

**LAGRANGE COUNTY REGIONAL UTILITY DISTRICT
BOARD MEETING MINUTES
OCTOBER 21, 2021**

The LaGrange County Regional Utility District Board of Trustees met in Regular Session on **Thursday, October 21, 2021**, at 4:00 P.M., at 116 E Wayne Street, LaGrange, IN 46761.

MEETING ATTENDANCE:

BOARD OF TRUSTEES:

ROLL CALL Kenneth Hunn, Vice President
 Kathy Miller, Secretary/Treasurer
 Gerry Turner, President
 David Gunter, Board Member
 Phil Malone, Board Member

EX-OFFICIO MEMBERS:

ABSENT Terry Martin, County Commissioner

DISTRICT STAFF: Adam Sams, General Manager
 Jeanette Combs, District Administrator

ADVISORS: Christopher Nusbaum, Carson LLP
 Steve Henschen, Jones Petrie Rafinski

The meeting was called to order by Gerry Turner at 4:00 P.M.

Roll Call was taken by Jeanette Combs.

Motion was made by Ken Hunn to approve the agenda as amended as follows:

- Remove Item 9K – Invoice Cloud

Motion was seconded by Phil Malone. Motion carried unanimously.

Motion was made by Ken Hunn to approve the September 16, 2021, minutes. Motion was seconded by Phil Malone. Motion carried unanimously.

Jeanette Combs presented the September Bank Reconciliations, Fund Report, Revenue w/Estimates Report, and an Appropriation Report. Jeanette reminded the Board that the Sewer Fund did not balance and is still consistent with the July bank reconciliation that is off by \$779.52. Jeanette said she would continue to investigate and try to reconcile at least until the end of the year before the board consider reconciling this from the books. Jeanette also stated that in December the board can expect to see a request to remove some bad debt and outstanding checks from the books.

Motion was made by Ken Hunn to approve the September 2021 Financial reports. Motion was seconded by Phil Malone. Motion carried unanimously.

Kathy Miller presented the claims docket 9/16/2021 thru 10/21/2021 to the Board for approval.

- REGISTER OF CLAIMS dated October 21, 2021, in the amount of \$372,387.79.

Motion was made by Ken Hunn to approve the Register of Claims dated 9/16/2021 thru 10/21/2021. Motion was seconded by Phil Malone. Motion carried unanimously.

Adam Sams presented the General Managers report.

Motion was made by Ken Hunn to approve the General Manager's Report as presented. Motion was seconded by Phil Malone. Motion carried unanimously.

The meeting was opened for public comments on non-public hearing issues and items not on the agenda. There were none. Adam Sams informed the board that Dave Hughes had previously stopped by the office and wanted to speak at the meeting, however he would be late due to his job.

Christopher Nusbaum updated the board stating that the three forced connection suits that were approved at the previous meeting had been filed. Jeanette Combs updated the board that the two properties that were previously up for tax sale did not sell. After discussions, the board of trustees did not take any further action on those properties.

Steve Henschen gave a construction update on the Region B treatment area WW project Phase 2. Steve also presented a change order #6 for Selge under Contract A in the deduct amount of \$1,240.

Motion was made by Ken Hunn to approve Change Order #6 for Selge Contract A for Region B Treatment Area WW Project Phase 2. Motion was seconded by Phil Malone.

Steve Henschen gave a construction update on the Region B treatment area WW project Phase 2. Steve also presented a change order #1 for Selge under Contract B in the increased amount of \$25,200.

Motion was made by Ken Hunn to approve Change Order #1 for Selge Contract B for Region B Treatment Area WW Project Phase 2. Motion was seconded by Phil Malone.

Gerry Turner, recognizing that Dave Hughes had joined the meeting late due to his job, opened the meeting back up for public comments on non-public hearing issues and items not on the agenda.

Steve Henschen gave a design update for the Region C Treatment Area WW Project Phase 2. Steve also gave a funding update for the Region C Phase 2 project.

