

**BOONE COUNTY REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES REGULAR MEETING
MARCH 19, 2024 - 5:30 PM
BOONE ELECTRIC COOPERATIVE HEADQUARTERS – WATTS ROOM
SOUTH ENTRANCE - 1413 RANGELINE STREET**

Trustees Present: Randy Chann, Chair
John Massey, Vice Chair
Debbie Schnedler, Secretary
David Bennett, Trustee

Trustees Absent: Justin Aldred, Trustee

Others Present: Joe Foster, Executive Director
Tom Ratermann, General Manager
Virgil Farnen, Operations 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
Zeke Davis, Davis Brothers Lawn Care LLC
Jay Burchfield, RML Investment Properties

The meeting was held in person and as a GoToMeeting virtual conference.

Randy Chann, Chair, called the March 19, 2024 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 Agenda Item *K.7. Safety Minutes*; and to update the title of Agenda Item N to *Consider Awarding a Mowing Contract to Salter Lawn Service Contingent Upon Meeting the Requirements of the 2024 RFP and Authorize the Executive Director to Sign Subject to the Review and Approval of General Counsel.*

On a motion by Randy Chann and a second by Debbie Schnedler, the Board moved to

approve the Revised Agenda. Motion carried.

APPROVAL OF MINUTES FOR FEBRUARY 2024 REGULAR SESSION

The minutes for the February 2024 Board of Trustees Regular Meeting were included in the packet.

On a motion by Randy Chann and a second by Dave Bennett, the Board moved to approve the minutes for the February 2024 Board of Trustees Regular Meeting as presented. Motion carried.

**APPROVAL OF MINUTES FOR FEBRUARY 21, 2024
SPECIAL MEETING OF THE BOARD**

The minutes for the February 21, 2024 Special Meeting of the Board of Trustees were included in the packet.

On a motion by Debbie Schnedler and a second by Dave Bennett, the Board moved to approve the minutes for the February 21, 2024 Special Meeting of the Board of Trustees as presented. Motion carried.

**APPROVAL OF MINUTES FOR MARCH 5, 2024
SPECIAL MEETING OF THE BOARD**

The minutes for the March 5, 2024 Special Meeting of the Board of Trustees were included in the packet.

On a motion by Debbie Schnedler and a second by Dave Bennett, the Board moved to approve the minutes for the September 2023 Board of Trustees meeting as written. Motion carried.

TIER TWO AUTHORITY PUBLIC HEARING

The Public Hearing appeared as a legal notice in the Missourian.

Ratermann provided the Tier Two introduction.

Chann opened the Tier Two Public Hearing.

Chann made calls for public comment. There was no public comment.

Chann closed the Tier Two Public Hearing.

OLD BUSINESS

See also Agenda Item L.5: Executive Director Position

Chann introduced Joe Foster, hired by the Board as the new Executive Director of the BCRSD, effective March 5, 2024.

PUBLIC COMMENT

See also Agenda Item N: Consider Awarding a Mowing Contract to Salter Lawn Service Contingent Upon Meeting the Requirements of the 2024 RFP and Authorize the Executive Director to Sign Subject to the Review and Approval of General Counsel

Zeke Davis of Davis Brothers Lawn Care LLC was present to observe the discussion and award process for the mowing contract. Ratermann reviewed the Bid Tabulation included in the packet. He recommended an award to Salter Lawn Service, contingent upon Salter meeting the requirements of the 2024 Request for Proposal, authorizing the Executive Director to sign the contract, subject to General Counsel review and approval. Ratermann advised staff was in the process of reviewing references, Certificates of Insurance and e-Verify records.

Davis noted that if Davis Brother Lawn Care had received the contract, he would have increased the LLC's general liability insurance limits.

See Agenda Item N for motion.

See also Agenda Item L.11, Manager's Report – Prairie Meadows

Jay Burchfield was present to comment on the property owner's interest in the Prairie Meadows sanitary sewer improvements. Ratermann reviewed the letter from RML Investment Properties included in the packet and advised the sanitary sewer evaluation survey was received, and a reimbursement agreement for the survey fee was executed. He reported the survey noted work needed on the Prairie Meadows system at an estimated cost of approximately \$350,000 and implies engineering cost of about \$39,000 (at 15% of the construction cost). The property owner was willing to pay the engineering costs, subject to a reimbursement agreement that will return to the Board for approval.

Burchfield advised his client has most infrastructure approved except sewer, and that he understood there is some wastewater capacity at Prairie Meadows to be reclaimed. He explained economic development in the Prairie Meadows area is awaiting approval for sewer services.

Chann advised questions submitted to staff regarding flow and capacity need be answered to assure the capacity to serve the additional connections is there.

