

## MINUTES OF THE DIMONDALE/WINDSOR SEWER BOARD REGULAR MEETING

136 N. Bridge Street, Dimondale, MI 48821

November 19, 2015

7:00 p.m. Meeting called to order by Chairperson Ammarman

### **Roll Call**

Present: Ammarman, Campbell, Reznick, Slucter, Stover

Absent: none

Also Present: Denise Parisian, Village Manager; Tom Hitch, Village Attorney; Mark Hughes, WWTP Operator; Betsy Kelly, Recording Secretary.

### **Treasurer's Report/Bills**

Motion by Slucter, second Reznick, to receive the treasurer's report for November 19, 2015 as presented. Motion carried. Motion by Campbell, second Stover, to approve payment of \$90,057.52 in bills and transfers for November 19, 2015 as presented. Motion carried.

### **Minutes**

Motion by Reznick, second Stover, to approve the minutes of the October 15, 2015 regular meeting as presented. Motion carried. Motion by Slucter, second Stover, to table approval of the October 29, 2015 minutes until the next Sewer Board meeting. Motion carried

### **Open to the Public**

No comments were received.

### **Operator's Report**

Hughes reported that operations are running smoothly at the WWTP.

### **Village Report**

Nothing new was reported from the Village.

### **Township Report**

Nothing new was reported from the Township.

### **Old Business**

1. Hughes provided an update on the head works capital improvement project noting that both pieces of equipment have been set and plumbed with construction of the building and electrical work to follow.

2. Ammarman noted that Fady Aibout was in attendance to represent Blue Water on the current issue regarding the bedroom assignment for two new buildings at Blue Water Village and referred to the Findings of Fact prepared by Parisian. Motion by Reznick, second Slucter, to consider the Blue Water floor plans submitted as two-bedroom apartments requiring one Residential Equivalent Unit (REU) per apartment. Tom Hitch, Village Attorney, questioned whether Mr. Aibout had received a copy of the findings and Parisian confirmed that he had. Ammarman opened the floor to Mr. Aibout who made the following points: the design is based upon one-bedroom; Windsor Township approved one-bedroom units; Eaton County has inspected for one-bedroom units; at no time during the process was the developer directed to the Sewer Board; water usage data demonstrates usage well below the design capacity per REU; and the other rooms could be used for a purpose other than intended but the design is one-bedroom. Ammarman stated that all factors have been taken into consideration and that the potential exists for other rooms to

be used as bedrooms especially considering that each unit contains two full bathrooms. Discussion followed regarding the square footage and the similarity of the new floorplan to the existing two-bedroom units. Hitch requested that the Board review the proposed Findings of Fact and, if found to be credible, include their adoption as part of the motion. Reznick offered an amendment and restated the motion "to consider the Blue Water floor plans submitted as two-bedroom apartments and therefore needing one REU per unit and to adopt the Findings of Fact as presented", Slucter accepted. Motion carried unanimously.

3. Ammarman introduced the Ball Contract for member consideration. Hughes explained that not much has changed in the last 30 days and that approximately 30% of the loads remain unacceptable. Hughes also noted that each time a bad load is received Steve Ball has been notified with no additional communication forth coming regarding moving toward full compliance with the contract. Parisian requested that the Board take no action in order to provide time for her to review the data from Hughes and speak to Steve Ball. Motion by Stover, second Slucter, to table the issue until the next meeting. Motion carried.

4. Parisian introduced Ryan Henderson of AC&E to request an extension of the 60-day contract termination. Parisian stated that last month's decision by the Board was based partially on an erroneous assumption that other local facilities accepted the chemical toilet discharge. Henderson provided a brief background on the relationship with the Dimondale/Windsor WWTP noting that an inability to discharge at Dimondale will cause financial distress and explained that the recent Board decision to terminate the contract lead him to contact other facilities as well as Matt Campbell at the MDEQ. He continued that the MDEQ's suggestion was to land apply the product. Hughes expressed concern over accepting a product that violates the current ordinance and the potential risk to the plant if additional vendors need a place to discharge. Hughes also stated that AC&E has never presented any specific problems, the current discharge volumes are not a concern to current operations and that the intention was not to jeopardize the viability of AC&E's business. Discussion followed regarding the inability to test the product in a timely and cost effective manner, protecting the WWTP, and creating language that would grandfather AC&E but prevent servicing additional companies. Motion by Slucter, second Reznick, to extend the termination until April 1, 2106 pending further research. Motion carried.

#### **New Business**

1. Parisian provided details for the proposed 2016-17 draft budget.
2. Parisian presented the 2016-17 Rate Study for member review. Discussion followed regarding the impact of revenue fluctuations on the rate.

Motion by Reznick, second Campbell, to adjourn. Motion carried at 8:16 p.m.