Dave Hughes had concerns about the district not charging fees to the Great Commission University for non-connection to the wastewater. Gerry Turner explained that the University is unique customer that includes many connections to be made throughout the campus. However, the University had previously been being penalized and paid \$100/per day for non-connection, in addition the University has been and continues to be billed in excess \$3000 per month; the same charge they would pay if they were connected. Dave stated that he just did not want to see the university receiving special treatment. Dave also had concerns about the district running water to the University. Dave said the Phil Malone had stated that any school with more than 25 students had to have a public water system. He said that he researched that comment and said the statement is not true. Phil Malone stated that his interpretation was that to provide water the school would have to have it inspected monthly. Phil also said the universities current water tank would need costly maintenance. Phil also stated that a potential water customer would be soon coming located directly across from the university and he felt that the district should expand the water service further to be able to serve. Adam Sams stated that a public water system does not have to be owned by a municipality or district. An entity required to have a public water system would only need to have someone test and operate their water system. Adam also stated that the districts water fund does not have the funds to extend a water line for one or two potential customers and the district

cannot force connection to the water system. Adam said this would not happen any time soon.

Jeanette presented the board of trustees with Ordinance 2021-10-21 for the proposed Region D rate increase. Jeanette stated the rate ordinance reflects the rates that had been discussed at last months meeting and had been presented during the rate hearing.

Motion was made by Ken Hunn to adopt rate Ordinance 2021-10-21. Motion was seconded by Phil Malone. Motion carried unanimously.

Chris Nusbaum gave an update on the Fawn River Crossing Sewer Mutual Termination Agreement.

Steve Henschen stated that the water tower painting is project is coming soon. Steve stated that for this information to make it into the bid package he needs to know, in December, exactly what the board wants on the water tower including coloring and font. Adam Sams stated he just recently realized that the property on which the tower is located is deeded to the County Commissioners. He stated that we might want to check into that to make sure that the district has the authority to change the logo on the tower. David Gunter stated that the Board voted to put "Howe" on the tower, and the drawing he provided at that time was in black and white. Adam stated that he would open a dialogue with the commissioners. Gerry asked Jeanette to have this subject on next month's agenda.

Motion was made by Ken Hunn to approve submittal of the following project claims for disbursement:

1. Region B Wastewater Project Phase 1 – SRF
 - a. Jones Petrie Rafinski – \$4,145
2. Region B Wastewater Project Phase 2 – SRF
 - a. Pay App Contract A – Selge \$209,371
 - b. Pay App Contract B – Selge \$151,031
 - c. Jones Petrie Rafinski - \$32,038
3. Region C Wastewater Project Phase 1 – SRF
 - a. Jones Petrie Rafinski – For Phase 2 - \$17,782
 - b. Carson LLC – For Phase 2 - \$1283
 - c. Baker Tilly – For Phase 2 - \$10,120

Motion was seconded Phil Malone. Motion carried unanimously.

Adam Sams asked the board of trustees to consider allotting him a 7% wage pool for 2022 wages. He stated that 4.5% to 5% would be allotted to each employee as cost-of-living allowance, and the remainder would be awarded on merit.

Motion was made by Phil Malone to allow Adam a total of 7% wage pool, 4.5% cost of living and 2.5 awarded on merit. Motion was seconded by David Gunter. Motion carried unanimously.

Jeanette Combs informed that board that the district had received the lien money from the County Clerk for property 0260 E 700 N and the lien has been released.

Jeanette Combs presented the account of Tessa Osborn for 20 Park Drive Turkey Lake. Jeanette explained that this property had previously been given to Mr. Bockelman by the Steuben County Commissioners; not sold at commissioner's sale. Jeanette provided a copy of the tax deed in which it stated that it was subject to "any and all real estate taxes and assessments incurred after the date of this deed." Chris Nusbaum suggested that we first

follow the statute for writing off bad debt. Chris stated that he had just emailed Jeanette the guidelines to follow.

Jeanette Combs presented the September Adjustments of \$3,696.97 and Other Charges of \$21,916.25.

Motion was made by Ken Hunn to approve the September 2021 Adjustments and Other Charges as presented. Motion was seconded by Phil Malone. Motion carried unanimously.

The meeting was opened to Board of Trustees member comments.

Motion was made by Ken Hunn to adjourn at 5:39 pm. Motion was seconded by Phil Malone. Motion carried unanimously.

Respectfully Submitted,

Jeanette Combs
Recording Secretary