

**TOWN OF SELLERSBURG  
TOWN COUNCIL MEETING MINUTES**

**DATE:** OCTOBER 14, 2019, 5:30 P.M.

**CALL TO ORDER:**

President Paul Rhodes called the meeting to order at 5:30 p.m.

**ROLL CALL OF MEMBERS:**

Present: Paul Rhodes, President  
Present: Brad Amos, Vice President  
Present: Martina Webster, 2<sup>nd</sup> Vice President  
Present: James LaMaster, Member  
Present: William Conlin, Member  
Present: Jacob Elder, Town Attorney  
Present: Michelle Miller, Clerk Treasurer

**PRAYER:** Martina Webster

**PLEDGE OF ALLEGIENCE:** All Present.

**MOTION TO AMEND THE AGENDA:**

MOTION/SECOND/VOTE: WEBSTER/CONLIN

5-aye, 0-nay, motion approved.

AMENDMENTS:

Move comments from public on agenda items under approval of minutes.

**MOTION TO ADOPT THE AGENDA AS AMENDED:**

MOTION/SECOND/VOTE: WEBSTER/AMO

5-aye, 0-nay, motion approved.

**APPROVAL OF MINUTES:**

September 23, 2019 Town Council Meeting

MOTION/SECOND/VOTE: WEBSTER/CONLIN

5-aye, 0-nay, motion approved.

**Motion to close Regular Meeting at 5:34 p.m.**

MOTION/SECOND/VOTE: WEBSTER/AMOS

5-aye, 0-nay, motion approved.

**2020 BUDGET PRE-ADOPTION PUBLIC HEARING**

**Motion to close the Pre-Adoption Public Hearing:**

MOTION/SECOND/VOTE: AMOS/WEBSTER

5-aye, 0-nay, motion approved.

**Motion to close Regular Meeting at 5:34 p.m. and open the Public Meeting for the Housing Authority:**

MOTION/SECOND/VOTE: WEBSTER/AMOS

5-aye, 0-nay, motion approved.

**2019-OR-030 | An Ordinance Dissolving the Sellersburg Housing Authority.**

1<sup>st</sup> Reading: MOTION/SECOND/VOTE: AMOS/WEBSTER

5-aye, 0-nay, motion approved.

2nd Reading: MOTION/SECOND/VOTE: WEBSTER/AMOS

5-aye, 0-nay, motion approved.

**Motion to adjourn the public meeting at 5:41 p.m.:**

MOTION/SECOND/VOTE: AMOS/CONLIN

5-aye, 0-nay, motion approved.

**Motion to reconvene the regular meeting at 5:41 p.m.:**

MOTION/SECOND/VOTE: AMOS/CONLIN

5-aye, 0-nay, motion approved.

**ORDINANCES AND RESOLUTIONS:**

**1. 2019-OR-028 | An Ordinance Transferring Certain Funds**

1<sup>st</sup> Reading: MOTION/SECOND/VOTE: CONLIN/LAMASTER 5-aye, 0-nay, motion approved.

2nd Reading: MOTION/SECOND/VOTE: AMOS/CONLIN 5-aye, 0-nay, motion approved.

**2. 2019-OR-029 | An Ordinance Declaring an Emergency for the Repair of the Town's Water and Sewer Utilities Located at Highway 31 and St. Paul Street.**

1<sup>st</sup> Reading: MOTION/SECOND/VOTE: AMOS/CONLIN 5-aye, 0-nay, motion approved.

2nd Reading: MOTION/SECOND/VOTE: LAMASTER/WEBSTER 5-aye, 0-nay, motion approved.

**UNFINISHED BUSINESS:**

**1. Cooperdale Resident Request for Speed Humps | Continued Discussion (Kathy Northern, Resident (not present))**

Motion to grant Ms. Northern's (previous) request for a speed hump on Allhands Avenue:

MOTION/SECOND/VOTE: CONLIN/fails for lack of second

**2. Quote Approval for installation of gates on Butler Road (William R. Whelan, Chief of Police)**

Presents quote from Cardinal Fence in the amount of \$13,793.00 and states the other quote was about \$20,000.00.

Motion to approve quote from Cardinal Fence in the amount of \$13,793.00:

MOTION/SECOND/VOTE: WEBSTER/AMOS 5-aye, 0-nay, motion approved.

Motion to pay out of EDIT:

MOTION/SECOND/VOTE: WEBSTER/AMOS 5-aye, 0-nay, motion approved.

**3. Hampton Court Drainage | Project Status Update & Work Order Request (Josh Hillman of Jacobi, Toombs, and Lanz & Jennifer Gatti, Resident)**

Motion to get optional bids on Hampton Court.

MOTION/SECOND/VOTE: AMOS/CONLIN 5-aye, 0-nay, motion approved.

**4. Public Works Equipment Trailer Quote | 17.5K tandem equipment 83 x 22" 5' stand up ramps, model/part#: 16ET-19+3 (Lori Kearney, Director of Public Works)**

Kearney presents invoice in the amount of \$7,371.00 from Big Tex for a 17.5k tandem equipment 83 x 22: 5' stand up ramps. Chief Deputy Clerk Treasurer Robin Jones asks Town Attorney Elder if Ms. Kearney needs additional quotes, as this is not one of the original quotes presented at the previous meeting, and Mr. Elder stated that no additional quotes are needed.

