

### **MONTEAGLE PUBLIC UTILITY BOARD MEETING**

**January 12, 2009**

**PRESENT: Charles Rollins  
Dean Lay  
Bud Knott  
Marilyn Nixon  
Lex Orr**

**This meeting of the Monteagle Public Utility Board was called to order at 9:00 am by Mayor Charles Rollins:**

**The following items were discussed:**

- 1. ARCADIS – The city recorder asked about paying invoices totaling more than \$11000.00 from Arcadis. The mayor recommended sending them to our city attorney to review. Ald. Lay mentioned that he has detected a friendship between our city attorney and the people at Arcadis and questioned having him review these invoices. He noted that we have asked Arcadis numerous times if we were in compliance with the Agreed Order and have always been told that we were. We are now finding that there are several items that we are not in compliance on. Ald. Orr made a motion to withhold payments to Arcadis until they can be reviewed either by the city attorney or someone else qualified to do the review. Ald. Nixon seconded the motion and it passed 5/0.**
- 2. R W CONTRACTORS – The Mayor explained why R W was called in. He said they were asked to review some work at the sewer plant. The project would cost about \$7300.00 and they have billed us \$2900.00 to review a \$7300.00 job. The mayor said he has had two phone conversations with Grady Rhoton of R W and Mr. Rhoton's attitude has made him decide that we will not be using them again for our work. Ald. Lay made a motion that we pay a fair charge for their trip on October 30, 2008, that we not pay the balance of the bill, and that we write them a letter regarding this decision. Ald. Orr seconded the motion and it passed 5/0.**
- 3. LEAK POLICY – Ald. Lay said he thought leak adjustments should come before the board. Ald. Orr made a motion to establish a new leak policy as of January 12, 2009, that anyone requesting an adjustment on their water bill should come before the board. Ald. Knott seconded the motion and it passed 5/0. The city recorder asked about adjustments on bills where there was an error on our part such as a meter reading and Ald. Lay said just to make a list of those for the Council.**

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- 4. PRINCE & SONS – Final bill –** Neal Westerman presented the letter of request to Rural Development for final payment of Prince and Sons in the amount of \$17,340.07 and a payment to Hailey for \$14,200.00. Ald. Lay made a motion to approve the letter of request. Ald. Orr seconded the motion and it passed 5/0. It was noted that there is some money left in the grant that the city could receive as a reimbursement for items already paid for. Ald. Lay made a motion that the city file the necessary paperwork to receive the remaining funds from the Rural Development grant. Ald. Orr seconded the motion and it carried 5/0. Kevin Gilliam also noted that there is a bill for \$6200.00 from Hailey that can be recovered from Rural Development. Ald. Orr asked that the record show that he would like to acknowledge Hailey Engineering for their assistance in dealing with this water line and for bringing it in under budget.
  
- 5. JAMES C HAILEY –** Anthony Pelham said he has been asked by Dean Lay to discuss “pipe bursting.” He explained the procedure and said that he knows someone in this business who would be willing to come to Monteagle to do a demonstration for the city on a section of pipe about 250' in length. This would cost about \$4000.00. Kevin Gilliam said he is reviewing some of this type of work that was done in our system on First Street and it appears to have been done correctly. He said he does have some questions on the type of grout that was used, however. Ald. Lay said he would like to see a demonstration of this work and asked Neal Westerman for his opinion on this kind of rehab for sewer lines. Mr. Westerman said he had found this to be cost effective if the pipe is located in a street. He said open digging is better for grassy areas. The mayor asked about lines that are 12 - 14 feet deep. Mr. Westerman said we should still be able to dig those lines up. Ald. Lay asked if this work could be done without submitting plans to the state since it is considered rehab and Mr. Westerman said it would depend on how it was being paid for. If SRF funds were being used, we would have to submit plans. If the city was paying for it with in-house funds, we would not have to submit plans. Ald. Lay asked if we need to “camera” some of these lines and Kevin Gilliam said we are in the process of doing that. Mr. Gilliam said he has been reviewing the old tapes also and has found that some of the numbers for the manholes don't match up with his current map. Ald. Lay asked that he contact Hendon Engineering to see if they have a map of the system that matches the tapes. Ald. Orr recommended that Dr. Urban and Angela Young be invited to witness any testing on work to be done to the sewer lines. The mayor recommended that we do the pipe bursting done between two manholes while we have the use of the camera, even if it costs \$8000.00. Ald. Lay made a motion to authorize the mayor, in cooperation with Hailey Engineering, to talk to the contractor discussed earlier and have this work done ASAP based on the figures given us by Hailey. Ald. Orr

