

**VILLAGE OF NEWBERRY  
WATER AND LIGHT BOARD MEETING  
Tuesday, October 9, 2018  
Meeting Location: 302 East McMillan Ave  
Meeting Time: 5:30 p.m.**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. APPROVAL OF AGENDA**

**5. APPROVAL OF MINUTES**

1. Water and Light Board Meeting – Regular Session – Tuesday, September 11, 2018 at 5:30 p.m.

**6. WATER AND LIGHT CHAIRPERSON ANNOUNCEMENTS**

1. None Prescheduled

**7. PUBLIC COMMENTS** – Prior to consideration of official business, citizens may speak on any matter citizens may wish to bring to the attention of the Water and Light Board. Please limit comments to 3 minutes as per General Village Law.

1. None Prescheduled

**8. SUBMISSION OF BILLS AND FINANCIAL UPDATES**

1. Water & Light – Monthly Bills – September 2018

(Note: Additional payables will be added prior to the meeting as some of the monthly invoices have not yet been received; therefore, the format is vendors only and once the final report is concluded will return to the previously used format.)

582	Electric Fund	\$67,029.25
591	Water Fund	\$1,814.85
	<b>Total:</b>	<b>\$68,844.10</b>

582	Christmas Lights Fund – as of 9/7/2018	\$14,499.38
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2. Water & Light – Cash Balance – September 2018

**9. PETITIONS AND COMMUNICATIONS** – Communications addressed to the Water and Light Board are distributed to all members and are acknowledged for information, or are referred to a committee or staff for follow-up.

1. None Prescheduled

**10. INTRODUCTION AND ADOPTION OF ORDINANCES AND RESOLUTIONS**

1. Review Draft Version - Ordinance A: Ordinance Relative to the Management, Control, and Use of the Water and Light Plants and Distribution Systems of the Village of Newberry

**11. REPORTS OF VILLAGE MANAGEMENT** – The Village Manager, Assistant Village Manager, and Superintendent of Water and Light may submit reports or information to the Water and Light Board as updates and consideration.

1. Superintendent of Water and Light
2. Assistant Village Manager
3. Village Manager

**12. REPORTS OF COMMITTEES**

1. Save the Bells

**13. UNFINISHED BUSINESS**

1. None Prescheduled

**14. NEW BUSINESS**

1. None Prescheduled

**15. COMMENTS BY BOARD MEMBERS**

**16. ADJOURNMENT - REGULAR SESSION**

NEWBERRY WATER & LIGHT BOARD  
REGULAR MEETING MINUTES  
September 11, 2018

**Present:** Chairperson Medelis, Brown, Vincent. (Feldhusen arrives at 5:33 p.m.)

**Absent:** Feldhusen

**Also Present:** Village Manager – James-Mesloh, Assistant Village Manager – Vallad, Clerk -Schummer, Lori Stokes, Chuck Pipes, Bruce Lane.

**Call to Order:** Chairman Medelis called the meeting to order at 5:30 p.m. at the Village of Newberry Offices, 302 East McMillan Avenue, followed by the Pledge of Allegiance.

**Approval of Agenda:** Moved by Vincent, support by Brown, **CARRIED**, to approve agenda as submitted. Ayes: All. Absent: Feldhusen.

Feldhusen arrives at 5:33 p.m.

**Approval of Minutes:** Moved by Vincent, support by Brown, **CARRIED**, to approve minutes from the August 15, 2018 W&L meeting as presented. Ayes: All. Abstain: Brown.

**Water and Light Chairperson Announcements:** Chairman Medelis stated that there was an opening on the W&L Board and if anyone is interested they should talk to him, President DeWitt or submit a letter of interest.

**Public Comments on Agenda Items:** Comments heard from: Lori Stokes – 301 W. John Street.

**Submission of Bills and Financial Updates:**

A.) Water & Light Monthly Bills – Motion by Vincent, support by Feldhusen, **CARRIED**, recommend Village Council pay the August 2018 Electric Fund bill in the amount of \$137,412.41. Discussion followed. Ayes: All.

B.) Motion by Vincent, support by Feldhusen, **CARRIED**, recommend Village Council pay the August 2018 Water Fund bill in the amount of \$13,051.95. Discussion followed. Vallad will check on a concrete bill that was charged to the Save the Bells account and should not have been. Ayes: All.

C.) Christmas Light Fund is currently at \$14,499.38.

D.) Water & Light – Cash Balance – July & August 2018, was reviewed and discussed.

**Petitions and Communications:** The Village Manager explained and discussed the following memos.

1.) Legal Memo from Jeff Jocks: Certification of Delinquent Bills to Tax Rolls.

2.) Legal Memo from Jeff Jocks: Utility Bills for Rental Properties.

**Introduction and Adoption of Ordinances and Resolutions:**

1.) Review Draft Version – Ordinance A: Ordinance Relative to the Management, Control and Use of the Water and Light Plants and Distribution Systems of the Village of Newberry.

**Reports of Village Management:**

1.) Superintendent of Water and Light: Joe Lively, working foreman, submitted a written report.

2.) Assistant Village Manager: Gave a verbal report along with presented charts and budget. Discussion followed.

3.) Village Manager: James-Mesloh gave a verbal as well as written report. An Audit presentation, for the Village Council, is being held on Wednesday October 3<sup>rd</sup> at 6:30 p.m., in the school auditorium.

**Reports of Committees:**

1.) Save the Bells: Schummer gave a verbal report.

