

**BOONE COUNTY REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES REGULAR MEETING  
SEPTEMBER 19, 2023  
BOONE COUNTY COMMISSION CHAMBERS  
801 E WALNUT ST**

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

**Trustees Absent:** John Massey, Vice Chair

**Others Present:** Tom Ratermann, General Manager  
Wendy Wieggers, Board Treasurer & Finance Manager  
Sandi Clark, Assistant Board Secretary & Manager Administration  
Daniel Cunningham, Project Manager  
Meg Petrillose, Administrative Assistant  
Bill Florea, Boone County Resource Management Director  
Chris Pieper, Blitz, Bardgett & Deutsch, General Counsel  
Angela Burke, Blitz, Bardgett & Deutsch, General Counsel  
Jay Burchfield, RML Investments

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

Randy Chann, Chair, called the September 19, 2023, Board of Trustees meeting to order at 5:33 p.m. Chann noted there was a quorum.

**ADOPTION OF REVISED AGENDA**

The Agenda was revised to remove the Water's Edge related items: Agenda Item K- Consider Board Resolution Regarding Hominy Creek Watershed; and Item L- Consider Agreement Regarding Easements and Developer Contributions at Water's Edge.

On a motion by Debbie Schnedler and a second by Justin Aldred, the Board moved to remove items K and L. Motion carried.

**APPROVAL OF MINUTES**

The minutes for the August 2023 Board of Trustees Meeting were included in the packet.

Debbie Schnedler noted that under the Rate Increase item, there was language that needed to be revised, and under the Water's Edge item, a sentence was to be deleted.

On a motion by Randy Chann and a second by Debbie Schnedler, the Board moved to approve the minutes for the August 2023 Board of Trustees, contingent upon the completion of revisions requested. Motion carried.

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

The Closed Session Minutes for the August 2023 Board of Trustees Meeting were included in the packet.

On a motion by Randy Chann and a second by John Whiteside, the Board moved to approve the minutes for the August 2023 Closed Session as written. Motion carried.

### **PUBLIC COMMENT**

#### **See Also: Agenda Item R - Consider a Policy Variance to Provide a Right of First Refusal**

Ratermann stated there was a regulation going back to 2016 that deals with treatment capacity at the Prairie Meadows facility being available on a first-come/ first-serve basis. He noted that Agenda Item S deals with allocating that capacity and suggested the Board of Trustees consider a policy to get away from first-come, first-serve. He stated that the Prairie Meadows plant was at capacity, and that RML Investment Properties would like to increase the capacity. Ratermann explained the District was suggesting a sanitary sewer evaluation survey to be completed by McClure, with a fee of \$44,000, and would expect RML Investment Properties to reimburse the District for that amount.

Jay Burchfield with RML Investments was present to discuss Prairie Meadows capacity. He stated that there was an original allocation for development, and he has a remainder of the allocation left with more development pending. He stated his concerns regarding the lack of treatment capacity at the Prairie Meadows facility and noted that his company was willing to pay for the study from McClure, granted they are allowed a First Right of Refusal for whatever capacity was discovered in the plant.

Ratermann explained the McClure study would use Sewer District closed-circuit television (CCTV) to televise the entire system and look for deficiencies, rate the deficiencies, record the flow data, and compare that flow data to water usages reported from water providers. He noted that the scope of the study was not to look at the plant, but to look at the flow capacity within the lines. He explained that increasing the design flow at the plant would lead to an anti-degradation study, and it would be difficult to get that study approved by MO Department of Natural Resources (MDNR).

Schnedler asked about the capacity at the facility, Ratermann explained the inflow and infiltration problem was significant, and one incident of heavy rainfall in July caused a manhole to overflow. He stated if peak flow could be lowered, more properties could be potentially served. He explained a majority of the load was due to the Prairie Meadows development.

Ratermann explained that Agenda Item R was to consider a policy variance from the existing

regulation to get away from the first-come/first-serve basis and provide a Right of First Refusal.

Schnedler asked if the motion passed, would the District consider changing the policy or making a variance, and how would it apply to future inquiries from the public about buying capacity at other locations. She recommended changing the policy to either-or, so there would not be a variance request each time. Ratermann explained that this was the only location where an allocation regulation would be sought, because it included commercial and residential units. He stated while residential usage was easy to predict, commercial and industrial usage was not, which was what prompted the regulation.

On a motion by Debbie Schnedler and a second by John Whiteside, the Board moved to approve the resolution approving the variance of the Prairie Meadows Wastewater Treatment Facility treatment and collection regulation as presented. Motion carried.

