
WASHINGTON TOWNSHIP MUA

February 4, 2009

The Regular Meeting of the W.T.M.U.A. was called to order at 8:08 p.m. on February 4, 2009.

Adequate notice of this meeting of the W.T.M.U.A. was given to the Observer Tribune and the Daily Record on February 8, 2008. Notice was also posted on the Municipal Building Bulletin Board.

Members Present: Messrs. Akin, Strawn, Cullen, LaVista
Alt. Members Present: Messrs. Kramer
Members Absent: Messrs. Napolitano
Alt. Members Absent: Messrs. Popper

Staff Members Present: Executive Director (E.D.) Costic, Secretary Waller, Attorney Gregory

Approved Minutes of the January 7, 2009 Regular Meeting

Being that the January 7, 2009 Minutes were not available, the approval of these Minutes was tabled until next meeting.

Payment of Bills - 12/1/08 - 12/31/08 - Check Register

Motion was made by Mr. Strawn and seconded by Mr. LaVista that the payments of bills are approved on the signature of the proper official. Motion was carried by the following vote:

AYES Messrs.: Akin, Strawn, Cullen, LaVista, Kramer
NAYS: None
ABSTAIN: None

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Washington Township Municipal Utilities Authority Check Register December 2008

01/30/09

Date	Num	Name	Memo	Amount
12/03/2008	19471	Post Office	Dec 2008 Billing- Zn 2 & Stamps	-392.00
12/04/2008	19472	Petty Cash	Award Bonus FY 2008	-1,800.00
12/04/2008	19473	Petty Cash	Rmbrst Petty Cash	-393.35
12/06/2008	19474	Mattars	MUA Awards Dinner '2008	-2,247.87
12/06/2008	19475	Air Power Compressor Co.	Air Compressor @ SMWTP	-250.00
12/06/2008	19476	Amy Greene Envrnmntl Cnsltnts Inc.	Prjct C-139.2 LV #9	-105.00
*** Missing numbers here ***				
12/08/2008	19483	Embarq / Sprint		-1,042.00
12/08/2008	19484	QC Inc.	VOID: C00154	0.00
12/08/2008	19485	Beaumont Landscaping & Design	Landscaping Maint 9/08	-1,690.00
12/08/2008	19486	Bristol, Inc	Cables 230028 RI	-65.64
12/08/2008	19487	Buckman's Inc.	346265 Chemicals	-2,492.52
12/08/2008	19488	Budd/Mayberry/Kappers	multiple	-694.28
12/08/2008	19489	Clinton Business Products	VOID: 899	0.00
12/08/2008	19490	Coyne Chemical	WASH46	-1,340.36
12/08/2008	19491	Culligan	741227	-32.50
12/08/2008	19492	Dave Heiner Associates, Inc.	CL-2 Repair Parts	-2,309.70
12/08/2008	19493	Discount Tire	Veh #98 (Ford 2006)	-641.95
12/08/2008	19494	Elizabethtown Gas		-1,236.58
12/08/2008	19495	Fire Fighters Equipment Co.	5WAS41	-610.00
12/08/2008	19496	Grainger	VOID: 835911546	0.00
12/08/2008	19497	Gregory and Reed, P.C.	Legal Svcs	-4,052.85
12/08/2008	19498	Hayes Pump, Inc.	887805	-2,620.48
12/08/2008	19499	Hydra Numatic Sales Co.	Items Springtown Pmp Sta	-356.92
12/08/2008	19500	I.C.E. Systems, Inc.	VOID:	0.00
12/08/2008	19501	JCP&L		-26,323.81
12/08/2008	19502	Lee Co.	parts Restock Supplies	-4,241.16
12/08/2008	19503	Lube It All		-115.80
12/08/2008	19504	State of NJ - PWT	EIN #22-2216110	-609.89
12/08/2008	19505	NJ Water Supply Authority	298- July - September 2008	-873.20
12/08/2008	19506	North East Scientific		-403.63
12/08/2008	19507	Office Direct Inc.	Office Supplies Envelopes	-253.50
12/08/2008	19508	One Call Systems, Inc.	75503	-186.14
12/08/2008	19509	Oswald Enterprises Inc.	W479	-1,500.00
12/08/2008	19510	Passaic Valley Sewerage Cmmsnrs	Sldg Dpsl 8/16/08 - 9/15/08	-3,200.00
12/08/2008	19511	Pollard	A90570	-505.96
12/08/2008	19512	Pumping Services, Inc.	Pump Stations - Spare Pump	-1,914.69
12/08/2008	19513	R & D Trucking, Inc.	Sldg Rmvl	-6,160.00
12/08/2008	19514	Recorder Publishing Co.	acc #003776	-79.80
12/08/2008	19515	Seidler Chemical Co. Inc.	LVWWTF	-1,455.44
12/08/2008	19516	Sprint Long Distance		-52.04
12/08/2008	19517	Straco III Auto Parts	W300	-85.16
12/08/2008	19518	Tynan's Service Center Inc.	Veh # 92 Brakes	-625.90
12/08/2008	19519	Unique Image Corp.	Annual Srvc Contract Copier	-1,072.50
12/08/2008	19520	USA Bluebook	91874	-170.20
12/08/2008	19521	Verizon/Bell		-136.67
12/08/2008	19522	Washington Township	Instllmnt - 2nd qtr '08 & Fuel 1st qtr...	-5,960.65
12/08/2008	19523	Waste Management of North Jersey	100-0059416-0836-5	-565.62
12/09/2008	19524	Grainger	835911546	-166.20
12/09/2008	19525	I.C.E. Systems, Inc.	Rplc Heating Unit @ Admin Bldg	-4,000.00
12/09/2008	19526	QC Inc.	C00154 Routine Testing	-2,206.00
12/12/2008	19527	NJ Family Support Payment Center	CS71388576A	-336.00
12/12/2008	19528	USCM/Northeast	30236	-283.00
12/15/2008	19529	Rio Supply, Inc.		-16,523.36
12/15/2008	19530	Uhl, Baron, Rana & Assoc, Inc.		-9,622.00
12/16/2008	19531	Clinton Business Products	899	-46.45
12/16/2008	19532	Kleiza	VOID: 52820081	0.00
12/16/2008	19533	Hunterdon County Polytech	Jeff McNeel Class C-2 Advance Co...	-385.00
12/16/2008	19534	State of NJ - Gross Income Tax	NJ State W/H Tax	-1,688.32
12/17/2008	19535	Kleiza	52820081	-250.00
12/18/2008	19536	Staples		-290.45
12/18/2008	19537	Pat Brunner	Temp Srvc 12/15/08 8 hrs; 12/18-7...	-180.00
12/26/2008	19538	USCM/Northeast	30236	-283.00
12/26/2008	19539	NJ Family Support Payment Center	CS71388576A	-336.00

