

Western Townships Utilities Authority
REGULAR MEETING
Monday, January 26, 2009
WTUA MIDDLE ROUGE CONFERENCE ROOM
40905 Joy Road, Canton, MI 48187

The regular meeting of the Western Townships Utilities Authority Board of Commissioners was held on Monday, January 26, 2009 in the WTUA Middle Rouge Conference Room, 40905 Joy Road, Canton, Michigan 48187. The meeting was called to order at 3:10 p.m. by Alternate Chairperson, Terry G. Bennett.

Present:

Richard Reaume
Terry Bennett

Absent:

Phil LaJoy
Mark Abbo

Also present were:

Aaron Sprague	WTUA
Cindy Cezat	WTUA
Joe Heffernan	Plante & Moran
Sue Hillebrand	Northville Township
Syed Taj	Canton Township Trustee

The first order of business was acceptance of the agenda: Following discussion and upon hearing no objections; it was

R-09-01-01 Resolved to accept the agenda as amended, moving Item #IX (a) Audit (Fiscal Year Ended September 30, 2008) to be heard prior to the Reports in Section VIII.

Ayes: Bennett, Reaume

Nays: None

Absent: Abbo, LaJoy

The next order of business was minutes of the regular meeting of December 22, 2008. Following discussion and upon motion by Reaume supported by Bennett; it was

R-09-01-02 Resolved to accept the minutes of the regular meeting of December 22, 2009 as presented.

Ayes: Bennett, Reaume

Nays: None

Absent: Abbo, LaJoy

The next order of business was Treasurer's Report. Following discussion and upon motion by Reaume supported by Bennett; it was

R-09-01-03 Resolved to approve the schedule of disbursements for January, 2009 of \$1,072,343.47 and pre-approved payroll for February 2009 of \$18,067.63.

Ayes: Bennett, Reaume
Nays: None
Absent: Abbo, Lajoy

The next order of business was Audit (Fiscal Year Ended September 30, 2008): Joe Heffernan of Plante & Moran was present to answer questions from the Board of Commissioners. Following discussion and upon motion by Reaume, supported by Bennett; it was resolved that

R-09-01-04 Whereas, Article IX, Section 5 of the By-Laws of the Western Townships Utilities Authority require that The Authority shall cause an annual audit to be made of its financial transactions by a certified public accountant; and

Whereas, Plante & Moran, certified public accountants, was authorized by the Board of Commissioners to perform such an audit and has prepared and presented to The Authority the audit for the fiscal year ending September 30, 2008;

Now Therefore Be It Resolved that the audit for the fiscal year ending September 30, 2008, as prepared and presented by Plante & Moran, is hereby accepted.

Ayes: Bennett, Reaume
Nays: None
Absent: Abbo, LaJoy

The next order of business was Operations and Maintenance Report for the month of December 2008. Following discussion and upon motion by Reaume supported by Bennett; it was

R-09-01-05 Resolved to receive and file the Operations and Maintenance Report for the month of December 2008.

Ayes: Bennett, Reaume
Nays: None
Absent: Abbo, LaJoy

The next order of business was Directors Report for the month of January 2009. Following discussion and upon motion by Reaume supported by Bennett; it was

R-09-01-06 Resolved to receive and file the Directors Report for the month of January 2009.

Ayes: Bennett, Reaume
Nays: None
Absent: Abbo, LaJoy

The next order of business was Quarterly Update for the Lower Rouge EQ Basin Expansion: Following discussion and upon motion by Reaume supported by Bennett; it was

- R-09-01-07 Resolved to receive and file the quarterly update for the Lower Rouge EQ Basin Expansion.
- Ayes: Bennett, Reaume
 Nays: None
 Absent: Abbo, LaJoy

The next order of business was Annual Report for the YCUA Construction Account Trust Funds: The Board approved the WTUA Investment Policy for the YCUA Wastewater Treatment Plant Expansion Construction Trust Funds on August 26, 2002. As part of this investment policy, an annual report shall be presented to the Board summarizing the investment performance of the funds in the Trust. Following discussion and upon motion by Reaume supported by Bennett; it was

- R-09-01-08 Resolved to receive and file the annual report for the YCUA Construction Account Trust Funds
- Ayes: Bennett, Reaume
 Nays: None
 Absent: Abbo, LaJoy

The next order of business was 2008 OMI/CH2MHILL Annual Report: In Jack Polhills absence, Aaron Sprague, Director of Operations gave a presentation to the Board summarizing the accomplishments of the past year. Following discussion and upon motion by Reaume supported by Bennett; it was