MOTION/SECOND/VOTE: LAMASTER/AMOS 5-aye, 0-nay, motion approved.

NOTE: The Town Council approved a different amount and trailer at the last meeting.

**NEW BUSINESS:**

1. **Out-of-Town Summer Sewer Rates (Ethan McKinney, Resident)** Not Present
2. **Town Hall Locked Doors (Councilman William “Bill” Conlin)**  
Motion to have a live person setting in Michelle Medcalf’s chair when she is not present:  
MOTION/SECOND/VOTE: CONLIN/Fails for lack of second.
3. **Hwy 60 Altitude Valve Replacement (Shannon Strulson, Water Operator)**  
Quotes presented from Layne in the amount of \$11,169.00 and National Water Services LLC in the amount of \$14,595.28 and no response was received for the third quote request.  
Motion to accept the quote from Layne in the amount of \$11,169.00 to be paid out of the water operating fund:  
MOTION/SECOND/VOTE: LAMASTER/AMOS 5-aye, 0-nay, motion approved.
4. **High Spirits Management, Inc. | Status of Contract Engagement with the Town (Kimberly and Michael McFadden, High Spirits Management)**  
Mrs. McFadden presents a follow up report (copy attached) and a memorandum (copy attached) to the Council asking the Council to take immediate corrective action by adopting and approving the following two motions:  
  
**Motion 1:** The Director of Public Works will immediately implement and document changes to all processes, procedures and policies to eliminate any and all conflicts with the authority of responsibilities of a Certified Operator in Responsible Charge, including but not limited to, work order processes, communications, resource allocation and prioritization.  
  
**Motion 2:** To ensure that the Town Council receives the timely information required to fulfill its role as Owner of the Sellersburg Water System and to properly ensure accountability-
  - a. The CORC of the Sellersburg Water Treatment and Distribution Systems will directly provide a staff report to the Town Council at its regular meetings, and as otherwise required.
  - b. The role description of the Director of Public Works will be rewritten to clarify role accountabilities for this position, especially with regard to required support of the regulatory compliant role of CORC of Sellersburg Water System; changes to be effective immediately.  
Motion to approve Motion 1 and 2 as recommended by High Spirits Management:  
MOTION/SECOND/VOTE: CONLIN/Amos, then Amos removes his second, Fails for lack of second.  
  
Motion to approve Motion 1 as recommended by High Spirits Management:  
MOTION/SECOND/VOTE: AMOS/WEBSTER 5-aye, 0-nay, motion approved.  
  
A workshop was scheduled for Monday, October 28, 2019 at 4:00 p.m. to discuss Motion 2 as recommended by High Spirits Management.
5. **Discussion | Proposal: Comprehensive Plan & Ordinances (Jacob “Jake” Elder, Town Attorney)**  
Attorney Elder presents proposal from Taylor, Siefker and Williams in the amount of \$90,000.00 for the Comprehensive Plan and Ordinance Update | Discussion Only, no action taken.

6. **Demolition of 624 W. Utica | Bid Opening (Brad Amos, Town Council Vice President)**

Bids opened by Brad Amos:

1. JHB General Contracting \$9,250.00
2. Wooldridge \$10,664.00
3. Times2LLC \$9,720.00

Motion to accept bid from JHB General Contracting in the amount of \$9,250.00 pending Town Attorney's review:

MOTION/SECOND/VOTE: AMOS/WEBSTER

5-aye, 0-nay, motion approved.

7. **Emergency Repairs Contract | Request to Obtain Quotes (Josh Hillman, Jacobi, Toombs and Lanz)**

Motion to authorize Jacobi, Toombs & Lanz to get bids:

MOTION/SECOND/VOTE: AMOS/WEBSTER

5-aye, 0-nay, motion approved.

**GENERAL COMMENTS FROM THE PUBLIC (limited to 15 minutes total)**

Craig Walts of Sellersburg United Methodist Church request permission to close Penn St. at New Albany Street to the end of the Church parking lot, from 6:00 to 7:30 p.m. for their annual Trunk or Treat on October 23<sup>rd</sup>. Council advises Mr. Walts to get permission from the local residents and Assistant Chief of Police Matt Adams advises the Police Department will have officers there and will provide the traffic cones to close Penn St.

**RECEIPT OF STAFF REPORTS:**

**Josh Hillman, Jacobi, Toombs, and Lanz**

1. Monthly project status updates

**COMMENTS FROM COUNCIL MEMEBERSHIP:**

**Brad J. Amos, District 3**

1. High School Trick or Treat will be October 26<sup>th</sup> from 5-8 p.m.
2. Thanks the Housing Board
3. Thanks Michelle Miller for taking down the ferns and banners at Wilkerson Park
4. Thanks Jacobi, Toombs & Lanz and Lori for their work on the Community Crossings Grant

**Martina Webster, District 1**

Makes a motion for the Redevelopment Commission, Planning Commission, Board of Zoning Appeals and Building Commissioner to use EDIT funds effective January 1, 2020.

MOTION/SECOND/VOTE: WEBSTER/CONLIN

5-aye, 0-nay, motion approved.

**Paul J. Rhodes, At-Large**

Presents letter from Indiana Department of Transportation for the Community Crossings Matching Grant Fund 2019-2 (copy attached).

**ADJOURN:**

MOTION/SECOND/VOTE: AMOS/CONLIN

5-aye, 0-nay, motion approved.

TIME: 8:09 P.M.

Town of Sellersburg  
Town Council Meeting Minutes  
October 14, 2019

Minutes approved this \_\_\_\_\_ day of \_\_\_\_\_, **2019**

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Paul J. Rhodes, President

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James H. LaMaster, Council Member

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Brad J. Amos, Vice President

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William J. Conlin, Council Member

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Martina P. Webster, 2<sup>nd</sup> Vice President

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Attest: Michelle D. Miller, Clerk Treasurer

**Attachment(s):**

High Spirits Management Follow-up Status Report  
High Spirits Management Memorandum  
Jacobi, Toombs & Lanz Current Projects Status Report  
INDOT CCMG Letter

**Note:** All approved contracts/agreements can be located in Gateway using the following link:  
<https://gateway.ifionline.org/public/contract-search/>

Approved Minutes, Ordinances and Resolutions are located on the Clerk Treasurer's Website at  
[www.sellersburgclerk.com](http://www.sellersburgclerk.com)

# High Spirits Management

7007 Carl Ross Dr. Charlestown, IN 47111 | 812-697-4003 | kamcfadden08@gmail.com

## Follow-up Status Report

### Recommendations & Action Requests

(IN5210010 – Sellersburg Water Department, Sellersburg, IN)

These topics are not all inclusive but represent the main areas of concern regarding the effective, compliant operation of the Sellersburg Water Department. The dated citations in this document do not reflect all requests for input/action/feedback but are included for reference and convenience. Red text identifies areas of greatest concern and compliance status with regulatory mandates. Orange text indicates new or changing requirements that require near-term action.

As of October 8, 2019

### Compliance Issues —

Report/Request Date	Description	Action Required
May 18, 2018	<p><b>Certified Operator in Responsible Charge</b> <u>Certified Operator in Responsible Charge (CORC)</u> The United States Environmental Protection Agency (USEPA) and the Indiana Department of Environmental Management (IDEM) regulations require that public water systems have a designated, certified individual in charge. That person is known as the “certified operator in responsible charge.”<sup>1</sup> The Sellersburg Public Water System, due to its characteristics, requires the following certifications:</p> <ul style="list-style-type: none"><li>○ Certified operator (Distribution System Large - DSL)</li><li>○ Certified operator (Water Treatment 3 – WT3)</li><li>○ Both roles are often filled by a single individual with the required certifications.</li></ul> <p><i>All decisions involving or affecting the quantity or quality of water must be made by the CORC.</i> Sufficient staff resources must be made available under the direction of the Water Department CORC to prevent conflicts in priorities, to meet the requirements of regulation mandated programs, and to ensure proper water quantity and water quality for the residents of the Town of Sellersburg.</p> <ul style="list-style-type: none"><li>• August 27, 2018: Reported <i>again</i> that lack of follow-through on required communication is of great concern</li><li>• September 2019: Documentation from IDEM on necessary content of advisories distributed again.</li></ul> <p><i>Example -</i> <b>September 23, 2019: Work Order Handling</b> In the current work environment, work orders are issued that the CORC has had no input on or visibility to. Work orders are sometimes lost and not accounted for. <i>At minimum</i>, these work orders should be discussed in advance with the CORC, duplicated, with a copy sent same day to the CORC to maintain in records and to follow-up on, as needed.</p>	<ul style="list-style-type: none"><li>• Procedural changes required</li><li>• Structural changes required</li><li>• Position descriptions require revision to ensure roles support compliant operations</li><li>• Recordkeeping steps must be taken</li></ul>

Report/Request Date	Description	Action Required
May 18, 2018	<p><b>Organization Roles &amp; Responsibilities</b>  The inadequate organizational structure and staffing model has led to noncompliance and/or a lack of acceptable performance in almost every key area of operation in the drinking water system for the Town of Sellersburg.  Requested to draft descriptions of the key knowledge, skills and experience requirements for the Water Superintendent along with staffing recommendations and position descriptions of roles in water distribution and treatment. Asked to prepare the same for wastewater/collections. <i>The structure of the Water Department going forward will have a critical impact on the effective performance of the system and its operators.</i></p> <ul style="list-style-type: none"> <li>CORC for drinking water and CORC for wastewater need to be held separately and directly responsible to Town Board.</li> </ul>	<ul style="list-style-type: none"> <li>Confirm that the board has had an opportunity to review full recommendation</li> <li>Incorporate any board feedback into documentation</li> <li>Procedural / structural and staffing changes required</li> </ul>
May 18, 2018	<p><b>Recordkeeping — Out of compliance</b>  System will be deemed out of compliance if any of these records are not kept for a minimum of 3 years. All of these should be stored at the water plant but some are not. If they are stored elsewhere, no one has been able to produce them for my review.</p> <ul style="list-style-type: none"> <li>Chain of custody for all samples</li> <li>Actions to correct violations</li> <li>Bacteriological analysis</li> <li>Variance or exemption</li> <li>Chemical analysis</li> <li>Sanitary survey reports</li> <li>All lead and copper data</li> <li>Notice of Intent – IDEM and any supporting docs</li> </ul>	<ul style="list-style-type: none"> <li>Establish recordkeeping system and procedures</li> <li>Maintain all records at the plant, relocating current records as needed</li> </ul>
June 18, 2018	<p><b>Cross-connection Control (CCC) – Out of compliance</b>  <u><b>CCC Ordinance</b></u>  <i>Cross-connection control is a program mandated by Indiana regulations and USEPA. This state of noncompliance is a matter of public health and could create serious liability for the Town. A draft ordinance was created and shared for feedback from the Town attorney and others in June 2018.</i>  <u><b>CCC Policy and Questionnaire</b></u>  Developed drafts and provided these on March 27, 2019. These tools provide necessary guidance for regulation mandated program implementation.</p> <ul style="list-style-type: none"> <li>June 18, 2018: Prepared a summary of the main responsibilities involved in a CCC program and made recommendation that this program be prioritized and acted upon soon.</li> <li>July 23, 2018 and several weeks following: Requested feedback from attorney review of ordinance to incorporate into a final draft ordinance.</li> <li>January 14, 2019: Provided Lori feedback on updated draft ordinance for her review.</li> <li>January 14, 2019: I provided to Seth IDEM's manual on CCC programs since he was asked by Lori to begin looking into what is required to implement one.</li> <li>March 27, 2019: Provided policy draft and questionnaire draft for review and implementation in program.</li> <li>No further action has been taken and no further feedback has been received.</li> </ul>	<ul style="list-style-type: none"> <li>Attorney feedback on draft and final version created for ordinance</li> <li>Feedback on policy, questionnaire and ordinance coordination so that all can be finalized for implementation.</li> <li>Board review/approval</li> <li>Implementation of ordinance and program</li> </ul>

