

**BOONE COUNTY REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
MARCH 20, 2012 7:00 PM
BOONE COUNTY REGIONAL SEWER DISTRICT OFFICE
1314 NORTH SEVENTH STREET**

Trustees Present: Deborah Schnedler, Secretary
David Shorr, Vice Chair
John Massey, Trustee
Karen Miller, Trustee

Trustees Absent: Randy Chann, Chair

Others Present: Tom Ratermann, General Manager
Crystal Bridgman, Sr. Admin. Asst. Support
Stan Shawver, Boone County Planning and Building Inspection
John Whiteside, General Counsel
Lesley Oswald, Assistant Secretary & Treasurer
Andy Lister, Project Manager BCRSD
Dwayne Cooksey, Operations Superintendent
Gerry Worley, Health Dept.
Elke Boyd, SKW

David Shorr, called the March, 2012 Board of Trustees meeting to order at 7:00 p.m. Shorr noted there was a quorum.

Approval of Revised Agenda

On a motion by John Massey, and a second by Debbie Schnedler, the Board moved to approve revised agenda. Motion carried.

Approval of Minutes

On a motion by John Massey, and a second by Debbie Schnedler, the Board moved to approve the minutes for the February board meeting. Motion carried.

Approval of Closed Session Minutes

On a motion by Debbie Schnedler, and a second by John Massey, the Board moved to approve the minutes for February Closed Session. Motion carried.

Approval of Financial Reports

Lesley Oswald reviewed the financials. Oswald noted that the last payment on the South Rte K WWTP Closures project was made partially out of cash. She noted that the budget for cash expenditures on capital improvements for 2012 was large enough that no adjustment is needed at this time.

On a motion by Karen Miller, and a second by Debbie Schnedler, the Board moved to approve the Cash Receipts & Disbursements, Bank Reconciliation and Financial Statements for February 2012. Motion carried.

Outstanding Bills

Oswald noted there two outstanding bills.

On a motion by John Massey, and a second by Debbie Schnedler, the Board moved to approve the payments to Grainger an estimated amount of \$2500 and to Fay and Sons approximately \$1340 for facility address signs and to MO Machinery & Engineering in the amount of \$1950 for a replacement pump for County Downs Lift Station. Motion carried.

Public Comment

Gerry Worley stated he would like to report that he met with the neighbors in the Hinton Road area to help them resolve their sewer problems. Worley reviewed a map of the area noting two of the ten homes have had violations. Worley said he came to the board to ask if there was a possibility that a variance could be granted for a site specific connection fee to offset the expense of the two homeowners that are in violation and are required to connect to public sewer. Worley noted there are other homes in violation but have not been reported.

Board members concluded they are in favor of Worley reporting to the Hinton homeowners that the Board is committed to ensuring that the cost to bring public sewer to the area would be shared equally by all the residents who would benefit and would consider the option of a site specific connection fee.

Manager's Report

Easement Acquisition Report

Ratermann noted the easement acquisition report went out in the mailed out packet. Ratermann said Andy Lister has made a lot of progress on acquisition of easements for the Rocky Fork project.

Lien Report

Ratermann reported there were three liens released in the last thirty days.

Planning and Zoning Report

Stan Shawver reported on the meeting with the Planning and Zoning Commission. Shawver noted that discussions continue on the proposed development near the site of the new high school. Shorr asked if there will be capacity for these new homes. Ratermann reported that the North Fork of the Grindstone project is out to bid and application for funding by way of a SRF direct loan is in progress.

Permit Status Report

Ratermann reviewed the report provided in the board packets.

Disinfection Deadlines

Ratermann said the information is unchanged from last month.

Tier 2

Phenora North

No progress to report.

REDI Membership

Board members agreed to discuss this when the Board chair is present.

Engineering Selection for Master Plan and SRK Plant Improvements

Ratermann reported that RFPs are due next week. He said he will distribute them to the selection committee and prepare a list of firms to be interviewed based on the committee's evaluation of the

proposals.

Prairie Meadows

Ratermann reviewed last month's discussion concerning the planned outer drive for Hwy 63 that will serve the area and the need for more capacity in the Prairie Meadow WWTP to serve new development that may result from the road improvement. Ratermann noted Prairie Meadows improvements will be included in the 2012 Capital Improvement's Plan.

City Sanitary Sewer Specifications

Ratermann noted a member of the board and staff should review this and report their findings to the full board. Board members appointed John Massey to help with the review of the specification.

Audit

Oswald noted that Gerding, Korte and Chitwood had completed the gathering of information and materials from District staff and were finishing up on the details of the audit. Oswald reported that she asked Jim McGinnis to meet with her prior to the audit to go over some of the issues and challenges presented by the new billing software. She said that McGinnis did not feel that there were any major discrepancies and wants to review the end of month reports another month or two before determining transition adjustments. Oswald said McGinnis noted that it is typical for the numbers to be off somewhat in a software transition.

Notice of Conflict of Interest

Ratermann reported that Brydon, Swearngen and England, P.C., the legal firm representing the District on a back-up damage claim through MOPERM wanted him to disclose to the Board that they also represent Green Hills MHP.

