

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

October 22, 2012

The regular meeting of The Board of Trustees of the West Des Moines Water Works was called to order by Chair Karen Novak Swalwell at 4:00 P.M. on Monday, October 22, 2012. Trustees Philip J. Dorweiler, Gwen A. Swanger, Brian P. Rickert and William B. Spencer were present; also present were staff members William H. Garrett, Acting General Manager; Paula R. Meyer, Accounting Manager and Treasurer; Diana J. Wilson, Engineering Project Manager; Mitch Pinkerton, Water Production Manager; and Mark Hanasz, Water Distribution Manager. Also present were Councilman Charles Schneider and Amy Beattie, Attorney.

William Garrett, Acting General Manager, requested an amendment to the agenda in the Board packets, adding item 6.c.1, Motion - Recommendation from Committees - Planning, Approving Connection Fee District Update Scope of Services Fee Proposal, as the information needed for this agenda item was not available until after the agenda had been officially posted and placed on the website.

Moved by Swanger, seconded by Dorweiler that the agenda be approved.
Roll call: All yes. Motion carried.

No one came forward during the Citizen Forum.

Moved by Dorweiler, seconded by Swanger to receive and file the Monthly Financial Report for September, 2012.
Roll call: All yes. Motion carried.

Moved by Rickert, seconded by Dorweiler to approve the following consent agenda items:

- a. Minutes of the Special Meeting of the Board of Trustees of October 8, 2012
- b. Water Service Agreement for Bridgewood North
- c. Water Service Agreement for Brookview Estates Plat 1

Roll call: All yes. Motion carried.

A public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for the construction of certain improvements described in general as 2012 Division 3: Water Mains and Site Work was held. There were no written comments or comments received from the audience.
Chair Swalwell declared the public hearing closed

Moved by Swanger, seconded by Dorweiler that the Resolution entitled "A Resolution Adopting Plans, Specifications, Form of Contract and Estimate of Costs" be adopted.
Roll call: All yes. Resolution adopted.

Moved by Rickert, seconded by Spencer to receive and file the Engineering Project Manager's report of bids received on October 17, 2012, at 11:00 A.M. for the project described in general as 2012 Division 3: Water Mains and Site Work.
Roll Call: All yes. Motion carried.

Moved by Spencer, seconded by Dorweiler that the Resolution entitled "A Resolution Making Award of Construction Contract" be adopted.

Roll call: All yes. Resolution adopted.

Moved by Dorweiler, seconded by Swanger that the Resolution entitled "A Resolution Approving a Construction Contract and Bond" be adopted.

Roll call: All yes. Resolution adopted.

Moved by Swanger, seconded by Dorweiler to concur with the recommendations of the Finance and Audit Committee and approve the of hiring Martens & Company, CPA, LLP, an independent auditing firm, to conduct an audit for the year ending December 31, 2012.

Roll call: All yes. Motion carried.

Moved by Swanger, seconded by Dorweiler that the Resolution entitled "A Resolution Fixing the Date, Time and Place for a Public Hearing to Amend the 2012 Budget" attached to and made a part of these minutes be adopted.

Roll call: All yes. Resolution adopted.

Moved by Dorweiler, seconded by Swanger to receive and file the 2013 Draft Budget.

Roll call: All yes. Motion carried.

Discussion item - Chair Karen Novak Swalwell led a discussion of the search process for a new general manager and possible changes to the general manager position. She requested that the Trustees review the current and proposed position descriptions and share with her any updates or changes that might be needed. A revised position description will be provided when available.

Moved by Rickert, seconded by Swanger to concur with the recommendation of the Planning Committee and approve the connection fee district update scope of services fee proposal from Veenstra & Kimm with a maximum not to exceed fee of \$19,350.

Roll call: All yes. Motion carried.

Moved by Rickert, seconded by Spencer to concur with the recommendation of staff and approve the replacement of the dump body and accessories for truck No. 743 by Truck Equipment, Inc. at a cost of \$9,635.

Roll call: All yes. Motion carried.

Moved Dorweiler, seconded by Swanger to concur with the recommendation of staff and ratify the emergency repairs to Deep Well No. 3 by Northway Well and Pump Company at a cost of \$16,043.

Roll call: All yes. Motion carried.

Moved by Spencer, seconded by Dorweiler to receive and file the following items:

- a. Project Progress Report - through October 21, 2012
- b. Water Quality Report - September, 2012
- c. Check Register - September, 2012

Roll call: All yes. Motion carried.

Moved by Spencer, seconded by Dorweiler to pay the non-construction bills in the amount of \$524,082.67

Roll call: All yes. Motion carried.

Moved by Rickert, seconded by Swanger to go into Closed Session in accordance with Iowa Code Section 21.5(1)c to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

The vote to go into Closed Session is as follows:

Trustee	Yes	No	Pass	Absent
William B. Spencer	<u> x </u>	_____	_____	_____
Phillip J. Dorweiler	<u> x </u>	_____	_____	_____
Gwen A. Swanger	<u> x </u>	_____	_____	_____
Karen S. Novak Swalwell	<u> x </u>	_____	_____	_____
Brian P. Rickert	<u> x </u>	_____	_____	_____

Paula R. Meyer, Diana J. Wilson, Mitch Pinkerton, Mark Hanasz, William H. Garrett and Councilman Charles Schneider excused themselves from the remainder of the meeting.

After returning to regular session the Agenda was continued.

Moved by Swanger, seconded by Spencer to adjourn at 6:03 P.M.

Roll call: All yes. Motion carried.

Attest:

W. H. Garrett
Secretary

Karen Novak Swalwell
Chair