

**BOONE COUNTY REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
DECEMBER 18, 2018  
BOONE COUNTY REGIONAL SEWER DISTRICT OFFICE  
1314 NORTH SEVENTH STREET**

**Trustees Present:** Randy Chann, Chair  
David Shorr, Vice Chair  
Deborah Schnedler, Secretary  
John Massey, Trustee  
Fred Parry, Trustee

**Absent:**

**Others Present:** Tom Ratermann, General Manager  
Lesley Oswald, Assistant Secretary & Treasurer  
Stan Shawver, Boone County Resource Management  
John Whiteside, General Counsel  
Sandi Clark, Administrative Assistant  
Gary and Rhonda Wilson, Silver Creek Subdivision  
Kathi Jones, W Old Plank Road Property Owner  
Marvin Sapp, W Old Plank Road Property Manager

Randy Chann, Chair, called the December 18, 2018 Board of Trustees meeting to order at 5:30 p.m. Chann noted there was a quorum.

**ADOPTION OF REVISED AGENDA**

The revised agenda for December 18, 2018 Board of Trustees Meeting was included in the packet.

On a motion by David Shorr and a second by Fred Parry, the Board moved to approve the revised agenda for the December 18, 2018 Board of Trustees meeting as written. Motion carried.

**APPROVAL OF MINUTES, BOARD OF TRUSTEES MEETING**

The minutes for the November 2018 Board of Trustees Meeting were included in the packet.

On a motion by Fred Parry and a second by David Shorr, the Board moved to approve the minutes for the November 2018 Board of Trustees meeting as written. Motion carried.

### **APPROVAL OF CLOSED SESSION MINUTES**

The minutes for the November 2018 Board of Trustees Closed Session were included in the packet.

On a motion by David Shorr and a second by Fred Parry, the Board moved to approve the minutes for the November 2018 Board of Trustees Closed Session as written. Motion carried.

### **PUBLIC COMMENT**

Property owner Kathi Jones was present to discuss 1561 & 1563 W Old Plank Road and 1565 & 1567 W Old Plank Road base service fees, which had incurred property liens due to non-payment. She asked the Board to waive all or a portion of the base service fees for the unused, uninhabitable properties since 2009, and described various hardships she had been facing that prevented payment of the fees. Sandi Clark advised the base service fees for two of the units had been paid for since 2014 by Marvin Sapp as a favor to Jones to ease her financial burden. Shorr explained that the base service fees are intended to cover the cost of service availability and to pay off debt incurred by bond issue, whether the property is inhabited and producing wastewater or not. Shorr and Parry each noted that fees paid by Sapp could be viewed as good faith payment on units that will be demolished.

On a motion by Randy Chann and a second by Fred Parry, the Board moved to waive the base service fees for 1565 & 1567 W Old Plank Road in the amount of \$3,255.83 from debt incurred by William (deceased) and Kathi Jones.

Randy Chann, David Shorr, Fred Parry and John Massey voted in favor. Debbie Schnedler opposed. Motion carried.

Marvin Sapp presented a request that the Board waive the base service fees he paid since 2014 for units 1561 & 1563 W Old Plank Road. He said he did not understand why he would pay for something he could not use. Parry explained that the base service fees are to be constant whether the system is used or not. Shorr reiterated that the base service fees are to cover the expense incurred for making the system available to connected properties, and is paid by all users. Parry advised he believed the variance granted for Jones was intended to diminish the burden of fees for all units involved.

On a motion by David Shorr and a second by Fred Parry, the Board moved to deny the request to waive base service fees for 1561 & 1563 W Old Plank Road paid for by Marvin Sapp. Motion carried.

### **See Agenda Item P: *Consider Agreement with Gary and Rhonda Wilson for Silver Creek Subdivision***

Gary and Rhonda Wilson were present to request a pressure sewer service agreement for the proposed seven lot Silver Creek subdivision. Ratermann explained the subdivision proposes to build a collection system to District standards that the District would assume. He advised the District could then seek an agreement to send flow to Hallsville for treatment. Stan Shawver

advised the Silver Creek subdivision needs to account for wastewater treatment before it can be approved by Boone County Planning and Zoning. Ratermann advised the Hallsville Board of Aldermen approved the agreement for Sunnyslope connection, and it is on the Hallsville City Council agenda for the January meeting. Ratermann asked the Trustees to authorize him to work on both agreements.

On a motion by John Massey and a second by Fred Parry, the Board moved to authorize the General Manager and General Counsel to write and execute a sanitary sewer service agreement for Gary and Rhonda Wilson for the proposed Silver Creek subdivision. Motion carried.

On a motion by John Massey and a second by the Fred Parry, the Board moved to authorize the General Manager and General Counsel to write and execute a connection agreement with the City of Hallsville for the Silver Creek subdivision. Motion carried.

The Board discussed the need for a more formal process for Public Comment, and asked staff to impress upon people who may expect a motion from the Board to also submit what is needed to formally place their issue on the agenda. Schnedler asked for a limit to the time allowed for each Public Comment, and noted the agenda should be an instrument for transparency between the District and the public. Ratermann reminded Trustees that they can ask for a report on the issues stated in Public Comment, and staff can return with the report and the agenda item in the following meeting.

**CONSENT AGENDA**  
**Easement Acquisition Report**

**Permit Status Report**

**Monthly Cash Receipts, Disbursements, Bank Reconciliation  
and Monthly Financial Reports**

**Outstanding Bill(s)**

**Status Report (Work in Progress)**

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

**MANAGER'S REPORT**

**Planning and Zoning Update**

Shawver reviewed the Planning and Zoning update, Building Permit Statistics, and the Boone County Construction Report.

**Disinfection Deadlines**

The Disinfection Deadlines Report was included in the packet. Ratermann advised the construction permits for Oberlin Valley and Lee Heights have been received. He stated the Department of Natural Revenue (DNR) verbally approved the Due Diligence report and told the District the projects could go out to bid. Ratermann has asked for the approval to be

submitted in writing.

**Report on 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.

**Draft Permits from MDNR for Review**

Ratermann advised the District has asked for a ten year compliance schedule for Midway USA. This item is on DNR's 30 day Public Comment schedule with a deadline of January 14, 2019.

**Improper Wiring Notice from Boone Electric Cooperative**

Ratermann explained he's waiting to hear from Boone Electric.

**Review November Budgetary Decisions**

Ratermann reviewed the budgetary materials and motions from November, which were included in the packet. Chann distributed a 2019 Budget pie chart and led discussion regarding affordability index and the potential for a review of how to manage future increases. Ratermann advised that the difficulty with conducting an accurate affordability analysis is largely due to the fact that census data does not align with District service areas and is not an accurate depiction of District customer income data.

Schnedler advised the District may need to consider finding a more time-efficient way to run the analysis every time a developer needs the data for a potential sewer project. She encouraged staff to consider how this scenario might be driving up the ongoing maintenance and personnel needs of the District. Chann suggested the Trustees and staff develop a committee to review additional strategies to mitigate rate increases.

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

**OPERATIONS AND MAINTENANCE REPORT**

The Operations and Maintenance reports were included in the packet. Ratermann reviewed the El Chaparral Delinquent TAP list included in the packet.

On a motion by John Massey and a second by Debbie Schnedler, the Board moved to accept the O & M Report as presented. Motion carried.

**(Agenda Items)**

**CONSIDER CONVEYING ELECTRIC LINE EASEMENT TO BOONE ELECTRIC COOPERATIVE AT QUARTER MILE HILLS**

Ratermann reviewed the easement and the exhibit included in the packet.

On a motion by Debbie Schnedler and a second by John Massey, the Board moved to convey the electric line easement to Boone Electric Cooperative at Quarter Mile Hills. Motion carried.

**CONSIDER PROPOSAL FROM HDR FOR HYDRAULIC ANALYSIS FOR THE WOODLANDS IN THE NOT TO EXCEED AMOUNT OF \$5,540.00**

Ratermann advised the District has been getting inquiries about connecting to the Woodlands pressure sewer system, and a hydraulic model is required to answer questions about what kind of additional load the system can handle. Schnedler suggested the District bill a chargeback fee for each inquiry in order to cover the cost of the hydraulic model analysis once it comes to fruition. Ratermann advised he can bring this proposal back to the Board the next time a developer expresses interest in connection.

