



Minutes

**YPSILANTI COMMUNITY UTILITIES AUTHORITY
BOARD OF COMMISSIONERS MEETING
Tuesday, December 23, 2003 – 3:00 p.m.
YCUA Administration Building
2777 State Road
Ypsilanti, MI 48198-9112**

Members Present: Brenda L. Stumbo, Edward B. Koryzno, Jr., Larry J. Doe, Karen Lovejoy Roe, and Peter J. Murdock

Members Absent: None.

1. **CALL TO ORDER:** Brenda L. Stumbo called the meeting to order at 3:05 p.m.
2. **MINUTES OF THE PREVIOUS MEETING:** Motion by Doe to receive and file the minutes of the November 25, 2003 meeting. Support by Roe. In favor: All. Opposed: None. (Motion carried)

3. **NEW BUSINESS:**

A. **Request to Approve – Change Order No. 3 re: Wastewater Treatment Plant Expansion/Improvements Project - Larry R. Thomas**

Mr. Thomas directed the Board's attention to Change Order No. 3 for the Wastewater Treatment Plant Expansion/Improvements Project in the amount of \$133,154. He indicated that staff reviewed the change order and is in agreement with all items. Mr. Thomas also explained that the reasons for the changes are varied, such as changes requested by YCUA, changes in site conditions, and improved safety. He pointed out that sufficient contingency funds are available.

Mr. Thomas recommended approval of Change Order No. 3 re: Wastewater Treatment Plant Expansion/Improvements Project in the amount of

\$\$133,154 to be funded from the contingency fund.

Motion by Roe to accept Mr. Thomas's recommendation for approval of Change Order No. 3 re: Wastewater Treatment Plant Expansion/Improvements Project in the amount of \$133,154 to be funded from the contingency fund. Support by Doe. In favor: All. Opposed: None. (Motion carried)

B. Request to Approve – Change Order No. 4 re: South Harris Road Water Main Replacement - Larry R. Thomas

Mr. Thomas directed the Board's attention to Change Order No. 4 for the South Harris Road Water Main Replacement Project in the amount of \$33,941. He indicated that, again, staff reviewed the change order and is in agreement with the request. Mr. Thomas also explained that the plans originally called for the existing concrete pavement to be milled and overlaid with a new bituminous surface. He pointed out that following the start of construction operations, the Washtenaw County Road Commission (WCRC) indicated that they did not approve of this type of restoration and would require the existing concrete pavement to be completely removed and replaced with bituminous pavement in accordance with the cross-section shown for the trench restoration.

Mr. Thomas explained that, in an effort to save costs and to preserve as much of the existing concrete pavement as possible, it was proposed to replace a 12' wide section centered over the new water main. He further advised that, in order to maintain traffic flow during the concrete placement and setting period it was necessary to divide the restoration work into three stages, which resulted in increased effort on the part of the contractor to complete the work.

Mr. Thomas stated that sufficient funds exist from the bond sale to cover the change order.

Mr. Thomas recommended approval of Change Order No. 4 re: South Harris Road Water Main Replacement in the amount of \$33,941 to be funded from the bond sale.

Motion by Roe to accept Mr. Thomas's recommendation for approval of Change Order No. 4 re: South Harris Road Water Main Replacement in the amount of \$33,941 to be funded from the bond sale. Support by Doe. In favor: All. Opposed: None. (Motion carried)

C. Request to Approve – General Service Credit Purchase Policy - Larry R.

Thomas

Mr. Thomas directed the Board's attention to a policy regarding the purchase of generic service credit for members of Teamsters Local 214 bargaining unit in the Municipal Employees' Retirement System. He indicated that the policy allows for a maximum of three years' service credit to be purchased. Mr. Thomas also explained that the employee must be a member of the Teamster bargaining unit for at least three years and the financial contribution required to purchase the service credit is the responsibility of the employee. He pointed out that the Personnel Committee has reviewed the policy and is in agreement with it.

Mr. Thomas explained that, as a response to a request of a member of the Teamster bargaining unit, he made a recommendation to the YCUA Personnel Committee to allow for this purchase.

Mr. Thomas recommended approval of the General Service Credit Purchase Policy.

Motion by Koryzno to accept Mr. Thomas's recommendation for approval of the General Service Credit Purchase Policy. Support by Roe. In favor: All. Opposed: None. (Motion carried)

D. Request to Approve – YCUA Resolution No. 03-35 re: National City Retention Account for Sherman Oaks Water Main Special Assessment Project - Larry R. Thomas

A retention account needs to be created for YCUA's Sherman Oaks Water Main Special Assessment Project. He indicated that Board resolution is required to create such an account. Mr. Thomas also explained that this account is required by law.

Mr. Thomas recommended approval of Resolution No. 03-35 regarding National City Retention Account for Sherman Oaks Water Main Special Assessment Project.

Motion by Roe to accept Mr. Thomas's recommendation for approval of Resolution No. 03-35 regarding National City Retention Account for Sherman Oaks Water Main Special Assessment Project. Support by Doe. In favor: All. Opposed: None. (Motion carried)

E. Request to Approve – YCUA Resolution No. 03-36 re: Defining a Day of

Work or Hours Per Month for MERS Retirement Purposes - Larry R. Thomas

Mr. Thomas directed the Board's attention to a resolution defining a day of work or hours per month for MERS retirement purposes. He indicated that, at the present time, an employee must work ten 8-hour days in order to qualify for a month of service credit in YCUA's retirement program. Mr. Thomas also explained that this resolution allows for the eighty hours per month to be accumulated in other than 8-hour days.

He pointed out that, in the past, the Authority has had no part-time employees working less than eight hours per day. Mr. Thomas explained that, at the present time, the Authority has one employee at part-time status, but in excess of eighty hours per month. He further advised that the cost of this benefit is equal to the contribution to the MERS retirement system. Mr. Thomas stated that, at the present time, for this individual, it amounts to \$134.96 per week for a 30-hour week.

Mr. Thomas recommended approval of Resolution No. 03-36 re: Defining a Day of Work or Hours Per Month for MERS Retirement Purposes.

Motion by Roe to accept Mr. Thomas's recommendation for approval of Resolution No. 03-36 re: Defining a Day of Work or Hours Per Month for MERS Retirement Purposes. Support by Doe. In favor: All. Opposed: None. (Motion carried)

F. Fund Balance Report - Larry R. Thomas

Mr. Thomas directed the Board's attention to the Fund Balance Report. He then proceeded to give a detailed report of the information contained in the report and answered questions from the Board.

Informational only; no motion from the Board required.

G. Financial Report – Receiving Saving Analysis - Larry R. Thomas

Mr. Thomas directed the Board's attention to the Financial Report – Receiving Saving Analysis. He then proceeded to give a detailed report of the information contained in the report and answered questions from the Board.

Informational only; no motion from the Board required.

H. Usage Report – Consumption Report - Larry R. Thomas

Mr. Thomas directed the Board's attention to the Usage Report – Consumption Report. He then proceeded to give a detailed report of the information contained in the report and answered questions from the Board.

Informational only; no motion from the Board required.

I. Community Development Projects - T. Michael Jessee

There were no community development projects for the month.

J. Director's Report - Larry R. Thomas

Mr. Thomas reminded the Board that the Audit is in progress and that, as part of that process, the new auditors at Rehmann Robson have made some preliminary recommendations on improving efficiencies in the office and in the Authority's financial procedures. He advised that YCUA has asked them for a formal proposal to assist in increasing efficiency, in particular with utility building and financial software. He indicated that he anticipated that proposal to be available for Board consideration at the January 2004 Board meeting.

Mr. Thomas wished the Board members a Merry Christmas on behalf of the Authority and all of its employees.

Informational only; no motion from the Board required.

4. OLD BUSINESS:

There was no other business for the month.

5. OTHER BUSINESS:

Peter J. Murdock requested more information as to the nature of the letter from YCUA labor attorney John Hancock that was recently delivered to him. Brenda L. Stumbo responded that she had no idea. Mr. Thomas responded that the wife of an employee who was recently terminated recently began contacting community members and the YCUA Board in an attempt to get the termination reversed. He indicated that those actions prompted some discussion as to what should be the response from the Board members. Mr. Thomas stated that John Hancock's letter served as his advice for that response.

6. STATEMENTS AND CHECKS: Motion by Doe to pay the bills in the amount of

\$3,068,427.76 plus an addendum in the amount of \$5,003,032.72. Support by Koryzno. In favor: All. Opposed: None. (Motion carried)

7. PUBLIC COMMENTS:

Scott D. Martin reminded the Board that Scott Westover would soon be leaving Orchard, Hiltz, and McCliment and thanked him for his years of service to the Authority. Brenda L. Stumbo indicated that the Board concurred and wished him luck in his new endeavor.

8. ADJOURNMENT: Motion by Stumbo to adjourn the meeting at 3:30 p.m. Support by Doe. In favor: All. Opposed: None. (Motion carried)



Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Larry J. Doe', written over a horizontal line.

LARRY J. DOE, Secretary/Treasurer

DEPOSIT ACCOUNT/LOAN/LEASE RESOLUTION

YCUA RESOLUTION 03-35

Account Name YCUA Township 99020373

Account Number _____

Business Corporation Non-Profit OR

Partnership (all types)

Unincorporated Association Non-Profit

Proprietorship Limited Liability Company

The undersigned certifies to being the Secretary of _____

The undersigned certify(ies) that _____

Ypsilanti Community Utilities Authority

(name of company)

organized under the laws of the State of Michigan

is a trade name used in the conduct of an unincorporated business owned entirely by the undersigned as _____

(co-partners, member, or sole owner)

hereafter "Company", and at a meeting duly called held at which a quorum of the Board of Directors was present or by other means authorized by law the following resolutions were duly adopted;

and in order to obtain financial services in said trade name (hereinafter referred to as "Company"), the undersigned resolve as follows:

RESOLVED, that National City Bank of Michigan ("Bank") is designated a depository of the Company, with full authority to accept deposits of money, checks and other instruments (hereinafter "Items") to the credit of this Company in accounts with Bank, in accordance with the oral or written instructions of any person making the deposit and subject to the present or subsequently amended Rules of Bank ("Rules") receipt of which is hereby acknowledged; and that this Company hereby guarantees to Bank the payment of all Items which are deposited in its account(s) and the certification of these Resolutions by the undersigned shall bind the Company upon this guaranty.