Report/Request Date	Description	Action Required
June 18, 2018	<p><b>Meter Program — Out of compliance</b>  <i>Indiana regulations (IAC 327 Section 8) require that 10% of all meters in a system be tested or changed out annually.</i> The program ensures that the Town is getting the proper revenue for treated water supplied to customers. Large meters (2" and larger) must also be included in the program. The "meter change-outs" being done in Sellersburg are non-complaint and are not responsive to the regulation as they replace the register, not the meter itself. It is wear on the meter's <i>internal parts</i> that cause lower measurements. The potential for economic loss can be staggering if a large proportion of the system's meters are significantly under-registering. This program typically pays for itself.</p> <ul style="list-style-type: none"> <li>November 12, 2018: Recommended that the Town's water ordinances be reviewed for language regarding testing and responsibility for costs if customer makes test request. Ordinances should be amended to include this language, if absent currently.</li> <li>March 11, 2019: Received information on the system's meter-related activity in 2018, however the material did not include sufficient records to enable evaluation of the program. Data needs to include meter locations, sizes, types, ages, maintenance and equipment used, schedule of past and upcoming meter changes with dates.</li> </ul>	<ul style="list-style-type: none"> <li>Review and amend water ordinances as required</li> <li>Identify all large meters and prioritize these based on last known test date.</li> <li>Establish schedule and assign test or replacement dates to every meter in the system – 10% each year.</li> <li>Establish budget for program.</li> <li>Implement appropriate policy, program and recordkeeping.</li> </ul>
July 13, 2018	<p><b>Safety Programs - Equipment — Out of compliance</b>  A self-contained breathing apparatus (SCBA) is required at the plant for safety should an issue arise with chlorine leaks there. ISI Air Tanks (502-297-8180) informed us on May 28, 2018 that the SCBA at the plant cannot be serviced as it is obsolete.</p> <ul style="list-style-type: none"> <li>October 29, 2018: A new SCBA was supposed to be supplied to the plant from the local fire department but was never received.</li> <li>A fitting is required for all personnel who may be expected to use the SCBA.</li> </ul>	<ul style="list-style-type: none"> <li>Obtain SCBA from fire department.</li> <li>Schedule SCBA fitting for water system personnel with hospital.</li> </ul>
July 30, 2018	<p><b>Vulnerability Assessment – Out of compliance</b>  Required by USEPA. Reviewed the original and outdated vulnerability assessment (dated March 29, 2004) for the water system. This plan was specific to the old treatment plant. An updated vulnerability assessment is required for the new plant and booster station. We used any relevant data from the old plan to create a draft Emergency Response Plan for review. Further update is required. No response has been received.</p> <p><b>March 11, 2019: New Risk and Resilience Assessment Requirements</b>  America's Water Infrastructure Act of 2018 requires the system to conduct a risk and resilience assessment and certify completion to USEPA. USEPA recommends the use of standards, including AWWA J100-10 Risk and Resilience Management of Water and Wastewater Systems to facilitate sound assessments.</p>	<ul style="list-style-type: none"> <li>Assessment update needs to be assigned and coordination started.</li> <li>Send final to USEPA ASAP</li> <li>Certification under new, additional requirements due by or before <b>June 30, 2021 to USEPA</b></li> </ul>