On a motion by Fred Parry and a second by Debbie Schnedler, the Board moved to deny the proposal from HDR for a hydraulic analysis for the Woodlands. Motion carried.

**CONSIDER CONNECTION AGREEMENT WITH THE CITY OF HALLSVILLE FOR SUNNYSLOPE SUBDIVISION**

Ratermann noted City of Hallsville's audits were included in the packet in response to a Board question regarding the viability of the Hallsville Sewer System. Staff believes that the financial reports show that Hallsville is financially secure and will be able to provide wholesale treatment in the foreseeable future. Ratermann reviewed the agreement included in the packet.

On a motion by John Massey and a second by David Shorr, the Board moved to approve the connection agreement with the City of Hallsville for the Sunnyslope subdivision. Motion carried.

**CONSIDER REAL ESTATE APPRAISAL FOR PHENORA NORTH SANITARY SEWER NEIGHBORHOOD IMPROVEMENT DISTRICT (NID) IN THE NOT TO EXCEED AMOUNT OF \$2,000.00**

Ratermann advised the District requires an easement from the owner of a 10 acre tract of land and needs an appraisal in order to negotiate the value of the easement.

On a motion by Debbie Schnedler and a second by John Massey, the Board moved to approve the real estate appraisal for the Phenora North sanitary sewer NID in the not to exceed amount of \$2,000.00. Motion carried.

**CONSIDER ACCEPTANCE OF BILL OF SALE FOR SAPP INDUSTRIAL PARK**

On a motion by Debbie Schnedler and a second by John Massey, the Board moved to accept the Bill of Sale for Sapp Industrial Park. Motion carried.

**CONSIDER AGREEMENT WITH GARY AND RHONDA WILSON FOR SILVER CREEK SUBDIVISION**

See Public Comment.

**CONSIDER CONNECTION AGREEMENT WITH THE CITY OF HALLSVILLE FOR SILVER CREEK SUBDIVISION**

See Public Comment.

**CONSIDER APPROVAL FOR 2018 YEAR END WRITE OFFS**

Oswald reviewed the 2018 Year End write off report included in the packet. The District's total write offs for 2018 were less than 1% of total user fees.

On a motion by Debbie Schnedler and a second by John Massey, the Board moved to approval the 2018 Year End write offs as reported. Motion carried.

**CONSIDER DECEMBER 24, 2018 AS BOONE COUNTY REGIONAL SEWER DISTRICT HOLIDAY**

Ratermann reported the Governor of Missouri and the Boone County government recently declared Christmas Eve as a holiday. He advised this request only pertains to 2018, not every year.

On a motion by David Shorr and a second by John Massey, the Board moved to approve December 24, 2018 as a Boone County Regional Sewer District holiday. Motion carried.

**OLD BUSINESS**

There was no Old Business.

**NEW BUSINESS**

**Corporate Lake Properties**

Ratermann reviewed the memo and proposed plan included in the packet. Ratermann advised he told the property owner that if he and City could not come to an agreement for the 40-acre tract, and if the owner could get a permit for on-site collection and treatment facility, then the District could assume operation and maintenance of the collection and treatment system. He stated the owner has a number of obstacles to overcome before negotiating an agreement with the City. Ratermann proposed he write a letter to the developer advising that the District could assume an on-site DNR permitted facility in the event the developer cannot come to agreement with connection to the City of Columbia. Trustees agreed with this plan of action; Shorr noted that he recused himself of this matter.

**Sewer Service for Four Proposed Lots Adjacent to Arrowhead Lake Estates**

Ratermann reviewed the memo and exhibits included in the packet. He explained the developer is proposing the District send a letter to the City of Columbia to finalize the amendment to the cooperative agreement.

**VOTE TO HOLD CLOSED SESSION UNDER SECTION 610.021 (1) & (2)**

On a motion by Debbie Shorr and a second by John Massey, the Board moved that the Boone County Regional Sewer District Board of Trustees authorize a closed meeting at 7:37 PM on December 18, 2018, 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; and (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.

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

On a motion by John Massey and a second by Fred Parry, the Board moved to re-open the regular meeting at 7:39 PM on Tuesday, December 18, 2018.

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

### **Adjournment**

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

Meeting was adjourned at 7:40 PM.

Approved by:

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