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Washington Township Municipal Utilities Authority Check Register December 2008

01/30/09

Date	Num	Name	Memo	Amount
12/25/2008	19540	D.J. Egarian & Associates, Inc.	Prof Srvc 11/08 contract no. c149	-8,880.85
12/31/2008	19541	D.J. Egarian & Associates, Inc.	Prof Srvc 10/08	-3,600.00
*** Missing numbers here ***				
12/24/2008	19580	Home Depot	VOID: 6035322500434638	0.00
*** Missing numbers here ***				
12/11/2008	60057eft	WTMUA Operating Acct # 810194...	conf #060057 transfer net payroll to...	-17,592.00
*** Missing numbers here ***				
12/30/2008	00087356 ef	Internal Revenue Service	22-2216110	-2,989.04
*** Missing numbers here ***				
12/01/2008	eft 120108	WTMUA Payroll Account #810194...	Cnfrmtn # 000795 bonus pyrl 12/01...	-5,695.62
*** Missing numbers here ***				
12/02/2008	eft 120208	Internal Revenue Service	22-2216110 conf #00852562	-1,549.04
*** Missing numbers here ***				
12/29/2008	375527-EFT	Internal Revenue Service	22-2216110 CONF #00375527	-6,618.52
*** Missing numbers here ***				
12/23/2008	654781-EFT	WTMUA Payroll Account #810194...	Cnfrmtn # 654781 pyrl 12/26/08	-16,571.16
*** Missing numbers here ***				
12/29/2008	797042 eft	WTMUA Payroll Account #810194...	Cnfrmtn # 797042 unused sick	-8,308.76
*** Missing numbers here ***				
12/12/2008	00904445eft	Internal Revenue Service	22-2216110	-7,155.38
*** Missing numbers here ***				
12/04/2008	eft 3384416	PERS Health Div of Pens & Benefit...	92-1683-0 Health Benefits	-7,633.39
*** Missing numbers here ***				
12/11/2008	34503296eft	PERS Div of Pens & Benefits (TEP...	ref #34503296 Nov 2008 Pension, I...	-2,738.16

