

**STEUBEN LAKES REGIONAL WASTE DISTRICT
BOARD OF TRUSTEES MEETING
APRIL 27, 2022
22-04R
6:00 P.M.**

MEMBERS PRESENT:

Jim VanVlerah
Renee Clauss
Neil Fenstermaker
Larry Keeler
Rob Moreland
Craig Rice

MEMBERS ABSENT:

Kelly Johnson

Also Present

Steve Henschen – Jones Petrie Rafinski
Christopher Nussbaum – Carson LLP

Rob Moreland called the meeting to order at 6:00 p.m.

Rob Moreland read the following statement: At the end of the meeting, the public will be given an opportunity to speak. In the interest of time, each person shall be limited to three minutes. Your comments will be part of the public record of the meeting, so we ask that you present them in a professional manner and speak only to the matters at hand.

APPROVAL OF THE MARCH 2022 MEETING MINUTES CHANGES OR ADDITIONS.

The Board presented minutes of the MARCH 23, 2022, board meeting minutes for review and approval. Upon motion duly made by Jim VanVlerah and seconded by Craig Rice, the Board unanimously approved the board meeting minutes for MARCH 23, 2022.

FINANCIAL REPORTS

The financial reports, check register, project check register, bank account report, and claims for MARCH 2022 were presented for review.

The Revenue Report, Appropriation Report, Capital Expenditures, Accounts Payable Register, Fund Report with Investments, and Monthly Budget Report with Capital for MARCH 2022 were presented for review. Jim VanVlerah moved, and Renee Clauss seconded the motion, to accept and approve the MARCH 2022 financial reports as submitted, which motion was unanimously approved.

ATTORNEY REPORT

1. SAMPLE CDL TRAINING AGREEMENT FOR NEW EMPLOYEES – Agreement is still under revision at this time.
2. COMMISSIONER SALES – According to the Auditor, when the tax deed is issued liens will be wiped out from that date back. This is not correct. There is an amount of taxes that should be removed; however, they differ if sold at tax sale (first time property is offered and there is a minimum bid). If no minimum bid is offered, the tax certificate is sold at a commissioner's sale with a completely different redemption period. The minimum bid is not what the property has to sell for. The goal is to set the price low, so the property is not sitting without generating taxes. If sold, the buyer gets the tax certificate, and the new redemption period is much shorter at 120 days from date of the commissioner's sale. Same process as the tax sale with a shorter redemption period. The actual amount of taxes to be wiped out should be the minimum bid and anything paid towards it (which includes any amount from the original tax year sale). From the date of the original tax sale, we may have failure to connects, outstanding sewer bills, or damage/prohibited discharge bills and have the right to bill the property and process liens if necessary for payment which is the responsibility of the owner of the tax deed to pay. This has been and is our current process.

ENGINEERS REPORTS

A. NED 1 Project -

1. Northeast District (NED) Phase I Wastewater Collection System Operations Update: Steve Henschen provided the Board with a summary of project status:
 - i. Selge will be working on potholing the 8 potential high-point locations over the next week or so. The new brand of VFD's will be installed on May 9th at lift stations 5 and 29.
 - ii. NED I – use of remaining funds: Moving towards getting balance of remaining funds to a zero balance. Waiting on last order of pump station mixers to arrive before getting quote for more. This will deplete those funds from the State Revolving Funds.
2. WWTP Filter Project – use of remaining funds: \$28,477.00 in remaining funds. Working with Tyler Weldon to get quotes on various replacement equipment (actuators, filters, and motors etc.). This is due to current supply chain issues having replacements would be a good precaution. PER Amendment will be going in tomorrow and will take a few weeks for approval of purchase of this equipment.
3. NED Phase II:
 - i. Mapping work is nearly complete, and field survey checks are ongoing in April 2022.
 - ii. All pump station site surveys have been drafted up and are ready for final field checks and design