Report/Request Date	Description	Action Required
July 30, 2018	<b>Emergency Response Plan – Out of compliance</b> Required by IDEM. This plan is expected to be a “living document” updated at least annually. It is to be kept at the water treatment plant for IDEM review. A draft plan was produced and submitted for review and feedback. Requested a copy of the Wastewater plant’s ERP in order to identify possible synergies between the two systems for training and response requirements.	<ul style="list-style-type: none"> <li>• Feedback required for creation of next draft of ERP – current requirements.</li> <li>• Copy of Wastewater plant’s ERP needed for review to identify options for coordination</li> <li>• Certification due by or before <b>December 30, 2021 to USEPA</b> for new requirements</li> </ul>
	<b>March 11, 2019: New, Additional Emergency Response Plan Requirements</b> America’s Water Infrastructure Act of 2018 requires the system to update an Emergency Response Plan based on the risk and resilience assessment certification and certify completion to USEPA.	
February 11, 2019	<b>Inadequate Fire Flow in Riverside — Liability issue</b> Strongly recommend action to remedy situation described in brief sent to Lori Kearney (dated February 4, 2019) in order to remove potential liability from the Town should fire break out in that area. Recommendation summary: <ul style="list-style-type: none"> <li>• Discuss with Town’s attorney what the potential liability to the town is if there were a fire and the system could not provide adequate fire flow to that area</li> <li>• Put a hold on any demolition order for two water storage tanks in the area until an evaluation of liability and renovation costs can be made</li> <li>• Request at least 2 – 3 water storage companies send professionals to evaluate the tanks and offer recommendations with estimates on putting them back in service</li> </ul>	<ul style="list-style-type: none"> <li>• Need update on any action taken</li> <li>• Need update on status of water tanks in area</li> <li>• Need update on attorney feedback</li> <li>• Need contingency recommendation in writing if no action is expected.</li> </ul>
June 10, 2019	<b>Water Use Analysis (Audit) &amp; Recommendation</b> Based on a conservative approach, this analysis indicates that the <i>Town of Sellersburg is losing roughly \$1M each year because of water losses. AWWA considers losses over 25% to be concerning and in need of a plan to remedy. IDEM allows for 15% loss only.</i> (Report available for review.) <ol style="list-style-type: none"> <li>1. Perform a water audit using the free software tool from AWWA to evaluate revenue and non-revenue water as a current baseline. The plant has this tool.</li> <li>2. Implement an aggressive meter change-out program. This will also address a current gap in compliance</li> <li>3. Evaluate the results and determine priorities and next steps as part of a water loss control plan.</li> </ol>	<ul style="list-style-type: none"> <li>• Develop a water loss control plan for the Sellersburg Water System.</li> <li>• Implement an aggressive meter change-out program.</li> <li>• Sign-up for water audit training.</li> <li>• First audit is due to the Indiana Finance Authority (IFA) on or before <b>August 1, 2020</b> and every even numbered year thereafter.</li> </ul>
	<b>September 11, 2019: Water Audit Now Mandated by State of IN</b> The Indiana General Assembly has enacted new requirements (Senate Enrolled Act 4) for drinking water utilities. A water audit is one of these. No cost water audit training sessions will be available December 2019 – March 2020. See the IFA website for session information.	

Report/Request Date	Description	Action Required
September 11, 2019	<p><b>New Participation in Regional Water Planning Meetings Req't</b> The Indiana General Assembly has enacted new requirements (Senate Enrolled Act 4) for drinking water utilities. Planning meetings will be organized by IFA beginning in 2020. Participation is required to maintain eligibility for assistance from the State Revolving Fund Program.</p> <p><b>Recommend seeing if the water system can obtain the Southeastern Indiana Water Supply Study, which was completed in 2018.</b></p>	<ul style="list-style-type: none"> <li>• Obtain info from IFA website and plan to participate in meetings.</li> <li>• Obtain a copy of the regional study for our area and make available for review by board and others</li> </ul>
October 7, 2019	<p><b>Change Lab to Beckmar Environmental Laboratory</b> The current lab used by Sellersburg Water does not accept samples on Fridays or the weekends. If an emergency arises where bacteriological samples must be tested, this lab cannot provide the necessary services. Beckmar Environmental Lab will pick-up routine samples from our plant, so no travel to their location is required except in emergency situations. They do accept samples on Fridays and the weekend and will meet our operators to handle emergency requirements. We strongly recommend changing our laboratory to Beckmar Environmental Laboratory for these reasons.</p>	<ul style="list-style-type: none"> <li>• Notify current lab and switch business to Beckmar</li> <li>• Update procedures with plant personnel</li> </ul>

Operational Improvements —

Report/Request Date	Description	Action Required
September 17, 2018	<p><b>Cross-Training</b> It is important to have cross-trained resources so that the utility has flexible staffing for vacations, illness coverage, retirement of knowledgeable employees and other personnel losses. A systematic training program does not appear to exist. Currently and for some time, Seth has had no back-up for work in the distribution system. Once both Seth and Shannon have their respective certifications, this may be resolved with some weakness still in the distribution system.</p> <ul style="list-style-type: none"> <li>• Individuals assigned to training on proper procedures for system flushing and hydrant repair in November 2018. Trained resources not retained in distribution system.</li> <li>• Eric started orientation on testing procedures in March, but did not complete training</li> <li>• James started orientation on testing procedures in March, but did not complete training – left for another opportunity</li> <li>• Eric began orientation on procedures again in September 2019 but, again, no follow-through</li> </ul>	<ul style="list-style-type: none"> <li>• Identification of individual(s) for training in distribution and water treatment and consistent follow-through.</li> </ul>
October 15, 2018	<p><b>Lead Service Line Inventory</b> Information request from IDEM has to do with ownership of the service lines and whether/how much of the line contains lead. A copy of this completed report is needed at the plant and should be maintained with the rest of the system documentation. Tim Parmenter completed and submitted this report to IDEM in October.</p>	<ul style="list-style-type: none"> <li>• Need copy of report to retain in file at the water plant.</li> </ul>
January 4, 2019	<p><b>Manganese Treatment Recommendation (Addressing “brown” water)</b> When ammonia levels rise in the raw water, we cannot apply enough chlorine to battle the ammonia from raw water wells and still oxidize the manganese. Strongly recommend using a treatment technique other than chlorine to address manganese – either potassium permanganate or greensand filtration, with greensand being preferred. The high levels of chlorine being used are damaging to equipment (deteriorating filters). This situation, along with other factors, was a root cause of “brown water” complaints. Not doing anything is not a solution.</p> <ul style="list-style-type: none"> <li>• March 4, 2019: Offered to assist with information-gathering on greensand filtration. Material provided.</li> </ul>	<ul style="list-style-type: none"> <li>• Need decision on alternate treatment technique so that steps can be made to implement.</li> </ul>
June 10, 2019	<p><b>O&amp;M Manual</b> Required by IDEM. Curry &amp; Associates was assigned to develop an O&amp;M manual for the plant, which is an important deliverable due to the system from their engagement on its design and installation. It has not yet been received. Lester of Curry &amp; Associates was working on this as of June.</p> <ul style="list-style-type: none"> <li>• In September 2018, the plant experienced a valve replacement emergency. As a consequence, there is one “backward” valve (left-hand instead of right-hand) that needs to be known and understood by all operators. This needs to be included in O&amp;M manual. Aeralater #2, Cell #2 Backwash Valve.</li> </ul>	<ul style="list-style-type: none"> <li>• Follow-up to ensure delivery of O&amp;M manual from Curry &amp; Associates</li> <li>• Review and ensure notation about valve is made.</li> </ul>

<b>Report/Request Date</b>	<b>Description</b>	<b>Action Required</b>
September 9, 2019	<b>Switch system from powder to liquid fluoride</b> High Spirits recommended that the Sellersburg Water Treatment Plant switch from powder to liquid fluoride in order to prevent injectors from clogging, to provide for more steadier readings, and for improved operator safety. This recommendation was approved.	<ul style="list-style-type: none"> <li>• Follow-up with Water Solutions Unlimited to ensure that switch is made by or before end of November 2019.</li> </ul>
September 16, 2019	<b>Capital Improvement Need Survey – Possible Participation</b> Determine if there is a need and interest in participating in the survey of capital improvement needs and follow-up with the Indiana Finance Authority (IFA) for additional information. The results of this survey determine the amount of money Indiana's state revolving loan fund (SRF) program receives, which in turn determines the amount of money SRF can make available to drinking water utilities for the next four years. Contact is Sarah Hudson, 317-232-2812	<ul style="list-style-type: none"> <li>• Follow-up on interest and obtain necessary info on status.</li> </ul>
September 16, 2019	<b>Assessment of Lead in Public School and Childcare Drinking Water Program Participation</b> Determine if there is a need or an interest in participating in a voluntary program for schools and childcare facilities to assess the presence of lead in their drinking water. The IFA is applying for funds to assist and the program will not begin until January 2020. Contact is Sarah Hudson, 317-232-2812	<ul style="list-style-type: none"> <li>• Follow-up on interest and obtain necessary info on status.</li> </ul>
September 30, 2019	<b>Lead &amp; Copper Sampling Requirement</b> The Town may need to revisit the sampling plan used for Lead & Copper since the water system is struggling to get cooperation from townspeople to comply with this state mandate. Consider a public education effort to support Lead & Copper sample collection next year. This could be as simple as a well-written, easy to understand brochure explaining the purpose and benefit of this testing for those who are participating. It could be included with the sample collection materials or distributed in advance.	<ul style="list-style-type: none"> <li>• Evaluate current plan and identify alternative locations.</li> <li>• Decide on use of educational effort and begin planning, if accepted</li> </ul>

