

MONTGOMERY COUNTY REGIONAL SEWER DISTRICT

3/13/2024 Board Meeting Minutes Montgomery County Government Center 1580 Constitution Row - Suite E Crawfordsville, IN 47933

The Montgomery County Regional Water & Sewer District met on Wednesday, March 13th, 2024 at 4:00 pm. The meeting occurred at the Montgomery County Government Center, 1580 Constitution Row – Community Meeting Room, Crawfordsville, IN 47933.

Board members present were Dan Guard, Jake Bohlander, Joyce Grimble, Greg Morrison, and David Reeves

Also present: Lana Beregszazi- BCS Management; Tom Astbury- Astbury Water Technology; Amy Moore –VS Engineering; Jacob Beebe- VS Engineering; Tyler Nichols- Taylor, Minnette, Schneider, and Clutter P.C.; Nichole (Niki) Franklin- Peters Franklin, LTD

I. Call to Order – Dan Guard called the meeting to order at 4:02 pm.

II. Management & Administration

Minutes Approval

Minutes for 2/14/2024 were provided by BCS Management for board approval.

Greg Morrison moved to approve the minutes from 2/14/2024. Joyce Grimble seconded. Motion passed 5-0.

Administrative Report

Lana Beregszazi, BCS Management, reported on administrative items. Copies of the report were emailed to the board prior to the meeting.

- Financial
 - Current claims and revenue were analyzed and reviewed.
 - Regular Sewer use billings were \$28,834.00 Total Claims were \$44,184.18 which was ~\$22,000 less than the prior month
 - Pump and Haul Claims were \$16,975, claims to be potentially passed on to the customer were \$2,433 (Astbury invoice 20054). Removing these aforementioned claims from regular operating expenses brings regular operating claims total to \$24,776.18
 - It was noted that the RSD operated with positive cash flow this month for the first time in a long time
 - There was discussion regarding passing Astbury invoice 20054 to Nucor Steel for monitoring and surcharges, Amy Cating will be notified to send this expense on to Nucor Steel.
 - Joyce Grimble was confirmed as third signatory.
 - Joyce Grimble reminded the committee that there is not a current treasurer. Tyler Nichols/Dan Taylor will look into the laws to determine if a Treasurer is required.
 - Amy Cating is able to share account information as needed – a treasurer would be able to view account information without asking Amy Cating
 - Administrative policy reviewed as 120-day claim for liens filed. Updates to calendar added as reminders to ensure timely communication.

- Modification to Ordinance 2002-11 discussed by board members regarding inspection fees. Dan Taylor provided feedback prior to the meeting; Ordinance 2002-11 will continue to be monitored.
- Discussion regarding final invoice from Astbury Water Technology for \$24K from prior main break. Via email, Dan Taylor advised that a suit should be filed for Windhoven to be held legally responsible. Lana and Tom will work with Dan Taylor's firm to pursue this as required
- New Connections
 - Landstar is waiting on their IDEM permit. Their connection fee to the RSD is pending as of this meeting
- Updates to the website include: addition of David Reeves as RSD Board Member, updated contact information, 2024 Meeting Schedule added to Events page, and updated Board Meeting Minutes. Amy Cating supplies these minutes to Gateway for additional state reporting.
- Casey's trucking/gas station is under construction at SR 32 and I-74, which is in the sewer district's service area. No board members or contractors representing the RSD were contacted about this development. Discussion among board members. Lana Beregszazi to reach out to the county building department for information.

Maintenance Report

Tom Astbury, Astbury Water Technology, reported on maintenance items.

- The plant operated fluently and with full compliance at 50% capacity for January 2024 with a daily average flow of 53,400 gal/day.
- No service calls or issues with equipment were reported.

III. Project Updates

Rate Study Update

Nikki Franklin presented a rate study report.

- Decrease of costs from BCS Management were previously discussed at February 2024 board meeting; the proposed rate increase presented in the rate study report was amended to from 30% to 27%.
 - Acknowledgement of the RCD loan for \$50,000 at 5% interest to be paid off within one calendar year.
 - Clarification was offered that this 27% increase includes both residential and commercial customers and assumed no new connections
- Discussion of new ordinance protocol. Timelines were briefly discussed as to when rate increases may be released, based on future data.
- Some expenses are fixed; new users do not imply increased expenses.
- Matter will remain ongoing

IV. New Business

- Previously discussed at the February 2024 meeting was involuntary connection enforcement and Indiana Code 13-26
 - A property analysis was conducted to determine the number of properties currently connected and those that could be forced to connect. The property analysis indicated between 50-60 residences that could be forced to connect.
 - Greg Morrison questioned if this could be further developed. An incentive could be provided to customers to optionally connect rather than be forced.
 - Discussion by board members regarding pros and cons of voluntary connections vs. enforcement connection.
 - The health department has a record system for septic system installation dating back to 1973 that could be utilized.
 - If the health department had received notification of a failed septic system, the RSD could enforce a connection.
 - Flyers and a letter will be discussed at the April 2024 meeting.
 - Discussion held by the committee regarding an incremental increase on an annual basis. This will continue to be discussed at future board meetings.

V. Old Business

- Greg Morrison was contacted by a commercial customer with a concern and shared with the committee. It appears that Conice, LLC did not decommission their septic system or connect to the sewer line when the grinder pump station was installed. It appears that the free grinder pump station opportunity was accepted but no connection was made which is their argument for not paying their sewer bill.
 - Dan Guard motioned that the RSD lawyer will look into the contract that was signed between Conice and the RSD. Greg Morrison seconded, and the motion passed 5-0.

VI. Treasurer's Report

Dan Guard reviewed information regarding the RSD's finances.

Operating Bank balance: \$52, 026.54

GPS Maintenance Fund Balance: \$15, 524.16

Lana Beregszazi noted that Nucor Steel has not paid their regular sewer use bill for 90 days. This includes \$28, 272.20 that has not been accounted for; communications have been made regarding payment which is expected to be received the same week.

Regular Claims:

Current Claims: \$44,184. 18

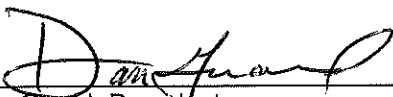
Greg Morrison motioned to approve and pay regular claims while Jake Bohlander seconded. Motion passed 5-0.

- Minutes for Accounts Payable were signed, and checks were signed by signatories to be mailed.

VII. Adjournment- Having no other business to come before the Board, Dan Guard moved to adjourn while Joyce Grimble seconded. Meeting adjourned at 5:02 pm.

Submitted by Lana Beregszazi– BCS Management

Approved this 10 day of April, 2024.



Dan Guard, President