

**Town of Lewisville
July 9, 2015
Town Council Minutes
Houston Brick 5:00 PM**

The Town Council meeting was called to order by Richard Craig.

Present:

Robert Blake
Richard Craig
Patricia Morton

Absent:

Board approved minutes from previous meeting.

David Rich, maintenance, gave report. Ask for permission to go to county highway and get cold patch to fill poles. The material from State has not materialized.

Notified the board of his vacation schedule July 13 thru July 17th.

Jerry and Terri Ingalls requested that the Town pay for the repair of the power line that was taken down due to limb from neighbor's tree. The clerk treasurer had contacted town insurance company, Pfenninger, Clayton, & Estelle Insurance Group, and presented email stating:

"After discussing the situation, I do not think the Town has any liability for a tree that falls from one private property owner's yard to another.

Typically, the homeowner that has the damaged property may or may not choose to submit a claim under their own insurance policy. Or, if the property owner that owns the tree was determined to be negligent in some way it could be argued they are at fault but they would have to prove negligence by the party that owns the tree. These occurrences are usually considered "no fault" as an act of God.

Regardless, the Town of Lewisville should not be responsible for a tree on private property. Please let me know if you have any other questions or want to discuss this further. "

The board discussed changing the water leak adjustment. The clerk presented a policy that has been stated in Gary Sanders Utility Pipeline Newsletter.

"Offer a water credit for use over 150% of normal use (defined as use the same month the previous year) to account for seasonable variability. The water is credited at the difference between retail and cost of treatment of water."

The clerk will research if this can be a written policy or has to be an ordinance.

Cindy Spade brought complaint against property belonging to Jane Troxell regarding building setting at back of lot. Town will send letter to resident regarding property.

Agreement with the Lewisville Cemetery was explained; town and cemetery split expenses of mowing which includes food for the crew.

Brush policy discussed. Rumpke will pick up trash if bundled and tied.

Board approved transfers in appropriations for 2015.

Clerk gave the board paperwork from Henry County Commission stating that we are under the zoning. This is ordinance 1976-1.

Claims approved as presented.

With no other business to be brought before the board, Meeting adjourned.

The foregoing excerpts of minutes are hereby certified to be true and correct.

Submitted,

Clerk Treasurer

Board Member

Board Member

Board Member