Report/Request Date	Description	Action Required
September 24, 2018	<b>Maintenance Program – Filters</b> A standard maintenance program for the filters should be in place to protect the Town's investment, extend the life of equipment and avoid unnecessary down time. At the time of this recommendation, this maintenance was at least 3 years overdue. It should include the following activities, which are done once every two years: <ul style="list-style-type: none"> <li>• Enter the tank to check media condition and depth</li> <li>• Remove precipitated iron/manganese, which can be feet deep</li> </ul> Monte did perform these maintenance steps at our recommendation. This activity must be done by specialized professionals, not water operators.	<ul style="list-style-type: none"> <li>• Enter into an on-going contract for routine maintenance for these activities on the filters.</li> </ul>
September 24, 2018	<b>Backwash Valves – Move to Stainless Steel</b> Chlorine that is injected into the filter to oxidize the water is injected onto the backwash valve. This hardens the rubber seat of the gasket. Chlorine had also eaten away a 3" piece of metal on the valve edge, allowing water to leak through. Recommend researching to see if stainless steel vales are available that could replace the current type being used. Stainless steel would not corrode in the same way.	<ul style="list-style-type: none"> <li>• Need status update and approval to move ahead.</li> </ul>
September 24, 2018	<b>Maintenance Program – Clear wells</b> Aeralators oxidize water by the addition of chlorine, which allows iron and manganese to precipitate out of the water. The iron and manganese collect in the bottom of the filters but also precipitate out in the clear well. These units need to be maintained to remove settled iron and manganese and to prevent damage to the units. Due to a lack of this maintenance, the clear well on Holman Lane is under consideration for a tear down – an entirely preventable loss.	<ul style="list-style-type: none"> <li>• Determine status</li> <li>• Estimate cost to rehabilitate the clear well.</li> <li>• Establish an on-going clear well maintenance program.</li> </ul>
September 24, 2018	<b>Maintenance Program – System Flushing/Hydrant Repair</b> The system must be flushed twice each year to maintain water quality in the distribution system. Most systems perform hydrant checks and maintenance at the same time. The Sellersburg system design includes dead-end mains that may require flushing on an even more regular basis. The customer complaints of "brown" water are also due in part of a lack of this routine maintenance in the past. <ul style="list-style-type: none"> <li>• October 7, 2019: The fire hydrant behind the school at Riverside must be replaced. It was reported by the school that the hydrant has been broken by about a year. It goes without saying that a proper maintenance program would have identified this problem sooner and would have addressed it, probably without the customer knowing there was ever an issue with the hydrant.</li> </ul>	<ul style="list-style-type: none"> <li>• Establish maintenance program, necessary procedures, schedule and recordkeeping</li> </ul>
September 24, 2018	<b>Maintenance Program – Valve Exercise / Map</b> Took steps to gather necessary information on all valve locations throughout the system. Further steps may be necessary. A valve exercise program is required once each year to ensure that all valves remain operational, as required.	<ul style="list-style-type: none"> <li>• Establish maintenance program with schedule</li> <li>• Develop valve maps</li> <li>• Start recordkeeping</li> </ul>

Report/Request Date	Description	Action Required
October 24, 2018	<b>Complete evaluation of SCADA system</b> Recommended that a different Supervisory Control and Data Acquisition (SCADA) company come in to evaluate current system top to bottom based on repeated issues we are experiencing. <ul style="list-style-type: none"> <li>October 24, 2018 - Tim working to get Tom from T&amp;T in. Determined that the <i>new</i> treatment plant in Sellersburg is using <i>obsolete</i> software. A complete replacement of the system will be required in the future.</li> </ul>	<ul style="list-style-type: none"> <li>Funds for this need to be set aside so replacement of this system can be made in the near future.</li> </ul>
August 5, 2019	<b>Tree and weed removal on banks of both ponds</b> There is a substantial growth of small trees and weeds that must be removed before they damage the pond banks.	<ul style="list-style-type: none"> <li>Assignment and completion of task</li> </ul>

\*\* End of Report \*\*

Indiana Administrative Code 327 Section 8-12-1

"Certified operator in responsible charge" means a person designated by the owner or governing body of a water treatment plant or water distribution system to be the certified operator who:

- (A) has complete responsibility for the proper operation of a water treatment plant or water distribution system; and
- (B) makes decisions regarding the daily operational activities of a public water system treatment plant or distribution system that will directly impact the quality or quantity of drinking water from community public water supply systems and nontransient noncommunity public water supply systems.

Indiana Administrative Code 327 Section 8-12-1.1

The owner or governing body of a water treatment plant or water distribution system shall be responsible to accomplish the following:

- (1) Place each water treatment facility and water distribution system under the direct supervision of a certified operator in responsible charge who:
  - (A) has a valid certification of a grade eligible for operation at the classification of water treatment facility or water distribution system of responsibility; and
  - (B) is available to make process control or system integrity decisions about water quality or quantity that affect public health.
- (2) Designate one (1) certified operator to have complete responsibility for the proper operation of the water treatment plant or water distribution system.

IC 13-18-11-14 Plant operation by certified operators Sec. 14.

- (a) A person, firm, or corporation, whether municipal or private, may not operate a water or wastewater treatment plant or a water distribution system unless the commissioner has certified the operator in responsible charge under this chapter. Indiana Code 2015
- (b) A person may not perform the duties of an operator in responsible charge of works described in subsection (a) without being certified under this chapter. As added by P.L.1-1996, SEC.8.

# High Spirits Management

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## MEMORANDUM

TO: Sellersburg Town Council  
RE: Action Required for Compliant Public Water System Operation  
DATE: October 14, 2019

### Council Members:

Indiana regulations<sup>1</sup> state that the Certified Operator in Responsible Charge (CORC) —

- a) “has complete responsibility for the proper operation of a water treatment plant or water distribution system; and
- b) makes decisions regarding the daily operational activities of a public water system treatment plant or distribution system that will directly impact the quality or quantity of drinking water from community public water supply systems”

The current structure and procedures of the Department of Public Works prevent the Town of Sellersburg’s Water Department (IN5210010) from functioning in compliance with this regulation. To ensure that the public health and public safety of the citizens of the Town of Sellersburg and all customers of Sellersburg Water, and to reaffirm its commitment to compliant operation of Sellersburg water treatment and distribution systems, we ask the Town Council to take immediate corrective action by adopting and approving the following two motions.