- R-09-01-09 Resolved to receive and file the 2008 annual report from OMI/CH2MHILL.
- Ayes: Bennett, Reaume
 Nays: None
 Absent: Abbo, LaJoy

The next order of business was Pension Plan and Trust (Restated). The Economic Growth and Tax Relief Reconciliation Act of 2001 requires that plan sponsors amend their documents for recent legislation and IRS guidance and submit for an IRS determination letter. The 5 year reporting cycle for governmental plans requires amendment by January 31, 2009. Plante and Moran has worked with Dickinson Wright, who has prepared the restated plan, implementing the required changes, as well as clarifying/correcting wording to conform with amendments previously made to the plan document as well as current WTUA administrative operations and procedures. Following discussion and upon motion by Reaume supported by Bennett; it was resolved that

R-09-01-10 Upon hearing no objections I move to accept the amended and restated Western Townships Utilities Authority Pension Plan and

Trust effective, October 1, 2008; and

Further, that Plante & Moran and Dickinson Wright are authorized to perform such work as outlined in their letter of January 23, 2009, at a cost not to exceed \$7,000.00; and

Further, that the Director of Operations sign the engagement letter on behalf of The Authority; and

Further, that upon review of the final document by the WTUA Chairman, the Chairman, Director of Operations and Secretary are authorized to sign the restated Plan and Resolution, respectively.

Ayes: Bennett, Reaume

Nays: None

Absent: Abbo, LaJoy

The next order of business was Closing National City Bank Account. The Board approved the opening of a new bank account with JPMorgan Chase at the October 27, 2008 Board meeting. The account has been opened and all transactions are now being made from the JPMorgan Chase bank account; therefore, the National City account can now be closed. Following discussion and upon motion by Reaume supported by Bennett, it was

R-09-01-11 Resolved to concur with the recommendation of the Director of Operations to close the checking account with national City Bank; and

Further, that the Board members and the Director of Operations sign the necessary paperwork to make this change.

Ayes: Bennett, Reaume

Nays: None

Absent: Abbo, LaJoy

The next order of business was MDOT Performance Resolution. Each year WTUA completes an annual MDOT application and permit to conduct underground utility maintenance in the State Right-of-ways. MDOT requires that a Performance Resolution be completed each year and submitted with the application. Following discussion and upon motion by Reaume supported by Bennett, it was

R-09-01-12 Resolved to concur with the recommendation of the Director of Operations to approve the Performance Resolution required by the Michigan Department of Transportation; and

Further, that the Chairperson sign the Resolution on behalf of the Authority, assigning Aaron Sprague as authorized representative.

Ayes: Bennett, Reaume

Nays: None

Absent: Abbo, LaJoy

The next order of business was Lower Rouge Expansion; Change Order #3. The Lower Rouge Expansion Project evolved due to a Sanitary Sewer Master Plan Update completed by Canton Township, which included a flow metering study. The data collected in this study was used to project the overall needs of the local (townships) and regional (WTUA) sanitary sewer systems, as well as the wastewater treatment capacity needs of the township. One of the conclusions of that update was that the EQ facilities at WTUA's Lower Rouge facility needed to be expanded from 5.5 million gallons to 11 mg. To date, the Lower Rouge Expansion Project has been progressing very well. WTUA, (through Wade-Trim) has negotiated the second Change Order for the Project. The Change Order encompasses eighteen (18) items with a total net increase of \$69,246.97 (0.31% of the contract amount). The largest component of Change Order #2 entails modifications to the rain garden. The net of the two change orders is an increase of \$116,931.48 (0.52% of the original contract price). The project is approximately 66% complete. Following discussion and upon motion by Reaume supported by Bennett, it was

R-09-01-13 Resolved to concur with the recommendation of the Director of Operations to approve Change Order No. 2 to the Lower Rouge Expansion Project, increasing the contract price by \$69,246.97, to a new contract price of \$22,685,931.48; and

Further, that the Director of Operations be authorized to execute Change Order No. 2.

Ayes: Bennett, Reaume

Nays: None

Absent: Abbo, LaJoy

The next order of business was public comments: There were none.

The next order of business was Commissioners' Comments: There were none.

There being no further business to come before the Board, the regular meeting was adjourned at 4:05 p.m.

Respectfully submitted,

Terry G. Bennett
Alternate Chairperson