

Rural Water District No. 7, Johnson County, Kansas

Regular Board Meeting Minutes  
December 12, 2023

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Directors present: Frank Denning, Gary Duggan, Shaun Henderson, Mary Nelson, Dennis Carlson, Shawn Hughes and Charlie Brovont. Director Locke arrived at 5:35pm and Director Andrew arrived at 5:51pm. Others present: Allan Soetaert, Colin Stalter, Todd Luckman, Quentin Kurtz and Mindy Krouch. Others present via Zoom: Brian Hess and Chester Bender.

Chairman Frank Denning called the meeting to order at 5:30 PM.

**1. Consent Agenda Items**

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

**2. Consider WMR Agreement (Edgerton Road, 95<sup>th</sup> – 103<sup>rd</sup> St)**

Chairman Denning requested the District Manager, Allan Soetaert, to review the agenda item. Mr. Soetaert provided a brief overview of the development (Flint) that is responsible for one of the District's water main relocations along Edgerton Road, which is being reconstructed. Mr. Soetaert noted that the WMR agreement has been under review for quite some time by District staff and legal counsel and is being presented to the BOD for consideration. Mr. Soetaert requested that the District Engineer, Colin Stalter, further detail the project. Mr. Stalter provided an overview of the road construction that is impacting the District's mains. It was noted that the project is being fully funded by the Flint Development team; further, that the agreement had been reviewed by the District's legal counsel. After brief discussion, Director Duggan moved to approve the WMR Agreement and authorize the Chairman and Secretary to execute. Director Nelson seconded the motion. Motion passed unanimously.

**3. Consider Proposal from GBA for Engineering Consulting Services (Edgerton Rd WMR, 95<sup>th</sup>–103<sup>rd</sup> Street)**

Mr. Stalter was requested to provide a brief overview of this work that is being proposed by the consulting firm GBA. Brian Hess (GBA representative) provided some additional review of the Scope of Services to be provided with this project. It was noted that this agreement will include design, surveying, RPR and administration for the project. These services are expected to cost \$200,417.00 and will be reimbursed by Flint Development. After discussion, Director Brovont moved to accept the proposal from GBA and authorize the Chairman and Secretary to execute. Director Nelson seconded the motion. Motion passed unanimously.

**4. Consider Proposal from KLM Engineering for TimberRidge Tank**

Mr. Soetaert requested, and Mr. Stalter provided, an update on the proposed tank construction at JCPRD's TimberRidge site. After the update, Mr. Stalter addressed the proposal from KLM Engineering for consulting and inspection work on the tank, noting that the construction contractor for the tank has yet to be selected, although it is hopeful that construction is likely to conclude in 2025. He further noted that KLM will typically provide inspection during manufacturing all the way through construction. It was noted that KLM has provided previous work to the District on several different occasions for similar construction, reconstruction, and periodic inspections of its storage tanks. Staff believes that KLM offers a high-quality service and is recommended to provide their oversight during the construction of the TimberRidge Tank. It was noted that the services by KLM would be approximately \$96,000.00. After some brief discussion, Director Nelson moved to accept the proposal from KLM and authorize the Chairman and Secretary to execute. Director Henderson seconded the motion. Motion passed unanimously.

Brian Hess with GBA exited the meeting at this time.

**5. Consider 2024 Budget**

Upon the request from the Chairman, the District Manager reviewed the proposed 2024 budget, as well as its expenditures. He also reviewed the proposed CIP expenditures, specifically the ones that were already obligated for by the District. He noted that approving or accepting the 2024 Budget is not an approval of the CIP Expenditures; further, that these items would be sought at the appropriate time from the BOD. After discussion, Director Andrew moved to adopt the 2024 Budget as presented. Director Nelson seconded the motion. Motion passed unanimously.

**6. Reports/Updates**

**6a. Legal Counsel – Executive Session(s)**

Director Nelson moved that the Board recess into Executive Session for a period of 45 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 District Manager be included in that session. Director Duggan seconded the motion. Motion passed unanimously. Time noted was 6:15 PM.

The meeting then reconvened at 7:00 PM upon Chairman Denning announced that no decisions, action, or votes were taken during the executive session.

Chairman Denning requested a 10-minute break.

Chairman Denning reconvened the meeting at 7:10 PM.

Director Nelson moved that the Board recess into Executive Session for a period of 15 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 District Manager be included in that session. Director Duggan seconded the motion. Motion passed unanimously. Time noted was 7:10 PM.

The meeting then reconvened at 7:25 PM upon Chairman Denning announced that no decisions, action, or votes were taken during the executive session.

Chairman Denning then requested a 5-minute break.

Chairman Denning resumed the meeting at 7:30 PM.

**6c. PER-Evergy Generating Station, Dillie Road, North of 191<sup>st</sup> St**

The District Engineer then reviewed the Preliminary Engineering Report that was within the agenda packet. Mr. Stalter reviewed the different aspects of the report and the current services being provided to the site by the District. Also reviewed were requests by Evergy for demands that will likely require some offsite improvements to the District's infrastructure. Mr. Stalter noted that Evergy and the District were still discussing the project and the offsite improvements. After discussion, Director Andrew moved to accept the report as presented. Director Locke seconded the motion. Motion passed unanimously.

**6d. Project Updates**

The District Engineer then provided an overview of the Columbia Road and Homestead Road projects as listed in the agenda packet, noting that staff has solicited proposals and qualifications from firms for the design of both projects. It was further noted that Staff will review the proposals and will make recommendations at an upcoming BOD meeting.

**6e. Monthly Staff Report**

Mr. Soetaert provided brief updates on meetings with MI2, De Soto, WaterOne and KDHE. He also spoke about the ongoing DG4 wholesale water contract. Mr. Soetaert also reminded that BOD that the Hillsdale Area Water Cooperative yearly pre-paid water marketing invoice will be paid in December.

**7. Adjournment**

There being no further business, Chairman Denning requested a motion to adjourn the meeting. Director Andrew moved such. Director Locke seconded the motion. Motion passed unanimously.

Time noted was 7:52 PM.

Respectfully submitted,



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Brian Andrew, Secretary