

**BOONE COUNTY REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES REGULAR MEETING
MAY 21, 2024 - 5:30 PM
BOONE COUNTY COMMISSION CHAMBERS
801 E WALNUT STREET**

Trustees Present: Randy Chann, Chair
Dave Bennett, Trustee
Debbie Schnedler, Secretary
Bill Watkins, Trustee
Justin Aldred, Trustee

Trustees Absent:

Others Present: Joe Foster, Executive Director
Tom Ratermann, General Manager
Virgil Farnen, Operations Manager
Daniel Cunningham, Project Manager
Sandi Clark, Manager Administration; Assistant Board Secretary
Meg Petrillose, Administrative Assistant
Chris Pieper, Blitz, Bardgett & Deutsch, General Counsel
Angela Burke, Blitz, Bardgett & Deutsch, General Counsel
Bill Florea, Boone County Resource Management Director
Lynne Hooper, Boone County Resource Management

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

Randy Chann, Chair, called the May 21, 2024, Board of Trustees meeting to order at 5:30 p.m. Chann noted there was a quorum.

ADOPTION OF THE REVISED AGENDA

The agenda was revised and included in the packet.

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

SAFETY DISCUSSION

Sandi Clark reviewed the April Safety Minutes included in the packet.

ELECTION OF BCRSD BOARD VICE CHAIR

Schnedler nominated Dave Bennett for 2024 BCRSD Board Vice Chair.

On a motion by Debbie Schnedler and a second by Justin Aldred, the Board moved to elect Trustee David Bennett as the Board Vice Chair. Motion carried.

APPROVAL OF MINUTES OF APRIL 2024 REGULAR MEETING

The minutes of the April 16, 2024, Board of Trustees Regular 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 of the April 16, 2024, Board of Trustees Regular Meeting as written. Motion carried.

APPROVAL OF MINUTES OF APRIL 2024 CLOSED MEETING

The minutes of the April 16, 2024, Closed Meeting were included in the packet.

On a motion by Bill Watkins and a second by Dave Bennett, the Board moved to approve the minutes of the April 16, 2024, Board of Trustees Regular Meeting as written. Motion carried.

PUBLIC COMMENT (see also Director's Report)

Lynne Hooper was present to discuss the Greater Bonne Femme Watershed Initiative. She reviewed highlights from a report to the City of Columbia seeking the City's involvement in the initiative. The report explained how the watershed initiative aligns with City policy and objectives. She noted that the initiative's objectives include consideration of new infrastructure as well as potential policy revisions regarding on-site wastewater systems connecting to central sewers located in different watersheds. She advised she is presenting the same request for participation from the City of Ashland and the BCRSD.

Tom Ratermann advised there could be benefit to BCRSD systems and facilities if the City allowed collection systems to cross from one watershed to the next, citing Prairie Meadows, South Route K and Brookfield Estates. Potential positive impacts include alleviating the need to expand a facility, concerns regarding turning rock-bottom discharge streams to mud-bottom discharge streams, and concerns regarding the upcoming chloride limits compliance scheduled for 2035.

Chann inquired if subsurface dispersal systems are a non-impact solution to streams. Ratermann replied that if the original dispersal field fails, the contingency plan is to use the redundant dispersal acreage on reserve for the system. If the redundant field fails, it could become a concern in the future for aging dispersal systems. One risk to drip-dispersal fields is the potential for the Department of Natural Resources (DNR) to require ground water monitoring.

Ratermann stated that there are five impaired streams within the Greater Bonne Femme Watershed, and that one benefit of the initiative, and the development of a watershed plan, is to head off an EPA determination of Total Maximum Daily Load.

Hooper described next steps for the initiative with development of a formal plan completed by Fall 2025. Schnedler inquired how much staff time would be spent on this initiative, Ratermann stated that the City was advised to anticipate monthly meetings of approximately two hours.

OLD BUSINESS

There was no Old Business.

CONSENT AGENDA Easement Acquisition Report Permit Status Report Status Report (Work in Progress) Planning and Zoning Update Operations & Maintenance (O&M) Reports

Schnedler commented that if there is any way to flag the issues for the Board to address in in Easement Acquisition or Work in Progress, which would be preferred.

Bill Florea advised that RML Investment Properties has three properties on I-70 Drive that are undergoing rezoning process and are pending County Commission review and approval.

