

**LAGRANGE COUNTY REGIONAL UTILITY DISTRICT
BOARD MEETING MINUTES
APRIL 21, 2022**

The LaGrange County Regional Utility District Board of Trustees met in Regular Session on **Thursday, April 21, 2022**, 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
 Dennis Davis, Board Member

EX-OFFICIO MEMBERS:

Terry Martin, County Commissioner

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

ADVISORS: Andrew Boxberger, 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 10E2a – Jones Petrie Rafinski \$1,445
- Change Item 10E3c from \$15,853 to \$595
- Remove Item 10E4a – Jones Petrie Rafinski \$24,438.11
- Add Item 10E5a - Jones Petrie Rafinski \$24,438.11
- Add Item 10E5b – Baker Tilly \$2,531

Motion was seconded by Kathy Miller. Motion carried unanimously.

Water Tower Coating Bids were opened. The total amount (base bid and mandatory alternate bid) was as follows:

- LC United Painting Co. Inc \$156,000.00
- Fedewa Inc. \$160,900.00
- Viking Painting, LLC \$189,200.00
- Worldwide Industries Corp. \$219,000.00
- Pittsburgh Tank & Tower
- Maintenance Co. Inc. \$224,505.00
- Seven Brothers Painting, Inc \$226,900.00
- O & J Coatings \$305,000.00

Adam Sams and Jones Petrie Rafinski will review the bids and return with a recommendation at the May meeting.

Motion was made by Denny Davis to approve the March 24, 2022, minutes. Motion was seconded by Kathy Miller. Motion carried unanimously.

Jeanette Combs presented the March 2022 Bank Reconciliations, Fund Report, Revenue w/Estimates Report, and an Appropriation Report. There was a brief discussion on what statements/documents the board would like to see included on a monthly basis. Jeanette informed the board members that the District had invested in ReMarkable tablets for the board members. Once those are received and set up the board members will be able to view board packets via pdf on the tablets. Therefore, it was decided to leave all of the information the board is currently receiving in the packet.

Motion was made by Ken Hunn to approve the March 2022, Financial reports. Motion was seconded by Dennis Davis. Motion carried unanimously.

Jeanette Combs presented the claims docket dated 4/21/2022 to the Board for approval.

- REGISTER OF CLAIMS dated 4/21/2022, in the amount of \$626,986.35

Motion was made by Ken Hunn to approve the Register of Claims dated 4/21/2022. Motion was seconded by Kathy Miller. Motion carried unanimously.

Adam Sams presented the General Mangers report.

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

The meeting was opened for public comments on non-public hearing issues and items not on the agenda.

Mr. Julio Garcia Hernandez was present. He addressed the board members to discuss his additional \$1,000 that he was recently court ordered to pay in addition to his court settlement of \$7,000. He asked if the board could work with him on the time frame of when it has to be paid.

After discussion, Denny Davis made a motion to add the recent \$1,000 order to be paid by September 1, 2022, extending the original timeline by one month. Motion was seconded by Kathy Miller. Motion carried unanimously.

Steve Henschen presented a construction update for the Region B Treatment Area WW Project Phase 2.

Andy Boxberger gave an update on the Forced Connection Legal Action for Region C.

Steve Henschen gave an update for the Region C Treatment Area WW Project Phase 2.

Adam Sams gave a funding update for the Region C Treatment Area WW Project Phase 2. Adam informed the board that the County Council had lowered the amount of grant money that was previously approved by the County Commissioners down to \$660,000 and added the stipulation that Pigeon Lake area had to remain in the project to receive the funds. Adam stated that the Commissioners had approved 45% of the current ARPA funds, and the Council lowered that to 20%, which is how they came up with that number. Since the

county will be receiving additional ARPA funds, Adam will follow up and find out if additional funds would be available for this project. Steve Henschen added that the District needs to have the funds finalized by August before we close on the State Revolving Fund financing package. Adam stated that he didn't feel that it would make sense to have Baker Tilly run a rate analysis again until after we receive bids. The board members agreed.

A motion was made by Kathy Miller to authorize the advertisement for bids for the Region C Phase II project. Motion was seconded by Ken Hunn. Motion carried unanimously.

Andy Boxberger stated that the grant agreement is not yet fully completed.

Jeanette Combs stated that the easements were prepared and ready to be mailed as soon as the packets documents have been finalized. Adam Sams stated that he and Ken Jones of JPR are also meeting with some property owners regarding easements.

Andy Boxberger stated that he is still waiting for the Grant Agreement for the Fawn River Crossing Sewer project to be signed by the Lagrange County Redevelopment Commission.

Steve Henschen gave an update on the FRC Water Tower Recoating. Steve pointed out that it looks like the bids received came in close to the previous estimated project cost of \$150,000. Steve said that the plan had been to use \$75,000 of the water project remaining funds and the remainder coming from the District's water capital fund.

Andy Boxberger presented Resolution 2022-04-21 accepting the transfer of the real property where the Fawn River Crossing Water Tower and Plant are located

Motion was made by Ken Hunn to adopt Resolution 2022-04-21. Motion was seconded by Kathy Miller. Motion carried unanimously.

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

- 1.FRC Water Extension Project – SRF
 - a.JPR (Water Tower Coating) - \$420
- 2.Region B Wastewater Project Phase 2 – SRF
 - a.Pay App Contract A – Selge \$74,007
 - b.Pay App Contract B – Selge \$26,006
 - c.Jones Petrie Rafinski - \$595
- 3.Region C Wastewater Project Phase 2 – BAN
 - a.Lakeland Title - \$5,405.00
- 4.Region C Wastewater Project Phase 1 – SRF
 - a.Jones Petrie Rafinski - \$24,438.11
 - b.Baker Tilly - \$2,531.00

Motion was seconded by Dennis Davis. Motion carried unanimously.

Andy Boxberger gave the board members an update on House Bill 1245 which limits capacity fees and hook up charges.

Andy Boxberger stated that he had not heard back from Lance Thornton therefore he has no update at this time.

Adam Sams presented two project quotes from Aptica LLC: Project 1 Quote 3188 in the amount of \$6,000 and Project 2 Quote 3191 in the amount of \$12,000. Adam stated that his was budgeted for in the 2022 budget for continued IT and Cyber Security upgrades.

Motion was made by Kathy Miller to approve Aptica Project 1 Quote 3188 in the amount of \$6,000 and Project 2 Quote 3191 in the amount of \$12,000. Motion was seconded by Ken Hunn.

Andy Boxberger informed the board that the fees that are proposed to be charged by Invoice Cloud are within the District's limits per the District's ordinance and statute. Adam Sams asked if the District's current credit card ordinance allowed for ACH/EFT fees to be charged to the customer.

Jeanette Combs presented a request from Alvin Beechy to have Carolyn's Cut & Curl removed from billing. Mr. Beechy's correspondence indicated that Salon has not been active in some time, and the tanning business is closing at the end of April. He indicated that the District staff can inspect the location to ensure that the business is closed.

Motion was made by Kathy Miller to approve removing Carolyn's Cut & Curl from the billing subject to an inspection. Motion was seconded by Ken Hunn. Motion carried unanimously.

Andy followed up on Adams question proposed during the Invoice Cloud discussion.

Jeanette Combs stated that she would have a contract/agreement for services sent to Andy Boxberger for review. Jeanette also stated that she would prefer a start date of January 1, 2023. The goal is to send a letter to customers in July informing customers of the new services and fees.

A motion was made by Dennis Davis to introduce a change to the District's rates and charges to allow a fee to be charged for ACH/EFT payments. Motion was seconded by Ken Hunn. Motion carried unanimously.

Jeanette Combs presented a request from Jerry Sires to have a credit on his account in the amount of \$642.20 to be refunded to him. He sold the property, and the account is closed.

Motion was made by Kathy Miller to approve the refund to Mr. Sires in the amount of \$642.20. Motion was seconded by Ken Hunn. Motion carried unanimously.

Jeanette Combs presented a request from Danny Boggs to remove his account from billing. He has signed the acknowledgement that the property at 9280 E 515 S has been disconnected from the system and not to be reconnected. The disconnection has been inspected.

Motion was made by Ken Hunn to approve the property 9280 E 515 S to be removed from billing. Motion was seconded by Kathy Miller. Motion carried unanimously.

Jeanette Combs presented the February 2022 Adjustments of \$96.57 and Other Charges of \$12,540.

Motion was made by Ken Hunn to approve the March 2021 Adjustments and Other Charges as presented. Motion was seconded by Dennis Davis. Motion carried unanimously.

Adam Sams presented a Gasvoda & Associates proposal to fix a pump in the amount of \$15,103 (\$1615 to be reimbursed by Selge).

Motion was made by Ken Hunn to approve the Gasvoda & Associates proposal to fix the pump. Motion was seconded by Kathy Miller. Motion carried unanimously.

Andy Boxberger advocated to increase the spending limit in order to allow Adam Sams to operate more efficiently in an emergency situation and in general everyday spending that exceeds his current \$5,000 limit. Andy stated that this is not an uncommon thing to be approved in other districts. A resolution would need to be approved to amend the current policy. Andy Boxberger will draft a resolution for the May meeting.

The meeting was opened to Board of Trustees member comments. There were none.

Motion was made by Ken Hunn to adjourn at 6:10 pm. Motion was seconded by Kathy Miller. Motion carried unanimously.

Respectfully Submitted,

Jeanette Combs
Recording Secretary