

**STEUBEN LAKES REGIONAL WASTE DISTRICT
BOARD OF TRUSTEES MEETING
JANUARY 25, 2023
23-01R
6:00 P.M.**

MEMBERS PRESENT:

Craig Rice
Abby VanVlerah
Kelly Johnson
Renee Clauss
Jon Flaugh

MEMBERS ABSENT:

Larry Keeler
Rob Moreland (via phone)

Also Present

Andrew Boxberger – Carson LLP
Steve Henschen – Jones Petrie Rafinski
Steve Brock – Therber Brock & Associates

Craig Rice called the meeting to order at 6:00 p.m.

Craig Rice 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 DECEMBER 2022 MEETING MINUTES CHANGES OR ADDITIONS.

The Board presented minutes of the DECEMBER 21, 2022, board meeting minutes for review and approval. Upon motion duly made by Kelly Johnson and seconded by Abby VanVlerah, the Board unanimously approved the board meeting minutes DECEMBER 21, 2022.

FINANCIAL REPORTS

The financial reports, check register, project check register, bank account report, and claims for DECEMBER 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 DECEMBER 2022 were presented for review. Renee Clauss moved, and Abby VanVlerah seconded the motion, to accept and approve the DECEMBER 2022 financial reports as submitted, which motion was unanimously approved.

Andy Boxberger addresses the public notice regarding the planned rate hearing tonight, it is cancelled. We will be hearing from the financial adviser on the rate update and a rescheduled rate hearing for February 10th, 2023.

New Rates: Steve Brock addresses the project financing for NED II and the effect on a new rate as well as the higher costs as experienced in the 2022 budget as costs rise. The SRF has agreed to the \$5,000,000 grant funds with the remainder financed at a 0% interest rate. A calculated 19.7% rate increase for a 20-year loan or an 18% for a 23-year loan term.

ATTORNEY REPORT

Rate Ordinance: Two rate options of \$110.27 (23-year loan term) or \$111.83 (20-year loan term). Keeping in mind to secure a loan term that does not outlive the lifespan of the equipment being purchased with those funds to eliminate the chance of compounding loans. Introduction of new rate \$110.27. Renee Clauss moved, and Kelly Johnson seconded the motion, to accept and approve the rate introduction of \$110.27 as submitted, which motion was unanimously approved.

ENGINEERS REPORTS

A. NED-2 Engineer recommendations for Contract A & B: Bids were opened November 8, 10, & 15th of 2022. Contract A, which is the main pump stations 1, 2 & 9, the single bid received was from Selge Construction Co., INC. in the amount of \$3,790,495.00. Contract B, which is the pump stations 10, 31 & 22, received bids from Niblock Excavating in the amount of \$8,739,227.00 and Selge Construction Co., Inc. in the amount of \$9,599,707.00. Contract C (Eastern Snow Lake area) received bids from Selge Construction Co., Inc in the amount of \$7,549,972.75. Contract D (Pokagon State Park) received bids from Selge Construction Co., Inc in the amount of \$5,496,254.00 and Niblock Excavating, Inc. in the amount of \$5,834,832.50. JPR recommends that the Board of Trustees tentatively award Contracts A and B as noted: Contract A to Selge Construction Co., Inc in the amount of \$3,790,495.00 and Contract B to Niblock Excavating, Inc. in the amount of \$8,739,227.00. Recommendation to table and formal action on Contracts C and D at this time. Kelly Johnson moved, and Abby VanVlerah seconded the motion, to accept and approve the tentative award of Contract A to Selge Construction Company, Inc in the amount of \$3,790,495.00 and Contract B to Niblock Excavating, Inc. in the amount of \$8,739,227.00, table any formal action on Contracts C and D and authorize the Superintendent (Bryan Klein) to issue the Notice of Awards, upon successful closing of the SRF Financing in April 2023 as submitted, which motion was unanimously approved.

B. NED Phase 2 project timeline:
Rates introduced 1/25/2023
Rates published in local paper 1/27/2023
Rate Hearing and Rate Adaption 2/10/2023

Due Diligence Submitted to SRF 3/24/2023
Legal documents submitted to SRF 3/31/2023
Land and Permits secured 3/31/2023
Closing Disbursements to SRF 3/31/2023
Pre-Closing-SRF 4/07/2023
Closing- SRF 4/21/2023
Issue Notice of Awards to Contractors 4/21/2023
Sign Construction contracts and Issue Notice to Proceed and start of contract time 5/24/2023
Completion of Contract A 6/17/2024
Completion of Milestone 1- to allow Jellystone Connection to PS 31 8/16/2024
Completion of Contract B 11/09/2025

C. Schedule for future projects – SRF and local funded: Several forced main line easement procurements. This is part of Contract C. This particular easement on Ln 890 Snow Lake (Jenkins property) will be taking flow from Pokagon State Park to 890 Snow Lake. Market value per square foot is priced at \$6.38 of which we would pay 0.75 of fair market value. The Jenkins advises that they expect damages of \$14,154.00 (\$0.72 per sq ft or \$12,570.15 per acre [1.126 acres]). If approved, the total compensation would be \$25,000.00. Abby VanVlerah moved, and Renee Clauss seconded the motion, to accept and approve the expenditure in the amount of \$25,000.00 for the 6” sewer line across property located at 215 Ln 890 Snow Lake (parcel 76-03-27-000-091.100-006) owned by Lyle and Tamela Jenkins as submitted, which motion was unanimously approved.

OLD BUSINESS

N/A

NEW BUSINESS

1. Greg Gerbers 75 Ln 185 Lk Gage Encroachment Variance Request: Greg Gerbers who resides at 75 Ln 185 Lake Gage & 100 Ln 185 Lake Gage is asking for an encroachment variance to put a grinder tank next to the home at 75 Ln 185 Lake Gage. The home previously had a system and was forfeited by the previous owner. Mr. Gerbers is looking to put the tank near its old location and the District is wanting to ensure the tank resides on the same parcel as the structure. The tank must reside on the parcel with the structure. Renee Clauss moved, and Abby VanVlerah seconded the motion, to accept and approve the encroachment variance for Greg Gerbers at 75 Ln 185 Lake Gage as submitted, which motion was unanimously approved.
2. Paul Lytle 215 Ln 220 Lake Gage Encroachment Variance Request: Paul Lytle who resides at 215 Ln 220 Lake Gage is asking for an encroachment variance to install a concrete driveway over the mainline located at his property. Mr. Lytle understands the ramifications if the District ever needs to access/replace our main line. Abby VanVlerah moved, and Kelly Johnson seconded the motion, to accept

and approve the encroachment variance for Paul Lytle at 215 Ln 220 Lake Gage as submitted, which motion was unanimously approved.

3. Kirk Ripley 335 Ln 150 Lake James Encroachment Variance Request: Tony Schiffli is the contractor representing Kirk & Ruanne Ripley located at 335 Ln 150 Lake James. They are looking to build a garage and driveway on the back lot (parcel #06-03-120-315.000-13 lot 69) and is asking for an encroachment variance due to the main lines on the property. Main lines would be located under the concrete driveway. Abby VanVlerah moved, and Renee Clauss seconded the motion, to accept and approve the encroachment variance for Kirk & Ruanne Ripley represented by Tony Schiffli at 335 Ln 150 Lake James as submitted, which motion was unanimously approved.
4. Purchase of repair and replacement parts and equipment for remaining SBR's (Sequential Batch Reactors): Our SBR's have been in use for 20 years but only have a useful lifespan of 5-7 years per the manufacturer. Every year we rotate one of the 3 tanks around to clean out grit and debris which gives us the opportunity to replace everything necessary in the remaining two tanks. Last year the District replaced everything necessary in one of the tanks and the cost was a little over \$8,000.00 and this year the cost has risen to nearly \$13,000.00. The quote presented today, amounts to \$26,041.00 and would be paid out of Capital funds. Kelly Johnson moved, and Renee Clauss seconded the motion, to accept and approve the quote for repair and replacement parts/equipment for remaining SBR's of \$26,041.00 which will be a capital expenditure as submitted, which motion was unanimously approved.

DISTRICT BUSINESS & OTHER GENERAL MATTERS

1. Election of the 2023 Officers: Craig Rice nominated Rob Moreland for President, Abby VanVlerah for Vice President, Craig Rice for Secretary/Treasurer. Andy Boxberger to draft a remote participation policy for future meetings. Craig Rice asked for a motion to approve the 2023 officers as nominated. Such motion was made, seconded, and unanimously carried; which motion was unanimously approved.

PUBLIC COMMENT

N/A

MOTION TO ADJOURN

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