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seconded the motion and it passed 5/0. The mayor asked about the status of the SRF loan. Mr. Westerman said it was his understanding that the state is reviewing the loan now and are doing the FONSI (Finding of No Significant Impact) study. He said we cannot advertise for bids until SRF tells them we can. It was discussed that we are undoubtedly not going to meet the deadline in the Agreed Order of December 31, 2009. Anthony Pelham noted that we can request a one-time extension of the final date for completion. Ald. Nixon asked Mr. Westerman if we are now on target with this project. Mr. Westerman said the plans were submitted on time. He said, if we stay on schedule now, we should be able to get something done. Ald. Lay asked if we would be done by December 31, 2009, and Mr. Westerman replied that we would not. The mayor asked Kevin Gilliam to look at the list of items that have not been done and compare it with Arcadis' billing. Ald. Nixon asked if something Hailey is doing is not acceptable, would they notify us. Mr. Westerman said that it is his experience that TDEC does not notify the engineers if something is wrong. Ald. Orr made a motion to have Kevin Gilliam and Hailey Engineering work together to review the Agreed Order as submitted back to us on December 17<sup>th</sup> and report back to the council at the next meeting. Ald. Nixon seconded the motion and it passed 4/0. (Ald. Lay was called away from the meeting temporarily.) There was a discussion about a tap on Fifth and North Central that the city was unaware of. Mr. Gilliam said he is checking on this. The mayor asked if there was anything that Hailey could advise us of that isn't being done. Mr. Westerman said he will be reviewing the Agreed Order and will advise us if there is anything we need to do. Mr. Westerman noted that they are working on the sludge boxes at this time and will be reviewing this with the sewer plant operator. There was also a discussion on water that is coming out of the conduit from the electrical panel at Cooley's Rift. Mr. Westerman said this was still under warranty. He said he would have the contractor resolve this issue.

6. **WATER TANK PROJECT** – David Collette from RDA has called to ask if we are still pursuing this project. It was noted that the ARC grant funds were no longer available since the Monteagle Square project was not done. We will notify Mr. Collette that we are not going to do this project at this time.
  
7. **GARAGE DOOR AT UTILITY SHOP** – The mayor reported that this door was installed in 2003 and is no longer under warranty. He said he has contacted Dakota Door and they gave him an estimate of \$4500.00 to replace the door. He noted that this is something that must be done immediately as the door is about to fall apart. Ald. Knott made a motion to approve having Dakota Door replace the overhead door at the city shop in an amount not to exceed \$4500.00. Ald. Nixon seconded the motion and it passed 4/0. (Ald. Lay returned to the meeting at this time.)

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- 8. STORAGE BUILDING BEHIND UTILITY SHOP – The mayor reported that the roof on this building needs to be replaced. It will cost about \$1200.00 for a metal roof with the city workers doing the labor. Ald. Nixon made a motion to approve up to \$1200.00 for the materials to replace the roof at the city utility shop. Ald. Knott seconded the motion and it passed 5/0.**
- 9. SCHOOL LIGHTS – The school zone lights at the Monteagle Elementary School are broken. The mayor asked the council to work with the school board to put in ground lights instead of replacing the overhead ones. Ald. Lay made a motion that the mayor contact the Marion County School Board and ask that they put ground lights in at the school immediately. Ald. Orr seconded the motion and it passed 5/0.**
- 10. RICHARD PARTIN’S TRAILERS – Mr. Partin has requested permission to put his five rental trailers on a septic system and remove them from the city’s sewer system. It was noted that they are outside the city limits, but would still have to have a permit from the county health department to do this. This matter was tabled until the matter can be reviewed.**
- 11. EDDIE CAMPBELL – Mr. Campbell said he is trying to make the case that his water bills are unfair and that he should be treated the same as the motels. He said he feels being charged for each building puts him at a disadvantage in competing with larger businesses. It was discussed that Mr. Campbell’s sewer tap had been done by a city employee who was off-duty. The mayor noted that the city didn’t do the tap because of the moratorium but Mr. Campbell was finally granted permission by TDEC to connect to the system. Ald. Lay asked that Kevin Gilliam inspect the line to make sure it is done properly. Mr. Campbell said his water bills have jumped from \$60.00 up to \$240.00 and asked for relief from these bills. The council took no action.**
- 12. GREASE TRAP ORDINANCE – Ald. Lay asked that Kevin Gilliam be instructed to inspect all locations that can be putting grease into the system. Mr. Gilliam said he would prepare a plan of action for this within the next thirty days. Ald. Lay said that the city needs to conduct a periodic inspection of these places to make sure the ordinance is being complied with.**
- 13. ANDY BAGGENSTOSS – Mr. Baggenstoss said that the city had taken over the lift station at Dixie Lee and Foresite Streets, but he is still being charged with the electric bill. The council asked him to give the city recorder the information on this account and she will contact the electric company to change the billing into our name.**

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- 14. SEWER LEAKS ON PRIVATE PROPERTY – There was a discussion on the lift station at Monteagle Greene Apartments which is not working properly. Ald. Knott said that John Condra was going to look at this to see about repairing it. Ald. Nixon asked what we do if there is a sewer leak on a customer’s property. The mayor replied that we turn the water off until they get it fixed but we don’t have a written policy on this.. Ald. Lay made a motion that the water is to be turned off for any customer whose lift station is bypassing as soon as the city is made aware of the situation and the water is to remain off until repairs are made. Ald. Nixon seconded the motion and it passed 5/0.**
- 15. MONTEAGLE GREENE APARTMENTS – The mayor noted that he had been made aware that the city had a returned check from Monteagle Greene Apartments. The city recorder said the payment was wired to the city’s account last Friday. The mayor said if there are any future problems with this account the city should stop accepting checks from them.**
- 16. DEPOSIT RATES – The city recorder asked the council to increase the amount of customer deposits. The council asked her to make a recommendation at the next meeting.**
- 17. CVS – Kevin Gilliam said that CVS was at the point of needing to connect to the city’s water and sewer systems and wanted to know what to do. Ald. Orr discussed the letter from Bill Killian that he sent to TDEC about this customer. They were issued a building permit based on TDEC’s approval at one of their meetings with the city allowing this customer to trade the sewer service at their current location for the service at the new location. He suggested that the mayor or Mr. Gilliam talk to TDEC about this situation. Ald. Lay made a motion that the council authorize Mr. Gilliam to take the necessary steps to provide utility services to CVS based on our issuance of a building permit to them and instruct Mr. Killian to be prepared to defend this action. Ald. Orr seconded the motion and it passed 5/0.**
- 18. MSSA – Ald. Orr stated that our attempts to reach a solution with the Assembly had not been successful and it is his understanding that Mr. Killian will proceed with a court date on this matter. The president of the Assembly, Virginia Uden, said that the Assembly was still open to negotiations.**
- 19. FLOWS INTO STP #1 – Ald. Lay said he had talked to Anthony Pelham about monitoring the flows going into the STP 1. Mr. Pelham will present a plan and a cost estimate that would allow us to monitor bypassing for the January regular meeting. He said we need to do this because TDEC has agreed to allow us one gallon of capacity for each four gallons of I & I we eliminate, but we don’t have any way of monitoring that at this time. He said he would also like**

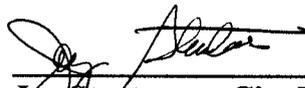
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to see us be able to monitor the flow from each zone. This could help us to know where there is a problem.

20. **EMPLOYEE EVALUATIONS** – Ald. Lay asked that we put together an evaluation form to evaluate our employees and have this in place by June 30<sup>th</sup>.
21. **EQUIPMENT EVALUATIONS** – Ald. Lay said he would like to see us also evaluate our equipment needs. For example, he noted that we have borrowed a camera to video our sewer lines from Tracy City. We need to know if it would be beneficial to the city to purchase our own camera. He has also been told that our backhoe is not in good shape. Does it need to be replaced? We need to evaluate all of our equipment needs.
22. **BEAR HOLLOW** – Jim Masiella asked the council to explain how the water is being billed for his business. It was explained that he is billed one minimum bill for each connection. He said he has 19 connections on the meter for the cabins and two connections on the meter for the theater. This means that his minimum bill for the cabins would be 19 x 2000 gallons each. The bill for the theater would be at least 2 x 2000. Excess water is billed at the current rate.
23. **WATER PLANT OPERATOR** – Kevin Gilliam said that he is moving Ben Packard from the field to the water plant. That will leave him one employee short in the field. He asked the council to post the position. Ald. Orr made a motion to have Mr. Gilliam work with the mayor or the city recorder to get the appropriate protocol for advertising for a utility worker. Ald. Knott seconded the motion and it passed 5/0.

**The meeting adjourned at 12:16 pm.**

**Respectfully submitted,**

  
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**Joy Sturtevant, City Recorder**