### Motion 1

*The Director of Public Works will immediately implement and document changes to all processes, procedures and policies to eliminate any and all conflicts with the authority and responsibilities of a Certified Operator in Responsible Charge, including but not limited to, work order processes, communications, resource allocation and prioritization.*

### Motion 2

*To ensure that the Town Council receives the timely information required to fulfill its role as Owner of the Sellersburg Water System and to properly ensure accountability —*

- a) *The CORC of the Sellersburg Water Treatment and Distribution Systems will directly provide a staff report to the Town Council at its regular meetings, and as otherwise required.*
- b) *The role description of the Director of Public Works will be rewritten to clarify role accountabilities for this position, especially with regard to required support of the regulatory compliant role of CORC of the Sellersburg Water System; changes to be effective immediately.*

**Respectfully,**

**Michael L. McFadden, Sr.**

Senior Consultant and Co-owner High Spirits Management, Inc.

**Kimberly McFadden**

President and Co-owner, High Spirits Management, Inc.

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<sup>1</sup> Indiana Administrative Code 327 Section 8-12-1



## INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue  
Room N758  
Indianapolis, Indiana 46204

PHONE: (855) 463-6848  
FAX: (317) 234-8365

**Eric Holcomb, Governor**  
**Joe McGuinness,**  
**Commissioner**

October 10, 2019

Town of Sellersburg  
Paul Rhodes  
103 S. New Albany Street  
Sellersburg, IN 47172

RE: Community Crossings Matching Grant Fund 2019-2

Dear Paul Rhodes:

Congratulations!

The Indiana Department of Transportation (INDOT) has completed the review and selection of projects for funding in the 2019-2 Community Crossings Matching Grant Fund Program. Your community has preliminarily been awarded **\$963,783.75** in Community Crossings Matching Grant Funds based upon your estimates from your project application(s). INDOT will be transmitting an award letter in the upcoming weeks.

The Community Crossings Matching Grant Funds, which are administered by INDOT, will be used for funding up to 75 percent of the construction of your project or the purchase of materials. These grant dollars will enable you to help build and improve Indiana's infrastructure.

The state of Indiana looks forward to partnering with all Hoosier communities, both urban and rural, to invest in road and bridge infrastructure projects. Improvements to local roads and bridges will bring about economic development, create jobs, and strengthen local transportation networks for all of Indiana.

Sincerely,

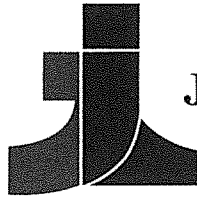
*Eric Holcomb*  
Eric Holcomb

*Joe McGuinness*

Eric J. Holcomb, Governor

Joe McGuinness, INDOT Commissioner





**Jacobi, Toombs & Lanz, Inc.**  
*Consulting Engineers & Land Surveyors*

## **Town of Sellersburg Project Updates**

**October 14, 2019**

### **Community Crossing Funded Projects**

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#### ***2018 Community Crossing Grant – Paving Projects***

- *Project complete. Working on close-out of pay application*

#### ***2019 CCG Application Assistance***

- *Great news!!! The Town was awarded \$963,783.75! The total project cost is estimated to be \$1,285,045.00. JTL will prepare a Work Order for the next meeting to request approval for preparation of a bid package.*

### **Road Improvement Projects**

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#### ***Bringham Drive***

- *Construction is complete.*

#### ***Utica St & New Albany Street Intersection Improvements***

*(Design Completion Fall 2019)*

- *Request direction from the Council on this project. JTL has prepared cost estimates and schematics based upon the plan that was prepared by TEG.*

### **Utility Improvement Projects**

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#### ***Utility Master Plan (Report Completion EOY 2019)***

- *Draw down testing is underway. Preliminary Sewer Maps to be reviewed with Town Staff for accuracy.*
- *Draft Stormwater Plan is almost complete and will be reviewed with Town Staff.*
- *Preliminary Water Maps are ready for review with Town Staff. These maps were used for valve location during the US 31 Water/Sewer Main Break and proved to be very helpful in main isolation.*

#### ***Perry Crossing Lift Station Corrosion/Rehabilitation***

*Geotechnical design complete. Electrical design to be completed in next 30 days. Will request Council authorization to go out for bid next month.*

#### ***Sunset Hills Pump Station and Valve Vault***

- *Awarded to Dave O'Mara.*

1829 E. Spring Street, Suite 201  
New Albany, IN 47150  
812-945-9585  
812-945-6656 Fax

124 Bell Ave  
Clarksville, IN 47129  
812-945-9585  
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1400 South 1<sup>st</sup> Street  
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502-583-7321 Fax

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[www.jtleng.com](http://www.jtleng.com)

### ***WWTP Compliance***

*On-going construction administration support. Waiting on updated schedule from the Contractor. Contractor is waiting on building materials.*

### ***Paradise/Helbig***

*Agreement ready for Town to sign for the Railroad and return to the Railroad. Anticipate work to begin within 3 weeks pending returned agreement.*

### ***Wastewater On-Call Services***

*Provided support for Water/Sewer Main Break on US 31. Repair cost totaled \$84,580.96. JTL is preparing a summary from the follow-up meeting held last week as a recap of the issues that occurred.*

### ***General On-Call Services***

*Request Council Authorization to solicit quotes for the repair and to submit the Regional General Permit application to the USACE.*

Service Drive and Utica Street drainage design and field work underway.

### ***MS4 On-Call Services***

Caught up.

### ***Planning & Zoning On-Call Services***

Support continues.