

MONTGOMERY COUNTY REGIONAL WATER & SEWER DISTRICT
9/10/2025 Board Meeting Minutes
Montgomery County Government Center
1580 Constitution Row - Suite E
Crawfordsville, IN 47933

(Live streaming/recordings available at youtube.com/@MontgomeryCountyIndianaGovt)

Board members present: Chairman Dan Guard, VP Mike Warren, Treasurer Joyce Grimble, Greg Morrison, David Reeves (Absent - none)

Also present: Chris Kellner - BCS Management; Tyler Nichols - Taylor, Minnette, Schneider, and Clutter P.C.; Jacob Beebe - VS Engineering; Tom Astbury - Astbury Water Tech

Call to Order - Dan Guard called the meeting to order at 3:01pm. A quorum was present.

I. Management & Administration:

A. Minutes & Board Meeting Schedule

Minutes for 08/13/2025 were provided by BCS Management for Board approval. *Greg Morrison made the motion to approve the minutes as presented. Mike Warren seconded. Motion passed 5-0.*

B. Treasurer's Report: Operating Fund Bank Balance = \$154,981.32 | Grinder Pump Maintenance Fund Balance = \$12,845.36 | Capital Fund Balance = \$43,515.27

C. Administrative Report - BCS Management

- i. Chris Kellner shared a copy of the monthly administration report. Cash balances ended the month at a healthy 3.75x regular operating claims (excluding pass-throughs, based on a 6-month rolling average) for the operating fund. A net operating surplus of \$7,176.18 for the month was reported, bringing the YTD surplus to \$43,019.30. The ongoing impact of the rate increase last year is the improving financial position to prepare for increased maintenance costs as the infrastructure ages. Once the RDC loan is paid off in November, it will free up over \$4,400 each month to continue to build up the capital fund.
- ii. USIC expenses are still on track with the budget; \$728.57 spent last month on 41 locates equating to less than \$18 per ticket.
- iii. House Enrolled Act 1459 required IURC to issue specific guidance on reporting and compliance requirements for the new utility asset management and board training regulations. IURC published a "Strawman GAO" for public feedback in August. BCS reviewed and provided comments for all its RSD clients including MCRSD. The initial draft suggests there is ample ramp up time to comply with the first four years with increased effort required each following four year period. Official GAO expected Oct 1.

D. Maintenance Report - Astbury Water Technologies

1. Tom Astbury reported the plant operated at an average influent flow of 79,900 gallons per day (GPD) (80% capacity) with a max flow of 150,000 GPD and minimum flow of 35,000 GPD last month. The plant is in full compliance. (Surge capacity max is 200k GPD.) Effluent flow meter readings were found to be erroneous; influent data was used instead, with notations made in IDEM reports. All regulated parameter removal percentages exceeded 99%.
2. The flow meter has been misreading and overestimating the effluent since May. Astbury thought they had fixed it in August until BL Anderson came to swap a sensor, noticing the unit was obsolete. A replacement unit is now needed. The BL Anderson quote of \$5,854

(including Astbury markup) was presented and recommended to the board. Astbury intends to obtain a competitive quote to potentially reduce District costs. Greg Morrison asked Astbury to describe the unit better (sensor, displays, housing, etc.).

Motion to approve the effluent flow meter replacement project not-to-exceed (NTE) \$5,854 made by Greg Morrison. David Reeves seconded. Joyce Grimbale asked if a potentially cheaper model would last as long as the Siemens model. Astbury explained there would be no compromise on quality; the East Tech model to be considered is comparable in quality. No further discussion. Motion passed 5-0.

3. Preventative maintenance was performed by Cummins on all five (5) generator units on August 13 and 14.
4. As the PM reports indicate (Exhibit B), everything passed the inspection.
5. The influent lift station level transducer replacement project was approved last month. Xylem successfully installed the replacement transducer on August 19th.
6. Fairfield Roofing & Construction visited on September 4 to provide a proposal to repair a damaged soffit and various ceiling tiles damaged before the roof was replaced several years ago. A proposal is expected by the next board meeting. Dan Guard asked if insurance claims should be considered. Astbury said this is normal wear and tear, so a claim would likely be unsuccessful.

II. Project Updates:

None

III. New Business

None

IV. Old Business

A. Proposed Resolution for No More Metering - Chris Kellner, BCS Management, Inc.

Kellner reiterated that the District is not set up to efficiently handle metering. There are two (2) users who have been on meter charges since the start.

(Tabled.)

B. USIC and Winhoven Law Suite Settlements - Tyler Nichols, TMSC Law

(Background: Winhoven, a contractor, hit the sewer main along Nucor Road in late 2023. The emergency repairs cost the District over \$24,000. Winhoven provided photo evidence to the District suggesting that USIC had mislocated the line. The RSD pursued legal remedy from USIC and Winhoven.) Tyler Nichols presented a settlement agreement with USIC for \$5,000 for dismissal. TMSC Law reviewed the agreement and recommended acceptance. Winhoven has not made an offer for settlement. Nichols recommends dismissing them based on the evidence available. Kellner questioned if USIC understood that they will likely lose their contract due to this. Nichols believes they do understand that. Dan Guard supports settlement as spending more resources to pursue is unlikely to help.

Motion to accept the \$5,000 settlement from USIC in exchange for dismissal and dismissing Winhoven lawsuit gratis made by David Reeves. Mike Warren seconded. Mike Warren asked what the total damage was from the incident; Nichols stated \$23,000 and that the contract with USIC has a \$0 indemnity clause. No further discussion. Motion passed 5-0.

V. Approval of Claims

A. Account Payable Voucher Claims = \$65,054.96

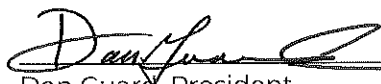
*Joyce Grimbble motioned to approve claims payment as presented. Mike Warren seconded.
No further discussion. Motion passed 5-0.*

VI. Adjournment

*Greg Morrison moved to adjourn. Joyce Grimbble seconded. Motion passed 5-0. The meeting
adjourned at 3:17pm.*

Submitted by Chris Kellner - BCS Management

Approved 10- 8 - 2025


Dan Guard, President