Clean Water Commission Comments

Ratermann reported that he commented on the proposed Water Quality Standards at the last Clean Water Commission meeting. He said one of his specific comments was to request that a deadline of meeting the new regulations was removed and suggested that compliance schedules would be worked out permit by permit. He noted that passage of the new regulations was tabled.

On a motion by David Shorr, and a second by John Massey, the Board moved to accept the Manager's Report. Motion carried.

Operations and Maintenance Report

Cooksey reviewed the O & M Report as submitted.

On a motion by Karen Miller, and a second by John Massey, the Board moved to accept the O & M Report. Motion carried.

Safety Report

Oswald reviewed the Safety meeting. She noted there were no accidents to report.

On a motion by John Massey, and a second by Karen Miller, the Board moved to accept the Safety Report. Motion carried.

Status Report (Work in Progress)

Ratermann reviewed the status of work in progress. There was some discussion of note on the following projects:

Rocky Fork WRF

Ratermann noted the proposed equipment procurement is under review at MDNR.

Ratermann reported that the spreadsheet on what has been paid on easement acquisition costs was sent out in the packets. He noted that at this point the costs are within the 2012 land acquisition budget.

North Fork of the Grindstone Phase 2-High School Sewer

Ratermann noted the City has this project out to bid. He reported that this project is being bundled in a SRF direct loan with the Rayfield Project.

Tier Two – Prathersville Area

Ratermann reported that the sons of Gordon Burnam are pursuing plans to redevelop Mobile Village MHP. He noted that they are aware that the Board offered to extend the \$750 connection fee to their father if he developed by a certain date. Ratermann stated that although that date has passed he expects that the Burnams will ask the Board to approve the lower fee for their new 80 lot development.

Scenic Heights (formerly Providence Heights)

Shawver reported that the new developers of this property have proposed on-site sewer systems. He noted that he did not believe that this strategy would be approved given the proximity of public sewer.

Agenda Items

**Consider Construction Contract Award
On Energy Efficiency Block Grant (EECBG) in the Amount of \$144,927**

On a motion by Karen Miller, and a second by John Massey, the Board moved to award the construction contract in the amount of \$144,927 for the EECBG project to J. Louis Crum Corporation. Motion carried.

**Consider Encroachment Agreement with Magellan Pipeline
For the Sunrise Estates Lagoon Closure Project**

On a motion by Debbie Schnedler, and a second by John Massey, the Board moved to approve an Encroachment Agreement with Magellan Pipeline for the Sunrise Estates Lagoon Closure Project. Motion carried.

Consider Easement Acquisition Agreements with Mackey and Palmer

Ratermann noted these easements are needed for the Rocky Fork Treatment Facility.

On a motion by Karen Miller, and a second by Debbie Schnedler, the Board moved to approve the easement acquisition agreements with Mackey and Palmer for the Rocky Fork project. Motion carried.

Consider Condemnation Resolution for the Rocky Fork Project

Lister requested that the Board come back to this item after the closed session. The Board agreed to postpone discussion on this issue.

Old Business

No old business.

New Business

Consider ratifying easement acquisition agreements for Windy Point Partners LLC, Smith Rentals, LLC, Gary and Alice Weil, Linda M. McBee Revocable Living Trust, Lloyd and Cara Jacobs, John S and Janet E. Pharr, and Diversified Property, LLC

Lister reviewed all the negotiations and specific details of each of the easement agreements noted above.

On a motion by Debbie Schnedler and a second by John Massey the Board ratified easement acquisition agreements for Windy Point Partners LLC, Smith Rentals, LLC, Gary and Alice Weil, Linda M. McBee Revocable Living Trust, Lloyd and Cara Jacobs, John S and Janet E. Pharr, and Diversified Property, LLC as presented. Motion carried.

Consider acceptance of Bill of Sale and Easements from Swilling on I-70 Drive SE

Lister reported that this property connected to the District when a large truck crushed the septic tank. He noted the system is in and passed inspection. He said the City is considering the annexation application prescribed by a connection agreement. He reported the District did not wait for annexation given the emergency situation the business was experiencing.

On a motion by Karen Miller, and a second by Debbie Schnedler, the Board accepted the easements and bill of sale for the Swilling property on I-70 Drive SE. Motion carried.

Closed Session

Vote to Hold Closed Session Under Section 610.021 (1) & (2)

On a motion by Debbie Schnedler, and a second by Karen Miller, the Board moved that the Boone County Regional Sewer District Board of Trustees authorize a closed meeting at 8:36 PM on Tuesday, March 20, 2012 as authorized by section 610.021(1) RSMo to discuss legal actions, causes of action or litigation involving a public governmental body and any

confidential or privileged communications between a public governmental body or its representatives and its attorneys and section 610.021(2) RSMo. to discuss the leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore

John Massey, Debbie Schnedler, David Shorr and Karen Miller voted in favor. Randy Chann was absent. Motion carried.

On a motion by Karen Miller, and a second by Debbie Schnedler, the Board moved to re-open the regular meeting at 8:55 PM on Tuesday, March 20, 2012. John Massey, Debbie Schnedler, David Shorr and Karen Miller voted in favor. Randy Chann was absent. Motion carried.

Consider Condemnation Resolution for the Rocky Fork Project

The resolution was no longer needed due to the acceptance of easement offers by the Board.

Adjournment

Meeting was adjourned at 8:56 PM.

Approved by: _____
