

Rural Water District No. 1  
Ellsworth County, Kansas a/k/a Post Rock Rural Water District  
Regular Board Meeting Minutes  
August 18, 2020

At 6:30 pm, Chairman Brad Miller noting a quorum called the regular board meeting to order.

Directors present were Brad Miller, Ralph Larson, Martin Bland, Howard Wehrman, Butch Teppe, Kayla Errebo, Dave Gorrell (virtual), Joel Christy, and John Dolezal (all other members were in the District Office).

Directors not Present:

Others Present: Leslee Rivarola, Louis Funk, Todd Luckman, Attorney (virtual) and Sharon Condit (in the District Office)

Guest: Mitchell Driscoll

Director Bland joined the meeting at 6:45 pm.

At 6:32 pm, Chairman Miller called for a motion to approve the consent agenda items. Director Wehrman made a motion to approve the consent agenda items. Seconded by Director Teppe. Motion carried.

At 6:33 pm, Chairman Miller introduced guest Mitchell Driscoll to the board of directors and explained that Mr. Driscoll was attending the meeting to dispute the water use and meter reading of his meter. Mr. Driscoll reviewed with the board of directors his records of the meter readings and his dates of the readings. He said, "He did not use the water and that he was not going to pay for the amount billed to him". He offered a settlement of \$500 and requested the balance be expunged. He indicated that if the offer were not accepted that he would take his case to court. Ms. Condit requested the discussion be tabled until the September meeting so that she would have to opportunity to compare his numbers to the data in the billing software. Director Errebo asked Mr. Driscoll if we could have a copy of his meter readings. Chairman Miller informed Mr. Driscoll the board would further discuss the situation and contact him with the results.

Mitchell Driscoll departed the meeting at 6:50 pm.

After a brief discussion of Mr. Driscoll's offer, the balance due on the account, and the recommend amount Mr. Driscoll should pay, Chairman Miller called for a motion. Director Larson made a motion to request Mr. Driscoll pay half of the balance due on the account One thousand nine hundred forty-five dollars and ninety-seven cents (\$1,945.97) and the difference to be expunged. Seconded by Director Teppe. Motion carried.

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At 7:13 pm, Chairman Miller called for a motion to recess into Executive Session. Director Wehrman made a motion to recess into Executive Session for thirty (30) minutes to discuss non-elected personnel pursuant to K.S.A 75-4319(b) (1); further that all board members and Ms. Rivarola and Mr. Todd Luckman. was included in the Executive Session. Seconded by Director Christy. Motion carried.

The meeting reconvened at 7:43 pm with no action taken.

At 7:44 pm, Mr. Funk and Ms. Condit rejoined the meeting.

At 7:45 pm, Chairman Miller called for item number 4 on the agenda. Mr. Funk reviewed the Water Purchase Agreement with the Board of Directors. After a brief discussion, on Item number 6 of the agreement it was decided the usage amount would stay as set out in the contract. At the end of one (1) to two (2) years, we would have a better idea of the water supply needed by the City of Lucas and the water usage would be re-evaluated at that time. Chairman Miller called for a motion authorizing the Chairman to execute the Water Purchase Agreement upon the changes to Item number 6. Director Wehrman made a motion authorizing Chairman Miller to execute the agreement upon final changes. Seconded by Director Christy. Motion carried.

At 8:05 pm, Chairman Miller called for item number 8 on the agenda, Consideration of the KRWA Invoice. After a brief discussion, it was determined that Ms. Condit would visit with Mr. Elmer Ronnebaum at KRWA to discuss the invoice. Mr. Louis Funk offered to conference call with Ms. Condit and Mr. Ronnebaum to discuss the invoice.

At 8:10 pm, Ms. Rivarola reminded Chairman Miller that the agenda needed to be revised to add item number 9 on the agenda. The item being added is to include the construction agreement with M & D Construction for the Avenue D Project. Mr. Funk reviewed the contract with the board of directors and after a brief discussion, Chairman Miller called for a motion to accept the contract. Director Errebo made a motion to authorize Chairman Miller to execute the Construction Agreement with M & D Construction of Hays, Kansas, in the amount not to exceed \$146,958.00. Seconded by Vice Chairman Gorrell. Motion carried.

Mr. Funk gave a brief update on the J-Six easement progress and the cement repairs on the clarifier. Mr. Funk reviewed the situation with the clarifier and the repair work that was done, and he is satisfied with the repair work that was completed by Dondlinger Construction.

