

**BOONE COUNTY REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES REGULAR MEETING
JUNE 18, 2024- 5:30 PM
BOONE COUNTY COMMISSION CHAMBERS
801 E WALNUT STREET**

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

Trustees Absent:

Others Present: Joe Foster, Executive Director
Tom Ratermann, General Manager
Wendy Wieggers, Board Treasurer & Finance 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
Howard McHenry, BCRSD Customer
Cindy McHenry, BCRSD Customer
Jaylon Perkins, ABC17 News - KMIZ

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

Randy Chann, Chair, called the June 18, 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 New Business item R.1.: *Assignment & Assumption of Agreement for Wastewater Treatment and Collection.*

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

APPROVAL OF MINUTES FOR MAY 2024 REGULAR MEETING

The draft minutes for the May 2024 Board of Trustees Regular Meeting were included in the packet. Sandi Clark noted that revisions should be made to remove Chris Pieper from attendees, and a minor revision to accurately reflect the approval of May's 2024 Closed Session minutes.

On a motion by Bill Watkins and a second by Dave Bennett, the Board moved to approve the minutes for the May 2024 Board of Trustees Regular Meeting, contingent upon completion of the revisions noted. Motion carried.

APPROVAL OF CLOSED SESSION MINUTES-MAY 2024

The draft minutes for the May 2024 Board of Trustees Regular Meeting were included in the packet. Clark noted that Pieper would be removed from the attendees list.

On a motion by Debbie Schnedler and a second by Randy Chann, the Board moved to approve the Closed Session minutes of May 2024, contingent upon completion of the revisions noted. Motion carried.

APPROVAL OF SPECIAL MEETING MINUTES – JUNE 14, 2024

Clark advised the minutes for the Special Meeting would be accepted at the next meeting. Schnedler commented that the By-Laws provide for a Special Meeting to be called by the Chair, which the June 14 meeting was not. Further, past such meetings have been called as OEC meetings for several reasons. In the past, OEC meetings have historically not included regular business on the agenda, and the minutes for an OEC meeting have been approved at the next OEC meeting and then presented at the following regular Board meeting. It was discussed that some members are hesitant to approve minutes for meetings which they did not attend.

SAFETY DISCUSSION AND APPROVAL OF SAFETY MINUTES

Clark reviewed the emergency exits for the Commission Chambers. There was no Safety Meeting since the last Board meeting.

PUBLIC COMMENT

Howard and Cindy McHenry were present to discuss a service call made to their residence on Dewey Lane. Cindy distributed copies of correspondence sent to BCRSD. She reviewed the circumstances of the service call regarding a sewer backup in their home on April 29th, advising a claim was filed with the BCRSD insurance on April 30th. The stoppage causing the backup occurred at a manhole in the public main about a block away from the home. The claim was denied by BCRSD's insurance company due to non-negligence of the BCRSD during routine maintenance performed on the line. Per Joe Foster's suggestion, she was at the Board meeting seeking some compensation from BCRSD for the restoration to the home. She asked the Trustees if any financial assistance could be granted to them. She cited an amount of \$13,000 to \$16,000 had been spent on mitigation.

Foster added that he had reviewed the Risk Management policy and determined that once the District's insurer had determined that BCRSD was not liable for damage to the home and denied

the claim, he no longer had discretion to access any budgeted emergency financial assistance. Foster also advised the Board that a sunshine request for information related to this backup had been made and that the District had responded accordingly.

Chann stated that additional discussion on financial assistance in such situations was needed.

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 1st Quarter 2024 Lien & Litigation Report 1st Quarter Utility Assistance Report

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

Schnedler asked if interviews for the Equipment & Wastewater Operator (EWO) positions were over. Virgil Farnen advised that one Operator had been hired, leaving two positions open. He stated an offer would be made to another EWO candidate soon, and that no qualified external candidates had applied for the Lead Operator position. Farnen explained that it had been difficult to find candidates that already possess the required Commercial Driver's License for the any of the open positions due to the wage range offered. Chann and Schnedler agreed that it was appropriate to offer a higher initial range to attract qualified candidates.

Chann asked whether the job responsibilities of Equipment Operators should be separated from the Wastewater Operators, alleviating the CDL requirement for Wastewater Operators. Farnen explained the need for on-call response to service calls combined with the limited number of crew available does require all crew members to maintain a CDL. Wieggers advised that during her wage analysis for the industry, she did not find the Wastewater Operator position without the combined role of Equipment Operator. She will research whether or not the City's Operator positions require a CDL.

