

KOONTZ LAKE REGIONAL SEWER DISTRICT

P.O. Box 204
Walkerton, IN 46574

MINUTES OF REGULAR MEETING OF BOARD OF TRUSTEES OF KOONTZ LAKE REGIONAL SEWER DISTRICT

October 15th, 2019

The October 15th, 2019 Regular meeting of the Board of Trustees of the Koontz Lake Regional Sewer District was held at approximately 5:30 p.m., local central time, at the KLRSD Administrative Building, 10625 East Prairie Avenue, Walkerton, Indiana 46574. The meeting was called to order by Jerry Weber. Other board members present were: Ron Armstead, Kristy Wilsey, Mike McKenna, Paul Warnke and Dan Pisarek. Also present were Dan Fox of Astbury, Marty Wolf, and Shelley Bell. James Jackson had notified the Board he was unable to attend.

Mr. Weber asked the Board if there were any additions or corrections with respect to the adoption of the October 15th, 2019 Agenda. Mr. McKenna made the motion to approve the agenda as presented, Mr. Pisarek seconded, and upon vote, the Board unanimously approved.

Next, Mr. Weber asked if there were any additions or corrections to the September 17th, 2019 KLRSD Board Meeting Minutes. Mr. McKenna made the motion to approve the Minutes as presented, Mr. Armstead seconded, and upon vote, the Board unanimously approved.

Reporting for the Nominations Committee, Mr. McKenna informed the Board that recommendation letters had been sent to the Starke County Commissioners and the Marshall County Council.

Next, Mr. McKenna presented the Treasurer's Report.

Treasurer's Report follows on next page:

KOONTZ LAKE REGIONAL SEWER DISTRICT

TREASURERS REPORT

Page 1 of 1

October 15, 2019

CASH			
1 st Source Bank Checking Account			
Balance as of August 31, 2019:		\$184,765.09	
Checks, withdrawals, debits		-\$29,380.16	
Service charges		-\$38.46	
Deposits and credits		\$42,576.25	
Interest earned		\$42.66	
Statement balance as of September 30, 2019:		\$197,965.38	
Checks written but not cleared		-\$2,024.48	
	Available balance in checking:	\$195,940.90	
	Certificates of Deposit:	\$925,817.22	
	Total funds	\$1,121,758.12	
RECEIVABLES			
report is not complete due to new software		\$0.00	(see Note 1)
should be resolved by next months' report			

Treasurer's Report continues on next page:

CLAIMS

The following invoices and claims are presented:

NIPSCO	CWP electric		\$4,169.04 *1
NIPSCO	CWP gas		\$82.45 *1
NIPSCO	CS grinder electric		\$1,458.57 *1
NIPSCO	OB gas & electric		\$109.29 *1
Republic Svcs	sludge hauling		\$0.00 *1
CenturyLink	Phone Svc		\$198.62 *1
Marshall County REMC	SLR electric		\$186.00 *1
Astbury Water Tech	Operater services		\$9,304.95 *2
Jones Petrie	billing services		\$3,599.99 *3
Jones Petrie	locate services		\$2,597.50 *3
Jones Petrie	engineering		\$471.25 *3
Jones Petrie	inspection services		\$0.00 *3
Jones Petrie	reimbursables		\$647.71 *3
Personnel Partners	staffing services		\$630.38
Shelley Bell	bookkeeping expenses		\$27.48
Jerry Weber	claim		\$196.18
Peggy Shively	office cleaning		\$25.00
McKenna	claim		\$99.10
WH&C	Q3 legal svc		\$315.00
Universal Security	security svc		\$135.00
Selective Insurance	late fee	\$20.00	denied
	Total claims		\$24,253.51

* Footnotes to Claims:

*1 Preapproved for automatic payment.

*2 Contract services plus SLR services.

*3 Contract services.

Note 1: Receivable aging:	Current		
	30 days		
	60 days		
	90+		
	<u>Lien</u>		0.0% (percent of annual revenue)
	<u>Total</u>	\$0.00	

Note 2: The Treasurer recommends approval to pay all claims listed above.

Mr. McKenna said he was denying the \$20.00 late fee charged by Selective Insurance, as this is not allowed by Indiana Code.

Mr. McKenna made the motion to accept the Treasurer's Report as presented, Mr. Pisarek seconded, and upon vote, the Board unanimously approved.

There was nothing to report for Asset Management.

There was no JPR Report to discuss.

Next was the Astbury Report. Mr. Warnke questioned Mr. Fox about a ringer check on a grinder that was alarming due to excessive rain water. He also mentioned a grinder that appeared to have three residences being serviced by it. There should only be two houses to this grinder.

Mr. McKenna will contact JPR regarding checking "as built" and why half a house is on this grinder that should only be servicing two homes.

Mr. Fox said he had not tested the sealant on the grinder pump on Pottawatomie, but is ready to do so. He also said we need to verify with Selge that they are still "on hold".

Mr. Fox said they have only scrapped one grinder recently and are not seeing much corrosion. He added that the stators on the bottom of the grinders have been getting changed out regularly.

Mr. Weber asked if they were still going to do a pump out at the CWP. Mr. Fox said they will keep working on it as reasonable.

For System Management, Mr. Weber said everything was going okay.

Mr. Pisarek reported that the Building Management was doing well too. Mr. Weber had changed out some of the outdoor bulbs.

Under Contract Management, Mr. McKenna reported the District received a refund check of \$7400 from our previous insurance carrier. Mr. Jackson had also determined that the additional insurance was not a valid charge.

Key Control was reported as being okay.

Mr. McKenna said he was making progress on updating P & P.

Under Old Business, Mr. Pisarek led discussion of the Snow Removal Contract. Mr. Warnke made the motion to approve removal upon 4" of snow accumulation, Mr. Armstead seconded, and upon vote, the Board unanimously approved. Mr. Pisarek will draft up a new agreement.

Discussion was opened regarding the Indemnity Agreement.

Mr. Warnke asked if it had been presented to any other group other than the Koontz Lake Conservancy. He asked what the response would be from the Election Board and other groups that use our building. He added that the District has done well using our insurance policy and Indiana Code as we understand it. He believes we have made an effort in good faith, but that the Indemnity Agreement is prohibitive and inconsistent on how it has been presented.

Mr. Warnke made the motion to abandon the Indemnity Agreement. The motion was not seconded.

Mr. McKenna felt the objectionable wording should be changed to "this agreement shall apply to the furthest extent of Indiana Law".

Mr. Warnke asked why other groups haven't been given it to sign. He added that he felt the Board was wasting time and resources on this, adding that the District has done well without it, and if KLA and the Fire Department felt this way, the KLRSD wouldn't be here.

Ms. Wilsey agreed with changing the wording or dropping it altogether.

Mr. McKenna stated he believes the building is meant for the general good of the community. He added that our insurance covers the Board and Board members are not individually responsible.

Mr. Pisarek suggested paying the attorney \$100 to change the wording, and if the attorney disagreed, to do it any way.

Mr. McKenna said courses of action include:

1. Maintain as is
2. Only fullest extent by Indiana Law
3. Drag out the old agreement
4. Abandon the whole thing

Mr. Weber agreed to #2, with consult of a lawyer

Ms. Wilsey agreed to #2, without a lawyer

Mr. Warnke agreed to #2, without a lawyer

Mr. McKenna agreed to #2, without a lawyer

Mr. McKenna made the motion to retain the Indemnity Agreement provided with change to wording: "This Agreement should apply to the fullest extent permitted by Indiana Law". Mr. Pisarek seconded. Mr. Warnke and Mr. Armstead voted against this motion. Ms. Wilsey, Mr. Pisarek, Mr. McKenna and Mr. Weber voted in favor of this motion.

The motion to retain the Indemnity Agreement provided with change to wording: "This Agreement should apply to the fullest extent permitted by Indiana Law" passed upon vote, 4 in favor, 2 opposed.

The Board members agreed that all entities should be presented with the new Indemnity Agreement.

Mr. Fox reported that he had received a call from a North Oak/Kanney resident trying to hook into the sewer system and he referred them to JPR.

There was no New Business to discuss.

There were no members of the public present at the meeting who wished to speak.

There being no further business to come before the Board, Mr. McKenna motioned for the meeting to be adjourned, Mr. Pisarek seconded, and the October 15th, 2019 Regular Meeting of the Koontz Lake Regional Sewer District Board of Trustees was adjourned at approximately 6:15 p.m. local Central Time.

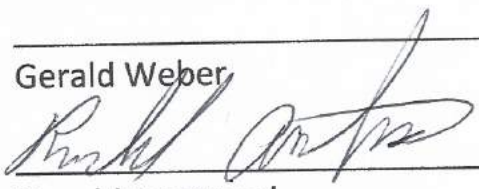
The next KLRSD Board Meeting is the Regular Board Meeting scheduled for November 19th, 2019 to begin at 5:30 pm CST.

Respectfully submitted by Shelley K. Bell, KLRSD Bookkeeper

October 15th, 2019 KLRSD Regular Board Meeting Minutes approved by:

Michael McKenna

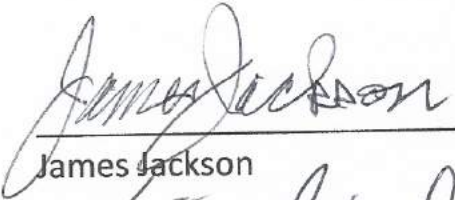
Gerald Weber



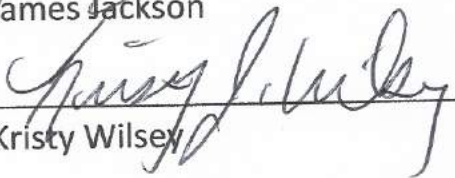
Ronald Armstead



Dan Pisarek



James Jackson



Kristy Wilsey

Paul Warnke