RESOLVED, that Bank is authorized to pay or otherwise honor or apply in accordance with the Rules without inquiry and without regard to the application of the proceeds thereof, all checks, drafts and other orders for the payment, transfer or withdrawal of money from any and all accounts maintained by this Company with Bank, including those drawn to the individual order of a signer, when signed, accepted or endorsed by any two of the following officers, managers, employees or agents of this Company:

NAME	TITLE
1. <u>Benda L. Stumbo</u>	1. <u>Chairman</u>
2. <u>Edward Koryzno, Jr.</u>	2. <u>Vice-Chairman</u>
3. <u>Larry J. Doe</u>	3. <u>Secretary-Treasurer</u>
4. _____	4. _____
5. _____	5. _____

RESOLVED, that a facsimile signature of any or all of the above-named signers, regardless of by whom or by what means the facsimile signature is affixed, is to be relied on by Bank without any duty on the part of Bank to determine the genuineness of or authorization for said facsimile signature.

RESOLVED, that any two of the following officers, managers, employees or agents of this Company may negotiate and may bind this Company in one or more agreements with Bank and/or National City Leasing Corporation (collectively National City) to obtain loans and other credits, leases, including, but not limited to sale/leaseback transactions, and letters of credit subject to such terms as Bank may require including the power to confess judgment against the Company where permitted by law and to provide security by any means, including, but not limited to, assignment, transfer, endorsement, conveyance, mortgage, pledge, hypothecation and/or delivery of property of any kind at any time held or owned by this Company.

NAME	TITLE
1. <u>Brenda L. Stumbo</u>	1. <u>Chairman</u>
2. <u>Edward Koryzno, Jr.</u>	2. <u>Vice-Chairman</u>
3. <u>Larry J. Doe</u>	3. <u>Secretary-Treasurer</u>
4. _____	4. _____
5. _____	5. _____

RESOLVED, that any of the above-named may access Safe Deposit Box(es), if any, leased in the name of the Company.

RESOLVED, that any of the above-named may bind this Company in one or more agreements with National City to provide night depository or any other banking related services.

RESOLVED, that National City be furnished a certified copy of these Resolutions and that National City is authorized to rely on these Resolutions until receipt by it of written notice, in form satisfactory to National City of any change or revocation hereof.

The undersigned certifies that the foregoing is a true copy of the resolutions so adopted; that such resolutions are still in full force and effect as of this date; and that such resolutions do not violate any charter or bylaw provision of this Company.

OR The undersigned agree(s) to notify National City promptly in writing should any change of ownership occur, should other persons acquire an interest in said business as co-partners/members, should the business become incorporated or should the relations of the undersigned be altered in any manner.

IN WITNESS WHEREOF the undersigned has set his/her hand on the 23rd day of December, 2003

SECRETARY Larry J. Doe

Bank Use Only:

SOLE OWNER/PARTNER/MEMBER

PARTNER/MEMBER

PARTNER/MEMBER

BANK NUMBER	FIN CENTER	OPERATOR	DATE	<input type="checkbox"/> NEW <input type="checkbox"/> ADD	# SIGNATURES REQUIRED
				<input type="checkbox"/> REPLACEMENT	

YCUA RESOLUTION 03-36

MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN
RESOLUTION FOR DEFINING A DAY OF WORK OR
HOURS PER MONTH FOR MERS RETIREMENT PURPOSES

Note: To adopt the part-time to full-time employee service credit program under Plan Document Section 4(6), the governing body must adopt the Uniform Resolution Defining Hours Per Month For Part-Time Employees and Service Credit Conversion Upon Promotion to Full-Time Status.

In accordance with Section 3(1) of the MERS Plan Document, as the _____

Board of Directors

Ypsilanti Community Utilities Authority

(Governing Body)

(Municipality)

does hereby certify that a day of work, or the number of hours of work in a month, for

All Employees

for retirement purposes, shall

(Indicate all employees or division name and number)

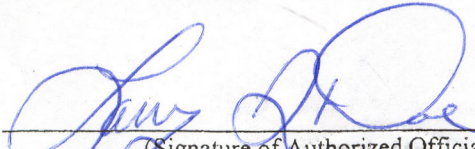
consist of one of the following to be effective as of December 1, 2003.
(Date)

(Please complete either A or B)

A. _____ A day shall consist of _____ hours.
(Ten (10) days a month of such work days equals one month of credited service.)

B. A month shall consist of 80 hours.
(Each month of such work hours equals one month of credited service.)

I hereby certify that the above is a true copy of a Resolution adopted at the meeting
of the governing body held on December 23, 2003.
(Date)


(Signature of Authorized Official) 12-23-03
(Title)
LARRY J. DOE, SECRETARY-TREASURER

RETURN TO: Municipal Employees' Retirement System of Michigan
1134 Municipal Way
Lansing, MI 48917