Virgil Farnen advised the stoppage in April was due to debris built up at the output of BCRSD's manhole. The CCTV did not reveal collection system issues. He advised the flow meter anomaly at Rocky Fork was due to a glitch in the way the flow meter communicates throughout the facility components. Farnen also reviewed and explained the exceedances report included in the packet. Chann asked if there is benefit from doing a filtered BOD sample, Farnen advised he could inquire about this since it is not included on the permit.

Farnen explained the Rocky Fork influent sample tested at 96% BOD removal; there was a 24% sample taken at discharge earlier in the day.

DIRECTOR'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, Foster advised DNR measured conductivity. We believe this is to work toward chloride monitoring, which may end up in future permits.

Customer Count Report

There was nothing to report.

Boone County Master Plan

There was nothing to report.

Area-Wide Management Plan (AWMP)

There was nothing to report.

Organizational & RACI Chart

Foster explained the Organizational Chart and RACI analysis are undergoing revision, to assure

alignment with job roles and descriptions, and should be ready for a formal review in about 6 months. Chann noted these should support written protocols and role transitions. Reports will be provided for Board review periodically until completion.

Midway Arms

Foster reviewed the letters to owners and operators of Midway Arms and to MDNR, included in the packet. The BCRSD met with representatives from Midway Arms, and Foster advised a study is being performed to determine if the territory has economic viability. He explained the golf course to the east has a private line extended to the City's collection systems, and the private line does not allow for additional capacity.

Sturgeon Contract

Foster advised information was received from Sturgeon regarding an amendment to the service agreement, as Sturgeon is interested in adding training from BCRSD to the agreement.

Chann inquired if staff had considered how best to utilize BCRSD's Tier Two Authority in developing a more permanent relationship with Sturgeon. Foster advised that he is investigating the Tier Two Authority status and as of right now this authority is a legal approach towards maintaining BCRSD operations within the county. He advised work still continues on this topic, and this may be better suited to a special Board Meeting discussion. Schnedler stated her opinion that the BCRSD should find adequate benefit from having Tier Two Authority within the County to justify the additional expense and time in maintaining it. Foster advised the cost of Tier Two Authority is included in the AWMP, which should be reviewed and revised every ten years.

Watkins advised the Capital Improvement Plan analysis within the AWMP could serve as a tool for long-term financial planning. He explained a bond issue may be needed. Schnedler commented that the BCRSD should start communicating the need for a 2025 or 2026 bond issue to customers now. Trustees requested staff review the bond issue and CIP timing and return with a recommendation for consideration.

Creasy Bend

Foster reviewed the letter to property owner of a Creasy Bend property for which the approved plans called for BCRSD to operate and maintain their pressure pump. However, billing was set up for a privately maintained pump, so additional surcharges had not been collected. Subsequent repairs to the pressure system were required, and the owner sought reimbursement of the expense. Foster advised all three properties in Creasy Bend should receive a billed surcharge for maintenance and operation of their pressure sewer pumps. Property owners have been advised of the correction to the pressure billings and must respond before July 1st to assert that they want to maintain their own pumps to avoid the surcharge.

Greater Bonne Femme Watershed Initiative

See also Public Comment.

HUMAN RESOURCE & FINANCE REPORTS **HR & Finance Manager Report & Invoices of Note**

Clark reviewed the memo from Wendy Wieggers included in the packet. Foster advised that a list of standing policies is being compiled, noting which need to be documented. A review process will be established for all district policies and procedures.

A review of the Procurement Policy is currently underway. Schnedler suggested that legal counsel should be involved in the review prior to bringing the Policy to the Board for approval.

(Agenda Items)

**CONSIDER APPROVAL OF RESOLUTION 2024-07,
AUTHORIZATION TO SIGN FOR ARPA FUNDING**

Foster reviewed the resolution and other documentation for the ARPA funding were included in the packet. Schnedler commented that adding resolution numbers to the resolutions would be beneficial. She also commented that the BCRSD has not been subject to a single audit requirement since the SRF handling of capitalization grants changed several years ago, and that finance should check to see if the ARPA funding will trigger the single audit requirement.

Aldred advised the Commission has been discussing the retaining wall in Rocheport with state and federal representatives with the goal of obtaining direct funding for it.