**Unfinished Business:**

1.) Revised Site Plan – Verizon Cellular Tower. A representative, from Verizon, will do a presentation regarding the cellular tower on Monday, September 17 at 4:30 p.m.

**New Business:**

1.) Utility Bill Format. The Village Manager presented a mock-up of the new utility bill, which the Village will start using after the next billing cycle. Discussion followed.

**Comments by Board Members:** None.

**Adjourn Meeting:** Motion by Vincent, support by Feldhusen, **CARRIED**, to adjourn meeting at 6:35 p.m. Ayes: All.

These minutes are unapproved until voted on at the next meeting.

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Terese Schummer, Clerk

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Charles Medelis, Chairperson

PACKET: 02862 W/L A/P 10/05/18

VENDOR SET: 02 NEWBERRY WATER &amp; LIGHT

SEQUENCE : ALPHABETIC

-----ID-----			GROSS	P.O. #	
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	DISTRIBUTION
=====					
02-200130		AMAZON CAPITAL SERVICES			
I-1VXQ-HP4X-HN1L		AMAZON CAPITAL SERVICES	12.00		
9/27/2018	W&L			1099: N	
		AMAZON CAPITAL SERVICES		582 582-752.100	6.00
		AMAZON CAPITAL SERVICES		591 537-900.000	6.00
		=== VENDOR TOTALS ===	12.00		
=====					
02-200627		ARISTA INFORMATION SYSTEMS INC			
I-2870201809		ARISTA INFORMATION SYSTEMS INC	592.50		
10/03/2018	W&L			1099: N	
		ARISTA INFORMATION SYSTEMS INC		591 536-801.000	296.25
		ARISTA INFORMATION SYSTEMS INC		582 583-801.000	296.25
		=== VENDOR TOTALS ===	592.50		
=====					
02-203010		DANNY'S AUTO VALUE			
I-404227		DANNY'S AUTO VALUE	5.50		
9/07/2018	W&L			1099: N	
		DANNY'S AUTO VALUE		582 584-929.000	5.50
I-404322		DANNY'S AUTO VALUE	107.78		
9/10/2018	W&L			1099: N	
		DANNY'S AUTO VALUE		591 536-932.000	107.78
		=== VENDOR TOTALS ===	113.28		
=====					
02-205555		FOSTER'S ACE HARDWARE			
I-201266		FOSTER'S ACE HARDWARE	45.89		
9/04/2018	W&L			1099: N	
		FOSTER'S ACE HARDWARE		591 536-929.000	45.89
I-201273		FOSTER'S ACE HARDWARE	8.99		
9/05/2018	W&L			1099: N	
		FOSTER'S ACE HARDWARE		582 585-753.000	8.99
I-201275		FOSTER'S ACE HARDWARE	4.76		
9/05/2018	W&L			1099: N	
		FOSTER'S ACE HARDWARE		582 585-753.000	4.76
I-201305		FOSTER'S ACE HARDWARE	99.99		
9/07/2018	W&L			1099: N	
		FOSTER'S ACE HARDWARE		591 536-929.000	99.99

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VENDOR SET: 02 NEWBERRY WATER &amp; LIGHT

SEQUENCE : ALPHABETIC

-----ID-----			GROSS	P.O. #	
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	DISTRIBUTION
=====					
02-205555		FOSTER'S ACE HARDWARE			( ** CONTINUED ** )
I-201307		FOSTER'S ACE HARDWARE	12.99		
9/07/2018	W&L			1099: N	
		FOSTER'S ACE HARDWARE		582 582-753.000	12.99
I-201406		FOSTER'S ACE HARDWARE	99.99		
9/04/2018	W&L			1099: N	
		FOSTER'S ACE HARDWARE		591 536-929.000	99.99
I-201495		FOSTER'S ACE HARDWARE	41.96		
9/20/2018	W&L			1099: N	
		FOSTER'S ACE HARDWARE		582 588-752.200	41.96
I-201506		FOSTER'S ACE HARDWARE	249.00		
9/21/2018	W&L	FOSTER'S ACE HARDWARE		1099: N	
				582 582-851.000	249.00
		=== VENDOR TOTALS ===			
			563.57		
=====					
02-206010		G C MAINTENANCE			
I-623180		G C MAINTENANCE	250.00		
9/05/2018	W&L			1099: N	
		G C MAINTENANCE		582 584-801.000	250.00
		=== VENDOR TOTALS ===	250.00		
=====					
02-207100		HIAWATHA TELEPHONE COMPANY			
I-1269852		HIAWATHA TELEPHONE COMPANY	50.00		
10/03/2018	W&L			1099: N	
		HIAWATHA TELEPHONE COMPANY		582 582-850.000	50.00
		=== VENDOR TOTALS ===	50.00		
=====					
02-207280		I.T. RIGHT			
I-20157241		I.T. RIGHT	1,440.00		
9/27/2018	W&L			1099: N	
		I.T. RIGHT		582 583-752.200	720.00
		I.T. RIGHT		591 536-752.200	720.00
		=== VENDOR TOTALS ===	1,440.00		

PACKET: 02862 W/L A/P 10/05/18

VENDOR SET: 02 NEWBERRY WATER &amp; LIGHT

SEQUENCE : ALPHABETIC

-----ID-----			GROSS	P.O. #	
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	DISTRIBUTION
=====					
02-211150 LYNN AUTO PART INC.					
I-855021		LYNN AUTO PART INC.	11.49		
8/07/2018	W&L			1099: N	
		LYNN AUTO PART INC.		582 584-929.000	11.49
=====					
I-855110		LYNN AUTO PART INC.	31.30		
9/10/2018	W&L			1099: N	
		LYNN AUTO PART INC.		591 536-753.000	31.30
=====					
I-855144		LYNN AUTO PART INC.	14.99		
9/10/2018	W&L			1099: N	
		LYNN AUTO PART INC.		591 536-752.100	14.99
=====					
I-855886		LYNN AUTO PART INC.	7.29		
9/02/2018	W&L			1099: N	
		LYNN AUTO PART INC.		591 536-929.000	7.29
=====					
I-855907		LYNN AUTO PART INC.	9.98		
9/24/2018	W&L			1099: N	
		LYNN AUTO PART INC.		591 536-759.000	9.98
=== VENDOR TOTALS ===			75.05		
=====					
02-213020 NATIONAL OFFICE PRODUCTS					
I-02S79A		NATIONAL OFFICE PRODUCTS	18.76		
9/12/2018	W&L			1099: N	
		NATIONAL OFFICE PRODUCTS		582 583-752.000	9.38
		NATIONAL OFFICE PRODUCTS		591 536-752.000	9.38
=====					
I-02T88A		NATIONAL OFFICE PRODUCTS	49.50		
9/17/2018	W&L			1099: N	
		NATIONAL OFFICE PRODUCTS		582 583-752.000	24.75
		NATIONAL OFFICE PRODUCTS		591 536-752.000	24.75
=====					
I-02X96A		NATIONAL OFFICE PRODUCTS	19.76		
9/26/2018	W&L			1099: N	
		NATIONAL OFFICE PRODUCTS		582 583-752.000	9.88
		NATIONAL OFFICE PRODUCTS		591 536-752.000	9.88
=== VENDOR TOTALS ===			88.02		

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SEQUENCE : ALPHABETIC

-----ID-----			GROSS	P.O. #	
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	DISTRIBUTION
=====					
02-213120 NEWBERRY REDI-MIX					
I-144488		NEWBERRY REDI-MIX	85.30		
9/05/2018	W&L			1099: N	
		NEWBERRY REDI-MIX		582 588-752.200	85.30
=====					
I-144502		NEWBERRY REDI-MIX	85.30		
9/07/2018	W&L			1099: N	
		NEWBERRY REDI-MIX		582 588-752.200	85.30
=== VENDOR TOTALS ===			170.60		
=====					
02-204175 OK INDUSTRIAL SUPPLY					
I-830966		OK INDUSTRIAL SUPPLY	39.55		
9/04/2018	W&L			1099: N	
		OK INDUSTRIAL SUPPLY		591 536-752.100	19.78
		OK INDUSTRIAL SUPPLY		582 582-752.100	19.77
=====					
I-830969		OK INDUSTRIAL SUPPLY	5.00		
10/03/2018	W&L			1099: N	
		OK INDUSTRIAL SUPPLY		582 588-752.200	5.00
=====					
I-832883		OK INDUSTRIAL SUPPLY	27.96		
9/04/2018	W&L			1099: N	
		OK INDUSTRIAL SUPPLY		591 536-932.000	13.98
		OK INDUSTRIAL SUPPLY		582 583-932.000	13.98
=== VENDOR TOTALS ===			72.51		
=====					
02-216116 POWER LINE SUPPLY COMPANY					
I-56298949		POWER LINE SUPPLY COMPANY	259.19		
9/26/2018	W&L			1099: N	
		POWER LINE SUPPLY COMPANY		582 582-752.100	259.19
=== VENDOR TOTALS ===			259.19		
=====					
02-216050 RANGE TELECOMMUNICATION					
I-18257		RANGE TELECOMMUNICATION	15.65		
10/02/2018	W&L			1099: N	
		RANGE TELECOMMUNICATION		582 583-801.000	7.83
		RANGE TELECOMMUNICATION		591 536-801.000	7.82
=== VENDOR TOTALS ===			15.65		

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VENDOR SET: 02 NEWBERRY WATER &amp; LIGHT

SEQUENCE : ALPHABETIC

-----ID-----		GROSS	P.O. #	
POST DATE	BANK CODE	DISCOUNT	G/L ACCOUNT	DISTRIBUTION
=====				
02-217030	SEMCO ENERGY GAS CO.			
I-0235237.500	SEMCO ENERGY GAS CO.	14.81		
10/04/2018	W&L		1099: N	
	SEMCO ENERGY GAS CO.		582 583-921.000	14.81
I-0235238.500	SEMCO ENERGY GAS CO.	14.81		
10/04/2018	W&L		1099: N	
	SEMCO ENERGY GAS CO.		582 583-921.000	14.81
=== VENDOR TOTALS ===		29.62		
=====				
02-219200	U S BANK NA			
I-10.2018	U S BANK NA	64,532.50		
10/02/2018	W&L		1099: N	
	U S BANK NA		582 583-991.000	55,000.00
	U S BANK NA		582 583-992.000	9,532.50
=== VENDOR TOTALS ===		64,532.50		
=====				
02-221083	WEX BANK - SPEEDWAY UNIVERSAL			
I-56099521	WEX BANK - SPEEDWAY UNIVERSAL	579.61		
10/01/2018	W&L		1099: N	
	WEX BANK - SPEEDWAY UNIVERSAL		582 584-757.000	289.81
	WEX BANK - SPEEDWAY UNIVERSAL		591 536-759.000	289.80
=== VENDOR TOTALS ===		579.61		
=== PACKET TOTALS ===		68,844.10		



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VENDOR SET: 02 NEWBERRY WATER & LIGHT

SEQUENCE ALPHABETIC

\*\* T O T A L S \*\*

INVOICE TOTALS	68,844.10
DEBIT MEMO TOTALS	0.00
CREDIT MEMO TOTALS	0.00

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BATCH TOTALS	68,844.10
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VENDOR SET: 02 NEWBERRY WATER & LIGHT

SEQUENCE : ALPHABETIC

\*\* POSTING PERIOD RECAP \*\*

FUND	AMOUNT
582	11.49
582	1,806.75
582	65,211.01
591	1,220.98
591	593.87

\*\* END OF REPORT \*\*

## **ORDINANCE A**

*This is an Ordinance Relative to the Management, Control and Use of the Water and Light Plants and Distribution Systems of the Village of Newberry.*

### **THE VILLAGE OF NEWBERRY ORDAINS:**

#### **A:1:1 Board:**

There is hereby created and constituted a Board under the name of the Newberry Water and Light Board to be composed of five members, except as provided in paragraph A:1:1a, who shall be electors of the Village, hereinafter referred to as "Board". The members of the Board shall be nominated by the Village President and approved by the Council. The appointment of members to the Newberry Water and Light Board shall be at the Council's regular October meeting.

#### **A:1:1a Council Members**

Two council members so appointed by the Village President and approved by the Council shall serve for a term of one (1) year; which terms shall commence at the date of appointment and shall expire upon the appointment of a successor at the regular Council meeting the following October.

#### **A:1:1b At Large Members:**

An at-large appointment shall be made at the regular October Village Council Meeting. The term of each member shall commence upon taking the oath of office. The term, of office shall be for three years and there shall be three (3) at large members serving. Each and every year, in the month of October, one (1) at-large member's term shall expire. Shall a vacancy arise during a member's term the Village President may present a candidate to the Village Council for approval of appointment to serve the remainder of the term associated with the vacant position. It is imperative that the at-large members' terms remain staggered so as not to allow more than one position's term to expire in the same year.

One at large member may be a customer and not elector. The customer member shall reside in the service area of the Newberry Water and Light Board and be a current customer. A non –elector customer member, if nominated and approved may not serve as chairperson, or acting chairperson.

#### **A:1:1c Oath of Office:**

Within ten (10) days of appointment, each Water and Light Board member shall take an oath of office as prescribed by the Village Clerk before being qualified as members of said Board.

**A:1:1d          Hold-over Provision**

Each member is to hold over his/her term of office until his/her successor shall have been appointed and taken the oath of office.

**A:1:1e          Compensation**

Each member of said Water and Light Board shall receive the sum of \$50.00 per month as compensation for serving on this Board. Additionally, each member attending a regular or special meeting of the Board shall receive \$25.00 per meeting attended. Said sum shall be payable at the regular scheduled meeting of the following month.

**A:1:2          Quorum; Chairperson:**

A majority of the members of said Board shall constitute a quorum for the transaction of business. They shall name their own chairperson at the first regular meeting of said Board in October of each year. The chairperson shall hold such position for one year and until his successor shall have been named. The chairperson, with the approval of a majority of the Board, shall appoint a clerk for the Board.

The clerk's duties shall consist of taking/recording minutes of all regular and special meetings. The minutes shall be made available for approval at the next meeting of the Board. The clerk shall maintain copies of all minutes and shall make them available for public inspection. The Board may designate other Board employees to assist the clerk in making records available for public inspection.

**A:1:3          Duties:**

**A:1:3a          Management Authority:**

The Board, subject to the direction of the Council is hereby charged and entrusted with the construction, management, maintenance, supervision and control of such water works and electric lighting plant and distributing systems of any future department or departments that the Council shall deem fit to allocate to the Board for management. The Board shall have power to make and adopt all by-laws, rules and regulations as they shall deem necessary and expedient for the transaction of their business not inconsistent with other Ordinances or Policies of the Village.

**A:1:3b          Unified Collection of Fees and Charges:**

The Board shall be charged with the responsibility to collect all electrical, water, sewage and garbage fees on behalf of themselves and the Village Council and to make a monthly accounting of all revenues collected and all accounts receivable.

**A:1:4            Modification of Plant in Excess of \$10,000.00:**

Whenever the expense of rebuilding, repairing, adding to or otherwise changing any portion of the water works, electric plant or the distributing systems shall not exceed the sum of Ten Thousand (\$10,000.00) Dollars, the same shall be done by the same Board in such manner as they shall deem proper. Whenever such expenses shall exceed the sum of Ten Thousand (\$10,000.00) Dollars, the Board shall first submit plans, diagrams and specifications of the same and estimates of the cost thereof to the Council for its approval, and, when so approved, the Board shall, subject to the direction of the Council, cause such work to be done by contract or in such other manner as the Council shall determine.

**A:1:5            Meeting With Council:**

The members of the Board, the Village Manager, and Superintendent shall meet with the Council at any time at the request of the Village President.