Open to the Public

Mountain Water System - Wells

- Well Drilling bid has been awarded and the contract has been signed. Some additional paperwork needs to be completed before work can begin. Anticipated start date is the end of February or beginning of March.
- Allocation permit will be re-activated to incorporate the addition of the new wells once testing is complete.
- Anticipate knowing if the wells are good by the end of April. Following that, it should take 12-18 months for permits

Water Model

MUA needs to provide to the Engineer data on existing pumps. Once all the data is collected, it should take two weeks to produce the model. Anticipate 2-3 months to develop a plan to improve water pressure on all Long Valley water systems.

Sewer Repair Responsibilities

The customer is responsible to maintain and repair the sewer line from the main to the house. It was recommended to a customer, who had a costly repair, to check with his homeowner's insurance to see about reimbursement for some of the cost.

Closed to the Public

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Adoption of Budgets for FY 2008

<p>2009 AUTHORITY SEWER UTILITY BUDGET RESOLUTION WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY for the FISCAL YEAR: from JANUARY 1, 2009 to DECEMBER 31, 2009</p>

09-02-A1

WHEREAS, the Sewer Utility Annual Budget and Capital Budget for the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2009 and ending December 31, 2009, has been presented for adoption before the Commissioners of the Authority at its meeting of February 4, 2009; and,

WHEREAS, the Sewer Utility Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Sewer Utility Annual Budget as introduced reflects Total Anticipated Revenues of \$2,482,399, Total Appropriations, including any Accumulated Deficit if any, of \$2,274,974 and Total Unreserved Retained Earnings utilized to Balance Budget of \$0; and,

WHEREAS, the Sewer Utility Capital Budget as introduced reflects Total Capital Appropriations of \$314,400 and Total Unreserved Retained Earnings planned to be utilized as funding thereof, of \$314,400; and,

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the Washington Township Municipal Utilities Authority that the Sewer Utility Annual Budget and Capital Budget for the fiscal year period beginning January 1, 2009 and ending December 31, 2009 is hereby adopted and shall constitute an appropriation for the purposes stated and authorization of Total Revenues \$2,482,399, Total Appropriations of \$2,589,374 and Total Unreserved Retained Earnings of \$314,400; and,

BE IT FURTHER RESOLVED, that the Sewer Utility Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

INTRODUCED AND PASSED: February 4, 2009

Motion was made by Mr. Strawn, seconded by Mr. LaVista that the foregoing Resolution to adopt the Sewer Operating and Capital Budgets for FY 2009 be approved as presented with the assurance that the budget amounts have not changed from the original approved budget. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Cullen, LaVista, and Kramer
NAYS: None
ABSTAIN: None

<p>2009 AUTHORITY WATER UTILITY BUDGET RESOLUTION WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY for the FISCAL YEAR: from JANUARY 1, 2009 to DECEMBER 31, 2009</p>

09-02-A2

WHEREAS, the Water Utility Annual Budget and Capital Budget for the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2009 and ending December 31, 2009, has been

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presented for adoption before the Commissioners of the Authority at its meeting of February 4, 2009; and,

WHEREAS, the Water Utility Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved the Director of the Division of Local Government Services; and

WHEREAS, the Water Utility Annual Budget as introduced reflects Total Anticipated Revenues of \$1,076,526, Total Appropriations, including any Accumulated Deficit, if any, of \$1,048,201 and Total Unreserved Retained Earnings utilized of \$0; and,

WHEREAS, the Water Utility Capital Budget as introduced reflects Total Capital Appropriations of \$527,150 and Total Unreserved Retained Earnings planned to be utilized as funding thereof, of \$527,150; and,

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the Washington Township Municipal Utilities Authority that the Water Utility Annual Budget and Capital Budget for the fiscal year period beginning January 1, 2009 and ending December 31, 2009 is hereby adopted and shall constitute an appropriation for the purposes stated and authorization of Total Revenues of \$1,076,526, Total Appropriations of \$1,575,351 and Total Unreserved Retained Earnings of \$527,150; and,

BE IT FURTHER RESOLVED, that the Water Utility Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

INTRODUCED AND PASSED: February 4, 2009

Motion was made by Mr. Strawn, seconded by Mr. LaVista that the foregoing Resolution to adopt the Sewer Operating and Capital Budgets for FY 2009 be approved as presented with the assurance that the budget amounts have not changed from the original approved budget. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Cullen, LaVista, and Kramer
NAYS: None
ABSTAIN: None

Vincent Sica - Question re: 4th Quarter '08 Bill

A subcommittee including Mr. Strawn and Mr. Cullen, was created to revisit Resolution 97-10-B and a procedure on how to handle customer petitions for payment relief due to special circumstances. A preference is to encourage homeowners to perform due diligence to be accountable for their water usage.

Ceridian Premium Only Plan (POP)

<p>RESOLUTION CONSENT for CERIDIAN PREMIUM ONLY PLAN (POP)</p>

No. 09-02-B

WHEREAS, Internal Revenue Code, Section 125, allows for employee contributions to eligible insurance plans to be deducted from gross income prior to the calculation of most payroll taxes; and,

WHEREAS, Ceridian, the payroll processing service contracted by the Washington Township Municipal Utilities Authority (the "Authority"), offers a Premium Only Plan ("POP") which makes such calculations; and,

WHEREAS, such POP plan will benefit those employees wishing to opt-in by recalculating pretax premium contribution for health insurance; and,

WHEREAS, it is desirable to establish a "Cafeteria Plan" within the meaning of Section 125 of the Internal Revenue Code to provide such benefits to the employees of the Authority.

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NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority, that:

1. The Premium Only Plan (POP) as set forth in the Summary Plan Description attached hereto and made a part hereof is established and adopted.
2. The Executive Director of the Authority is authorized to execute such Premium Only Plan (POP) documents.
3. This Resolution shall take effect immediately upon passage.

INTRODUCED AND PASSED: February 4, 2009

Motion was made by Mr. Strawn, seconded by Mr. Cullen that the foregoing Resolution to adopt the Ceridian Premium Only Plan (POP) be approved as presented. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Cullen, LaVista, and Kramer
NAYS: None
ABSTAIN: None

Annual Requirments Contracts

- a. AC-2 Sludge Cartage

RESOLUTION AWARD OF CONTRACT AC2.09

No. 09-02-D

WHEREAS, on February 4, 2009 the Washington Township Municipal Utilities Authority (Authority) opened and read aloud sealed bids for **WTMUA Contract No. AC2.09, Sewage Treatment Plant Sludge Collection, Cartage and Discharge**; and,

WHEREAS, of the four (4) bids received the lowest bid to complete work included in Contract AC2.07 was that of **Accurate Waste Removal Services, Inc** of Ironia, NJ; and,

WHEREAS, the attorney for the Authority has reviewed the bid of **Accurate Waste Removal Services, Inc** and found it to be in compliance with the requirements of the Contract Documents ; and,

WHEREAS, said bid was in the amount of \$0.274 per gallon for Alternate A, \$0.025 per gallon for Alternate B, and \$0.03 per gallon for Alternate C; and,

WHEREAS, sufficient funds are available for the payment of this Contract; and,

WHEREAS, said bid is acceptable to the MUA.

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Municipal Utilities Authority, that:

(1) The Chairman, or, in his absence, the Vice-Chairman, of the Authority shall be authorized to sign a contract with Accurate Waste Removal Services, Inc for WTMUA Contract No. AC2.09, Sewage Treatment Plant Sludge Collection, Cartage and Discharge in accordance with the aforesaid bid and upon receipt and approval of all mandatory Contract forms (e.g. - Bonds, Insurance and the like). The form of the contract to be approved by the Authority's attorney.

(2) The Executive Director is authorized to issue a Notice of Award to Applied R&D Trucking, Inc.

(3) This Resolution shall take effect immediately upon passage according to law.

INTRODUCED AND PASSED: February 4, 2009

Motion was made by Mr. Strawn, seconded by Mr. Cullen that the foregoing Resolution to award the bid for

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sludge cartage be approved as presented. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Cullen, LaVista, and Kramer
NAYS: None
ABSTAIN: None

b. AC-3 Excavation & Repairs

RESOLUTION AWARD OF CONTRACT AC3.09

No. 09-02-C

WHEREAS, on February 4, 2009 the Washington Township Municipal Utilities Authority (Authority) opened and read aloud sealed bids for **WTMUA Contract No. AC3.09, Excavation, Trenching and Pipe Repair, Sewer and Water Facilities**; and,

WHEREAS, of the six (6) bids received, the lowest bid to complete work included in Contract AC3.09 was that of **Toby Barkman Excavating, Inc.** of Califon, NJ; and,

WHEREAS, the bid of **Toby Barkman Excavating, Inc.** was reviewed and found to be in compliance with the requirements of the Contract Documents; and

WHEREAS, the attorney for the Authority has reviewed the apparent low bid and finds the same to be in acceptable form; and

WHEREAS, said bid was in the amount of \$42,401.12; and,

WHEREAS, sufficient funds are available for the payment of this Contract; and,

WHEREAS, said bid is acceptable to the MUA.

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Municipal Utilities Authority, that:

(1) The Chairman, or, in his absence, the Vice-Chairman, of the Authority shall be authorized to sign a contract with **Toby Barkman Excavating, Inc.** for WTMUA Contract No. AC3.09, Excavation, Trenching and Pipe Repair, Sewer and Water Facilities upon receipt and approval of all mandatory Contract forms.

(2) The Executive Director is authorized to issue a Notice of Award to **Toby Barkman Excavating, Inc.**

(3) This Resolution shall take effect immediately upon passage according to law.

INTRODUCED AND PASSED: February 4, 2009

Motion was made by Mr. Strawn, seconded by Mr. LaVista that the foregoing Resolution to award the bid for excavation and repairs be approved as presented. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Cullen, LaVista, and Kramer
NAYS: None
ABSTAIN: None

Rescind the Award of Contract for Emergency Generated at Bristol Terrace Well SM18

Due to the new EPA Tier 3 regulations that came into effect in January 2008, the contractor that was awarded the bid to supply a Tier 2 generator will not be able to do the work. A Tier 3 generator can be provided at an increased cost of just under \$10,000. It was agreed to rescind the award of contract and consider purchasing a used generator at Tier 2 specifications and have it installed.

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<p>RESOLUTION RESCINDING AWARD OF CONTRACT c144c</p>

No. 09-02-F

WHEREAS, on October 16, 2008 the Washington Township Municipal Utilities Authority (Authority) opened bids for **WTMUA Contract No. c144c, Emergency Generator at Bristol Terrace Well SM 18**; and, **WHEREAS**, the one bid received to complete work included in Contract c144c was that of **Electro-Jet**, 360 Warwick Turnpike, Hewitt, NJ, in the amount of \$49,600; and,

WHEREAS, the Authority made a contract award for such work on the condition that the Kohler 40REOZJB generator substituted by **Electro-Jet** was equivalent to the Katolight SED40FJGT2 generator specified in the bid specifications; and,

WHEREAS, **Electro-Jet's** Kohler generator supplier determined that the Kohler 40REOZJB originally proposed was not available and, in lieu, proposed a 50REOZJC; and,

WHEREAS, **Electro-Jet** was subsequently informed by the Kohler generator supplier that the price for the 50REOZJC would be \$9,000± more than that quoted for the original equipment; and,

WHEREAS, **Electro-Jet** was not able to find an equivalent to the Katolight SED40FJGT2 generator specified at the price quoted in the bid because of changes in US EPA regulation governing emissions from such equipment which became effective January 1, 2008; and,

WHEREAS, **Electro-Jet** requested a \$9,400 Change Order from the Authority for the additional cost of a generator meeting the EPA regulations, but exceeding the Authority's specification; and,

WHEREAS, the Authority's Attorney has reviewed the request of a Change Order and found that (1) such Change Order was not appropriate under the Local Public Contracts Law and, (2) the project should be rebid with updated specifications.

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Municipal Utilities Authority, that:

- (1) The conditional Award of Contract made for WTMUA Contract No. C144c, Generator at Bristol Terrace Well SM 18 on November 5, 2008 be hereby rescinded.
- (2) The Executive Director is authorized to return any bid security provided by the bidder.
- (3) The Executive Director is authorize to updated the generator specification and re-advertise for bids for **WTMUA Contract No. c144c, Emergency Generator at Bristol Terrace Well SM 18**.
- (3) This Resolution shall take effect immediately upon passage according to law.

INTRODUCED AND PASSED: November 4, 2009

Motion was made by Mr. Strawn, seconded by Mr. LaVista that the foregoing Resolution to rescind the award of contract for the generator for SM18 be approved as presented. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Cullen, LaVista, and Kramer
NAYS: None
ABSTAIN: None

Director's Report

Budget

Reviewed 2008 final P&L/Budget reports. The following is the most notable items:

- Wages and Employee Benefits came in higher than projected
- Pipe Repair and Maintenance was also higher, but very hard to predict

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NJDEP Infrastructure Trust

It was agreed to consider the opportunity for 0% interest loans for exiting projects but not to create new projects.

Wastewater Management Plan

Plan has moved to another group within the DEP. The approval process will start over due to the change.

LVSTP; Collection System; General; Brew Pub Odor Problems

Issues prompted a meeting with the MUA, the MUA engineer and the Brew Pub owner. Some testing is being done to determine where the problems originate. The Owner's odor problems were determined to be caused by their set up. The MUA advised repair solutions. Additionally, the Brew Pub's account balance is high and there hasn't been a significant attempt to reduce the balance since March 26, 2008. It was agreed to place a lien on the property for outstanding balance.

Closed Session for Personnel and Contract Matters

TOWNSHIP OF WASHINGTON
MORRIS COUNTY
RESOLUTION
WTMUA

09-02-E

Resolution Number

BE IT RESOLVED by the Washington Township Municipal Utilities Authority, in the County of Morris and State of New Jersey, as follows:

WHEREAS, it is necessary for the Washington Township Municipal Utilities Authority to discuss a matter relating to Employee Contracts which matter is permitted by Section 7.6 of the Open Public Meetings Act (Chapter 231 of the Public Laws of the State of New Jersey for 1975) to be discussed in closed session in the absence of the Public; and

WHEREAS, the Washington Township Municipal Utilities Authority has determined that it is necessary in the public interest that the matter in fact be discussed in closed session, and has estimated that, as nearly as can be ascertained, the results of the discussion can be disclosed to the public at the following time and under the following circumstances: the matter will be disclosed to the public when formally acted upon.

NOW, THEREFORE, it is resolved that the public be excluded from the closed portion of this meeting, during which only the aforesaid matter will be discussed.

DATED: February 4, 2009

Motion was made, at 10:39 pm, by Mr. Strawn, seconded by Mr. LaVista that the foregoing Resolution to go to closed session to discuss personnel contracts be approved as presented. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Cullen, LaVista, and Kramer
NAYS: None
ABSTAIN: None

Motion was made by Mr. Strawn, and seconded by Mr. LaVista that the closed session portion of this meeting be adjourned at 11:34 pm.

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AYES: Messrs.: Akin, Strawn, Cullen, LaVista, and Kramer
NAYS: None
ABSTAIN: None

Financial Checks and Balances

The Closed Session discussion agreed to hire an accountant on a short-term basis to determine how best to facilitate checks and balances in our small office environment.

There being no further business to be discussed at this meeting the following action was taken.

Motion was made by Mr. Strawn, and seconded by Mr. Akin that this meeting be adjourned. Motion was carried by the following vote:

AYES Messrs.: Akin, Strawn, Cullen, LaVista, and Kramer
NAYS: None
ABSTAIN: None

Meeting adjourned: 11:35 p.m.

Respectfully submitted,

E. Jill Waller
Secretary