

# Gull Lake Sewer & Water Authority

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## **MINUTES OF THE APRIL 23, 2009 REGULAR BOARD MEETING**

Authority Board Meeting

10:30 A.M.

**CALL TO ORDER/ ROLL CALL:** Chairman Bither called the meeting to order at 10:30 a.m. Commissioners present were Jeff Bither, Jackie Light, Jim Stoneburner and Wes Kahler. None absent. Also present were Director Rich Pierson, Office Manager Anne Richmond, and Engineer Tom Wheat.

**REVIEW AND SET THE AGENDA:** Stoneburner made the motion to accept the agenda as presented. Motion was seconded by Light. **Motion carried; all ayes.**

**MINUTES OF THE MARCH 26, 2009 REGULAR BOARD MEETING:** A motion was made by Light and seconded by Stoneburner to accept the regular meeting minutes as presented. **Motion carried; all ayes.**

**HEAR THOSE PRESENT (Non-Agenda Items):** None present.

### **CORRESPONDENCE:**

Fr: Michigan Governor Stimulus \$ Update  
GLSWA submitted "shovel ready" projects to be considered for funding as part of the federal government's proposed economic stimulus plan. The governor's office provided an update on the status of the project list. Currently, the projects submitted by GLSWA are not eligible for state funding.

To: Rich Rosenberger Engineering Invoices  
Mr. Rosenberger was provided an update addressing his belief that the engineering invoices from Prein & Newhof for review and inspection of his sewer project (Richland "New Hope" Condominiums) were overstated. For Prein & Newhof costs of \$6,940.06, GLSWA has proposed to reduce the amount owed (for work in 2008 calendar year) to GLSWA to \$6,400, providing payment is received in our office no later than May 29<sup>th</sup> at 4:00 pm. (The \$540 discount was based on an alleged 13 hour discrepancy). If payment is not received by then, the amount owed to GLSWA remains \$6,940.06.

To: Terry Vliek Generator Maintenance  
Terry Vliek with Norm's Electric Motor Repair submitted a basic proposal to service our generators around Gull Lake. GLSWA has historically utilized Onan products and used their representatives, Bridgeway Power, for the twice annual servicing, oil change, check-up, etc. on the units. Prior to October 1, 2009 the Authority Board will

be reviewing a renewal proposal from Bridgeway Power and the proposal submitted by Terry Vliek to make a decision.

Fr: MDEQ Required SOP for SSO  
 Marcus Tironi from the MDEQ requested a copy of GLSWA's SOP (Standard Operating Procedure) for dealing with SSO (Sanitary Sewer Overflow) Events by May 1, 2009.

To: Mary Ramsey Citizen Cooper Township  
 A letter was written to Ms. Mary Ramsey to address her comment on her last payment that the rate for sewer service was "too much". She has not yet responded further.

To: Farm One, LLC Cottonwood – 30<sup>th</sup> Street South  
 GLSWA is reviewing long and short-term plans to install public sewer from the intersection of Gull Road and 30<sup>th</sup> Street, north to D. Avenue. A letter was written to Farms One, LLC inquiring as to their interest in having public sewer available along 30<sup>th</sup> Street where they own 160 acres.

Fr: Kim Finkbeiner Health Department update (SSO)  
 Ms. Finkbeiner complimented Pierson on the 37<sup>th</sup> Street SSO Report for all the information and the helpful pictures. She reported that a resident affected by the 37<sup>th</sup> Street SSO had called and expressed concern about the health of the pond on the east side of the road and the use of lime. The resident seemed satisfied when Ms. Finkbeiner let her know that a one-time event such as this was not likely to have a long-term adverse impact on the wetland and explained the purpose of the lime. Ms. Finkbeiner also reported that the resident commended the Authority for the letter of notification to all residential properties within 800 feet.

To: Ms. Mary Lou Giguere Cottonwood  
 Based on Ms. Giguere's inquiry about the availability of sewer within the Cottonwood Plat, cost estimates were updated and an advisory petition was mailed to the residents for them to indicate their interest (or lack of interest) in having public sewer installed within their plat.

To: Ms. Mary Lou Giguere Response to her inquiry  
 Ms. Giguere had asked whether it would be better for the Cottonwood residents to wait for the 30<sup>th</sup> Street project as planned for 2015 +/- rather than proceed now with a "stand-alone" project in 2009-2010. The cost to proceed now is \$12,250 per home. Rich Pierson outlined the logic why he believes that a project in 2015 +/- that may also include Cottonwood may not be any more expensive than the proposed \$12,250.

## PROJECT UPDATE:

Cottonwood Survey packet  
 The Advisory Survey packet that was mailed to the Cottonwood Plat and DE Avenue Property Owners was reviewed with the Board. *Wheat to give price for preliminary*

*design with adequate detail to determine which properties will have basement service and which will not as homeowners have asked the question.*

#### 30<sup>th</sup> Street North

#### Balkema project - restoration

Engineer Tom Wheat reported that testing has been completed, restoration work has begun, and road repair was still necessary. He also commented that the water table was up quite a bit in that area.

#### 30<sup>th</sup> Street South

#### Inquiry-design? Process

Rich Pierson has asked Engineer Tom Wheat whether he would want to offer the Authority a proposal (at a reduced cost) to design the gravity sewer for the 30<sup>th</sup> Street South project if his firm was low on work due to the economy. *Wheat to provide estimate for completing the gravity design including any discount that they may be able to offer.*

### NEW BUSINESS

#### Red Flag Policy

#### Draft for Approval

Pierson reviewed the Resolution Adopting a 2-page Identity Theft Policy. A motion was made by Light and seconded by Kahler to approve the attached Resolution Adopting an Identity Theft Policy. **Roll Call Vote taken; all ayes; Motion carried; Resolution adopted.**

#### Standard Operating Procedure

#### SSO Requirement (approval)

Pierson reviewed the GLSWA Sanitary Sewer Overflow (SSO) Standard Operating Procedure (SOP). He noted that in the future, we will not have any “discretion” in the matter of reporting to the news media any “spill event” regardless of how inconsequential or small it may be, based on his interpretation of the statute and based upon the SOP being reviewed by the Board. A motion was made by Kahler and seconded by Stoneburner to approve the SOP as written and to submit it to the MDEQ. **Motion carried; all ayes.** *Pierson to submit it by May 1<sup>st</sup> to MDEQ.*

#### GIS & GPS Integration

#### Discussion

Pierson would like to further investigate some of the concepts demonstrated at the Customer Service and Information Technology conference he attended for use at GLSWA. He and Barry Bowman are scheduled to travel to the Northstar Community of Lake Tahoe in June to evaluate their Web-based system that integrates GIS & GPS with an asset valuation and replacement system. If a similar system can be found locally, this trip could be cancelled by the Board. *Pierson will include additional information on this at the next Board meeting.*

#### Capital Purchase Requests

#### Discussion

After review by Pierson and discussion by the Board, a motion was made by Stoneburner and seconded by Light to approve the 3 replacement items and 1 capital item as listed below. **Motion carried; all ayes.**

Replacement-10 pumps (grinders):

\$15,120

Replacement-Alarm Station (Central Station):	\$ 9,700
Replacement-New pump lift station #28:	\$ 5,298
Capital-Bench Lathe (on sale):	\$ 2,970

#### Lien Process Update

Pierson updated the Board on the Lien Process based on further discussions he had with Attorneys Ken Sparks and Rob Thall. *Pierson to request a letter from Attorney Sparks summarizing the issue and recommendations to be reviewed at the May Board Meeting.*

#### Election of Officers Annual

A motion was made by Kahler and seconded by Light to elect Jeffrey Bither as Chairman, Jimmy Stoneburner as Vice Chairman, and Jacqueline Light as Secretary/Treasurer of the Gull Lake Sewer & Water Authority Board. **Motion carried; all ayes.**

### OLD BUSINESS

**Employee Review** Evaluation forms-unemployment insurance  
Pierson provided the completed evaluation forms for each staff member to the Board for their review. The Board members provided Pierson his evaluation for the files. Pierson also informed the Board that Mike Byington has filed for unemployment insurance based on a reduction in work hours (4-days to 2-days).