**A:1:6            Payment of Claims and Charges:**

All claims and accounts charged against the Water and Light System which shall have been incurred by said Board in accordance with this Ordinance shall be approved by said Board and said Board shall authorize payment of those claims and accounts in the usual course of its business. All money shall be paid out or expended by said Board by warrant or check, drafted and signed by two of the following:

1.     Board member designated by the Board
2.     Village Manager
3.     Board Chairperson
4.     Village President

All funds shall be drawn on Water and Light Board accounts. All claims and accounts approved by the Water and Light Board shall be reported to the Village Council at the Council's regular monthly meeting.

**A:1:7            Accounting:**

The Board shall make all purchases of supplies for said plant and distributing systems and shall keep a detailed record of all cost and expenses in connection therewith, showing the amount expended for each part of the works or distributing systems. The Board shall keep and maintain a complete set of books, keeping accounts with each part of said works and systems, showing in detail, the earnings, costs and expense of construction, maintenance and operation, of such system to be in accordance with the statute in such case provided, and to be subject to such change by Council as shall not be contrary to such statute or statutes.

**A:1:8            Deposit of Funds**

The Board shall promptly, and in no event more than one (1) banking day after receipt, deposit all money received by it and belonging to said Board in an account entitled Newberry Water and Light Board and shall file a detailed statement thereof together with a receipt from said bank for those funds with the Village Clerk. The Village Clerk shall report the deposits to the Council at its regular monthly meeting each month.

**A:1:9            Report to Council: Monthly, Annually, Regularly:**

At the regular meeting of the Council each month the Village Manager shall present to the Council a detailed report of all business done during the preceding calendar month, showing all materials furnished, sold and used, all receipts and disbursements and the funds to which the same have been charged or credited, the condition of the plant and such other information as the Council shall from time to time direct or require. The Board shall also present to the Council on the fourth Monday in March of each year, an annual report, which report shall include an itemized statement of all receipts and disbursements relating to or connected with the water and light plants and distributing systems, showing in detail the revenue and expense of all new work, construction, maintenance, repairs, operation and depreciation and complete statement of the condition, progress and operation of said works and distributing systems, including an inventory of all property on hand and the value thereof. At any other time during the year the Board shall be required to furnish such report or reports as the Council may request.

**A:1:10           Employment of Superintendent & Others:**

The Board is hereby empowered, subject to the approval of the Council, to employ all agents, employees and superintendents, whom it may deem necessary to operate and maintain the electrical and water systems of the Board and Village.

**A:1:11           Regular Meetings:**

The Board shall hold a regular meeting on the second Tuesday of each month, the hour of such meeting to be set by resolution by the Board. It shall keep a full and complete record of all its proceedings (voice recording and transcription) and within five (5) days after such meeting the Clerk of said Board shall be required to transmit to the Village Clerk a true copy (subject to Board approval) of the proceedings of such meeting.

**A:1:12           Newberry Water and Light Board Manager:**

**A:1:12a          Duties:**

The Village Manager shall be the chief administrative officer of the Newberry Water and Light Board and shall be responsible to the Village President and Village Council for the efficient administration of all affairs of the Newberry Water and Light Board and all departments except as that responsibility is explicitly delegated to another officer by Statute or Ordinance.

The Village Manager shall fully inform the Board Chairperson and Board Members concerning Newberry Water and Light Board affairs.

The Manager shall have the following functions and duties:

1. Attend all meetings of the Newberry Water and Light Board and its committees and to take part in such meetings without a vote.
2. Be responsible for personnel management and administer such personnel policy as shall be applicable to Newberry Water and Light Board employees.
3. To suspend with pay any department head pending a hearing before the Council; to recommend disciplinary action against any department head; to recommend the wages of all non-elected employees; exercise supervisory control over all departments, to hire, discipline or discharge any Newberry Water and Light Board employee who is not a department head, but only after consultation with the appropriate department head.
4. Prepare and administer the budget as provided for in the Uniform Budgeting and Accounting Act. Be purchasing agent of the Newberry Water and Light Board subject to the Village Purchasing Ordinance.
5. Investigate complaints concerning the administration of the Newberry Water & Light Board and at all time to have the authority to inspect the books, records and papers of any agent, employee or office of the Newberry Water and Light Board except the Village Attorney; to make recommendations to the Council for adoption of such measures as the Village Manager shall deem in the best interest of the Newberry Water and Light Board.
6. Perform such other duties as shall be delegated by the Newberry Water & Light Board Council, including those described as the Village Manager Job Description adopted by Council Resolution.

#### **A:1:12b Dealing With Employees:**

Neither the Newberry Water and Light Board nor the Board Chairman shall attempt to influence the employment of any person by the Village Manager or in any way interfere in the management of departments under the jurisdiction of the Manager. The Chairperson and Board Members shall deal with departments under the jurisdiction of the Village Manager through the Manager. The Chairperson and Board Members shall have the absolute right and duty to contact any Village employee pursuant to any authorized inquiry, pursuant to the Board.

#### **A:1:12c Purchasing Responsibilities:**

The Village Manager shall act as purchasing agent for all Newberry Water and Light Board offices and departments. The Manager may delegate some or all of the duties as purchasing agent to another officer or employee provided that such delegation shall not relieve the Manager of the responsibility for the proper conduct of those duties.

The Village Manager shall have the authority to purchase any product or service where the cost of which does not exceed five thousand dollars (\$5,000.00), provided that funds have been appropriated. This amount may be modified from time to time by a Policy Resolution

adopted by the Village Council. The cost for the product or service shall not exceed the unencumbered balance of the appropriation for that account. Except as hereinafter provided, the Village Manager shall not purchase any product or service where the cost of which exceeds the above dollar amount without prior approval of the Newberry Water and Light Board and subsequently the Village Council. The Village Manager may promulgate rules governing the purchase of products or services.

