

**STEUBEN LAKES REGIONAL WASTE DISTRICT
BOARD OF TRUSTEES MEETING
OCTOBER 29, 2025
25-10R
6:00 P.M.**

MEMBERS PRESENT:

Rob Moreland
Judy Rowe
Abby VanVlerah
Kelly Johnson

MEMBERS ABSENT:

Mike Stephenson
Renee Clauss
Craig Rice

Also Present:

Andy Boxberger – Carson, LLP
Steve Henschen (remote) & Allie Nahrwold – Jones Petrie Rafinski

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 SEPTEMBER 24TH MEETING MINUTES CHANGES OR ADDITIONS.

The Board presented minutes of the SEPTEMBER 24TH, 2025 board meeting minutes for review and approval. Upon motion, duly made by Abby VanVlerah and seconded by Kelly Johnson, the Board unanimously approved the SEPTEMBER 24TH, 2025 board meeting minutes.

FINANCIAL REPORTS

The financial reports, check register, project check register, bank account report, and claims for SEPTEMBER 2025 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 SEPTEMBER 2025 were presented for review. Abby VanVlerah moved, and Kelly Johnson seconded the motion, to accept and approve the SEPTEMBER 2025 financial reports as submitted, which motion was unanimously approved.

Discussion with Steve Brock Regarding Lift Station Project Funding: We have discussed issuing \$8,000,000-\$9,000,000 in bonds with a 35-year loan term next year. There is no grant money from the SRF currently. We are looking at other options (Rural Water/Farmers State

Bank) to see who can give the best interest rate. BAN C is coming due 12/1/2025 and with project financing not being until Spring 2026 we are in the process of extending/rolling over the \$650,000 in BAN C funds at an interest rate of 3.49% until June 1st, 2026. This is to continue paying Pump Station Replacement project costs until the new bond is issued. We can roll over the amount remaining of \$336,246.85 and pay back the already used amount of \$310,461.15 out of District funds or we can roll over the entire amount and pay back the entire BAN A \$650,000 with the new project funds in the Spring of 2026. Steve expects remaining expenses, including land acquisition between now and Spring 2026 not to surpass \$100,000. That estimate does not include Steve Brock's cost. Abby VanVlerah moved, and Kelly Johnson seconded the motion, to accept and approve the extension/rollover of BAN C in the amount of \$650,000 as submitted, which motion was unanimously approved.

Final Audit Reports: The final audit report was presented showing the compliance examination report. The audit for 2023 and 2024 had no significant findings and one human error in data reporting that had already been corrected prior to the audit. We are waiting for the invoice from the SBOA.

NEW BUSINESS

- A. Encroachment – 780 Ln 274 Crooked Lk: Jon & Cheryl Cox presented images of the already constructed retaining wall within 2-3' of the grinder tank lid and over top of the lateral sewer line. This violated their 5' easement but is necessary due to falling dirt from the slope of the property. It is understood if the District ever has to access our lines or equipment improvements within the 5' easement will be removed and not replaced.

Abby VanVlerah moved, and Kelly Johnson seconded the motion, to accept and approve the encroachment of a retaining wall as submitted, which motion was unanimously approved.

- B. Encroachment – 3535 N Bay View Rd: Dave with Star Homes presented plans for a grinder tank, control box, and lateral line relocation on a TDRB new home permit that includes concrete over the lateral sewer line. This location was chosen to continue using the old tap into the main line. They will leave 7 ½' around the grinder tank and control box on all sides without concrete. It is understood if the District ever has to access our lines or equipment improvements within the 7 ½' easement will be removed and not replaced.

Abby VanVlerah moved, and Kelly Johnson seconded the motion, to accept and approve the encroachment of concrete over the new lateral line as submitted, which motion was unanimously approved.

ATTORNEY REPORT

- A. Revised Language for Trailer Park Billing in Sewer Rate Ordinance: One of the mobile home parks that is selling in the area realized they were being billed for all their pads and

the District had not been notified of how many pads were in use (had a mobile home on them). All parties agreed we will go back to 1/1/2025 and adjust the rate to the number of occupied pads. The amended ordinance says that going forward a mobile home park will be charged based on the number of pads they have registered with the County, however, they are responsible to notify the District how many pads are in use, the District has the right to inspect, and if we are not notified of pads being used they will be penalized. This is our normal process, but it was not in writing.

Abby VanVlerah moved, and Kelly Johnson seconded the motion, to accept and approve the amended and restated sewer rate ordinance as submitted, which motion was unanimously approved.

ENGINEERS REPORTS

A. JPR General Project Update Memo:

- A. NED Phase 2 – Construction Update – Steve Henschen and Allie Nahrwold updates: All easements are signed for contracts B & C. Attached is a memo regarding PS 1 and 9 performance troubleshooting. PS 1 is performing above specified operating point and PS 9 is within 6% of specified operating point.

Contract A: Punch list items and final submittal documentation by 10/31/2025.

Contract B: 74% paid out. PS 22 & 31 startup was completed two weeks ago and performing above the specified operating points. PS 10 startup was completed 10/22 and it is operating below the specified operating points. We are working on troubleshooting measures. Milestone 1 was completed 56 days after the contracted date with resulted in \$56,000 in liquidated damages. That is in addition to the \$40,000 deduction that was negotiated as a part of the contract. Selge can move forward with customer connections in the Contract C area. Niblock has yet to make their milestone 2 date, so technically liquidated damages are accumulating daily on that as well. They are looking at next week for that completion.

Contract C: 71% paid out. The grinder tank installations in the Big Otter Lake area is finishing up. They are ready to start connecting as of October 24th.

B. Pay Apps:

1. NED Phase 2 – Contract B Pay Application #19 in the amount of \$887,526.17: Niblock Excavating is asking for payment in the amount of \$887,526.17.
2. NED Phase 2 – Contract C Pay Application #13 in the amount of \$449,385.62: Selge Construction is asking for payment in the amount of \$449,385.62.

Abby VanVlerah moved, and Kelly Johnson seconded the motion, to accept and approve the NED Phase 2 Contract B Pay Application #19 in the amount of \$887,526.17 to Niblock Excavating, and the Contract C Pay Application #13 in the amount of \$661,038.03 to Selge Construction as submitted, which motion was unanimously approved.

C. Change Orders:

1. NED Phase 2 – Contract C Change Order #12 in the amount of \$65,925.50: Selge Construction is asking for a change order in the amount of \$65,928.50 due to grinder station changes and adding three grinder stations.
2. NED Phase 2 – Contract B Change Order #17 in the amount of \$7,163.00: Niblock Excavating is asking for a change order in the amount of \$7,163.00 due to grinder station changes.

Abby VanVlerah moved, and Kelly Johnson seconded the motion, to accept and approve the NED Phase 2 Contract C Change Order #12 in the amount of \$65,925.50 and the NED Phase 2 Contract B Change Order #17 in the amount of \$7,163.00 to Niblock Excavating as submitted, which motion was unanimously approved.

JPR has reviewed all pay applications for work completed and change order requests and found them to be appropriate. These are to be paid from project SRF funds.

- D. Pump Station Replacement Project Phase I BOT Project Budget: The project budget shows Selge's pricing in at just over \$6,100,000 and the engineers estimate was \$6,800,000. JPR and District staff have gone over this in detail with Selge and there are some minor changes that may occur. We should be able to do all 9 PS with the interest rates and pricing so far. We would like to go forward with a bond for the \$8,900,000 amount and use some of those funds towards the necessary treatment plan improvements. We would like to lock in pricing and go under contract with Selge. We will have to have a public hearing, at the November meeting, and publish a notice 10 days before the meeting in the Herald and on the website.
- E. Pump Station Replacement Project Phase I Land Acquisition – PS 8 & 16: We have negotiated two pieces of land for PS 8 and 16 with the property owners. We will continue working on the others and there should be another packet next month.

Abby VanVlerah moved, and Kelly Johnson seconded the motion, to accept and approve the payment of land needed for PS 8 and 16 as submitted, which motion was unanimously approved.

OLD BUSINESS

The District has had issues in the past with VFD's and are less robust and susceptible to power coming in. The ones in NED Phase 1 project (5 years ago) are already blowing up. We are going to use a digital phase converter. It has been decided to convert VFD's to PS 1 and 2 to soft starts and switching out PS 10, 22, and 31 to soft starts. We do not have a formal commitment with the contractor or SRF for this yet and a PER will be presented in a change order in the next month or so for this change.

Abby VanVlerah moved, and Kelly Johnson seconded the motion, to accept and approve the submittal of the PER and to have Bryan approve as submitted, which motion was unanimously approved.

- A. Converting Lift Stations from VFD's to Soft Starts – LS 28: This is one of the PS from NED I that has blow up. It is \$9,643.00 to change it from VFD to soft start.

Abby VanVlerah moved, and Kelly Johnson seconded the motion, to accept and approve the quote from BL Anderson in the amount of \$9,643 for Lift Station 28 changed from VFD to Soft Start as submitted, which motion was unanimously approved.

DISTRICT BUSINESS & OTHER GENERAL MATTERS

N/A

PUBLIC COMMENT

N/A

MOTION TO ADJOURN

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