Schnedler asked if Rocky Fork oxidation ditch could be removed from the Schedule of Compliance report if it is compliant. Schnedler asked if the Compliance report is to include only items that are expected on the Capital Improvement Plan (CIP); discussion ensued. [It was determined that Rocky Fork oxidation ditch should be removed from the Schedule of Compliance.]

Farnen reviewed the Service Call Labor report. Foster noted that the report was revised to show the average costs involved in service call response per subdivision system, and that overtime hours accrued would also be added to future reports. Administrative overhead cost was not included in the calculations.

DIRECTOR'S REPORT:

Area-Wide Management Plan

Foster reported BCRSD staff met with McClure Engineering, and reviewed the progress report that was reorganized priorities after the engineering firm's staffing changes. Chann noted that staff changes at McClure changes the existing qualifications at the firm; Watkins and Chann suggested staff request an updated qualifications package.

BEC Conversation

Foster advised he and Ratermann met with Boone Electric Cooperative (BEC) General Manager Todd Culley to discuss the relationship between BEC and BCRSD. Foster said he understood BEC was evaluating the value added through offering services to the BCRSD and could determine where services or costs of services should be changed. Tom Ratermann advised he understood that the BEC is considering termination of utility billing services offered to the BCRSD due to risk exposures in cybersecurity. Additional conversations with Culley were expected to clarify expectations and timeline; Ratermann recommended the Board budget for transitional changes starting in 2025. Foster noted that office space needs to be restructured, also.

Chann and Watkins each stated that the BCRSD should have a contingency plan in the event that BEC terminates billing and other services. Wiegers advised she would determine how long the BCRSD could operate without revenue coverage. Schnedler commented that BCRSD could review what other MASD sewer districts use for billing software.

Policies & Procedures Gap Analysis

Foster advised the process for the gap analysis will begin with creating a list of all policies and procedures documented currently. The next phase would involve determining what is redundant and what is missing.

Bonne Femme Watershed Initiative

Foster reviewed an email from Lynne Hooper (Boone County Resource Management) which outlined the BCRSD's anticipated involvement in the initiative.

Bond Election Timeline

Foster reviewed the timeline for the Spring 2026 Bond Election process included in the packet. He recalled that the Board had previously discussed going to multiple bond elections to obtain the bonding needed for future CIP projects. Watkins recommended he'd like to see how much can be raised and what kind of impact the bonding would have on finance; Foster advised a User Rate Study was performed in previous years to reflect such information, and another one is being developed internally. Chann explained further discussion is expected regarding whether or not the BCRSD wants to go to bond election in the same year with the City of Columbia. Justin Aldred advised the County could go to bond election for road tax in 2025 or 2026.

Poll of MASD Members

Foster explained staff reached out to MASD a few weeks earlier to request a meeting to review mapping and asset management software and processes. Staff will attend a tour at Rock Creek on June 26th for this review.

Rollingwood Wastewater Improvements E-Mail

Foster reviewed the email from CL Richardson regarding the Rollingwood improvement project, and he stated he expects a change order will be submitted to account for materials cost increases. The project was delayed by a year, and BCRSD will investigate the need for the change order. Daniel Cunningham advised the change order amount should be around \$5,000.00.

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

Wendy Wiegers reviewed the memo included in the packet. She reviewed the status of hiring the EWO and Lead Operator positions; a temporary staff worker has joined BCRSD for line locates. She advised on the status of the wage and benefit study. She commented that other organizations are taking the legalization of marijuana into consideration in their personnel policies and advised that all CDL holders are required to abstain from marijuana use. She stated that she declined sending confidential information requested by Mid MO Drug Testing for candidates who tested positive for the drug. BCRSD will not submit confidential information for any non-employee. It was determined the BCRSD should review its drug use policy. Aldred advised the County has adopted a drug policy to adhere to what is applicable by law; Foster requested a copy of the County's policy.

Wiegers reported she is reviewing and comparing companies that can provide time and performance tracking, tax payment processes and payroll services. She felt that obtaining such services could save the BCRSD enough time and resources spent on just payroll to break even financially while also affording the value-added time and performance tracking services.

Wiegers advised she will develop the internship program procedure. She explained the current auditor will advise if a Single Audit concern is found. She reported the draft audit will be submitted to the auditor within a week. Schnedler requested an electronic copy of the final audit be sent to the Trustees.