The Village Manager shall have the authority to purchase any product or service regardless of its cost when such purchase is necessitated by an emergency condition. "Emergency condition" is defined to mean any event which presents and imminent threat to the public health or safety of a Newberry Water and Light Board service which is essential to public health or safety.

## **Section A:2 Operations:**

### **A:2:1 Hydrants:**

All street hydrants hereafter installed shall be placed on the curb line except by written permission from said Board. The shut-off cock shall in all cases be placed on the curb line. The hydrant shall be so constructed that the water may be drawn by the use of a key and said hydrant shall be kept locked when not in use by the person paying for the same or an associated employee.

### **A:2:2 Rates and Fees:**

Rates and Fees shall be set by Board resolution. Rates and Fees shall not become effective until approved by the Newberry Village Council by resolution and the first day of the month after publication in The Newberry News or other paper of general circulation in Newberry. Rates and Fees in effect at the time of the adoption of this amendment of Ordinance A shall continue in effect until further Board and Council modification.

### **A:2:3 Electric Motors:**

The Board shall set policies, rules and regulations and it may set individual customer requirements for all motors concerning phase, capacity, hours of operation, and any other factor deemed appropriate. The Newberry Water and Light Board shall take action to maintain strict adherence to the rules and regulations heretofore or hereafter promulgated by said Board.

### **A:2:4 Rules and Regulations – Reference: Payment of Charges and Reading Meters:**

#### **A:2:4a Collect Funds:**



It shall be the duty of the Newberry Water and Light Board to collect all accounts on behalf of the Village of Newberry for sewer use, maintenance, installation and all other charges duly levied, charged, or rendered in connection with the electrical and water distribution systems, sewer system or sewage treatment.

**A:2:4b          Certification of Collections:**

It shall be the duty of the Newberry Water and Light Board to certify to the Newberry Village Council not later than October 1st, and not prior to September 1st, of each calendar year, that all water and electric meters have been manually read, inspected for proper operation, and if improperly operating- repaired. The Water and Light Board shall also report at the time of certification, any discrepancies between reported usage and metered usage, all accounts receivable from users, whether delinquent or not, and the amount of any delinquencies for which the Newberry Water and Light Board had advanced its own funds.

**A:2:4c          Meter Reading:**

Nothing in this Ordinance shall be construed to prohibit reading meters on a more frequent basis.

**A:2:4d          Meter Reading Policies:**

The Water and Light Board shall adopt, from time to time, policies concerning the reading of meters and the payment of charges, including the reading of meters. The Water and Light Board shall make available at the Water and Light Board Office, during regular business hours, an adoption of its policies concerning the payment of charges, reading of meters, and computation of those readings for the inspection by the users and/or property owners.

**A:2:5          Connections:**

No person shall make any connection with the water or electrical distribution systems without prior written permission from the Board. Water connection shall include tapping any main or distributing pipe, inserting any stop-cock, hydrant or other appliance whatsoever, using, altering or disturbing any gate, stop-cock, hydrant or other attachment belonging to the Village or Board and/or connecting with the water system. Water system-owner boundary: The Village/Board water system shall terminate at the boundary of the property owner's real estate. Only for the purpose of determining and granting permission for construction or repair of a water supply line, the water curb stop shut-off valve, if further downstream from the property line, shall be the final point of the Village water system. Work done by the owner downstream from the curb stop shut-off valve shall be subject to inspection and approval by the Board. The Board may refuse service if the work does not meet its specifications.

Violations of this Section shall be a misdemeanor punishable as provided in Section A:3:3.

**A:2:6          Street Lighting and Fire Hydrants:**

All electric current used by the Village for street lighting purposes will be charged to the Village each month at the commercial rate per kilowatt hour for street light current as shown by the meter or meters installed for that purpose. The said Board shall be reimbursed by the Village for all installation and maintenance of street lights and circuits connected herewith. The Village shall also pay the Water and Light Board for the installation and maintenance of fire hydrants within the said Village. No charge shall be made to the Village for water used by it in connection with fire hydrants.

### **Section A:3 Criminal Penalty:**

#### **A:3:1 Tampering with Village Water and Light Equipment:**

No person shall meddle with, use, damage, injure or destroy any hydrant installed for fire purposes, except when ordered to do so by said Board or the Chief of the Fire Department of the Village. No person shall injure, destroy or meddle with any water or light works, pipes, wires or attachments or in any way use or tamper with the same, or interfere with their proper use, without written authority from the Board. Any person violating this section shall be guilty of a **misdemeanor and punished as provided in Section A:3:3.**

#### **A:3:2 Tampering with Meters-Misrepresentation of Usage:**

Any person interfering or meddling with any meter or who shall interfere with the Board, its clerks, agents or employees, in the discharge of their duties including reading meters, as set forth in this Ordinance or under the rules or orders of the Board or who shall knowingly misrepresent their usage of water, electricity, garbage or sewage shall be guilty of a **misdemeanor.**

#### **A:3:3 Penalty:**

**Any person convicted of a misdemeanor as set forth in Ordinance A, shall be punished by a fine up to Five-Hundred (\$500.00) Dollars plus the costs of prosecution and/or imprisonment up to Ninety (90) Days at the discretion of the Court.**

### **Section A:4 Collection:**

#### **A:4:1 Liens or Collections**

Charges for services, including water, sewage, electrical and garbage pick-up, furnished to a premises shall be a lien on those premises as provided by statute. Each separate charge, that is water, sewage, electric or garbage pick-up shall be a separate lien, or turned over to a collection agency approved by The Village Council. Those charges delinquent for six months or more may be certified annually to the proper tax assessing official or agency who shall enter the lien on the next tax roll against the premises to which services shall have been rendered and the charges shall be collected and the lien shall be enforced in the same manner as provided for the collection of taxes assessed upon the roll and enforcement of the lien for taxes.

