

Rural Water District #9
Board of Directors Meeting
Leavenworth County, Kansas
July 18, 2023

The monthly meeting of Rural Water District #9 was held on Tuesday July 18, 2023 at the District office located at 20551 Parallel Road, Tonganoxie, Kansas 66086.

MEMBERS PRESENT: Craig Lohman, Kim Buchanan, Jim Armstrong, Don Kirby, Nicole Davis, Ed Mullins

Manager Karen Armstrong, Operator Wayne Wrosch, Louis Funk; engineer with Bartlett & West, Todd Luckman; attorney with Stumbo Law

MEMBERS ABSENT: Erick Lowe

PUBLIC PRESENT: Steve Myers, Rick Muzzy, Beverly Muzzy, Tim Smoots, Frank Hurla, Crist Theroff, Pat Theroff, Kathy Ewert Jim Sears

A quorum was established.

The meeting was called to order by Chairman Craig Lohman at 1830 hours.

1. Minutes

A motion was made by Jim Armstrong to approve the minutes of the June 20, 2023 regular monthly meeting. Motion was seconded by Nicole Davis. Motion passed unanimously.

2. Public Opportunity

Nine members of the general public were in attendance to inquire about the potential for a bio-fuel digester operation to be in west central Leavenworth County.

Rick Muzzy (RWD9 member)- Inquired how the increased water usage by the potential digester would affect the district's current water supply to its residential members and who would incur costs for infrastructure upgrades to support such an operation. Attorney Todd Luckman explained that now it is simply a request from Bill Murr to see if/how could RWD9 could support the daily operation of a bio-fuel digester. Mr. Murr estimated usage of 17 million gallons per year. Mr. Luckman said that potential costs for water purchase and system upgrades would be incurred by Vanguard Renewables. Engineer

Louis Funk emailed Vanguard Renewables back on February 21, 2023, questioning the operations and its required infrastructure and water needs.....no response to date.

Kathy Ewert (RWD9 member)- stated that she thought the potential usage of 17 million gallons per year would be 4 times the amount of the districts normal annual usage and wanted to know how the district would handle such demand. Engineer Louis Funk stated that the districts current supply is supplemented by water purchase from Suburban Water and the extra demand would come from additional purchase of water from Suburban Water. Ms. Ewert also stated she contacted Freestate Electric Cooperative regarding electrical needs and requirements for the digester and after her conversations with them asked if we had any protection in place in case the project goes south and the company takes out bankruptcy. She wanted to know if the residents would be on the hook for any outstanding balance? Attorney Luckman spoke as to protections being a part of the agreement package where they would pay the costs up front.

Tim Smoots (RWD9 member)- Wanted to go on record that he opposed the bio-fuel digester and did not want it located in our area. Mr. Smoots also asked if the district documented and tracked leaks. He also inquired as to how fast we know or suspect leaks. Operator Wrosch said we do document and track all leaks; we also monitored all meters daily and could see uncommon usage increase which may be indicative of a leak. In which case we contact the benefit owner to alert them. Mr. Smoots also asked if the district had to notify residents of pressure drops. Engineer Louis Funk stated the only time notifications are made is if there is the need for a boil order to be placed, then Kansas Department of Health and Environment (KDHE) and the Leavenworth and/or Jefferson County Emergency Management offices would be notified.

Attorney Luckman suggested to the group to voice their concerns to the Leavenworth County Commission, the Leavenworth County Planning and Zoning office and Kansas Department of Health and Environment (KDHE). Office manager Karen Armstrong urged the group to go online and watch videos of bio-fuel plants already in operation to be better informed.

Kathy Ewert (RWD9 member)- Thanked operator Wrosch and manager Armstrong for all they do for the water district and its members.

At 1859 hours, board member Jim Armstrong made a motion to adjourn our regular meeting and enter into Executive Session for 15 minutes for Attorney/Client privilege discussion. Motion was seconded by Nicole Davis, motion passed unanimously. At 1915 hours a motion was made by board member Don Kirby to extend executive session for 10 minutes, Nicole Davis seconded. Motion passed unanimously. Executive session ended at 1925 hours and regular business meeting resumed.

3. Board Members items to add to the agenda

A motion was made by Jim Armstrong to allow office manager Karen Armstrong to approve a letter of response being drafted by attorney Todd Luckman to David Van Parys, Leavenworth County Counselor. Motion as was seconded by Ed Mullins. Motion passed unanimously.

4. Treasurer's Report- Karen Armstrong

Manager Armstrong provided a review of Aged Accounts Receivables.

A motion to approve the Treasurer's report with accounts receivable and profit/loss statement as presented was made by Jim Armstrong, seconded by Ed Mullins. Motion passed unanimously.

5. Operator's Report- Wayne Wrosch

- a. Wayne presented the June 2023 Water report.
- b. Wayne reported that Don Kirby fixed the impeller for #1 pump at the booster.
- c. Wayne said that well #1 had significantly reduced production so he did and acid treatment on that well and we should see improved production next month.
- d. Wayne reported that Cameron from CommTronix out of Wichita came and fixed a telemetry issue at the booster.
- e. Wayne reported that he installed 4 new meters on 207th street

6. Manager's Report- Karen Armstrong

- a. Manager Armstrong provided a spreadsheet of usage and minimum charges only/operations.

- b. Manager Armstrong provided her monthly mileage report for June/July 2023. A motion was made by Don Kirby to approve mileage reimbursement. Ed Mullins seconded. Motion passed unanimously.
- c. Manager Armstrong reported we received a credit in the amount of \$2,217.00 from EMC after our audit review.

7. Application for transfer of service

- Renter-Randi DeMotte to Owner-Mike Graveman 415 N Main, Tonganoxie, Ks.
- Jim Cannon to Claudia Serrano 19783 207th Street, Tonganoxie, Ks.

Jim Armstrong motioned to approve this transfer of service application, seconded by Nicole Davis. Motion passed unanimously.

8. New Application for service

Matt Blevins/CornerStone Development, Lot #2 Mitchell Road

A motion was made by Jim Armstrong to approve the new application. Seconded by Nicole Davis. Motion passed unanimously.

9. Authorization of payment of bills

A motion was made by Nicole Davis to authorize payment of current bills, seconded by Ed Mullins. Motion passed unanimously.

10. Board member terms

No change

11. Adjournment

Motion was made to adjourn meeting by Nicole Davis, seconded by Jim Armstrong. Motion passed unanimously. Meeting adjourned at 1956 hours.

Respectfully submitted

Kim Buchanan, Secretary