

**BOONE COUNTY REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES REGULAR MEETING
MAY 16, 2023
BOONE COUNTY REGIONAL SEWER DISTRICT OFFICE
1314 NORTH SEVENTH STREET**

Trustees Present: Randy Chann, Chair
John Massey, Vice Chair
Debbie Schnedler, Secretary
John L Whiteside, Trustee
Justin Aldred, Trustee

Trustees Absent:

Others Present: Tom Ratermann, General Manager
Wendy Wieggers, Board Treasurer & Finance Manager
Sandi Clark, Assistant Board Secretary & Office Administrator
Daniel Cunningham, Project Manager
Bill Florea, Boone County Resource Management Director
Chris Pieper, Blitz, Bardgett & Deutsch, General Counsel
Angela Burke, Blitz, Bardgett & Deutsch, General Counsel

The meeting was held in person and as a GoToMeeting video with telephone conference.

Randy Chann, Chair, called the May 16, 2023 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 New Business item: “Consider Acceptance of Engagement Letter with Convergence Accounting for Payroll Services”.

On a motion by Randy Chann and a second by Justin Aldred, the Board moved to approve the revised agenda. Motion carried.

APPROVAL OF MINUTES

The minutes for the April 2023 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 April 2023 Board of Trustees meeting as written. Motion carried.

APPROVAL OF CLOSED SESSION MINUTES

The Closed Session Minutes for the April 2023 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 April 2023 Closed Session as written. Motion carried.

PUBLIC COMMENT

There was no Public Comment.

OLD BUSINESS

There was no Old Business.

CONSENT AGENDA

Easement Acquisition Report
Permit Status Report
January Financial Reports
Status Report (Work in Progress)
Planning and Zoning Update
Operations & Maintenance (O&M) Reports
Safety Minutes

The reports listed on the Consent Agenda were included in the packet.

Wiegers stated she included a January vs December financial document for comparison purposes, and offered to provide documents from 6 months to a year at a time. Schnedler responded that the Board would prefer to see reports for the check register, balance sheet, a current profit & loss, and the budget vs actual.

Chann noted that customer fees are up by 6%, mostly due to the Ashland service contract. He stated would like to begin measuring performance by contracted services. Schnedler queried how we can measure fixed assets over time. Wiegers responded that splitting costs out by project would be useful, and the District could achieve this by using class codes, but it is difficult to split costs out by time currently using QuickBooks.

Chann stated equipment expenses were up, and Ratermann replied it could be due to fleet costs and fuel costs. Chann also noted cellular and paging fees were up significantly. Wiegers stated she would investigate the details behind those cost increases.

Bill Florea stated the Boone County Resource Management is proceeding with the master plan process and is forming advisory committees. He noted there are meetings in June and July to speak with consultants, and he suggested that Board members come in to speak about concerns during these meetings.

On a motion by Justin Aldred 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

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.

Operation Committee Meeting, May 3, 2023, 10 AM – 12 PM

Ratermann advised the next Operations Committee meeting is pending scheduling. The OEC agenda and minutes were in the online packet

User Rates

The rate communication letter was posted to the website. Ratermann stated that under Chapter 250, BCRSD is required to have a public hearing before a resolution for raising rates can be established. He affirmed that the hearing is set for June 6, 2023 at the District headquarters. Ratermann informed the Board that Sandi Clark will inform Boone Electric Cooperative of the increase, which she is in the process of doing. He stated the rate increase for July 1st will happen in conjunction with annual the water usage review.

Chann wondered why pressure sewer rates weren’t changing along with other rates. Ratermann stated we didn’t have enough information about the BCRSD’s cost of maintaining pressure systems, so a rate increase was not defensible. Pieper stated the language used in the public hearing affidavit was open enough to include the pressure system customers if needed. Ratermann stated that the current surcharge covers replacing the pump every 10 years, periodic maintenance, pumping the septic tank every 5 years, and labor. Whiteside noted that there are approximately 500 customers in question for the pressure system rate increase issue.

Chann suggested keeping the rate increase letter to customers as simple as possible, using verbiage such as, “The increase is intended to keep up with the impacts of costs of operations and maintenance”. Ratermann suggested the Board email comments to Clark for incorporation into the final draft of the rate letter.

Boone County Housing Study

Ratermann explained he sent a letter to the Boone County Community Services Department with comments on the Housing Study.

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.

(Agenda Items)

CONSIDER ACCEPTANCE OF THE 2022 FINANCIAL AUDIT

Schnedler requested that financial documents be posted to the website with adequate time to review the items.

Wiegers stated the audit went smoothly and was clean. Ratermann suggested the draft audit be accepted subject to Schnedler's review. Wiegers stated she wrote a one-page response to the auditor's comment that there was not enough staff, and Schnedler stated that BCRSD is doing a better job bifurcating the segregation of duties.

On a motion by Debbie Schnedler and a second by John Whiteside, the Board moved to approve the acceptance of the audit that has been presented, assuming it to be the final audit, subject to Debbie Schnedler's review of any changes. Motion carried.

