

**BOONE COUNTY REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
JUNE 15, 2021
BOONE COUNTY REGIONAL SEWER DISTRICT OFFICE
1314 NORTH SEVENTH STREET**

Trustees Present: Randy Chann, Chair
David Shorr, Vice Chair
Deborah Schnedler, Secretary
Justin Aldred, Trustee
John Massey, Trustee

Absent:

Others Present: Tom Ratermann, General Manager
Lara Florea, Treasurer & Assistant Secretary
Virgil Farnen, Operations Manager
Andy Lister, Project Manager
John Whiteside, General Counsel
Sandi Clark, Office Administrator
Mike Hall, McClure Engineering

The meeting was held as a virtual GoToMeeting video and telephone conference; on-site attendance was optional.

Randy Chann, Chair, called the June 15, 2021 Board of Trustees meeting to order at 5:30 p.m. Chann noted there was a quorum.

ADOPTION OF REVISED AGENDA

The Agenda was revised to add three items to New Business.

On a motion by John Massey and a second by Debbie Schnedler, the Board moved to approve the Revised Agenda for the June 2021 Board of Trustees regular meeting as written. Motion carried.

APPROVAL OF MAY 2021 BOARD MEETING MINUTES

The minutes for the May 2021 Board of Trustees Meeting were included in the packet.

On a motion by Randy Chann and a second by John Massey, the Board moved to approve the minutes for the May 2021 Board of Trustees meeting as written. Motion carried.

APPROVAL OF JUNE 2, 2021 SPECIAL BOARD MEETING MINUTES

The minutes for the June 2, 2021 Special Meeting of the Board of Trustees Meeting were included in the packet.

On a motion by Randy Chann and a second by Debbie Schnedler, the Board moved to approve the minutes for the minutes for the June 2, 2021 Special Meeting of the Board of Trustees Meeting as written. Motion carried.

APPROVAL OF MAY 2021 CLOSED SESSION MINUTES

The Closed Session minutes for the May 2021 Board of Trustees Meeting were included in the packet.

On a motion by Randy Chann and a second by Debbie Schnedler, the Board moved to approve the minutes for the May 2021 Board of Trustees Closed Session as written. Motion carried.

APPROVAL OF JUNE 2, 2021 SPECIAL MEETING CLOSED SESSION MINUTES

The minutes for the June 2, 2021 Special Meeting of the Board of Trustees Meeting were included in the packet.

On a motion by Randy Chann and a second by Debbie Schnedler, the Board moved to approve the minutes for the minutes for the June 2, 2021 Special Meeting Closed Session as written. Motion carried.

PUBLIC COMMENT

There was no public comment. Tom Ratermann noted that the BCRSD received a letter from a former employee seeking a status of ‘consider for rehire’, and this will be brought back to trustees for discussion in July.

CONSENT AGENDA

- Easement Acquisition Report**
- Permit Status Report**
- Monthly Financial Reports**
- Status Report (Work in Progress)**

The reports listed on the Consent Agenda were included in the packet. Ratermann noted that the Easement Acquisition Report has been revised according to Trustee’s request from the May 2021 Board meeting.

On a motion by Debbie Schnedler and a second by John Massey, the Board moved to approve the reports included on the Consent Agenda as presented. Motion carried.

QUARTERLY FINANCIAL REPORTS

The 2021 first quarterly financial reports were included in the packet. Ratermann noted this has been continued from the April and May Board meetings, and was pending clarity on reporting changes made by UMB, the financial institution managing the account(s). Debbie Schnedler advised there will be journal entries made to some funds in the account in order to present in a different way on future reports, but this change is not substantive to the balance sheet for the District.

On a motion by Randy Chann and a second by John Massey, the Board moved to approve the reports included on the Consent Agenda as presented. Motion carried.

MANAGER'S REPORT

Planning and Zoning Update

Bill Florea reviewed the Planning and Zoning reports included in the packet.

MDNR Inspections/ Letters of Warning (LOW)/ Notices of Violation (NOV)/ Unsatisfactory Features/ Return to Compliance

The report was included in the packet. There were no new warnings or violations to report.

Discussion of Financial Advisory Services

Ratermann reviewed the list of financial advisors included in the packet, advising staff would like to solicit for Requests for Qualifications from these entities for financial advisory services. Ratermann stated the District is in a good position to continue with securing financial advisory services. Schnedler requested a current draft of the Request for Qualifications.

Discussion of Legal Services

Ratermann explained staff is ready to solicit 18 entities for Requests for Qualifications. It was determined that there may be some overlap expected where both current General Counsel and new General Counsel would be on staff in order to streamline transition of the role for the tasks assumed.

American Rescue Plan

Ratermann reported that the Boone County Commissioners advised the BCRSD to send a letter expressing interest in participating in the American Rescue Plan.

Review General Manager's Job Description

The General Manager's job description was included in the packet as a preview for discussion and request for approval at the July 2021 Board meeting. Ratermann asked Trustees to submit revision requests before the July meeting.

Randy Chann asked Ratermann to consider whether or not any of the day to day duties can be delegated to senior staff members. Schnedler advised she will route her suggestions and comments through Trustees at a later date.

Rate Payer Communication Plan

The Rate Payer Communication Plan was included in the packet. Chann recommended staff focus on communicating how the District is mitigating costs to keep rates low.

Brookfield Estates

Ratermann reported a property owner is offering to buy some of the BCRSD's excess real estate located in Brookfield Estates. He recommended the BCRSD get a better final assessment of facility improvements in the regions before agreeing to sell real estate at Brookfield.

On a motion by Randy Chann and a second by John Massey, the Board moved to accept the Manager's Report as presented. Motion carried.

OPERATIONS AND MAINTENANCE (O&M) REPORT

Virgil Farnen reviewed the O & M Reports included in the packet.

On a motion by Randy Chann and a second by David Shorr, the Board moved to accept the O & M Report as presented. Motion carried.

(Agenda Items)

CONSIDER ACCEPTANCE OF FISCAL AUDIT 2020

Lara Florea reviewed the memo and audit included in the packet. Schnedler advised the audit report was complete and acceptable.

On a motion by Debbie Schnedler and a second by John Massey, the Board moved to approve the 2020 fiscal audit. Motion carried.

CONSIDER AGREEMENT WITH MCCLURE FOR THE MIDWAY AREA FACILITY PLAN IN THE HOURLY NOT TO EXCEED AMOUNT OF \$60,000.00

Ratermann reviewed the agreement included in the packet. He explained that after eliminating the flow monitoring and the excess meetings, the proposal amount is lowered to \$60,000.00. The Trustees approved a 2021 budget of \$38,000.00 for this facility plan. He asked the Trustees to authorize the General Manager and General Counsel to negotiate and enter the agreement with McClure.

On a motion by David Shorr and a second by John Massey, the Board moved to approve the agreement with McClure Engineering, and authorized the General Manager and General Counsel to negotiate and enter agreement. Motion carried.

CONSIDER THE VACCINATION INCENTIVE POLICY AND MAKING IT RETROACTIVE FOR THE COVID VACCINE

Ratermann reviewed the memo included in the packet, and asked the Trustees to approve the policy included in the packet. Lara Florea explained that BCRSD does not require any vaccine at this time, and reminded trustees that they previously expressed that an incentive for vaccines was more practical than a requirement for any vaccine, as a vaccine requirement would command punitive action against employees who were out of compliance.

Schnedler advised she's not in support of the incentive policy for vaccinations, but that she's most

interested in a protocol for a required return to work spaces with some employees who are vaccinated and some are not.

Shorr also recalled the trustees determined an incentive policy was preferred over a requirement for vaccines. He advised there are legal and management implications created by workplace vaccination policy, one of which is tracking.

Chann suggested additional costs are assumed by enforcing social distancing, masks and other COVID guidelines formerly issued by local and federal health organizations. Ratermann advised he will review workplace rules in place now as a result of the coronavirus.

On a motion by David Shorr and a second by Randy Chann, the Board moved to table the vaccination incentive policy until the July Board meeting. Motion carried.

