

**PROCEEDINGS OF THE BOARD OF TRUSTEES
OF THE WEST DES MOINES WATER WORKS**

July 20, 2009

The regular meeting of The Board of Trustees of the West Des Moines Water Works was called to order by Chairman William B. Spencer at 4:00 P.M. on Monday, July 22, 2009. Trustees Karen Novak Swalwell, Timothy J. McCulloh and Brian P. Rickert were present; Trustee Philip J. Dorweiler was absent; also present were staff members Jerald W. Stevens, General Manager; William H. Garrett, Assistant General Manager; John R. Luther, Superintendent and Paula R. Meyer, Accountant/Treasurer; others present were Councilman Charles Schneider; Larry Anderson a West Des Moines resident; two representatives from Neptune and 4 representatives from Sensus.

Moved by Novak Swalwell, seconded by McCulloh that the agenda be approved as presented.

Roll call: All yes. Motion carried.

No one came forward during the Citizen Forum.

The Chairman announced that this is the time and place fixed for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for the construction of certain public improvements described in general as Water Meter Replacement and Fixed Base Automated Meter Reading System (West Des Moines Water Works Project No. 00800-170-09004). The Secretary reported that the Notice to Public Hearing was published in the *Des Moines Register* on Friday, July 3, 2009, and the affidavit of publication were available to file with The Board of Trustees. The Chairman called for any oral comments to the adoption of the plans, specifications, form of contract and estimate of cost. Oral comments were presented and the Secretary reported that written comments thereto had been filed which are attached to and hereby made a part of these minutes. Hearing no further comments, the Chairman declared that the public hearing is closed.

Moved by Rickert, seconded by Novak Swalwell that the Resolution entitled "A Resolution Approving Specifications and Estimate of Costs for the Consideration of Bids Received on May 15, 2009 and Making Award of Contract" be tabled for 60 days for determining the rate of return on the investment for this project.

Roll call: All yes. Motion carried.

The Chairman announced that this is the time and place fixed for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for the construction of certain public improvements described in general as \$2,525,000 Water Revenue Capital Loan Notes. The Secretary reported that the Notice to Public Hearing was published in the *Des Moines Register* on Friday, July 3, 2009, and the affidavit of publication were available to file with The Board of Trustees. The Chairman called for any oral comments to the adoption of the plans, specifications, form of

contract and estimate of cost. No oral comments were offered and the Secretary reported that no written comments thereto had been filed. Hearing no further comments, the Chairman declared that the public hearing is closed.

Following the Public Hearing, no further action was taken.

Moved by McCulloh, seconded by Novak Swalwell that the Resolution entitled "A Resolution Ordering Construction of Certain Public Improvements and Fixing a Date for Hearing Thereon and Taking of Bids Therefor," for the 2009 Water Main Replacement Program Contract 2, attached to and hereby made a part of these minutes, be adopted. Roll call: All yes. Motion carried.

This Resolution orders construction of certain public improvements described in general as the 2009 Water Main Replacement Program Contract 2 (Water Works Project 00800-170-09005). Bids will be received until 2:00 P.M. on Wednesday, August 12, 2009, and a public hearing on the plans, specifications, form of contract and estimate of costs will be held at 4:05 P.M. on Monday, August 17, 2009.

Moved by McCulloh, seconded by Novak Swalwell to approve the following consent agenda items:

- a. The Minutes of the Regular Meeting of the Board of Trustees of June 22, 2009
- b. 28E Agreement with the City of West Des Moines for the Placement of Radio Antennas and Related Equipment on/in Water Towers in West Des Moines
- c. 28E Agreement with the City of West Des Moines for Internet and Phone Services
- d. 28E Agreement with the City of West Des Moines for No-Cost Water to Various City Facilities

Roll call: All yes. Motion carried.

Moved by Novak Swalwell, seconded by McCulloh to concur with the recommendations of the Finance and Audit Committee (1) Approving the Optional Extension of the Auditing Contract for Years Ending December 31, 2009 and December 31, 2010 and (2) Approving Hiring of Independent Auditing Firm for the Year ended December 31, 2009.

Roll call: All yes. Motion carried.

It was discovered that an error had occurred in the billing of the Maple Grove Apartment complex. The Water Works' had under billed the Maple Grove Villas apartment complex \$33,243 for Water and Sanitary Sewer Services over the last six and one-half years due to incorrect billing records. Maple Grove Villas requested that the back-charges prior to 2009, in the amount of \$31,568 be dismissed and that the late charges for 2009 be spread over

the reminder of 2009. The Customer and Community Relations Committee reviewed this request and recommended that the request be granted.

Moved by McCulloh, seconded by Novak Swalwell to concur with the recommendation of the Customer and Community Relations Committee concerning Maple Grove Villas' appeal of charges.

Roll call: All yes. Motion carried.

Moved by McCulloh, seconded by Novak Swalwell to receive and file the Monthly Operations and Financial Report for June, 2009.

Roll call: All yes. Motion carried.

Moved by Rickert, seconded by McCulloh to receive and file the Project Progress Report through June, 2009.

Roll call: All yes. Motion carried

Moved by Rickert, seconded by Novak Swalwell to receive and file the Water Quality Report for June, 2009.

Roll call: All yes. Motion carried.

Moved by Rickert, seconded by Novak Swalwell to receive and file the Check Register for June, 2009.

Roll call: All yes. Motion carried.

Moved by Novak Swalwell, seconded by McCulloh to pay the non-construction bills in the amount of \$350,064.79.

Roll call: All yes. Motion carried.

Moved by Novak Swalwell, seconded by McCulloh to pay the construction bills in the amount of \$143,676.91.

Moved by McCulloh, seconded by Novak Swalwell to adjourn at 5:30 P.M.

Roll call: All yes. Motion carried.

Attest:

William B. Spencer
Chairman

Jerald W. Stevens, P.E.
Secretary

These Minutes are a draft, if corrections or additions are made the corrected minutes will be published after approval at the August 17, 2009 meeting.