

**BOONE COUNTY REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
FEBRUARY 19, 2019  
BOONE COUNTY REGIONAL SEWER DISTRICT OFFICE  
1314 NORTH SEVENTH STREET**

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

**Absent:** John Massey, Trustee

**Others Present:** Tom Ratermann, General Manager  
Lesley Oswald, Assistant Secretary & Treasurer  
Dwayne Cooksey, Operations & Maintenance Manager  
Andy Lister, Project Manager  
Stan Shawver, Boone County Resource Management  
John Whiteside, General Counsel  
Sandi Clark, Administrative Assistant  
Matthew Shoults, Customer  
Christina Shoults, Customer

Randy Chann, Chair, called the February 19, 2018 Board of Trustees meeting to order at 5:30 p.m. Chann noted there was a quorum.

**Adoption of Revised Agenda**

The agenda was not revised.

**Approval of Minutes**

The minutes for the January 2019 Board of Trustees Meeting were included in the packet.

On a motion by Fred Parry and a second by Debbie Schnedler, the Board moved to approve the minutes for the January 2019 Board of Trustees meeting as written. Motion carried.

### **Approval of Closed Session Minutes**

The minutes for the January 2019 Board of Trustees Closed Session Meeting 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 January 2019 Board of Trustees Closed Session Meeting as written.  
Motion carried.

#### **Public Comment:**

Matthew and Christina Shoults were present to learn more about why the District has annual rate increases and what drives them. Debbie Schnedler explained that the rates are driven by wastewater treatment facility permit and discharge requirements assigned by the Department of Natural Resources (DNR), and the deadlines that need to be met in order to meet wastewater quality standards. The District has limited options to get things accomplished. Each time the permit requirements change, or when a developer or a neighborhood wants the District to assume a facility, the Trustees attempt to find the most economical way meet those needs. She explained they examine the bulk of their costs, which primarily include personnel, costs to maintain systems and treat waste, and paying wholesale treatment costs to the City.

Matthew Shoults inquired about the District hiring an external Certified Public Accountant (CPA) to perform analysis for the User Rate Study (URS) that schedules anticipated rate increases. Schnedler explained the company is hired to project what the cost will be to the District in later years based upon information the District has about anticipated projects needed to meet compliance standards, and rehabilitative maintenance for lines and facilities expected within 10 years. Engineers provide cost estimates for these materials and resources needed. Schnedler explained the cheapest way for the District to borrow money is through the State Revolving Fund (SRF), and the District is required to set the user rates and charges at a rate that will cover the debt service by 1.1 times. The CPA compiles and analyzes the data and then consults the District on when the best time would be to increase rates and by how much, but the schedules are driven by compliance standards set forth by DNR. Schnedler and Shorr explained the District has latitude to lower or forego an increase if the construction schedule changed dramatically to lower anticipated costs, but the Trustees have typically found that the annual actual costs and the budgeted costs have been close enough that there is no compelling reason for not following the URS fairly closely. The last URS was completed in 2017.

Fred Parry noted that the costs of debt service, maintenance and operations is distributed over a small pool of approximately 7,000 District customers. Ratermann advised that when compared to rates of other Missouri sewer districts with similar customer bases, the District's rates fall in the middle of the range. Ratermann explained that when new development occurs, the sewerage of the property is largely determined by the developer and then approved by the District according to what is economical and efficient at the time, but unforeseen regional changes that drive project costs cannot always be predicted.

General discussion on these topics ensued.

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

The Easement Acquisition Report was included in the packet. Ratermann advised.

**Permit Status Report**

The Permit Status Report was included in the packet.

**Approval of Cash Receipts & Disbursements & Bank Reconciliation and Monthly Operating Report for May 2018**

The financial reports included in the packet.

**Status Report (Work in Progress)**

**Safety Report**

The January 2019 Safety Report was included in the packet.

On a motion by David Shorr and a second by Debbie Schnedler, the Board moved to approve the reports 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.

**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.

**Midway Arms Operating Permit**

Ratermann reviewed the Midway truck stop operating permit included in the packet. He advocated that any offer from DNR for compliance should match or exceed the 4-year compliance schedule allowed Midway truck stop.

**Operating Strategy**

Ratermann advised the Operating Strategy committee comprised of Board volunteers and staff met earlier in the day. Chann explained the committee is considering a monthly meeting, and that they are reviewing issues aligned with concerns about rate structure.

**House Bill 720**

Ratermann advised Taney County sewer district is advocating for House Bill 720, allowing sewer districts to physically disconnect customers for non-payment.

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

## **Operations and Maintenance Report – Dwayne Cooksey**

Cooksey reviewed the O & M Reports included in the packet.

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

### **(Agenda Items)**

#### **Tier 2 Public Hearing**

##### **Introduction**

Ratermann introduced the Tier 2 Public Hearing.

##### **Call for Comments**

Chann opened the Public Hearing and called for comments from the public. Chann noted there were no public comments.

##### **Close Public Meeting**

Chann closed the Tier 2 public hearing.

#### **Consider Amendment 1 with Cochran Engineering in the Not to Exceed Amount of \$1,800.00 for Revisions to the Sunnyslope Facility Plan**

Ratermann explained the connection agreement with Hallsville includes connection of Sunnyslope, and the facility plan requires an update.

On a motion by David Shorr and a second by Debbie Schnedler, the Board moved to approve Amendment 1 with Cochran Engineering for the Sunnyslope Facility Plan in the not to exceed amount of \$1,800.00. Motion carried.

#### **Consider Construction Contract Award to Ryan Construction Company LLC in the Amount of \$857,158.75 for the Lee Heights / Oberlin Valley Project**

Ratermann reviewed the bid tabulations for the Lee Heights/ Oberlin Valley project, the estimate received from Ryan Construction and the draft award resolution included in the packet.

On a motion by Debbie Schnedler and a second by Fred Parry, the Board moved to award the Lee Heights/ Oberlin Valley project construction contract in the amount of \$857,158.75. Motion carried.

#### **Consider Engagement Letter with Outside Legal Counsel for the Phenora North Sanitary Sewer Neighborhood Improvement District (NID)**

Ratermann explained an easement by condemnation is needed, and outside counsel is required.

On a motion by Fred Parry and a second by Debbie Schnedler, the Board moved to authorize the General Manager and General Counsel to execute an engagement letter with

outside legal counsel for the Phenora North sanitary sewer NID, and to pursue an easement by condemnation for required the project.

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

### **Old Business**

There was no Old Business.

### **New Business**

There was no New Business.

### **Vote to Hold Closed Session Under Section 610.021 (1) & (13)**

On a motion by Debbie Schnedler and a second by David Shorr, the Board moved that the Boone County Regional Sewer District Board of Trustees authorize a closed meeting at 6:37 PM on February 19, 2019, 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 (13) RSMo. to discuss individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that exemption shall not apply to names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source.

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

On a motion by Fred Parry and a second by David Shorr, the Board moved to re-open the regular meeting at 7:00 PM on Tuesday, February 19, 2019.

Randy Chann, David Shorr, Debbie Schnedler and Fred Parry voted in favor.  
John Massey was absent. 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 7:00 PM.

Approved by:

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