CONSIDER AN AGREEMENT FOR SERVICE WITH BUTCH'S INVESTMENTS

Ratermann reviewed the agreement included in the packet. He advised the owner has proposed a four-phase development plan to build an automobile dealership, two indoor athletic venues (not stadiums), and one other business structure. The owner wants to build a subsurface drip dispersal system, accommodating 2,910 gallons per day, and would convey a 4-acre tract of land to the BCRSD for residual land application if needed. A vegetation management plan is included in the agreement, and is required of any future owner to whom the property may be conveyed.

On a motion by Randy Chann and a second by David Shorr, the Board moved to approve the agreement for sewer service with Butch's Investments. Motion carried.

CONSIDER THREE-PHASE ELECTRICAL SERVICE AGREEMENT WITH BOONE ELECTRIC COOPERATIVE FOR THE SHALIMAR GARDENS PROJECT IN THE MINIMUM AMOUNT OF \$98.50 PER MONTH FOR 4 YEARS

Ratermann reviewed the agreement included in the packet.

On a motion by David Shorr and a second by John Massey, the Board moved to approve the three-phase electrical service agreement with Boone Electric Cooperative for the Shalimar Gardens project in the minimum amount of \$98.50 per month for 4 years. Motion carried.

CONSIDER CONVEYING ELECTRIC EASEMENT TO BOONE ELECTRIC COOPERATIVE FOR THE SHALIMAR GARDENS PROJECT

Ratermann explained an easement will need to be conveyed to Boone Electric for the Shalimar Gardens project.

On a motion by David Shorr and a second by Randy Chann, the Board moved to approve the conveyance of electric easement to Boone Electric Cooperative for the Shalimar Gardens project. Motion carried.

CONSIDER AGREEMENT WITH HDR FOR DESIGN ENGINEERING ON THE

WATER'S EDGE PROJECT

Ratermann advised HDR has not submitted a proposal yet for this project.

On a motion by David Shorr and a second by Debbie Schnedler, the Board moved to table this item until the July Board meeting. Motion carried.

CONSIDER PROFESSIONAL SERVICE CHANGE ORDER NO. 1 WITH MCCLURE IN SUPPORT OF THE PUBLIC SERVICE COMMISSION MATTER IN THE AMOUNT OF \$5,700.00

Ratermann reviewed the change order included in the packet.

On a motion by Randy Chann and a second by John Massey, the Board moved to approve Change Order No. 1 for \$5,700.00 with McClure in support of the Public Service Commission matter. Motion carried.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS Background Information

Ratermann reviewed the memo included in the packet, and advised that he plans to meet with City Council members to impart the background history of service and connection agreements between the BCRSD and the City. Both Chann and Shorr want it to be clear that the 80% of the treatment cost that is conveyed to the City when they treat county customer wastewater is not a discounted rate – it is the BCRSD's fee and a portion of it is paid to the City for their treatment of wastewater routed by a BCRSD sewer main. It was also noted that there are county residents who are counted as City customers with City treatment routed by City mains, and those City customers in the county are billed an additional surcharge for living in the county under City wastewater operation and management. Trustees agreed the General Manager should provide background information and history to the City Council members.

Revision to BCRSD's "Design Regulations for Subsurface Drip Dispersal Systems"

Ratermann reviewed the revisions to the drip dispersal regulations included in the packet. He advised this will return as an agenda item in the July Board meeting.

VOTE TO HOLD CLOSED SESSION UNDER SECTION 610.021 (1)

On a motion by David Shorr and a second by Randy Chann, the Board moved that the Boone County Regional Sewer District Board of Trustees authorize a closed meeting at 7:07 PM on June 15, 2021, as authorized by: 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 as authorized by section 610.021.

Randy Chann, David Shorr, Debbie Schnedler, John Massey and Justin Aldred voted in

favor. Motion carried.

On a motion by David Shorr and a second by Debbie Schnedler, the Board moved to re-open the regular meeting at 7:48 PM on Tuesday, June 15, 2021.

Randy Chann, David Shorr, Debbie Schnedler, John Massey and Justin Aldred voted in favor. Motion carried.

ADJOURNMENT

On a motion by David Shorr and a second by Debbie Schnedler, the Board moved to adjourn the meeting. Motion carried.

Meeting was adjourned at 7:48 PM.

Approved by:

