

**STEUBEN LAKES REGIONAL WASTE DISTRICT
BOARD OF TRUSTEES MEETING
SEPTEMBER 23, 2026
26-09R
6:00 P.M.**

MEMBERS PRESENT:

Bruce Deters
Mike Stephenson
Craig Rice
Renee Clauss
Judy Rowe
Cory Garman
Kelly Johnson

MEMBERS ABSENT:

Also Present:

Andy Boxberger – Carson, LLP
Steve Henschen – Jones Petrie Rafinski

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 AUGUST 2026 MEETING MINUTES CHANGES OR ADDITIONS.

The Board presented minutes of the AUGUST 26TH, 2026 board meeting minutes for review and approval. Upon motion, duly Bruce Deters, and seconded Mike Stephenson, the Board unanimously approved the AUGUST 26TH, 2026 board meeting minutes. Each board member voted in approval of the AUGUST 26TH, 2026, 2026 board meeting minutes as amended.

FINANCIAL REPORTS

The financial reports, check register, project check register, bank account report, and claims for AUGUST 2026 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 AUGUST 2026 were presented for review. Kelly Johnson moved, and Bruce Deters seconded the motion,

to accept and approve the AUGUST 2026 financial reports as submitted, which motion was unanimously approved.

Budget Approval – 2027 budget is presented.

Bruce Deters moved, and Kelly Johnson seconded the motion, to accept and approve the proposed 2027 budget as submitted, which motion was unanimously approved.

NEW BUSINESS

- A. Encroachment Request – 460 Ln 470A Lk James: Floyd Henney presented plans for a concrete retaining wall along the property line that encroaches approximately 1' into the 5' easement of the lateral line. Cole wants to check to see if the check valve is inside or outside of the tank. If outside, it will need to be relocated inside of the tank prior to the retaining wall being poured.

Kelly Johnson moved, and Bruce Deters seconded the motion, to accept and approve the encroachment request as submitted, which motion was unanimously approved.

- B. Encroachment Request – 95 Ln 242 Lk James: A new lid with gas shocks that the owner is responsible for is ready to be purchased. This will be on the agenda for the next meeting for a motion on the encroachment and an inspection has been completed.
- C. Replacing the Biosolids Shop Garage Door: We need to replace the curtain type roll up door that is rusted out. We have quotes from Michiana Door LLC in the amount of \$16,770.00 and Bradley Door in the amount of \$16,935.68.

Kelly Joshnon moved, and Renee Clauss seconded the motion, to accept and approve the Michiana Door LLC in the amount of \$16,770.00 as submitted, which motion was unanimously approved.

ATTORNEY REPORT

- A. Contractor dumped grout in our system – Did hear from their insurance company and more grout has shown up 5 houses down in a lateral line. Will continue working this situation.
- B. Sent letter to Niblock's attorney who said they did not want to pay the liquidated damages. They have not submitted their final bill yet. Pending they do, we will simply deduct the liquidated damages and pay the remainder. The other issue is several items they have not completed and said they will not complete. The District will have to complete these items along with JPR in the amount of an estimated \$51,000. We have no response from this letter either. The contact allows us to do self-help and subtract this amount. There is a small chance they choose to fight for that \$51,000.

Kelly Joshnon moved, and Bruce Deters seconded the motion, to accept and approve the District and JPR to finish the unfished punch list Niblock items as submitted, which motion was unanimously approved.

ENGINEERS REPORTS

A. JPR Engineer's Report:

- B. NED Phase 2 – Construction Progress Update – Steve Henschen updates: Current estimated remaining funds in the NED Phase II project is \$1.9 million. This does not include liquidated damages amount. The idea is we have these funds set aside to take care of unknown issues during construction. We did well to have these contingency funds. We have a list of items the District needs to help improve operations such as hot water power washer, forklift, mini excavator, clamps for pinching off ATV pipes, nose cone and base plates for duplex stations, new radar level controls for the pump stations, pumps and control panels for all the remaining untouched pump stations (qty6), and push pull at the drying pad.

C. Pump Station Replacement Project Phase 1 BOT and RWIF funding:

1. Pay Application 1 - \$73,636.40: Selge Construction for materials ordered and delivered.

Renee Clauss moved, and Kelly Joshnon seconded the motion, to accept and approve the Selge Construction Pay Application 1 in the amount of \$73,636.40 as submitted, which motion was unanimously approved.

2. Change Order 1 – add \$65,251.00. Selge Construction involves several changes made since finalizing the pricing agreement with Selge last fall. Manual transfer switches and one station needing to upgrade the digital phase power. This will cut into the soft costs and contingency funds.

Renee Clauss moved, and Mike Stevenson seconded the motion, to accept and approve the Selge Construction Change Order 1 to add \$65,251.00 as submitted, which motion was unanimously approved.

D. Blower Replacement Project – Using RWIF Continency funds: Selge Construction

1. Change Order 1 – reusing existing District owned VFD's deduct of \$105,051.00

Judy Rowe moved, and Bruce Deters seconded the motion, to accept and approve the Selge Construction Change Order 1 to deduct \$105,051 as submitted, which motion was unanimously approved.

2. Change Order 2 – Adding WWTP Generator Replacement Add of \$309,565.00 with time extension.

Bruce Deters moved, and Kelly Johnson seconded the motion, to accept and approve the Selge Construction Change Order 2 to add \$309,565.00 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.

- E. Equipment Storage Building – Local Funds: Contract has been signed and working through some insurance issues. Wants to start in October.

OLD BUSINESS

N/A

DISTRICT BUSINESS & OTHER GENERAL MATTERS

N/A

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.