

Rural Water District #9
Board of Directors Meeting
Leavenworth County, Kansas
October 17, 2023

The monthly meeting of Rural Water District #9 was held on Tuesday October 17, 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

Manager Karen Armstrong, Operator Wayne Wrosch

A quorum was established.

MEMBERS ABSENT: Ed Mullins, Erick Lowe

PUBLIC PRESENT: Kevin Halterman- 21182 Parallel Rd Tonganoxie, Ks 66086

The meeting was called to order by Chairman Craig Lohman at 1831 hours.

1. Minutes

A motion was made by Jim Armstrong to approve the minutes of the September 19, 2023 regular monthly meeting. Motion was seconded by Don Kirby. Motion passed unanimously.

2. Public Opportunity

Kevin Halterman- 21182 Parallel Road; Tonganoxie, Ks 66086, a 28-year resident at that address attended the regular meeting of the LVRWD9 to discuss water pressure at his residence. He said there was no water regulator at his meter in the pit, and he is experiencing 120 psi water pressure going into his house. He discussed that over the course of 28 years he has had to dig up the water line to repair breaks numerous times and has requested that he wants a statement in writing that the water district would maintain and regulate water line from the meter to his house. The Board agreed to discuss this situation in our regular business section.

3. Louis Funk- Engineer; Bartlett & West: 235th Street Project/Tonganoxie Road Project

Brandt Daniels- District Contractor: 235th Street Project

Manager Armstrong presented the Board with a copy of an email exchange from Todd Luckman-attorney with the latest offer from Leavenworth County to make a lump sum payment to the district in the amount of \$220,000 for the 235th Street project. **Mr. Funk**-engineer presented Board members with a series of 4 handouts outlining the scope of work necessary for the 235th Street project relocation of LVRW9 infrastructure as well as a summary of engineer estimates for various scenarios. After much discussion the Board agreed to option 3 from handout 3 of the summary of estimates page. A motion was made by Nicole Davis that we authorize the District Manager, legal counsel, and the district engineer to finalize an agreement with Leavenworth County in line with the terms of the form agreement presented to the board with the option 3 cost estimate, and further authorize the Chairman and Secretary to execute any finalized agreement on those terms without further Board action. Motion was seconded by Don Kirby. Motion was approved unanimously.

Brandt Daniels, District contractor presented 2 different cost estimates for contractor work on the 235th Street project. One estimate was for 6" pipe and the other for 4" pipe. After Board discussion a motion was made by Don Kirby to go forward with the estimate for the 4" pipeline for the 235th Street project. Kim Buchanan seconded the motion. Motion was approved unanimously. Don Kirby made a secondary motion to less out item 3 on the 4" pipe quote contingent on the agreement with Leavenworth County. Seconded by Nicole Davis. Motion was approved unanimously.

Mr. Funk-engineer presented Board members with a handout outlining the scope of work necessary for the Tonganoxie Road project. After much discussion the Board agreed to the cost estimate. A motion was made by Jim Armstrong that we authorize the District Manager, legal counsel, and the district engineer to finalize an agreement with Leavenworth County in line with the terms of the form agreement presented to the board with the cost estimate and further authorized the Chairman and Secretary to execute any finalized agreement on those terms without further Board action. Motion was seconded by Kim Buchanan. Motion was approved unanimously.

The email exchange also referenced the ongoing topic of the districts clean out hydrant (227th & Garrett Rd) usage by Tonganoxie Township Fire Department as a refilling station. Fire Chief Tim Smith sent a copy of an agreement that was made between the District and the Tonganoxie Township Fire Department in August of 1990. This agreement was well before the current District employees and Board members time of service and a copy could not be found on file. After much discussion and consideration, a motion was made by Nicole Davis that we cancel and terminate the Agreement dated August 1, 1990 between the District and the Tonganoxie Township Fire

Department, and that legal counsel be authorized to give written notice of the cancellation to the Tonganoxie Township Fire Department. Seconded by Jim Armstrong. Motion passed unanimously.

4. Board Members items to add to the agenda

The Board discussed the water regulator issue presented earlier in the evening by benefit owner Kevin Halterman- 21182 Parallel Road, Tonganoxie, Ks 66086. Operator Wayne Wrosch explained to the Board that prior to 1990 all meters came with a regulator. The district no longer installs regulators at the meter in the pits. The district still has approximately 300 older meters still in service that still have the regulators on them but of that number, probably only half still work. Benefit owners needing regulators are encouraged to purchase one at a home improvement store and install at their house. After discussion, Nicole Davis made a motion to install a regulator in the pit at this one-time request of the benefit owner. Don Kirby seconded. Motion was approved unanimously.

5. 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 Nicole Davis. Motion passed unanimously.

Manager Armstrong reported we had a Certificate of Deposit coming due in November 2023, after discussion the Board decided not to roll the money into a new CD. Kim Buchanan motioned to cash out the CD and deposit the cash investment plus interest earned back into the District's bank account. Seconded by Jim Armstrong. Motion passed unanimously.

6. Operator's Report- Wayne Wrosch

- a. Wayne presented the monthly operations spreadsheet
- b. Reported that Don Kirby fixed broken conduit on Well #5 at the well cap.
- c. Installed a valve that shuts off to the north at 227th and Dempsey Road
- d. Presented re-evaluation ideas for the Tonganoxie Road Project.

7. Manager's Report- Karen Armstrong

- a. Armstrong provided her monthly mileage report for September/October 2023. A motion was made by Nicole Davis to approve mileage reimbursement. Kim Buchanan seconded. Motion passed unanimously.
- b. Karen reported a letter was sent to Leavenworth County Counselor David Van Parys declining the County's current offer on the 235th Street Project.
- c. Reported we received a bid from Brant Daniels for the 235th Street Project.
- d. Karen reported getting an easement drawn up for Jack Willis property on 219th Street (CIP project)
- e. Received an estimate for the Tonganoxie Road widening project.
- f. Received a letter from Tonganoxie Township Fire Chief Tim Smith advising there was an agreement between the FD and the District from 1990.
- g. Reported that attorney Todd Luckman has drafted a letter revoking the 1990 agreement and trying to establish a new agreement.
- h. Manager Armstrong reported that Brad Loughry got his well running and Brant Daniels made the connection/disconnection.
- i. Reported the first CD came due on 9-26-23 and was rolled back into a 12-month CD at 5.2%.

8. Application for transfer of service

- Jim Holmgren to Jason Drinkard- 19747 199th Street Tongie KS
- Chris Smith to Becky Reischman- 19725 Mitchell Rd, Tongie, KS
- Leslie Lindsay to Elizabeth Kenyon- 22139 207th Street, Tongie, KS
- Visionary Homes to Rebecca Witte- 20306 207th Street, Tongie, KS

Jim Armstrong motioned to approve these transfers of service, seconded by Nicole Davis. Motion passed unanimously.

9. New Application for service

No new applications

10. Authorization of payment of bills

A motion was made by Kim Buchanan approving payment of current bills, seconded by Nicole Davis. Motion passed. Don Kirby abstained.

11. Board member terms

No change

12. Adjournment

Motion was made to adjourn meeting by Jim Armstrong, seconded by Don Kirby. Motion passed unanimously. Meeting adjourned at 2041 hours.

Respectfully submitted

Kim Buchanan, Secretary