**See Also: Agenda Item S - Consider Reimbursement Agreement with RML Investments Properties LLC in the Not to Exceed Amount of \$44,000.00**

Ratermann explained that Agenda Item S was the reimbursement agreement between RML Investments and the Boone County Regional Sewer District in the not-to-exceed amount of \$44,000, with RML Investments reimbursing the District for the cost of the McClure study.

On a motion by Randy Chann and a second by John Whiteside, the Board moved to approve the reimbursement agreement between RML Investments and the Boone County Regional Sewer District in the not-to-exceed amount of \$44,000. Motion carried.

**See Also: Agenda Item T - Consider Agreement with McClure Engineering for Prairie Meadows in the Not to Exceed Amount Of \$44,000.00**

Ratermann reviewed the proposed scope of services and the email included in the packet. He noted that Option 1 was \$79,000, and Option 2 was \$44,000. Ratermann recommended option 2, since the District can use its own crews to do the CCTV work.

Schnedler expressed concern that significant amounts of staff time would be dedicated to the CCTV work for McClure. Ratermann assured the Board that staffing would be adequate.

On a motion by Randy Chann and a second by John Whiteside, the Board moved to approve the agreement with McClure Engineering for Prairie Meadows, not to exceed \$44,000. Motion carried.

**OLD BUSINESS – Operations Excellence Committee (OEC)**

**Next Meeting – October 5, 2023, 10am – Noon**

**Minutes from August OEC Meeting**

The minutes from the August OEC meeting were included in the packet.

Chann noted that the summary reports provided were a good start, but an overarching business strategy including critical functions is needed.

**CONSENT AGENDA  
Easement Acquisition Report**

**Permit Status Report  
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. Schnedler asked about the Capital Improvement Plan (CIP) based on the compliance schedule. Ratermann responded that the District met the compliance schedule and would refer her to the permanent report for ammonia.

Schnedler asked about how information was assigned to the Easement Acquisition Report, whether resources were automatically assigned to each project, and what kind of cost-benefit analysis was the District providing in the reports. Ratermann reviewed the information on the reports, and explained that the District reviews the design and then the District does inspections. Cunningham explained that the District does not expend any time on easement acquisitions for private development. Clark advised the QuickBooks timekeeping project would ultimately track data needed for cost-benefit analysis for time spent on CIP projects, NID projects and developer-built projects. Ratermann explained that it was the role of the District to guide developers through the Easement Acquisition process.

Schnedler asked about the sanitary sewer overflow (SSO) in Ashland. Farnen responded that it was found on August 28<sup>th</sup>, 2023. Ratermann explained that initially the problem was thought to be a leaking force main, but it turned out to be a discharging manhole.

On a motion by Randy Chann and a second by Debbie Schnedler, 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.

**Customer Count Report**

Ratermann advised the report was included in the packet. He stated it would become a monthly item, which would track new customer counts and also track if they were connecting to the District or the City of Columbia.

Chann stated that the two groups on the graph directly correlate to wholesale and treatment costs with the City of Columbia and treatment that the District pays to the City. Schnedler commented that contract services, Hartsburg and Hallsville, should be removed from the treatment ratio reporting.

Ratermann reported that Hallsville was not cashing the wholesale payments from the District. Angela Burke noted that she would follow up.

**Boone County Master Plan**

Ratermann reviewed the letter uploaded to the packet. He noted there was an online survey regarding the Master Plan, and the deadline to comment was September 30, 2023.

Bill Florea stated the open-house was September 26<sup>th</sup>, 2023.

**Area-Wide Management Plan – Interviews Sept. 22, 2023**

Ratermann explained interviews were scheduled for Friday the 22<sup>nd</sup>. He stated the interview committee consists of Daniel Cunningham, Randy Chann, Bill Florea, Chris Pieper, Wendy Wiegers, and himself.

**Staff Assessment**

Ratermann advised it was included in the packet. He noted that there are two A-Certified Wastewater Treatment Operator licenses that are no longer provisional.

**Wagon Wheel Mobile Home Park (MHP) – Smithview**

Ratermann reviewed the proposed contract in the packet. He stated it was a private DNR permitted lagoon that MDNR was inquiring about, and the District has offered a contract to Tom Smith and Smithview Development that would provide a temporary and conditional waiver from Continuing Authority. Ratermann noted the deadline for the MHP to connect to Rocky Fork Treatment Plant would be end of 2025.

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

**(Agenda Items)**

**CONSIDER BOARD RESOLUTION REGARDING HOMINY CREEK WATERSHED**

This item was removed from the meeting.

**CONSIDER AGREEMENT REGARDING EASEMENTS AND DEVELOPER CONTRIBUTIONS AT WATER'S EDGE**

This item was removed from the meeting.

**CONSIDER BUSINESS STRATEGY/ STRATEGIC PLAN**

Ratermann reviewed the Business Strategy included in the packet. Schnedler said the Business Strategy should define goals, guide the business, and reflect the mission statement.

Whiteside asked if it was the Board of Trustee's role to determine goals for the District. Schnedler responded it was her opinion that it is the responsibility of the Board to set the policy to approve what staff needs to be able to meet the District's goals. Chann stated that historically, the Board took on shaping responsibility, but he feels that this role has shifted. Whiteside explained he thought the Board should be mindful of potential strain on staff when taking on additional responsibility, and in appropriate context, provide input from the Board to the managers.

Aldred stated the Board needed to clearly delineate what was policy and what was strategic planning, because the District will be bound by policy.

On a motion by Justin Aldred and a second by John Whiteside, the Board moved to table

item M.

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

**CONSIDER REGULATION REGARDING EMERGENCY EVENTS**

Ratermann reviewed the regulation email included in the packet, and explained he was ready for it to become adopted and incorporated into the District's regulations.

On a motion by Justin Aldred and a second by John Whiteside, the Board moved to approve the regulation regarding emergency events. Motion carried.

**CONSIDER NO COST CHANGE ORDER 1 FOR THE ROLLINGWOOD PLAT 1 PUMP STATION**

Ratermann explained the District was extending the contract time almost three hundred fifty days. He reviewed the letter from Eaton Electrical Company, stating their lead time is 50-52 weeks, which will push back the completion date for the project without increasing the cost. Cunningham noted a notice to proceed was already issued. Ratermann advised the risk was that the extended completion date could eat into the warranty time on the pumps.

On a motion by Debbie Schnedler and a second by Justin Aldred, the Board moved to approve the no cost change order 1 for the Rollingwood Plat 1 Pump Station. Motion carried.

**CONSIDER ACCEPTANCE OF THE BILL OF SALE FOR THE LIVINGSTON SANITARY SEWER EXTENSION**

On a motion by Debbie Schnedler and a second by Justin Aldred, the Board moved to approve the bill of sale for the Livingston Sanitary Sewer extension. Motion carried.

**CONSIDER ACCEPTANCE OF THE BILL OF SALE FOR THE MELLOWAY SANITARY SEWER EXTENSION**

On a motion by Debbie Schnedler and a second by John Whiteside, the Board moved to approve the bill of sale for the Melloway Sanitary Sewer extension. Motion carried.

**CONSIDER A POLICY VARIANCE TO PROVIDE A RIGHT OF FIRST REFUSAL**

See Public Comment

**CONSIDER REIMBURSEMENT AGREEMENT WITH RML INVESTEMENTS PROPERTIES LLC IN THE NOT TO EXCEED AMOUNT OF \$44,000.00**

See Public Comment

**CONSIDER AGREEMENT WITH MCCLURE ENGINEERING FOR PRAIRIE  
MEADOWS IN THE NOT TO EXCEED AMOUNT OF \$44,000.00**

See Public Comment

**NEW BUSINESS**

Chann submitted a chart of wages over time, listing Social Security Cost of Living Average (COLA), and he noted new upwards trends in 2022. He questioned how do those trends relate to cost effectiveness in cost-effective related service. He stated that incoming wages put pressure on compensation of employees over time, however seniority can keep you ahead of the game. He asked what kind of COLA should be used, Federal or Social Security. The Board discussed the differences between Federal and Social Security COLA.

**VOTE TO HOLD CLOSED SESSION UNDER SECTION 610.021 (1) & (13)**

On a motion by Debbie Schnedler and a second by Justin Aldred, the Board moved that the Boone County Regional Sewer District Board of Trustees authorize a closed meeting at 7:00 PM on September 19, 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; 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, Debbie Schnedler, Justin Aldred, and John Whiteside voted in favor. John Massey was absent. Motion carried.

On a motion by Randy Chann and a second by John Massey, the Board moved to re-open the regular meeting at 7:54 PM on Tuesday, August 15, 2023.

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

**ADJOURNMENT**

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

Meeting was adjourned at 7:54 PM.

Approved by:

Deborah Schmedler

[Signature]