#### Office Improvement AGS update

Bruce Dean, AGS Zoning Administrator for Ross Township, has addressed some of the Office Improvement concerns. According to B. Dean, the special use permit that was approved on 2/26/2003 is not modified by the present request, therefore, only site plan approval is required (good news). The proposed pole building can be located west of the existing office building. It is deemed integral, rather than accessory to, the permitted "Public Utility" use (again good news). GLSWA can enter a phasing schedule, however, the approval expires in one year, with the availability of one six-month extension. Pierson is pursuing a formal easement from Consumers Energy for the drive; the proposed parking spaces that were on Consumer's property have been shifted off of their property and reconfigured onto GLSWA's site. In addition, Pierson is in the process of obtaining a written communication from ITC of the "no restriction" interpretation of the existing easement across our property or a copy of the existing easement that clearly has no restrictions. *Pierson will continue to pursue the proposed office remodeling project.*

#### Truck Purchase Van-sell to highest bidder

The van will be put up for sale to the highest bidder. *Bowman to place along M-89 for sale.*

**Easement Releases** In process for Kalamazoo and Barry County



Charleston Township – sewer district

In Process

Water Connection Fee - Richland Village & Township

In Process

Sewer Contract Renewal

City of Kalamazoo-September 2010

Pierson reminded the Board that the Gull Lake Sewer & Water Authority Wastewater Service Agreement with the City of Kalamazoo is up for renewal in 2010 and shared a February 5, 2009 letter from Bruce Merchant, Public Services Director of the City of Kalamazoo, to the City of Portage. Pierson is concerned that a statement regarding the City's position that they have "no obligation to continue service within the boundaries of the 201 Plan" is a reversal of their long-standing verbal commitment to the outside customer group. *Pierson to continue reviewing this issue with the City.*

Budget

Revised Budget Packet

An updated budget packet with the changes that had been approved at the March 26 Board Meeting was handed out to the Board members. *Pierson will draft a letter to the Clerks advising them that the Authority Board members have copies for the respective Townships.*

## **FINANCIAL REVIEW/ PAY BILLS**

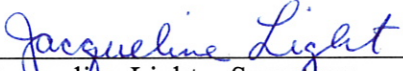
A motion was made by Stoneburner and seconded by Light to file the financial reports as presented, approve the standard bills paid, and pay the Prein & Newhof bills as presented.

**Motion carried; all ayes.**

## **CLOSING COMMENTS**

ADJOURN. NEXT MEETING MAY 28, 2009 at 1:00 p.m. unless otherwise notified:  
Chairman Bither adjourned the meeting at 11:30 a.m.

Submitted for approval

  
Jacqueline Light – Secretary

# GULL LAKE SEWER & WATER AUTHORITY

(A Public Sewer and Water Utility Agent for the Townships of  
Barry, Charleston, Cooper; Prairieville, Richland and Ross;  
and the Village of Richland)

## **SUBJECT: Identity Theft Prevention Program**

### **I. OBJECTIVE**

- A. To protect the identity and personal financial data of our customers and to minimize the possibility of identity theft of customer information.
- B. To comply with the FACT Act of 2003 and the requirements of the Federal Trade Commission and their “Red Flags” Rule as published in the Federal Register on November 9, 2007.
- C. To establish a program to prevent, detect and mitigate identity theft.

### **II. SCOPE**

- A. This policy applies to all “covered accounts” maintained by Gull Lake Sewer and Water Authority (Authority).

### **III. POLICY**

#### Definitions:

1. *Covered Account*- an account maintained by the Authority primarily for the provision of sewer and water utility services for residential and commercial customers within our established Sewer and Water Districts. To include User bills and Connection Fee Contracts.
2. *Identity Theft*- fraud committed or attempted using the identifying information of another person without authority.
3. *Red flag*- a pattern, practice, or specific activity that indicates the possible existence of identity theft.