CONSIDER AGREEMENT WITH HEUBERT BUILDERS, INC. FOR ± 154 LINEAR FEET OF NEW FENCE AT THE BROOKFIELD ESTATES WASTEWATER TREATMENT PLANT IN THE NOT TO EXCEED OF \$7180.60

The memo was included in the packet. Ratermann recommended Heubert Builders, Inc. to build approximately 150 feet of fencing, because the pricing is in line with other pricing the District has seen. He stated that while the Procurement Policy requires three quotes, he proposed that the Board utilize the Emergency Purchase clause, which he reviewed. Ratermann proposed utilizing the clause because having multiple contractors on site could compromise site safety and security.

Ratermann explained that the current fence is over 10 years old and requires replacement. He stated there is no current contract with Heubert builders, but they are on site already. Pieper suggested that there was sufficient review and the issue is specific enough to make an exception to the Purchase Policy and utilize the Emergency Purchase clause.

On a motion by Debbie Schnedler and a second by Justin Aldred, the Board moved to approve the agreement with Heubert Builders, Inc. for ± 154 linear feet of new fence at the Brookfield Estates Wastewater Treatment Plant in the not to exceed of \$7180.60, and authorize the General Manager to sign. Motion carried.

CONSIDER REVISION TO DESIGN REGULATIONS FOR SUBSURFACE DRIP DISPERSAL SYSTEMS

Ratermann provided a memo, and the question was raised about how small will you go with drip irrigation. Ratermann responded that the smallest he is suggesting is two residential units because of regulatory restrictions. Ratermann suggested the Board adopt regulations for a two residential unit drip irrigation system.

Whiteside noted that BCRSD would have to figure out how much to charge them. Ratermann noted that item three in the memo is, "the property owner enters into an agreement with the District..." and the district will provide rates and charges.

On a motion by Randy Chann and a second by John Whiteside, the Board moved to approve the revision to the Subsurface Drip Dispersal Systems regulations. Justin Aldred abstained. Motion carried.

**CONSIDER ACCEPTANCE OF ENGAGEMENT LETTER WITH
CONVERGENCE ACCOUNTING**

Ratermann explained that BCRSD has been requesting engagement letters from Convergence. He stated we have received two: one for general consulting, and one for payroll. He suggested that for general consulting the Board would need a need a not-to-exceed based upon previous billing history. He stated that the previous billing history for December, January, and February did include payroll services.

Schnedler was concerned that the letter was not engaged to perform strategic planning. She was uncomfortable with some of the language provided, and requested Wiegiers review the letter and remove the strategic planning section of the letter. Schnedler requested the scope of services be worked on by Wiegiers and she bring the letter back at the following meeting.

On a motion by Debbie Schnedler and a second by John Massey, the Board moved to table the letter of engagement with Convergence Accounting for presentation of a corrected engagement letter at the next meeting. Motion carried.

NEW BUSINESS

**Consider Acceptance of Engagement Letter with Convergence Accounting for Payroll
Services**

Ratermann explained there are thirteen employees, two payrolls per month, and proposed that the new agreement be executed.

On a motion by Debbie Schnedler and a second by Randy Chann, the Board moved to authorize the General Manager to sign the engagement letter with Convergence Accounting in connections with payroll services as presented. Motion carried.

VOTE TO HOLD CLOSED SESSION UNDER SECTION 610.021 (1)

On a motion by Justin Aldred and a second by Randy Chann, the Board moved that the Boone County Regional Sewer District Board of Trustees authorize a closed meeting at 6:32 PM on May 16, 2023, 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, Debbie Schnedler, John Massey, John Whiteside and Justin Aldred voted in favor. Motion carried.

On a motion by Debbie Schnedler and a second by John Whiteside, the Board moved to re-open the regular meeting at 6:41 PM on Tuesday, May 16, 2023.

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

CONSIDER COLLATERAL CONTROL AGREEMENT BETWEEN THE CENTRAL TRUST BANK, U.S. BANK NATIONAL ASSOCIATION, AND THE BCRSD

The agreement was included in the packet.

On a motion by Justin Aldred and a second by Debbie Schnedler, the Board moved to approve the Collateral Control Agreement between Central Trust Bank, US Bank National, and the BCRSD. Motion carried.

VOTE TO HOLD CLOSED SESSION UNDER SECTION 610.021 (13)

On a motion by Justin Aldred and a second by John Whiteside, the Board moved that the Boone County Regional Sewer District Board of Trustees authorize a closed meeting at 6:42 PM on May 16, 2023, as authorized by: (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, Debbie Schnedler, John Massey, John Whiteside and Justin Aldred voted in favor. Motion carried.

On a motion by Justin Aldred and a second by John Whiteside, the Board moved to re-open the regular meeting at 8:07 PM on Tuesday, May 16, 2022.

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

ADJOURNMENT

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

Meeting was adjourned at 8:08 PM.

Approved by: _____