- iii. NED II pressure sewer system alignment drafting and preliminary layouts underway.
- iv. Schedule:
 - a) Survey /Design- through July 2022
 - b) Permitting- August 2022 through October 2022
 - c) Easement & Land Acquisition- November 2021 through November 2022
 - d) SRF financing commitment- September 2022
 - e) Bidding October 2022
 - f) Rate Ordinance- November 2022
 - g) Closing on SRF financing- December 2022
 - h) Construction- January 2022 through June 2024
- 4. District Expansion Study: Kickoff meeting a week ago. Doing more research. Meeting again in May.
- 5. Compensation Method for NED Phase 2 and Pump Station Replacement Project Phase 1 and 2:
 - i. Multiple contactors in our area that we will send quote packages out to. Each unique to the contractor and their specialties. Should go out next week and report back at next board meeting (May).
 - ii. Potential areas where we may need to acquire property/easements (for where the forced main is out of the road right of way) such as at pump stations. Ken Jones and Chris Nussbaum have worked together on a resolution that recognizes this process. Procure the services of a real estate to gather waiver valuations. Valuation and damages costs to consider. Federal law allows a waiver valuation of property up to \$20,000. The property owner(s) could require us to get an appraisal for property between \$10,000 and \$25,000. Less than \$10,000 does not require an appraisal and an appraisal cannot be forced. Craig Rice moved, and Jim VanVlerah seconded the motion, to accept and approve the method for just compensation as submitted, which motion was unanimously approved.

OLD BUSINESS

N/A

NEW BUSINESS

- 1. Quotes for Collection System Mower: We received three quotes to replace the 1980's John Deere utility tractor/mower that is used to mow lift stations and absorption fields. More Farm Store \$8525 for the tractor/mower and trailer. They did give a non-profit discount of \$2154 which almost wiped out the entire cost of the trailer. This would be purchased from capital funds. Jim VanVlerah moved, and Renee Clauss seconded the motion, to accept and approve Bryan to purchase the utility tractor/mower and trailer in the amount of \$8525 from More Farm Store to be paid from capital funds as submitted, which motion was unanimously approved.

2. SBR Diffuser Membrane Kit Quote: SBR's are sequential batch reactors that are utilized to do the bulk of the treatment for all the wastewater and have air systems that blow air into the tanks to give mixing action. These particular ones are original to when the SBR's were built and only have a lifespan of 5 years. The quote to replace all of them starting with all in tank 2 (that leaves 2 more tanks to replace). Jim VanVlerah moved, and Neil Fenstermaker seconded the motion, to accept and approve the purchase of the SBR Diffuser Membrane Kits from aqua aerobics on all three quotes as submitted, which motion was unanimously approved.

DISTRICT BUSINESS & OTHER GENERAL MATTERS

1. Theresa Steele located at 360 Ln 150 Littler Otter Lake: Requested a 2-month extension to connect to the system from the board. Her previous time frame to connect ends April 30th, 2022. Last communication with Theresa Steele was in October 2021. The district was not notified that her contractor fell through. Original variance was granted April 26th, 2021, which means a year has passed with no progress towards connection. The grinder tank is in the ground, but no lateral line has been run from the tank to the main line or fused and no gravity line from the home to the grinder tank has been ran at this time. Also, no electrical work has been completed. If she does not get an extension, we are looking at a situation of forced connection. Bryan Klein speaks on communication from April 2021-October 2021 between Theresa Steele and the District's previous permit clerk/inspector noted that Theresa Steele was told of the deadline to connect was April 2022 and to keep in communication with the District. That was the last communication the District had with Theresa Steele until April 25th, 2022, regarding the lack of connection and requesting an extension to connect. If this multitude of problems to connect were being had, the District should have been contacted at the time of those setbacks to help assist in the matter or continue with an extension in good faith of effort on the part of Theresa Steele. First thought is to deny the extension but if the board is thinking of an extension, he recommends regular progress reports to show the effort on Theresa Steele's part. She has been without a contractor since October of 2021. The matter of an extension will be tabled until the next board meeting where Theresa Steele must present a written contract with a contractor with a date certain of completion of connection in the next 30 days to revisit the extension or the District will proceed with our normal forced connection action. Communication and contract must be present prior to the next board meeting on May 25th, 2022. Craig Rice moved, and Renee Clauss seconded the motion, to accept and approve a 30 day deadline to present the board with a contract with a contractor that includes the certain date of completed connection to revisit an extension that fits that timeline as submitted, which motion was unanimously approved.

PUBLIC COMMENT

N/A

MOTION TO ADJOURN

There being no further business to come before the meeting, Jim VanVlerah asked for a motion to adjourn. Such motion was made, seconded, and unanimously carried; the meeting was adjourned.