

Rural Water District No. 7, Johnson County, Kansas

Regular Board Meeting Minutes  
April 14, 2020

Directors present via Zoom: Frank Denning, Chuck Finley, Ken Nellor, Bill Locke, Ken McCarty, Steve Hines, Charlie Brovont and Brian Andrew. Others present; Allan Soetaert, Donna Chrisjohn, Jamie Jamison, Chester Bender, Philip Ciesielski, Todd Luckman, and Jay O'Dell. Director(s) absent: Shaun Henderson.

Chairman Denning, noting a quorum, called the meeting to order at 5:30 PM.

Chairman Denning requested that the Board of Directors consider Consent Agenda items a, b and c. Director McCarty moved to approve the consent items noted on Agenda item #1a, b and c. Director Andrew seconded the motion. Motion passed unanimously.

Chairman Denning then requested that the Board of Directors consider Consent Agenda items d and e. Director Andrew moved to approve the consent items noted on Agenda item #1d and e. Director McCarty seconded the motion. Motion passed unanimously.

Agenda item #2 was requested by Engineering Consultant regarding Mulberry Hills Phase II. Chairman Denning noted that the guest in attendance (Jay O'Dell) had joined the meeting in the interest of the proposed Water Main Extension for the Mulberry Hills Phase II Development, on behalf of Klaasmeyer, LLC. The District's Manager, Allan Soetaert, introduced Mr. O'Dell and provided a summary of the project location near 151<sup>st</sup> Street & Gardner Road. Chester Bender (Ponzer-Youngquist) presented the engineering feasibility report that was generated for the proposed project. An overview map was presented with the engineering report while Mr. O'Dell addressed the Board with an explanation of their request and 4 options that they would like consideration on. After lengthy discussion, Director Nellor moved to deny the requests made by the Petitioner to deviate from Water District Policy that requires the Development's requirement to upgrade the Gardner Road water main to 8-inch. Director McCarty seconded the motion. Chairman Denning noted that in his new role, he would be abstaining from any votes taking place unless needed. Chairman Denning requested that Secretary Locke provide a roll call vote. After the vote, Secretary Locke noted that the motion passed unanimously. Chairman Denning then offered to the Petitioner that there could be further discussion upon a more in-depth study of other options examined, if presented.

Mr. O'Dell disconnected from the meeting at 6:05 PM.

Agenda item #3 was consideration of Amendment #2 to the current GBA contract for Engineering Services. Mr. Philip Ciesielski (GBA) presented a brief overview of the additional work of design and services for a proposed water main on 135<sup>th</sup> Street which would establish a new wholesale source for the District. The contract amendment was reviewed and discussed. Director McCarty moved to authorize the contract amendment pending final acceptance of the content by the District's management and legal counsel. Director Andrew seconded the motion. Chairman Denning requested that Secretary Locke provide a roll call vote. After the vote, Secretary Locke noted that the motion passed unanimously.

Agenda item #4 was the consideration of a project that would relocate one of the District's water mains that lies south of 199<sup>th</sup> Street, along the Spoon Creek Road corridor. Mr. Soetaert



provided a summary of the conditions with the existing water main which included multiple water main breaks and concerns regarding its future integrity due to ongoing erosion adjacent to the existing water main. Mr. Soetaert noted that the project had been previously considered by the District; however, was shelved some years back. He also mentioned that the project easements were in place. Mr. Bender then reviewed the engineering report associated with this project. After discussion, Director Finley moved to authorize the District Manager to seek bids for replacement of the water main and present to the BOD for consideration asap. Director McCarty seconded the motion. Chairman Denning requested that Secretary Locke provide a roll call vote. After the vote, Secretary Locke noted that the motion passed unanimously.

Agenda item #5 was the consideration of adopting a Conflict of Interest Policy for the Board of Directors. Mr. Soetaert noted that it was a requirement for accessing any Rural Development funds. Mr. Luckman provided a review of the policy for the Board. Director Finley then moved to adopt the Conflict of Interest Policy as presented. Director Andrew seconded the motion. Chairman Denning requested that Secretary Locke provide a roll call vote. After the vote, Secretary Locke noted that the motion passed unanimously.

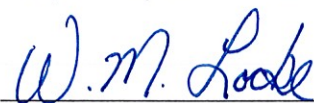
Agenda item #6 was the update on the Rural Development Project. Mr. Soetaert noted that the District was waiting on RD to provide the final bid authorization for the project. Mr. Bender noted that there are two projects in the final design stage to be submitted as well. Mr. Soetaert also noted that the interim construction financing, through the KPWSLF, has been approved and the District has been notified that funds can be disbursed from the fund. Mr. Soetaert suggested that the BOD consider submitting its first request for reimbursement of funds for allowed project expenses totaling approximately \$400,000. Director Nellor moved to authorize management to submit a reimbursement request. Director McCarty seconded the motion. Chairman Denning requested that Secretary Locke provide a roll call vote. After the vote, Secretary Locke noted that the motion passed unanimously.

Agenda item #7 was reports. Item (a) was a summary report by Mr. Soetaert of the MI2/JO7 Advisory Meeting that was attended by representatives from both District's. Item 7 (b) was some brief updates to various projects throughout the district. No action was taken by the BOD.

Director Andrew moved that the Board of Directors recess into Executive Session for a period of 20 minutes for consultation with its Attorney, deemed privileged in the Attorney-client relationship, to include the Water District's appointed Attorney, pursuant to K.S.A. 75-4319 (b) (2); further that the Manager be included in that session as well as the District Engineer's. Director Nellor seconded the motion. Motion passed unanimously. The time noted was 6:55 PM.

Upon reconvening the meeting at 7:15 Chairman Denning noted that no actions, motions, or votes were taken by the BOD during the executive session; further that there was no additional business before the Board of Directors. Director Andrew moved to adjourn the meeting. Director McCarty seconded the motion. Motion passed unanimously.

Respectfully submitted,



W. M. Locke, Secretary