Wiegers stated the revised procurement policy has been sent to General Counsel for review. She will read the federal regulations for cost accounting and purchasing again and determine if further revision is needed for the procurement policy.

PROJECT UPDATE

Daniel Cunningham reviewed the report included in the packet. He explained the Pike Street sewer extension is now under construction. Schnedler asked if the Project Update and the Easement Acquisition Report could be consolidated.

(Additional Agenda Items)

CONSIDER AUTHORIZING AN AGREEMENT FOR CONCORDE SOUTH PLAT 1-A
Foster explained substantial revision to the agreement required another review and approval from the Board, and that the original agreement was not signed. The revisions included waiving the connection fees which were paid by the previous owner, changes on lot descriptions, adding a requirement for notification in the event of electric connection and connections made in excess of the agreed-upon capacity, adding a statement regarding disconnection of services due to lack of payment, and adding a statement denying responsibility for service laterals and any equipment associated with the lateral. He recommended the Board authorize the Executive Director to execute the revised agreement.

On a motion by Debbie Schnedler and a second by Dave Bennett, the Board moved to approve the agreement for sewer services for Concorde South Plat 1-A as revised and presented, and to authorize the Executive Director to execute the agreement. Motion carried.

**CONSIDER AUTHORIZING AN AGREEMENT FOR SERVICES
AT ARROWHEAD LAKE ESTATES**

Foster reviewed the agreement included in the packet. He explained there was an agreement made with the previous lot owner and the connection fees have been paid. He explained the agreement requires the developer to pay for a design review and build the pressure main extension to the lot. Watkins asked if there is any warranty provided by the developer for the extension. Angela Burke advised that the required warranty on the pipe is two years; Foster advised the BCRSD will inspect the installation of the pipe before accepting ownership of the extension.

On a motion by Debbie Schnedler and a second by Randy Chann, the Board moved to approve the agreement with the Jehovah-Jireh Trust for sewer services at Arrowhead Lake Estates as presented, and to authorize the Executive Director to execute the agreement. Motion carried.

**RESOLUTION 2024-09, AWARD OF CONSTRUCTION CONTRACT
FOR THE BOLLI ROAD NEIGHBORHOOD IMPROVEMENT DISTRICT (NID)**

Cunningham reviewed the resolution included in the packet and recommended the Board approve the award to Emery Sapp and Sons in an amount not to exceed \$427,040.00. He advised the cost of the project is shared by the BCRSD and the County and the County's General Counsel must also approve of the award. The NID grant amount was \$209,989.00, and the liability of the cost share to the BCRSD would be approximately \$8,518.00 after cost-share. The tax assessment notice for the NID is recorded with the land records and must be disclosed any future buyer(s).

On a motion by Debbie Schnedler and a second by Dave Bennett, the Board moved to approve Resolution 2024-09 to award the construction contract for the Bolli Road NID to Emery Sapp and Sons in the amount not to exceed \$427,040.00, subject to the conditions in the resolution and confirmation from the Boone County General Counsel addressing any issues or questions.

Randy Chann, Dave Bennett, Debbie Schnedler and Bill Watkins approved.
Justin Aldred recused himself. Motion carried.

NEW BUSINESS

Assignment & Assumption of Agreement for Wastewater Treatment and Collection Services

Foster reviewed this agenda item relating to an agreement for services dated March 18, 2014, and the assignment and assumption of such agreement by and between the McGhee's and the Wheelers. Parties required the approval of the District for such assignment.

On a motion by Bill Watkins and a second by Debbie Schnedler, the Board moved to approve the Assignment and Assumption of Agreement for wastewater treatment and collection 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

7:08PM on June 18, 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, Debbie Schnedler, Dave Bennett, Bill Watkins and Justin Aldred voted in favor. Motion carried.

On a motion by Justin Aldred and a second by Dave Bennett, the Board moved to re-open the regular meeting at 8:08 PM on Tuesday, June 18, 2024.

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

NEW BUSINESS - CONTINUED

Consider Approval of the Ashland Service Agreement

Schnedler advised the Board discussed the Ashland Service Agreement and was ready to make a motion.

On a motion by Debbie Schnedler and a second by Dave Bennett, the Board moved to approve the agreement with the City of Ashland for contract services. Motion carried.

ADJOURNMENT

Meeting was adjourned at 8:28 PM.

Approved by:
