

SPECIAL MEETING, BOARD OF SANITARY DISTRICT COMMISSIONERS
WEDNESDAY, MARCH 31, 2010 – 8:15 A.M. – 1100 E. EIGHTH STREET

The meeting was called to order at 8:15 a.m. in the Board Room of the Administration Building, 1100 E. Eighth Street, by the President of the Board, Boyd W. Phelps.

Commissioners present for the meeting were J. Jeffrey Jones, Ph.D., Judith A. Paul, Boyd W. Phelps and Linda G. Simmons. Commissioner Ronald J. Strauss was absent.

Staff Members present for the meeting were:

Alan J. Walus, General Manager
Daniel R. Olson, Plant Superintendent
Doretha M. Sanders, Administrative Director
Tina M. Tabisz, Administrative Assistant
William J. Nelson, Jr., Legal Counsel

Also present for the meeting were:

Angela Nelson, City Council
Phil Jankowski, City Council
Pat Boy, City Council
Ben Neitzel, M.C. Police Department
Mark Swistek, M.C. Police Department
E.R. Bohle, E.R. Bohle & Assoc., 1100 W. Barker Avenue
Kyle Kubik, Taxpayer
Chris Carter, Concerned Citizen
George Kvitek, Michigan City
Al Austin, Michigan City
Mandy Hajdusiewicz, Michigan City
John Mills, Michigan City
Dennis Metheny, 6757 W – 450 N, Michigan City
Sharon Metheny, Michigan City
Ed Zweibahmer, Michigan City
Bill White, Michigan City
Skip Wild, Michigan City
Charles Sheerin, Attorney
Ron Meer, District Employee
Morene Meer, Ron Meer's Mother
Agnes Meer, Ron Meer's Wife
Ron Miller, WEFM Radio Station
Matt Field, News-Dispatch
Andre Steele, ALCO TV

Mr. Phelps advised that Commissioner Strauss has been ill for several days and will not be attending today's meeting.

Mr. Phelps then advised that the Board has convened to discuss personnel issues regarding Michigan City Sanitary District employee Ronald Meer.

Mr. Phelps asked if the Board has all received and reviewed the investigation report submitted by the investigation team, which was headed by Attorney Mark Phillips and asked if anyone has any comments or questions concerning this report. There were none.

Ms. Simmons then made a motion to accept the investigation report and findings contained therein as submitted by the investigation team regarding District employee Ronald Meer – second by Ms. Paul. There being no questions or comments, motion carried 4 – 0 in favor.

Mr. Phelps then asked if there was a proposal for any action based upon the findings contained in the report.

Ms. Paul made the following motion:

1. Suspend employee Ronald Meer without pay for a period of 15 working days.
2. That Mr. Meer be provided a Last Chance Agreement indicating:
 - a. That Mr. Meer could have been discharged from his employment as part of the discipline imposed at this time by the Board based upon findings that Mr. Meer violated major work rules of the Michigan City Sanitary District.
 - b. Advising Mr. Meer that, for a period of one year, he shall not commit any act, or omission to act, that is determined to be a violation of a major work rule as defined in Section 11.01 of the Personnel Policies Handbook.
 - c. That, if Mr. Meer is found to have violated any major work rule of the Michigan City Sanitary District Personnel Policies Handbook within one year, his employment will be terminated.
 - d. That the Last Chance Agreement is part of the discipline imposed by the Board and his execution of the agreement is

- a condition of Mr. Meer's further employment with the Michigan City Sanitary District.
- e. That Mr. Meer must sign the Last Chance Agreement and return it to the office of the General Manager of the Michigan City Sanitary District no later than 3:00 p.m. Central Standard Time on April 1st, 2010.
 - f. That, should Mr. Meer refuse to sign and return the Last Chance Agreement, his employment with the Michigan City Sanitary District shall be terminated at 3:00 p.m. Central Standard Time on April 1, 2010.
 - g. That the General Manager be authorized to sign and carry out the terms of the Last Chance Agreement.
3. That the General Manager be instructed to communicate this discipline to Mr. Meer today, March 31st, 2010, and to carry out all of the terms.

The motion was seconded by Dr. Jones. There being no question or comment on the matter, motion carried 4 – 0 in favor.

Mr. Phelps then called for a motion to adjourn.

Ms. Simmons advised that she would like to make a statement first.

Ms. Simmons then made the following statement:

“There are no excuses for an unsafe work environment because maintaining a safe work environment is everyone's responsibility. The filing of a timely report and an accurate and rapid response is vital to maintaining a safe environment.

We have focused on correcting the safety issues that have been identified by IOSHA and developing measures to improve communications, to timely correct problems as they arise, and to improve responsiveness to all employees.

These include: A new reporting form that will be filed with both the supervisor and administrative office to assure a timely investigation,

response and tracking mechanism; entering into a partnership with INSAFE, an Indiana Department of Labor program that provides group training, educational materials and programs to create and maintain a healthy working environment; seeking participation in the Indiana OSHA Voluntary Protection Program, a program of qualified companies committed to developing and implementing systems to effectively identify, evaluate, prevent and control occupational hazards to prevent employee injuries and illnesses.

The Michigan City Sanitary District is committed to protecting the health and safety of the public and its employees.”

Mr. Phelps thanked Ms. Simmons for her comments.

Mr. Phelps then called for a motion to adjourn.

Dr. Jones made a motion for adjournment – seconded by Ms. Paul. No question or comment on the matter. Motion carried 4 – 0 in favor.

The meeting then adjourned.

/Linda G. Simmons /
Linda G. Simmons, Secretary