At 8:15 pm, Mr. Funk reviewed and explained the situation at the Kanapolis Lake Marina. After a brief discussion, the item was tabled until Ms. Rivarola reviewed past data that was brought to the board's attention in 2019.

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At 8:25 pm, Mr. Funk brought the board of directors up to date on the conversation he had with Mr. Younger, Engineer for the City of Bunker Hill. Mr. Younger is requesting some of the language and the minimum usage amount be negotiated before finalizing the contract. Mr. Funk will continue to work with Mr. Younger to come to a term that will work for both parties.

Mr. Funk departed the meeting at 8:30 pm.

At 8:30 pm, Chairman Miller called for the financial report. Ms. Condit presented the financial report and the bills to be paid. Ms. Condit called for questions. Director Christy requested to review the invoice from Rosencrantz-Bemis. Ms. Condit requested the financial report be approved and to pay the bills not to exceed the amount of \$121,427.67. Chairman Miller called for a motion to approve the bills. Vice Chairman Gorrell made a motion to approve the financial report and to pay the bills not to exceed the amount of \$121,427.67. Seconded by Director Errebo. Motion carried.

At 8:35 pm, Chairman Miller called for item number 6 on the agenda. Item number 6 is to review the Four Day Work Week. After a brief discussion of the four day work week and how it has worked thus far, it was determined to keep it in place indefinitely with possible changes of start time of work and end time of work according to daylight savings time. The four-day work week would be monitored by Ms. Rivarola. Chairman Miller called for a motion. Vice Chairman Gorrell made a motion to keep the four-day work week in place indefinitely with possible changes to start and end time due to daylight savings time and with Ms. Rivarola monitoring the four-day work week. Seconded by Director Errebo. Chairman Miller called for a roll call vote: Director's Christy, Dolezal, Errebo, Larson and Vice Chairman Gorrell voted yes. Director's Bland, Wehrman, and Teppe voted no. Motion passed.

At 8:50 pm, Chairman Miller called for item number 7, Seasonal Employee at the Water Treatment Plant, on the agenda. After a review of the recommendation written by Mr. Terry Ranker, it was determined to extend the Seasonal Employee position at this time. Ms. Rivarola will send a letter to Mr. Ranker with a description of the extension terms and conditions. Chairman Miller called for a motion. Director Errebo made a motion to extend the seasonal Employee position until a date to be determined. Seconded by Director Bland. Motion carried.

At 9:05 pm, Chairman Miller called for attorney report. Mr. Luckman, the District Attorney, gave an update about the City of Ellsworth and the annexation of the area where several low-income units are being constructed. No Action taken.

Director Wehrman asked Mr. Luckman if there were any new updates on the APAC situation at Kanopolis Lake. Mr. Luckman informed the board of directors that he has not been contacted and there is nothing new on the situation.

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Mr. Todd Luckman departed the meeting at 9:10 pm.

At 9:10 pm, Chairman Miller called for Director Reports. After a brief discussion pertaining to the road conditions at BPS #6, and who should pay for the repair cost of the road, Chairman Miller called for a motion. Director Christy made a motion for Chairman Miller and Director Bland to evaluate the road condition at BPS #6, and work with the township on negotiating with the township to pay half of the cost of repairs and to authorize repair cost not to exceed \$3,000. Seconded by Director Teppe. Motion carried.

Director Christy briefed the board of directors on the old pump at BPS #2 as to whether it should be refurbished. Director Christy requested that Ms. Condit find out how many 30hp motors are in the distribution system. No Action taken.

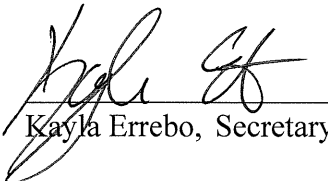
At 9:30 pm, Chairman Miller called for a motion to recess into Executive Session. Director Larson made a motion to recess into Executive Session for ten (10) minutes to discuss non-elected personnel pursuant to K.S.A 75-4319(b) (1); further that all board members and Ms. Rivarola was included in the Executive Session. Seconded by Director Dolezal.

Meeting reconvened at 9:45 pm, with no action taken.

Chairman Miller called for a motion to adjourn the meeting. Director Errebo made a motion to adjourn the meeting. Seconded by Vice Chairman Gorrell.

Meeting adjourned at 9:45 pm.

Respectively Submitted:

  
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Kayla Errebo, Secretary/Treasurer

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Date