#### The Program:

- A. The Authority will be responsible for ongoing involvement in the development, implementation, and administration of the Identify Theft Prevention Program.
- B. Training for employees who handle sensitive personal information will be provided as necessary.
- C. Oversight of third party service providers will assure that they also comply with the Program.
- D. A written report will be submitted to the Authority Board in a timely manner of any incidents that show signs of risk (Red Flags).
  - Incidents of identity theft
  - Alerts, notifications, or other warnings received from a consumer reporting agency or third part service provider.
  - The presentation of suspicious documents( altered or forged)

## **Gull Lake Sewer and Water Authority**

### **A Resolution Adopting an Identity Theft Prevention Policy**

At a regular meeting of the Gull Lake Sewer and Water Authority held on April 23<sup>rd</sup>, 2009, at 10:30 a.m., local time, at the Authority's offices at 11829 M-89, Richland, MI 49083.

**Present were Authority Board Members:**

Board Chairman Jeffrey Bither; Vice Chair: Jimmy Stoneburner; Secretary-Treasurer Jackie Light; Trustee; Wes Kahler.

WHEREAS, in 2003 the Federal Fair and Accurate Transaction Act was signed into law, and in 2007 the Federal Reserve System, Federal Deposit Insurance Corporation, U.S. Department of Treasury, National Credit Union Administration, and the Federal Trade Commission issued joint rules and guidelines requiring creditors to develop and implement a written program to detect, prevent, and mitigate identity theft in connection with opening certain accounts and maintaining existing accounts; and

WHEREAS, Gull Lake Sewer and Water Authority provides continuing wastewater utility services to customers within Barry, Charleston, Cooper; Prairieville, Richland and Ross Townships, and the Village of Richland.

NOW, THEREFORE, IT IS RESOLVED that the Gull Lake Sewer and Water Authority adopt the attached Identity Theft Prevention Policy so as to comply with federal law and regulation.

The above resolution was offered by Jacqueline Light, and supported by Wes Kahler.

AYES: Bither, Stoneburner, Light, Kahler

NAYS: None

ABSTAIN: None

### **CERTIFICATE**

The foregoing is a true and a complete copy of a resolution adopted by the Gull Lake Sewer and Water Authority at a regular meeting held on April 23<sup>rd</sup>, 2009. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976). Minutes of the meeting will be available as required by the Act.

Attest: Jacqueline Light  
Jacqueline Light

- The presentation of suspicious personal identification information
  - The unusual use of an account
  - Notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding identity theft
  - Mail sent to a customer is frequently returned.
- E. When setting up a new customer or changing an address for an existing customer, every effort should be made to verify all information given. Information beyond names and addresses shall not be provided to third party providers or provided upon a Freedom of Information request under this policy.
- F. Information which is considered public (name and address) will be filed in our individual parcel accounts. Other information shall not be collected unless (i) authorized by the account owner, and (ii) absolutely necessary. For instance, information such as Drivers License numbers, Social Security numbers, ID numbers, Credit Card or Bank Account information will not be typically kept or maintained at the offices of the Authority, whether in paper or electronic form.
- G. Monitoring the security of customer identity data shall be an ongoing process. When a request is received to review a customer file, information other than name and address (file folder itself) shall not be revealed to the requestor.
- H. Should it be determined, or appear that perhaps a customer's identity has been jeopardized the following action will be taken.
- 1) Contact the customer
  - 2) Notify upper management (Director, Board Chairman)
  - 3) Take immediate steps to eliminate the facts of the situation.
  - 4) Notify law enforcement if the situation warrants.

#### **IV. RESPONSIBILITY**

The Authority Director and Office Manager are jointly responsible for the administration of this policy. Annual reviews of the policy will determine the need for any updates or changes to the policy.

#### **V. EFFECTIVE**

4/23/09

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jacqueline Light, Secr Treasurer