

Minutes of Porter Township Sewer Board

January 3, 2019

The Sewer Board Meeting was called to order by Carl Klappauf, Chairman, at 7:00pm at the Township Hall, followed by the Pledge of Allegiance.

Roll Call

Board members present: Carl Klappauf, Dave Nagy, John Penkala, Jeff Moore & Leard Wylie (Township Board Representative) Board members absent: Roery MaClean & Ross Molho (alternate). Others present: Ray Galovich (IA representative). Quorum is established. Meeting will proceed.

Approval of Minutes

Motion made by Carl Klappauf, seconded by Dave Nagy, to accept the minutes of December 4, 2018. Motion passed unanimously.

Public Comments

There were not any public comments.

Financial Review-John Penkala

John Penkala summarized the operations cash and debt cash positions. Past due amounts were discussed. Invoices paid during the third quarter were explained by Ray Galovich.

Township Review-Carl Klappauf

Carl Klappauf summarized the Sewer Board and Sewer Plant's activities for the Township Board at the December 11, 2018 Township Board meeting.

IA's Monthly Report-Ray Galovich

- Ray Galovich stated the plant continued to run exceptionally well during the month of December 2018.
- There were four emergency callouts. 12/10/18 for a filter EQ basin pump #2 VFD failure, 12/12/18 for a plug at lift station C-12, 12/21/18 for a plant control panel alarm, and on 12/23/18 for an alarm at lift station B-13.

Septage Receiving Activity-Dave Nagy

Dave Nagy summarized, with charts, the septage receiving activity for December 2018. 61,100 gallons were received generating \$4,735 in sales. A total of 158 customers would have to be added to the system to generate this amount of income.

Periodic Review of Ordinances-Carl Klappauf

Motion 1: The Sewer Board recommends to the Sewer Authority that Section 708 of the Sewer Ordinance be changed to the following (pending review by the Township lawyer):

Current:

Section 708. **Unpaid Sewer Rates and Charges; Time Price Differential.** If Sewer Rates and Charges are not paid on or before the due date, then a penalty in the amount of 10% shall be added to the balance due and thereafter a time price differential of 1% per month or fraction of a month shall be charged on the outstanding balance, exclusive of penalty, until paid.

Proposed:

Section 708. **Unpaid Monthly Sewer Rates and Charges.** If Monthly Sewer Rates and Charges are not paid on or before the due date, then a penalty set forth in the “RESOLUTION TO COLLECT FEES” be added to the balance due each time a payment is not paid on or before the due date. The penalty along with the delinquent balance is allowed to be placed on taxes for collection.

Motion made by John Penkala, seconded by Jeff Moore. Motion passed unanimously.

Motion 2: The Sewer Board recommends to the Sewer Authority (pending review by the Township lawyer) that a fee be added to the “RESOLUTION TO COLLECT FEES” for a Sewer past due invoice. The fee will be a \$20 charge for every monthly invoice that is the not paid on or before the due date. No other penalties or fees will apply and should be instituted as soon as possible.

The Fee should read:

Sewer Fee for a past due monthly invoice. \$20.00

Motion made by John Penkala, seconded by Jeff Moore. Motion passed unanimously.

Motion 3: The Sewer Board recommends to the Sewer Authority (pending review by the Township lawyer) that a subsection be added to Section 705 of the Sewer Ordinance as follows :

- a) **Unpaid Yearly Sewer Assessments.** If Yearly Sewer Assessments are not paid on or before the due date, then a penalty set forth in the Schedule of Fees “RESOLUTION TO COLLECT FEES” be added to the balance due. The penalty along with the delinquent balance is allowed to be placed on taxes for collection.

Motion made by John Penkala , seconded by Jeff Moore. Motion passed unanimously.

Motion 4: The Sewer Board recommends to the Sewer Authority (pending review by the Township lawyer) that a Fee be added to the “RESOLUTION TO COLLECT FEES” for Sewer past due yearly assessments. The fee will be a \$100 charge for a yearly assessment that is not paid on or before the due date. No other penalties or fees will apply and should be instituted as soon as possible.

