

WELLS COUNTY REGIONAL SEWER DISTRICT BOARD MEETING MINUTES
October 10, 2023

Board members present:

Bruce Stinson
Leon Berning
Jon Oman
Andy Stoller
Dr Richard Jackson - absent

Lewis Brown, RSD Superintendent
Nate Rumschlag, County Engineer
Ryan Lefeld, Choice One Engineering
Mark Burry, Attorney

Call to Order

Bruce called the meeting to order with the pledge and prayer by Andy.

Public Questions

Ron Kipfer – asking what is the \$75 inspection for?

Lewis – cost for us to verify that your contractor does the work per our specifications.

Ron – is this before the digging?

Lewis – No, this is after the lines are in and not buried.

Ron – If I have a contractor ready, but am out 90-days, will I get the \$2,000 tap fee added to my bill?

Lewis – No, we will work with you and your contractor.

Jerry Sheets – What has been the hold up for 5-months?

Bruce – Materials, I&M Electric, Electrician, testing and fitting failures.

Jerry – On July 10th they set my grinder, In August they set the line to my home and in September they did the electrical work. The delays don't seem to be a supply issue. Why won't you fine the contractor?

Andy – the process of fining them is not cut and dry.

Mark – responded to the process for delays being allowable and liquidated damages clauses for the group.

Lewis – discussed the past projects and how Craigville was different from the Liberty Center/Murray work.

Jerry – can't they hold the subcontractor responsible?

Ryan – VTF is withholding over \$100,000 out on the subcontractor due to their delays on the work.

Nathan Huss – Is there an updated timeline?

Lewis – I believe they will be at your house for the connection on Thursday.

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Shawn Collier – Where does the board have the right to destroy our property? (specifically speaking of the septic tank abandonment)

Lewis – the tank abandonment is a state requirement and is rule of the state.

Shawn – demanded a copy of the rule.

Lewis – I will get you a copy of the state rule.

Shawn – Who is going to take care of this?

Lewis – the system is required to be maintained by the RSD for the life of the loan, a minimum of 35-years. The rate was developed to maintain the system and the district is organized to sustain it for the life of the system.

Mark discussed some of the requirements for financial consultants & discussed the history of rates and the debt service of the district.

Shawn – in the Leo-Cedarville area the rate was cut in half.

Mark – there are unified rates there.

Lewis – the Leo-Cedarville project was bought up by Fort Wayne and SRF funded some of the debt service to help cut the loans and costs of that district.

Shawn – Why not a metered rate?

Mark – there is no effective way to do so in a rural sewage system.

Shawn – Why not use the pumps?

Mark – That is not how the ordinance is developed.

Shawn – how can we protect us from you? We need some agreement.

Mark – the grinder easement has some of those obligations on the district spelled out. You are welcome to review this.

Lewis – I report the abandonment of the tanks/septics to the health department as part of our inspection.

Jerry - when we collapse the tank and there is an issue, and I can't use the old system who is dealing with this system?

Lewis – it is our responsibility to deal with the system and maintain the system. No one wants a 2-week delay.

Wayne Henly – Where is the money coming from for Felger's and the two homes to the north to connect?

Lewis – the homes to the north are paying for the north connection. They are buying the grinders and since it is two homes shared between the two, they are still paying the \$35/month on both homes.

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Wayne – What if the 4 homes north of them want to connect?

Lewis – it would be a private connection so it would be something to be negotiated.

Wayne asked about previous board minutes.

Nate – They are posted once they are approved by the board.

Leon – I totally get the frustration with VTF and the long haul and rate controls. I have to consider as a board member what risk do we have before I vote on a legal action against the contractor we are working with.

No further public comments or questions

Approval of Minutes

Motion to approve the minutes from September 11, 2023 by Andy and 2nd by Leon. Motion carried 4-0.

Review of Claims and Account Reconciliation

Review of claims prepared by Trent and reviewed by Leon for the board. Leon brought in 17 claims totaling \$64,941.53. This includes the \$52,870.71 repayment to the County Council.

Board discussion regarding Mission Controls.

Account balance was \$160,479.98 on September 11, 2023

Account Balance is \$140,746.75 on September 30, 2023

Discussion of the board refund to Daniel Kuschel.

Motion to approve the claims by Jon Oman and 2nd by Andy. Motion carried 4-0.

Superintendent Report

Lewis reviewed his notes for the board.

- Electricians are currently the holdup.
- Levi is on limited time for Phase 2 since they are over the schedule.

Andy – We want some way to refuse 6-miles of leaks and how do we force VTF to test the Kingsland system faster?

Ryan – They have pressure tested the FM since our last meeting. They want to avoid the issues from Phase 2, and it has passed.

Lewis – Their problem is the work of fusing in the excavated pit and soil on the pipe ends.

Andy – all the delays are hurting them. The fixed price has not moved for the contract.

Lewis continued reviewing his notes.

- 4 valves were not sent, and we are not sending connection notices to those homes in phase 2.

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Lewis – I have a concern with a do-it-yourself installation guide. I also need something direct about our ability to reject the installation of connections that violate our specifications.

Mark – I will look at the statute for guidance.

Lewis – I have spent 8-hours to get one system in place. I have some concerns about how we accept and if we must accept self-performance. Our panels are different than some others around and we can download the whole log of the grinders per property. Ferguson is doing startups to initiate the warranty period. I could do the startup myself but how does that affect the warranty period.

Lewis asked Mark how are we doing on the 811 contract?

Mark – I will look at that tomorrow.

Lewis met with realtors in the area and answered some of their questions.

Andy – is the system working out?

Lewis – I think so.

Lewis asked to transition over the first of January for phase 1 and 2 to Adams County RSD billing. We need to adjust the date of the billing, so no one thinks they are paying for two months due to the billing cycle dates. Jane is billing the district for her hours.

Nate mentioned that some people are mailing the bills to the district office, and they need to be notified to change this to avoid delays in credit since he or Lewis have to drive the checks over to Jane to deposit.

Engineering Reports

- P1
 - Closeout paperwork has been submitted to SRF.
- P2
 - Pay application #10 is submitted for \$1,134,973.66. Reviewed by Wessler and Choice One through the September work.

Motion to approve by Andy and 2nd by Leon. Motion carried 4-0.

- P3
 - Testing and deadline for Kingsland is May 23, 2024, for substantial completion.
 - May 26, 2024, is the final completion date.
 - Liquidated damages are \$1,500 per day.
 - I&M Power was applied for power at the main lift station.
 - Suppliers are confident that the schedule can be met.
 - Rail Pros work under the N&S and we are doing all we can to expedite the work.

Andy – thanks for the incremental testing work for Phase 3.

Nate commented that we are probably 3 months ahead of the similar schedule done with Phase 2 at the same time last year.

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Andy – I want to know how we can derate a bidder in the future during a project bidding process.

- Pay application #2 for \$224,795.33 for July-August
- Pay application #3 for \$177,659.74 for August - September

Motion to approve by Andy and 2nd by Jon. Motion carried 4-0.

Andy – What can we do about the sewer gas corrosion in Phase 1 panels?

Lewis – we fixed the wiring at the homes, but corrosion is the issue.

Ryan – that needs to go to VTF.

Andy - What is the plan?

Lewis – each grinder panel can be rewired in about 2 hours.

Attorney Comments

- P2 Disbursement Requests:
 - DR #49 \$15,000 for Miller Burry and Brown legal work at the closing in April 2021
 - DR #50 \$12,060 for Wessler Engineering
 - DR #51 \$1,134,974 for VTF from pay application #10
 - Motion to approve by Leon, 2nd by Andy, motion carried 4-0

- P3 Disbursement Requests:
 - DR #7 \$402,455.00 for pay application #2 & #3 to VTF
 - Motion to approve by Andy, 2nd by Jon. Motion carried 4-0

 - DR #8 \$9,386.00 for Wessler Engineering for inspection,
 - Motion to approve as corrected by Jon, 2nd by Andy, motion carried 4-0

Board Comments

No comments

Public Comments

Jerry asked about seeding status. Are they going to seed in December?

Lewis – they are back out again, and they will level up and reseed.

Wayne – is there any date on Tocsin?

Ryan – We may hear back in July 2024. We are working to close out phase 1 and 2 before scoring is completed to help our scoring with SRF.

Motion to adjourn – Leon, motion 2nd by Jon. Meeting adjourned. 4-0

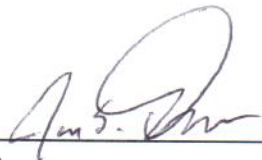
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Next meeting will be on Monday November 13, 2023, at 6:30pm.


NSR



Bruce Stinson



Jon Oman



Andy Stoller



Leon Berning



Dr. Richard Jackson