

Rural Water District No. 7, Johnson County, Kansas

Regular Board Meeting Minutes October 11, 2022

Director's present: Steve Hines, Ken McCarty, Dennis Carlson, Frank Denning, Chuck Finley, Gary Duggan, Brian Andrew, Mary Nelson, and Shawn Hughes. Others present: Allan Soetaert, Colin Stalter and Mindy Krouch. Others present via Zoom: Chester Bender and Todd Luckman.

Chairman Steve Hines called the meeting to order at 5:33 PM.

Chairman Hines requested that the Board of Directors consider the Consent Agenda items. Director McCarty moved to approve the consent items noted on the agenda. Director Andrew seconded the motion. Motion passed unanimously.

Agenda item #2 was consideration of Multi-User Policy. As requested at last month's Board Meeting, District Counsel, Todd Luckman, prepared an updated version of this policy. He mentioned that the updates to this policy were mainly in the "Standard Residential Uses and Allowed Expectation" section of the policy. Mr. Luckman was able to incorporate input from the Board while at the same time was able to simplify existing policies. After some discussion, Director Nelson moved to accept the new policy as presented. Director Carlson seconded the motion. Motion passed unanimously.

Agenda item #3 was Mulberry Hills Phase II – Consider Upsizing Gardner Road Water Main. Chester Bender (PY) presented a report on the options available to the District when considering replacement of the 6-inch section of main along Gardner Rd, North of 151st St. Mr. Bender mentioned that the subdivision is obligated to increase the Gardner Road water main to 8-inch in accordance with District policy; however, it is his recommendation that the District option to increase this portion of water main to 12-inch. Mr. Bender provided reasons for this recommendation and also noted that the cost for upsizing, from 8-inch to 12-inch, would be approximately \$55,000. The District Manager, Allan Soetaert, noted that there were sufficient funds within the 2022 Budget for this expense. After discussion, Director Andrew moved to authorize Management to negotiate the upsizing of the Gardner Road water main to 12-inch in size. Director Duggan seconded the motion. Motion passed unanimously.

Agenda item #4 was the HWY I-35 Cost-Share (Discussion Only). Mr. Soetaert provided an overview of the proposed Edgerton Crossing Development located at I-35 Highway & Homestead Road. Mr. Soetaert noted that this was being discussed with the BOD for the purpose of the 2023 Budget and some of the line items that were to be included within that. Mr. Soetaert went on to report that there were some onsite water main infrastructure required for Phase I and offsite improvements for Phase II of the development, which included a proposed crossing of the highway. Colin Stalter (GBA) provided some additional details on the development and the District infrastructure needed to provide the development its needs for both phases of the development. Mr. Stalter noted that the engineering report generated for this development noted a 12" water main, crossing I-35, and connecting to an existing 12" main near 207th Street. Mr. Stalter noted that improvements of this nature would generally be the responsibility of the developer, according to W7 Policy; however, there is an acknowledgement that Phase II improvements would also benefit the overall water system and surrounding area. Mr. Stalter reviewed these local, and expanded, benefits including: enhanced fire suppression flows, operating pressures, improving water quality, redundant crossing of I-35. Mr. Stalter discussed a potential cost-share of an 80/20 for the Phase II improvement, which would approximately be \$220,000. Mr. Soetaert noted that he had communicated this with the Developer; however, no response has been received. After some discussion, the Board's consensus was to include this within the 2023 Budget. No further action was taken by the Board.

Agenda item 5 was Engineering Report/Updates. Colin Stalter (GBA) reviewed the ongoing improvements along 135th Street with the WaterOne wholesale connecting main. He stated the large bore at Overlook St. was complete as well as about 90% of the main. The pump station site has also been cleared. He expects the booster pump building to arrive in early December.

Mr. Stalter also noted that sites for pressure reducing valves have been chosen. Mr. Soetaert and Mr. Luckman reviewed their work on the Tank Site agreement.

Chester Bender (PY) provided an update on the RD project areas B and C noting that a new contractor had completed the outstanding work on the project. The District is hoping to close out the contract with Pyramid Construction soon. Mr. Soetaert also noted that closing out the loan with the KPWSLF was a high priority.

Mr. Bender also updated the Board on the McDermott WME Study. Mr. Bender reminded the Board this Water Main Extension study is for a tract of land along 223rd Street, east of Spoon Creek Road, near the west boundary of Hillsdale Lake. As mentioned at last month's meeting, pressure recorders were placed in the area. The results show an average pressure that is acceptable. However, the results did indicate several drops in water pressure that coincide with Edgerton running its pump station. Currently these pumps are operating as needed. There is the possibility of scheduled pump times to eliminate pumps running during peak use times. Mr. Bender believes adding the McDermott property to the line would cause no significant impact to other customers.

Mr. Luckman then updated the BOD about the ongoing "overlap" issues with WaterOne. There are now two separate areas in question. In both cases, WaterOne is currently serving these areas. WaterOne has been able to make a reliable claim to the area at 175th and Cedar Niles Rd. However, the District is still waiting documentation regarding an area along I-35 on the South side of Olathe.

Mr. Luckman noted his work on an Interim Supply agreement with JCAC. Mr. Soetaert briefly reported on some other various topics related to the following: the Flint Development in De Soto; a forthcoming meeting with the City of Gardner; the submittal of the SRF applications for a water main improvement on Columbia Road, south of 223rd Street and the Miami 2 Water Treatment Plant. He also mentioned that the SRF Applications would require a Public Hearing for these proposed projects; further, that this has been tentatively scheduled for December 13th. Mr. Soetaert also showed the Board some recent damage to a fence and tree near the LPKC tower.

It was moved that the Board of Directors recess into Executive Session for a period of 5 minutes for consultation with an 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 Manger be included in that session. The motion was seconded. Motion passed unanimously.

Upon conclusion of the Executive Session, Chairman Hines announced that no actions were taken by the BOD during the Executive Session.

There being no further business, Chairman Hines requested a motion to adjourn the meeting. Director Andrew moved such. Director Nelson seconded the motion. Motion passed unanimously. Time noted was 6:34pm.

Respectfully submitted,



Dennis Carlson, Secretary