

Rural Water District No. 7, Johnson County, Kansas

Regular Board Meeting Minutes

May 11, 2021

Director's present: Steve Hines, Ken McCarty, Bill Locke, Chuck Finley, Charlie Brovont, Dennis Carlson, Gary Duggan and Mary Nelson. Others present; Allan Soetaert and Donna Chrisjohn. Others present via Zoom: Chester Bender, Philip Ciesielski, Colin Stalter, Todd Luckman, and Tom McCarty (representing Scannell Properties). Directors present via Zoom: Shaun Henderson. Director(s) absent: None.

Chairman Steve Hines called the meeting to order at 5:32 PM.

Chairman Hines requested that the Board of Directors consider the Consent Agenda items. Director Nelson moved to approve the consent items noted on the agenda. Director McCarty seconded the motion. A voice vote was taken, and motion passed unanimously.

Agenda item #2 was the Petition from Scannell Properties regarding the development of the I-35 Logistics Park located on the east side of New Century Airport (NCAC). The District's Manager provided a brief overview of the proposed development and then introduced Tom McCarty, representing Scannell Properties. Mr. McCarty addressed the BOD regarding his request that the City of Olathe be allowed to serve those portions of the development with water service, on an interim basis, until such time that W7 has service established. Some discussion ensued. Todd Luckman, council for the District, commented that a more thorough review and analysis is needed to the MOU that was presented as well as the Interlocal Agreement prior to a recommendation being made. Director Carlson moved to table this issue to a future Board of Directors meeting to allow staff and legal counsel to thoroughly review both documents. Director Nelson seconded the motion. Motion passed unanimously.

Agenda item #3 was Consideration of Resolution #2021-05-01. Allan Soetaert, Water District Manager, provided a summary of the project regarding the proposed resolution for the BOD consideration that would allow the District to proceed with eminent domain proceedings for two properties that have denied easement conveyances to the District. Todd Luckman, District Council, explained there was a previous resolution that the BOD had passed but upon recommendation from legal counsel that is assisting on this subject some minor revisions have been made to the previous resolution (2020-11-01). After a general discussion regarding these proceedings, Director Locke moved to adopt Resolution #2021-5-01 authorizing management to work with legal counsel and engineering/appraisal consultants to secure the conveyances required. Director McCarty seconded the motion. Motion passed unanimously.

Agenda item #4 was Consideration of Wholesale Water Purchase Agreement. Mr. Soetaert noted that this item was not completed and requested that the agenda item be passed over at this time. No action was taken by the board.

Agenda item #5 was a review of a proposed project at LPKC. Mr. Soetaert noted that this item was not completed and requested that the agenda item be passed over at this time.

Agenda item #6 was the Engineering Reports. Chairman Hines requested Mr. Soetaert to review the first project which was a proposed line extension for a new building at LPKC, Inland Port 52 (IP52). Mr. Soetaert and Mr. Stalter (GBA) provided a summary of the proposed project. After

review, Director Finley moved to accept the engineering report as presented. Director Brovont seconded the motion. Motion passed unanimously.

Mr. Soetaert and Mr. Bender (PY) gave an update and progress of RD Project, Segments A, D, and E which are near completion. Mr. Bender also provided an update to the progress of Project B & C. No action was taken by the Board of Directors.

Philip Ciesielski, representing GBA provided an update on the 135th Street wholesale connection and the associated compatibility study. No action was taken by the BOD.

Agenda item #8 was an Executive Session. Director Carlson moved that the Board of Directors recess into Executive Session for a period of 15 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 and Consultants be included in that session. Director Nelson seconded the motion. Motion passed unanimously. Time noted was 6:48 PM. Upon reconvening the meeting at 7:02 PM, Chairman Hines requested a 5 to 10-minute break. Upon reconvening the meeting at 7:10 PM, Director Nelson moved to extend the previous Executive Session for an additional 15 minutes. Director Locke seconded the motion. Motion passed unanimously. Upon reconvening the meeting, Chairman Hines announced that no action was taken by the BOD at either of the executive meetings.

Chairman Hines noted no further business to come before the BOD. Director Locke moved to adjourn the meeting. Director McCarty seconded the motion. Motion passed unanimously. Time noted was 7:26 PM.

Respectfully submitted,



W.M. Locke, Secretary