#### **A:4:2 Certification:**

The Village Manager of the Water and Light Board shall certify to the Village Treasurer no later than May 31st of each year and the Township Supervisor no later than October 31st of each year a statement of lien claimed.

#### **A:4:3 Lien Statement:**

The statement of lien claimed shall specify the legal description of the premises, street address of the premises, specific services and their relative charges and the unpaid balance due for each charge individually.

#### **A:4:4 Rental Property:**

In all cases when a tenant is responsible for the payment of any such rates and other fees or charges under a legally executed lease containing a provision that the lessor shall not be liable for the payment of rates and other fees or charges for water, sewage, or electrical service and the Newberry Water and Light Board is so notified in writing by the owner, then no such rates and other fees or charges shall become a lien against the premises occupied by the tenant from and after the date of such notice. Such notice shall be in the form of an affidavit with respect to the execution of such lease and shall set forth the expiration date thereof. Twenty days' notice shall be given to the Newberry Water and Light Board by the lessor of any cancellation, change in, or termination of such lease. Failure to give such 20 days' notice shall reinstate such lien for rates and other fees or charges, for water, sewage or electrical service furnished to such premises by the Village on and after the date of such cancellation, change in, or termination, until a new notice is filed as above required. Each such notice shall be accompanied by a true copy of the lease executed between the lessor and the lessee.

The owner may request the Water and Light Board to prepare and deliver a duplicate invoice to an address of their choosing; however, pursuant to the Water and Light Board, that option could incur an additional service fee on the monthly invoice.

The Board may require a security deposit for water, sewage, electrical or garbage pick-up services and the amount of the deposit may be adjusted from time to time at the discretion of the Water and Light Board and approval from the Newberry Village Council. The amount of the security deposit shall be promulgated as a Water and Light Board Policy and not become imbedded in an ordinance.

#### **A:4:5 Enforcement**

A lien created against the premises by this Ordinance may be enforced in the manner as provided for the collection of taxes assessed upon the roll and enforcement of the lien for taxes or also by discontinuing water service or electric service to the premises for non-payment of charges for water service or electric service, or discontinuance of either water service, electric

service, or sewage disposal service to the premises or both for non-payment of sewage disposal and garbage collection charges to the premises.

**A:4:6            Electric Service**

The Water and Light Board may, from time to time, adopt policies for the collection of unpaid electrical charges.

**Section A:5    Publication and Effective Date:**

The Village Clerk shall cause this Ordinance to be published in the Newberry News. The Ordinance shall be effective 20 days after publication. This is a Recapitulation that incorporates all amendments, changes, and Village Council and The Water and Light Board resolutions to date and since the Promulgation Date (Also Known As the Effective Date) of Ordinance A which is August 3, 1987.

Recapitulated, approved, and adopted this XX Day of Month, Year.

Name, President Village of Newberry

Name, Clerk Village of Newberry

Adoption History: Introduced: July 13, 1987; adopted July 13, 1987; effective: August 3, 1987; amended and recodified November 8, 1999, presented for signature and published 1/13/2000, Section A4:1:3a, A:1:6, A:1:7 and A:4:4 modified and approved and adopted on October 23, 2008, presented for signature and published 11/5/08. Sections: A:1:1b, A:1:2 , A: 1:6, A:1:7, A: 1: 12a, A:2:1,A:2:5, A:4:1,A:4:2, A:4:4, A:4:5 and A:5 modified, approved and adopted on

May 17, 2010, presented for signature and published June 9, 2010. The entire ordinance was recapitulated to include all previous amendments and modifications since the date of promulgation.

Summary of changes of May 17, 2010:

Section:

A:1: 1b Revised entire paragraph to Recapitulate original content.

A:1:2 line 4 changed to read "in October... " vise "second Monday in April. .." A:1:6 add sub paragraph 4 to read "4. Village President"

A:1:7 line 6 changed to read "maintenance and operation, of such.. ." vise "maintenance and operating, such..."

A:2:5 line 4 changed the word "whatever" to read "whatsoever"

A:4:2 arranged sentences to read in chronological order and changed the date "May 30th

to read

"May 31st

A:4:4 Rescinded in its entirety and rewritten.

Changed : "Chairman" to read: "Chairperson" at each occurrence.

The entire ordinance was recapitulated and incorporates all modifications to date, which allows the Council to pull the Original ordinance and amendments from all binders and replace it with the Recapitulated version. The original ordinance and all amendments and modifications shall be archived.

# VILLAGE OF NEWBERRY



*Moose Capital of Michigan*

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302 East McMillan Avenue, Newberry, MI 49868 Fax (906) 293-8890

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## **Newberry Water and Light September Report Joe Lively**

- 1. Removed Tree From Line (Co. Rd. 462 W)**
- 2. Seasonal Turn-offs**
- 3. OSHA Compliance**
- 4. Meter Reading**
- 5. Reconnects**
- 6. Disconnects Non-Payment (14)**
- 7. Power Factors**
- 8. Trees Inc (Primary Brushing N. Line)**
- 9. Miss Digs**
- 10. Brushing**
- 11. Down Wire N. M-123 (Guy Struck By Trees Inc.)**
- 12. Call Out (N. Line Outrage 1 Resident)**
- 13. Weekend Demand For Generation**  
**Saturday Evening 5.5 hrs**
- 14. Wind Storm, Multiples Call Outs**
- 15. Removed Several Trees From Lines**
- 16. Burned Pole At Car Wash (Replaced)**
- 17. 3 Mile Rd. Blown Cut-Out**
- 18. Water Baci Samples (Good)**

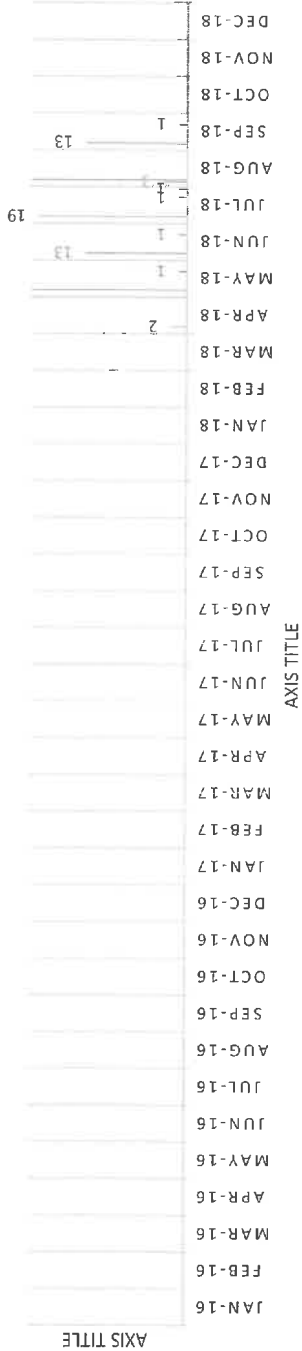
WATER AND LIGHT  
MISS DIGS

Water & Light  
Miss Digs  
SEPTEMBER 2018

MISS DIGS	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18
000 RESPONSE PENDING												
001 NO CONFLICT								3				
002 MARKED				2	31	13	19	24	13			
003 NOT COMPLETE												
004 MARKED-UTILITY REQUIRED ON SITE DURING EXCAVATION												
005 ON GOING COORDINATION												
006 NOT MARKED-NO ACCESS TO WORK AREA												
007 STATED SCOPE OF WORK COMPLETED												
008 FACILITY RESPONSE NOT REQUIRED												
009 ADDITIONAL LOCATING REQUIRED												
010 EXEMPT FROM MARKING												
013 CANCELED					1	1	1		1			
201 DESIGN-TASK FACILITIES												
202 DESIGN-TASK COMPLETED												
203 DESIGN-MARKING REQUIRED												
999 HAS NOT RESPONDED							1					
TOTALS	0	0	0	2	32	14	21	27	14	0	0	0

WATER & LIGHT

Series1 Series2 Series3 Series4 Series5 Series6 Series7 Series8 Series9 Series10 Series11 Series12 Series13 Series14 Series15 Series16



WATER AND LIGHT  
MISS DIGS

DPW  
MISS DIGS  
SEPTEMBER 2018

	DEPARTMENT OF PUBLIC WORKS											
	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18
MISS DIGS												
000 RESPONSE PENDING												
001 NO CONFLICT							4	1				
002 MARKED				1	26	9	18	20	13			
003 NOT COMPLETE												
004 MARKED-UTILITY REQUIRED ON SITE DURING EXCAVATION												
005 ON GOING COORDINATION												
006 NOT MARKED-NO ACCESS TO WORK AREA												
007 STATED SCOPE OF WORK COMPLETED												
008 FACILITY RESPONSE NOT REQUIRED												
009 ADDITIONAL LOCATING REQUIRED												
010 EXEMPT FROM MARKING												
013 CANCELED					1		1		1			
201 DESIGN-TASK FACILITIES												
202 DESIGN-TASK COMPLETED												
203 DESIGN-MARKING REQUIRED												
999 HAS NOT RESPONDED	0	0	0	1	27	9	24	21	14	0	0	0

DEPARTMENT OF PUBLIC WORKS

- ☐ 000 RESPONSE PENDING
- ☐ 002 MARKED
- ☐ 004 MARKED-UTILITY REQUIRED ON SITE DURING EXCAVATION
- ☐ 006 NOT MARKED-NO ACCESS TO WORK AREA
- ☐ 001 NO CONFLICT
- ☐ 003 NOT COMPLETE
- ☐ 005 ON GOING COORDINATION
- ☐ 007 STATED SCOPE OF WORK COMPLETED





**DPW**

Work Orders	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18
SEWER	4	1	3	3			1	1	2			
GARDEN CLUB PLANTERS												
STREETS - PLOWING	1											
SIDEWALK	1											
GARBAGE							2					
BIKE RACK												
ALLEY & ALLEY CLEAN UP												
BRUSH CLEANUP							5	15	10			
TREES AND STUMPS												
PARKS												
SANI-STORM				1								
VON-ADMIN BLDG												
CEMENT RETAINERS-LINK												
SIGNS												
STREETS-SWEPT-HOLES				1								
BARRICADES												
TOTALS	6	1	3	5	0	0	8	16	3	0		