The Fee should read:

Sewer Fee for a past due yearly assessment. \$100.00

Motion made by John Penkala, seconded by Jeff Moore. Motion passed unanimously.

Motion 5: The Sewer Board recommends to the Sewer Authority (pending review by the Township lawyer) that Section 702 Subsection (e) be changed to the following:

Current:

(e) **Cash Payment** The Connection Fee shall be in cash unless the parcel was included on the Special Assessment Roll for a full assessment in accordance with Appendix I prior to the issuance by the Township of a Service Connection permit to connect to the Public Sewer System pursuant to Article V.

Proposed:

(e) Connection Fee Billing The Connection Fee will be billed to the property owner in accordance with the schedule of fees unless the parcel was included on the Special Assessment Roll for a full assessment in accordance with Appendix I prior to the issuance by the Township of a Service Connection permit to connect to the Public Sewer System pursuant to Article V.

(i) The Connection Fee can be paid up front or billed in equal yearly installments due on June 30th of each year with an annual interest rate set forth in the "RESOLUTION TO COLLECT FEES". The remaining balance can be paid off at any time during the 10-year period. If the yearly Connection Fee is not paid on or before the due date, then a penalty set forth in the "RESOLUTION TO COLLECT FEES" will be added to the balance when a payment is not paid by the due date. The penalty along with the delinquent balance is allowed to be placed on taxes for collection.

Motion made by John Penkala, seconded by Jeff Moore. Motion passed unanimously.

Motion 6: The Sewer Board recommends to the Sewer Authority (pending review by the Township lawyer) that a Fee be added to "RESOLUTION TO COLLECT FEES" for Sewer past due Connection Fees. The fee will be a one time \$200 charge for every Connection Fee that is not paid on or before the due date. No other penalties or fees will apply and should be instituted as soon as possible.

The Fee should read:

Sewer Fee for a past due Connection Fee \$200.00

Connection Fee Annual Interest Rate 4.39%

Motion made by John Penkala, seconded by Jeff Moore. Motion passed unanimously.

10 Year Budget-John Penkala

John Penkala will incorporate the SAW grant projections into the 2019 budget.

Past Due Payments-John Penkala

John Penkala made his presentation on past due payments and was discussed.

Motion8: The Sewer Board recommends to the Sewer Authority (pending review by the Township lawyer) that the action in Section 709 subsection (a) of the Sewer Ordinance be used to address past due invoices. Motion made by Dave Nagy, seconded by Jeff Moore. Motion passed unanimously.

Section 709 (a): discontinue the service provided by the System by disconnecting the Building Sewer from the Service Connection, and the service so discontinued shall not be reinstated until all sums then due and owing, including time price differential, penalties, interest and all expenses incurred by the Township for shutting off and turning on the service, shall be paid to the Township;

Indiana Lake-Carl Klappauf

Carl Klappauf reported no further communication was received regarding this subject.

New Business

Election of Officers–Carl Klappauf

Motion was made to elect the following: Carl Klappauf as Chairman, Dave Nagy as Vice Chairman, and John Penkala as Secretary. Motion made by Jeff Moore, seconded by Carl Klappauf. Motion passed unanimously.

Emma Road Access–Ray Galovich

A blockage on the Emma Road access was discussed.

Motion7: The Sewer Board recommends to the Sewer Authority that the Township lawyer be contacted to address access to the right of way on Emma Lane. Details will be provided. Motion made by Dave Nagy , seconded by Jeff Moore. Motion passed unanimously.

Motion made by Carl Klappauf, seconded by Dave Nagy, to adjourn the meeting at 9:00pm. Motion passed unanimously. The next meeting will be at the Township Hall on February 5, 2019 at 7:00pm.

Respectfully submitted,

John Penkala, Sewer Board Secretary