CONSENT AGENDA

**Easement Acquisition Report
Permit Status Report
Status Report (Work in Progress)
Planning and Zoning Update
Operations & Maintenance (O&M) Reports
Invoices of Note
Safety Minutes**

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

Chann inquired if flow charts for Rocky Fork performance could be generated for other facilities. Daniel Cunningham responded that although the discharge monitoring reports (DMR) data is available at lower frequencies due to the schedule of measuring at other facilities, some of the data for peak flows gets lost in transition through the facility. The flow evaluation at Rocky Fork can be charted due to the high volume evaluated. He noted that influent flow measuring provides better peaking data. Chann requested staff work toward evaluating flows at other facilities to include data on inflow and infiltration (I&I).

Chann asked for the staff hours spent on locates; Virgil Farnen responded that locates require about 20 minutes of staff time each. Chann asked what skill set is required to accomplish the task. Farnen advised operators tend to locates within their designated regions of responsibility. Schnedler asked if locates could be outsourced. Farnen advised the option to outsource was reviewed in the past and was determined to not be cost effective at the time. He explained the numbers for locates present for the month of February were surging due to infrastructure work performed by Ameren and Boone Electric.

Schnedler indicated she was confused to see parking lot improvements in the Safety Minutes, since she recalled that they had been deleted from the 2024 budget. Ratermann replied that reference should not have been in the Safety Minutes.

Ratermann commented that the Workers' Compensation insurance was an Invoice of Note, and was paid at \$39,000 for the year. The item was budgeted at \$47,000 in 2024. Chann asked for the BCRSD's workers' compensation experience rating; staff will return with the information. Chann advised BCRSD should either communicate a good safety rating or work toward correcting a less-desirable rating.

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

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

The report was included in the packet.

Boone County Master Plan

Bill Florea advised an open house meeting for the Boone County Master Plan was scheduled for April 3rd at 7 p.m., and registration for virtual attendance was available on ourboone.com. A question and answer session will be held in the last 30 minutes of the meeting. He advised another set of listening sessions will be held on April 23rd and April 24th in various locations in Boone County. These sessions will include discussion pertaining to meeting the developmental growth needs in Boone County.

Personnel Policy

The policy was included in the packet. Schnedler requested comments from the Board to facilitate the final document. She commented that policy discussion items from the previous meeting have been incorporated. One other addition is a requirement for staff to provide an annual statement to

individual employees reflecting total annual salary and benefits paid to them or on their behalf.

Schnedler called the trustees' attention to Section 4.10, in which COLA language had been updated but does not include a method to determine annual COLA in the personnel policy. Language for Non-COLA increases has been revised and tasks the Executive Director to prepare an annual staffing report in connection with the budget, to support the request of funds for non-COLA increases to meet performance metrics, as well as professional development incentives and licensing and certification requirements.

Foster requested comments be submitted within two weeks.

Executive Director Position

See also Old Business.

Chann noted that the District organizational chart needs to be finalized, including the addition of the Executive Director position, elimination of the General Manager position, and addition of the new technical/engineering role.

Missouri Association of Sewer Districts (MASD) Report

Schnedler stated from her point of view a monthly report on MASD was not required, and that a report when the Board needs to be apprised of a critical or relevant item arises makes more sense. Chann requested a report pertaining to outcomes.

ARPA Update

Florea advised Boone County received 110 applications for the grant awarding roughly \$8M total. The applications have been ranked and rated. Announcements for awards may be made at the end of April 2024.

Ratermann advised the BCRSD applied for a grant of \$800,000 for flood protection for the Rocheport facility; the Village of Hartsburg applied for a similar amount for a facility improvements project to remove ammonia. The BCRSD consulted Hartsburg to support their application process.

Rate Increase

Ratermann advised the Notice of Public Hearing would be published around the end of March. The Public Hearing must be held in May to allow time for customer communications to go out before the July 1st rate implementation deadline.

Ratermann recommended a 2.5% increase to the base service fee and water treatment volume fee. Schnedler asked for clarification of how this proposed increase was used in calculation of revenues in the 2024 budget.

Chann asked Foster to look into developing a process to determine rate increased. Chann explained the BCRSD has used studies from an outside contractor to project increases based on factors such as capital improvements and debt service, and such process resulted in significant variations in annual increases. The Board has stated its objective of smaller, regular increases instead of significant variations since they might be more amenable to customers. Schnedler advised that rate studies are iterative, in that changing one assumption can deliver different rate scenarios. Because of this, in-house expertise to perform rate studies can provide benefits to the District. Chann also commented that District should be able to use different projections for projects in its rate studies.

Clark reminded the Board that public communications regarding a rate increase need to be made by the deadlines indicated. Schnedler replied that she was not proposing that a current recommendation for a 2024 rate increase depended on the development of a rate analysis model. John Massey advised a motion be made for an approximate rate increase for the purpose of facilitating the communications and timetable needed.

On a motion by John Massey and a second by Debbie Schnedler, the Board moved to target a 2.5% rate increase in 2024, the final amount to be approved in a subsequent Board resolution. Motion carried.

Ashland Proposal

Ratermann reviewed the proposal sent to the City of Ashland for the next year's contract of operations and maintenance with an 11% increase. The proposal amounts were adjusted to account for staff time spent on the contract services that result in overtime hours overall. An agreement is being negotiated.

Schnedler asked if the contract term could be extended to allow BCRSD time for operations planning. Chris Pieper advised that a longer contract term would also allow Ashland to project for their future fiscal years.

Chann asked Foster to review the contract for BCRSD's potential response.

Massey advised he reviewed the proposal numbers, and felt it was at low cost for services proposed. The agreement with Ashland will be needed while they budget for the following fiscal year.

Lead Operator

Ratermann reviewed the memo included in the packet. Schnedler commented that justification for the position was not needed, but she wanted to be sure that the Lead Operator position is filled by the best candidate, whether filled by internal or external applicants. Massey commented that BCRSD staff understands the staffing needs, and that the number of staff and qualifications of applicants should be determined by the managing staff and not the Board.

Chann reminded the Board that a new hire for Equipment Operator was approved in February, alleviating some of the short-staff issues. He stated the Lead Operator position is a part of succession planning, that the Lead role is not identical to the Operator role, and the BCRSD wants a skill set implemented for maximum performance level. Schnedler commented that due diligence should be completed in candidate search and interviews, and a well-thought out recommendation should be submitted to the Executive Director. Discussion ensued.

Farnen asked for approval to promote from within. Schnedler advised that such approval should be subject to a justification of the selected candidate's qualifications and review by the Executive Director, and would comply with the current personnel policy requirement of an evaluation after six months. She also called attention to the 2024 budget document, which did not include proposals for salary increases related to promotions, and that no merit increase policy has yet been approved.

Foster suggested posting a hiring ad for the lead operator to see what candidates are available. Any of the three qualified internal candidates would go through an interview process to identify the most qualified applicant. He advised he saw the internal hiring for Lead as hiring for the job, not as

a promotion. He acknowledged that posting for an external candidate could impact employee morale, but it would also maintain an honest interview process.

Prairie Meadows

See also Public Comment

Missouri Clean Water Information System

Ratermann reviewed the report included in the packet from the Department of Natural Resources' Clean Water Information System, which included all 60 facilities in Boone County with operating permits. There are 11 permits that are in enforcement.

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

(Agenda Items)

CONSIDER APPROVAL OF SUPPLEMENTAL AGREEMENT WITH BOONE COUNTY COMMISSION FOR THE BOLLI ROAD SANITARY SEWER NEIGHBORHOOD IMPROVEMENT DISTRICT

Ratermann reviewed the draft agreement included in the packet. He noted that according to the agreement, the BCRSD is the owner of the construction contract, but the Boone County Commission has the general obligation bonding authority and will be closing the loan with the State Revolving Fund (SRF) program. He advised this is for assurance that when BCRSD pays on the construction contract, the Commission will reimburse the BCRSD. He acknowledged the flow charts were not attached. He asked the Trustees to approve the agreement, allowing the BCRSD to process it, get it advertised and make a construction contract award in May 2024.

Schnedler asked about the timeline between processing and reimbursement. Ratermann explained the process for pay estimates approved and paid, and advised the County Treasurer should pay the BCRSD before the invoice is paid to the contractor. Chann noted the agreement should be revised to be signed by the Executive Director.

On a motion by Debbie Schnedler and a second by Randy Chann, the Board moved to approve supplemental agreement with Boone County Commission for the Bolli Road Sanitary Sewer Neighborhood Improvement District, and authorized the Executive Director to sign the agreement. Motion carried.

CONSIDER AWARDING A MOWING CONTRACT TO SALTER LAWN SERVICE CONTINGENT UPON MEETING THE REQUIREMENTS OF THE 2024 RFP AND AUTHORIZE THE EXECUTIVE DIRECTOR TO SIGN SUBJECT TO THE REVIEW AND APPROVAL OF GENERAL COUNSEL

See also Public Comment.

On a motion by John Massey and a second by Randy Chann, the Board moved to award a mowing contract to Salter Lawn Service, contingent upon meeting the requirements of the 2024 RFP and to authorize the Executive Director to sign subject to the review and approval of General Counsel.

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

NEW BUSINESS

Schnedler advised the 2024 Budget may need to be amended because of some changes, including the expense of the area wide management plan, and requested an updated budget with cash flow balance projections. Wiegers advised she has been tracking revisions and will send them out.

VOTE TO HOLD CLOSED SESSION UNDER SECTION 610.021 (1)

Closed Session was not required.

ADJOURNMENT

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

Meeting was adjourned at 6:58 PM.

Approved by:
