

**LIBERTY REGIONAL WASTE DISTRICT  
BOARD MEETING MINUTES  
FEBRUARY 20, 2020**

The LRWD board meeting was called to order by President Steve Knote @ 7:00 p.m. Members in attendance were: Marla Cook, Brent Devine, Steve Knote and Bruce Reinke. Member Steve Graves was absent.

Others in attendance were: Office Manager Kathy May, Superintendent Jerry Zearbaugh, Bookkeeper Peg Selvey, Attorney Mark Abrell, Jennifer Wilson mediator from Crowe LLP representing LRWD in the lawsuit with MSD, Troy Casada, Vicki Rosinski and Alex Abud from Buckeye Power Company. Engineer Rick Miller was absent.

Mr. Knote changed the agenda and recognized Jennifer Wilson, mediator from Crowe LLP, so that she could discuss her findings from the 1-29-2020 mediation meeting. Mr. Knote and Mrs. Cook attended the meeting.

Jennifer told the Board that there hasn't been an offer by MSD but they discussed all the issues and what is involved in arriving at a fair share rate, using our previous 3 years figures.

If MSD makes an offer, the next steps for LRWD would be to: A: make a proposal back to them, B: do a draft contract, C: go back to the table and the final part would be to negotiate the remainder of the lawsuit.

Attorney Mark Abrell told the Board that he feels that Jennifer Wilson's services are still needed if the Board so desires. Mark said we need parameters defined to protect us in the rules of a new contract, such as number of years or length of contract, capacity figures and also include a clause for overflow and how that would be calculated in terms of gallons allowed.

Mark told the Board, to be supportive in theory of a proposal from MSD, they might want to have him start with the details to look toward another mediation session.

Mr. Devine made a motion to have Mark prepare for another mediation session. Mr. Reinke seconded the motion, all ayes, no nays, motion carried.

Mark told the Board that Jennifer Wilson's contract of \$10,000.00 is about to max out and was asking if the Board would like to engage in an extension of her contract in the same amount to continue with the mediation sessions.

Mr. Reinke made a motion to extend Jennifer Wilson's contract in the same amount. Mrs. Cook seconded the motion, all ayes, no nays, motion carried.

Mr. Knote opened the floor for new business.

Mr. Knot recognized Troy Casada & Vicki Rosinski. They just bought a property with two (2) houses, and they use the one (1) house for storage and it needs a total remodel to make livable. They said it will be several years before they make it livable. They are asking to cap it off until then with the understanding when it becomes livable that they will have to pay the tap fee to reconnect. The property address is 1109 N Hill St. Casada's will notify Jerry Zearbaugh when they disconnect so he can inspect the cap-off to make sure it meets LRWD's requirements.

Mr. Knot recognized Alex Abud from Buckeye Power. Mr. Abud presented the members with a copy of his proposed contract to service the eleven (11) Kohler generators. His company is Kohler certified. The contract is estimated at \$47.00 per month. They would do major service on all eleven in March @ \$4,090.00 and minor service in Sept @ \$2,120.00 for a total of \$6,210.00 a year. The Board will take a look at the contract and get back in touch after next month's meeting.

Mr. Devine made a motion to accept the minutes from last month's meeting as written. Mr. Reinke seconded the motion, all ayes, no nays, motion carried.

Claims totaling \$163,866.60 were viewed and signed.

Mr. Devine made a motion to accept the claims as written. Mr. Reinke seconded the motion, all ayes, no nays, motion carried.

Mr. Knot recognized Peg Selvey, Bookkeeper, for the financial report. Peg reported receipts for January 2020 were \$135,307.70 with disbursements of \$112,587.69 leaving \$22,720.01 in the black.

Peg will transfer \$2,272.00 to the sewage works fund.

As of today 2-20-2020 the billing office has collected \$113,302.34, with disbursements of \$133,942.61 leaving \$20,640.27 in the red. This includes the MSD bill for \$69,377.49 for December 2019. The next bill will be \$107,450.98 for January 2020

The year-end total for 2019 is \$2,332,586.26 with disbursements of \$2,302,740.83 leaving \$29,845.43 in black for the year end. The year-end report is due 2-29-2020.

Peg said the 100-R report has been submitted and the debt management report has been submitted also.

Peg told the Board that the SRF debt service reserve is fully funded and we will no longer have to pay \$1,021.00 monthly for bond and interest.

Mr. Devine made a motion to approve the financial report. Mrs. Cook seconded the motion, all ayes, no nays, motion carried.

Mr. Knot recognized Superintendent Jerry Zearbaugh.  
Jerry's minutes are attached.

Mr. Knot recognized Office Manager Kathy May. Kathy told the Board that we have filed 19 liens on delinquent properties. We will collect from the County Treasurer on the ones that pay with the May taxes. We receive the money in early June. The liens totaled \$28,604.33

Kathy told the Board that the payments we collected through the charge/debit machine totaled \$241,014.49 for 2019.

Kathy told the Board that Bradley Hickman still hasn't paid. Attorney will send a shut-off letter.

Kathy said a customer that bought 16 properties on Northwood Dr from Kenneth Sparks hasn't paid. MFAM is owned by Matthew Billington from Berne IN. I have called and talked to him and he said his property manager would take care of the bills. I called the property manager & his voice mail is full and I called the Parker post office to make sure I had the correct address. The Postmaster told me they pick up their mail but she has had lots of calls asking basically the same question as mine. I will start sending the bills to Berne IN.

The Board told me to have the Attorney file suit against MFAM.

Mr. Knot seeing no further business adjourned the meeting.

Liberty Regional Waste District  
Kathy May / Office Manager  
February 20, 2020  
Meeting adjourned @ 9:38 p.m.,

## Notes for LRWD Board Meeting

February 20, 2020

1. #2 pump at our Northwood Lift Station was changed due to an internal over-temp fault and a spare pump was installed. The faulty pump was sent to the Indiana Pump Works for repair.
2. We have been informed by our Insurance agency that the culvert damage at #1 Lift Station is not included in our policy.
3. The spare pump for #3 lift station was returned from Indiana Pump Works on February 5<sup>th</sup>.
4. The telemetry computer was upgraded on February 10<sup>th</sup> by our service engineer from Precision Controls.
5. On February 18<sup>th</sup> Delaware Construction installed the sewer tap at 600 S. Winmere at the owner's expense. We supplied a shut-off device to be installed at the same time.

Submitted,

Jerry D Zearbaugh, Supt