On a motion by Debbie Schnedler and a second by Dave Bennet, the Board moved to approve Resolution 2024-07 for ARPA funding and authorized the Executive Director to execute the related documents.

Randy Chann, Dave Bennett, Debbie Schnedler and Bill Watkins voted in favor. Justin Aldred abstained. Motion carried.

CONSIDER APPROVAL OF THE PERSONNEL POLICY MANUAL

The revised Personnel Policy Manual was included in the packet. Foster advised there was a signature page added for documented approval. Schnedler commented that she did not feel the Board needed to have a signature page on the policy, as it has not done so in the past. She stated she had a few non-substantive comments, mostly cross references in the document. Foster agreed to make any changes needed to make the document official upon approval or authorization.

Chann again noted that the personnel policy calls for the development of a policy regarding salary adjustments, training and educational incentives.

On a motion by Debbie Schnedler and a second by Justin Aldred, the Board moved to approve the Personnel Policy, subject to secretarial changes. Motion carried.

**CONSIDER APPROVAL OF RESOLUTION 2024-08,
2024 USER RATE INCREASE**

Foster reviewed the proposed rates and Public Hearing minutes included in the packet, and recommended the Trustees approve an across the board rate increase of 2.5% for 2024. Schnedler suggested that the enclosed dialogue from the Public Hearing, although not purporting to be actual minutes, should include the location of the meeting and an affirmative statement that there was no public in attendance.

On a motion by Debbie Schnedler and a second by Justin Aldred, the Board moved to approve Resolution 2024-08 for the 2024-2025 User Rate Increase of 2.5%. Motion carried.

**CONSIDER AUTHORIZING AN AGREEMENT WITH RML INVESTMENTS LLC FOR
A 2ND REIMBURSEMENT AGREEMENT (ENGINEERING)**

Foster reviewed the agreement included in the packet. The agreement called for a second reimbursement for engineering fees associated with the repairs in the amount of \$39,051.00. Angela Burke commented a recital was added to grant RML Investments a Right of First Refusal, which was approved by the Board in a previous meeting.

On a motion by Bill Watkins and a second by Debbie Schnedler, the Board moved to authorize the Executive Director to sign and execute the agreement with RML Investments LLC for a 2nd Reimbursement Agreement to BCRSD for engineering services. Motion carried.

**CONSIDER AUTHORIZING AN AGREEMENT WITH RML INVESTMENTS LLC AT
CONCORDE SOUTH PLAT 1A**

Foster explained the agreement will adjust the flow allocation from specific properties at Concorde South Plat 1A. He advised the BCRSD does not dispute the developer's desire to adjust the flow allocations within the existing capacity allowed. The agreement also proposes the relocation of a line in a Right of Way to avoid developing over the top of the line. The developer has also requested the section 2.5, items i., ii., and iii. to be less prescriptive.

On a motion by Randy Chann and a second by Bill Watkins, the Board moved to authorize the Executive Director to sign and execute the agreement with RML Investments LLC for Concorde South Plat 1A. Motion carried.

**CONSIDER AUTHORIZING AN AGREEMENT WITH BUTCH'S INVESTMENTS
FOR REALLOCATION OF ALLOTTED WASTEWATER FLOWS
(NO CHANGE IN TOTAL FLOWS)**

Foster explained Butch's Investments is seeking to redevelop the property and would like to reallocate the capacity allowance for each property within the scope of capacity granted to the properties. The maximum aggregate capacity allowance for all property will be unchanged, but the flow from each structure may be adjusted within that capacity.

On a motion by Bill Watkins and a second by Dave Bennett, the Board moved to authorize the Executive Director to sign and execute the agreement with Butch's Investments for reallocation of allotted wastewater flows with no change in total flows. Motion carried.

**CONSIDER REQUEST FOR A CONSENT TO SERVE LETTER
FOR 200 W OLD PLANK ROAD**

Cunningham reviewed the request for a Consent to Serve request included in the packet. This property is found within the Urban Service Agreement area and is outside of the BCRSD's territory and would be a City of Columbia customer.

On a motion by Dave Bennett and a second by Debbie Schnedler, the Board moved to

approve a Consent to Serve Letter to the City of Columbia. Motion carried.

CONSIDER APPROVAL OF THE ASHLAND SERVICE AGREEMENT

The Ashland Service Agreement was included in the packet. Schnedler requested this item be moved to follow the Closed Session discussion.

CONSIDER AUTHORIZING AN AGREEMENT FOR SERVICES AT ARROWHEAD LAKE ESTATES

Cunningham reviewed the agreement included in the packet. The capacity was previously allocated by the previous owner Keithahns.

On a motion by Randy Chann and a second by Justin Aldred, the Board moved to authorize the Executive Director to sign and execute the agreement for services at Arrowhead Lake Estates for lots 6 through 13. Motion carried.

CONSIDER RATIFYING REIMBURSEMENT FOR 97 PIKE STREET SERVICES

Cunningham reviewed the documents included in the packet regarding the reimbursement to Micheal and Tawnee Benner for BCRSD sewer services that were not in effect upon transfer of the Rocheport sewer system in 2009. The property was billed for sewer service at the direction of the City of Rocheport, but the home was not connected to a sewer collection system at that time. Cunningham advised other residents that were billed for sewer service also received a reimbursement for fees paid. He recommended the Trustees ratify the agreement for the reimbursement to the Benners.

On a motion by Randy Chann and a second by Dave Bennett, the Board moved to ratify the reimbursement for 97 Pike Street sewer services. Motion carried.

NEW BUSINESS

Board Discussion of Management Transition Next Steps

A memo regarding Management Transition was included in the packet. Schnedler stated that she felt BCRSD management had historically benefitted from the endeavors of the OEC and individual board members with skillsets, and that the continuation of such work would continue to be beneficial, especially during the current management transition. The question posed in the memo was how to advance various initiatives, since time in regular meetings is limited. Possible strategies could include continuing work through the OEC, work sessions, or a strategic planning session. Chann expressed support for these discussions to take place in meetings other than the Board meetings, and noted the philosophical items should become more solid through development of policy, procedures, and documentation. Discussion among trustees ensued. It was agreed that the preference for such additional meetings should be during normal business hours.

Foster indicated he would contact trustees about scheduling an initial meeting.

City Council Memo and Agenda 5-20-2024

Foster advised the BCRSD received an email related to a City Council meeting which referenced an agreement authorizing a sewer extension agreement with Seltzer properties. The property falls within the City's territory, and the property will connect to a BCRSD-owned line that the City

controls and maintains. The Seltzer connection requires a pre-annexation agreement. Foster commented that the agreement is conditioned upon BCRSD approving the connection to the BCRSD sewer system by October 2024. Ratermann reviewed the nature of the pre-annexation agreements in the area and different potential connection scenarios within the urban service area. Schnedler posed concerns about annexations creating a scenario where the City considers it reasonable to serve and accumulate customers in BCRSD territory. Further discussion was held regarding BCRSD approval, with both Schnedler and Watkins indicating District should not approve pro-forma without thinking through the potential of amendments which might advantage BCRSD. Foster suggested that larger areas within the region might be able to be connected as BCRSD customers with an amended agreement with the City, and that this matter may return to the Board at a later date.

Call for Additional New Business

There was no other New Business.

VOTE TO HOLD CLOSED SESSION UNDER SECTION 610.021 (1), (2) and (13)

On a motion by Debbie Schnedler and a second by Dave Bennett, the Board moved that the Boone County Regional Sewer District Board of Trustees authorize a closed meeting at 7:45 PM on May 21, 2024, 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;(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; 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, Dave Bennett, Debbie Schnedler, Bill Watkins and Justin Aldred voted in favor. Motion carried.

On a motion by Randy Chann and a second by Dave Bennett, the Board moved to re-open the regular meeting at 8:31 PM on Tuesday, May 21, 2024.

Randy Chann, Dave Bennett, Debbie Schnedler, Bill Watkins and Justin Aldred voted in favor. Motion carried.

CONSIDER APPROVAL OF THE ASHLAND SERVICE AGREEMENT

On a motion by Randy Chann and a second by Debbie Schnedler, the Board moved to table the service agreement with the City of Ashland. Motion carried.

ADJOURNMENT

Randy Chann, Debbie Schnedler, Dave Bennett, Bill Watkins and Justin Aldred voted in favor. Motion carried.

Meeting was adjourned at 8:32 PM.

Approved by:
