

**ANDREWS TOWN COUNCIL MINUTES
OF AN EMERGENCY MEETING HELD JUNE 19, 2020**

An emergency meeting of the Town Council of the Town of Andrews, Indiana convened on June 19, 2020 at 5:05 p.m. in the Andrews Municipal Building in accordance with applicable law and pursuant to appropriate notice.

ROLL CALL

Council Members Laura Dillon, John Harshbarger, and Roger Newsome, Jr. were present. Clerk-Treasurer Laury Powell declared a quorum was present and the meeting would continue.

EMERGENCY BUSINESS

Council President John Harshbarger informed those present of recent issues which have prompted a water crisis for the Town of Andrews. Levels of contamination have increased tremendously over the last 3 years in well # 1. It is now more than 10 times the maximum mcl of 2 for Vinyl Chloride, with a recent test result of 27. Today, on behalf of the Town, Taft Law has filed a Preliminary Injunction, or emergency motion, in Huntington Superior Court. Harshbarger and Powell will testify in court next week to represent the Town, and therefore are unable to discuss certain details at this time. The purpose is to force United Technologies to provide the Town with bottled drinking water until such time they can ensure the air stripper is always working, and provide immediate notification to the Town when it goes down. It should not take 3 or 4 days for their crew to come in and repair it, and to not alert the Town of an emergency. At this time this is a precautionary statement. When the equipment fails and is off, there is the possibility contamination gets into our drinking water. Right now this is a precautionary statement to not consume the water: no drinking or cooking with it. We have been told at this time residents can do laundry, wash dishes, and bathe in lukewarm water. When the air stripper next goes down, and Stantec provides immediate notification of such, the Town will then notify the County Health Department and send another emergency alert to not use the water at all,

Council member Newsome asked how the Town knows when the air stripper is down. Harshbarger replied that Stantec is supposed to notify the Town of every event, but thinks there may be no notification at all if they are able to reset the air stripper at their end. The Town receives quarterly reports and can read where these events are reported to IDEM, but there is no explanation of what the problem was. Dr. Wells' affidavit goes much more in depth on the issue with his expert opinion. This is not a false alarm. This is a serious situation, said John Harshbarger.

Manpower for receiving pallets of drinking water from the Indiana Department of Homeland Security Friday evening was discussed, as well as a preliminary schedule and staffing to begin distribution to residents.

Huntington County EMA and Department of Health will be in charge of notifications to the public. Their alert stated "do not use the water", which differed from the Town's original notice sent to the health department. Council wants clarification on this from the health department and Taft. Newsome also asked who will ultimately pay for purchasing drinking water during the emergency. Harshbarger stated United Technologies should pay for it and the Town will be

reimbursed for all expenditures during the water crisis. Newsome next asked what the plan was going forward; what the Town is asking United Technologies to do. Due to the spike in contamination, the use of well #1 is now a problem, and wells #2 and #3 are not sufficient to supply the Town. The air stripper must be operational and reliable. Harshbarger stated United Technologies will be asked to replace our wells; to drill new wells. The Town will also ask United Technologies to pay for bottled water until such time we are satisfied our drinking water is safe. United Technologies must also provide redundancy in the process, so in the event the air stripper goes down they have a backup plan. In addition, the emergency motion also requires daily testing, or monitoring, of the water. The final request is a total cleanup, to non-detect status, of the groundwater in Andrews.

Funds to buy water will come out of the Rainy Day Fund. Any expenditures should be short term and reimbursable. Council members discussed where to purchase water locally, and prices. It was decided the town garage will be used for the water distribution. Mike Burton volunteered his time and forklift to move pallets of water.

Powell informed Council she is receiving calls asking why the groundwater contamination was not disclosed to new homeowners during recent real estate transactions. Also, utility customers are not wanting to pay the water portion of their utility bills since the water is unusable. Dillon stated it must not hurt plants because her garden is thriving. Powell reported she learned pool water is not a concern since the Vinyl Chloride evaporates from the water when exposed to the air.


Lucio Ternieden, from IDEM, called Colin Bullock and spoke via speaker phone to Bullock and Council about the water situation. Harshbarger summarized the emergency to Lucio, who then stated he will work with the Town and wants to be kept informed.

With no further business to be discussed at this time, Laura Dillon made a motion to adjourn the meeting at 6:05 p.m. which was seconded by Roger Newsome, Jr.

Approved this 13th day of July, 2020.

APPROVED BY  as
JOHN HARSHBARGER COUNCIL PRESIDENT

APPROVED BY  as
LAURA A DILLON COUNCIL MEMBER

APPROVED BY  as
ROGER NEWSOME, JR. COUNCIL MEMBER

ATTEST BY  as
LAURY L POWELL CLERK-TREASURER