

Resolution # _____
XENIA RURAL WATER DISTRICT
April 28, 2010 – 3:00 PM – Bouton Office
Regular Board Meeting Minutes

Board Members Present: Sansgaard, Young, Larson, Powers, Pierce, DeLong, Rinehart, Fevold

Board Members Absent: None

Staff Present: McCormac, Clay, Iben, Cooper, Lyons, Tierney

Others Present:

Guests Present:

Call to Order

Pierce called the meeting to order.

Approve Agenda

Motion #041001 made by Laron, seconded by DeLong, to introduce and approve the April 28, 2010 Agenda presented. Motion passed. No dissenting.

Approve Regular and/or Special Board Minutes

Motion #041002 made by Fevold, seconded by Young, to introduce and approve the Regular Meeting Minutes of March 22, 2010. Motion passed. No dissenting vote.

Open Forum

No Comments.

Review Correspondence from District Members

McCormac stated he wanted to keep the Board apprised of the notes that are being received at the office from our customers regarding the proposed rate increase.

Construction/Partial Payment Requests/Contractor Change Orders

I-80/Menlo Transmission Main

No current progress billing for this project. Some clean up on this project is still needed and has been scheduled.

Eastern Dallas County Transmission Main

No current progress billing for this project. Some clean up on this project is still needed and has been scheduled.

Rhiner property- Fence was destroyed during construction of the project. No estimate as of yet. Debate as to where the fence needs to be placed, Clive and property owner does not agree.

Clive Landscaping- Per agreement with the City of Clive, the District must landscape the new booster station. Working on negotiating a landscape allowance with Clive as they will do grading work this summer on site.

Siedenburg property damage/ trespass issue- Property owner has requested a \$5,000 payment, this would not be compensation for damages, but for good will. District had gone out of easement area multiple times while installing line and also during maintenance. No action taken, but will meet with him before next meeting. DeLong not in favor of payment, which was seconded by Powers.

Highway 44 Tower- District needs to provide fencing around the tower site. Cooper to get estimate from Des Moines Fence Company.

FEMA

Cooper submitted final FEMA close-out paperwork on smaller projects. Diamondhead and Raccoon River Project needs finalized.

Financial Reports

Statement of Revenue, Expenses & Change in Net Assets

Statement of Net Assets

Statement of Cash Flow

Operating Checking

Clay reviewed the Statement of Revenue, Expenses and Change in Net Assets.

Clay reviewed Cash Flow Statement.

Clay reviewed Statement of Revenue, Expenses and Changes in Net Assets.

Motion #041003 made by Powers, seconded by Pierce, to introduce and approve the Statement of Revenue, Expenses and Change in Net Assets, Statement of Net Assets, Statement of Cash Flow and Operating Checking Account Report. Motion passed. No dissenting vote.

Water User's/Occupant's Agreements

Motion #041004 made by Rinehart, seconded by DeLong, to introduce and approve the Water User's Agreements and Occupant's Agreements presented. Motion passed. No dissenting vote.

Approve Bills

Attorney bills

McCormac presented Faegre and Benson bills from 3/20/10 through 4/26/10 totaling \$11,285.19. Biggest expense was due to research of an insurance matter.

McCormac presented Belin McCormick bills 2/8/10 through 4/16/10 totaling \$4,429.75.

Motion #041005 made by DeLong, seconded by Sansgaard, to introduce and approve Faegre and Benson Invoices as presented by McCormac. Motion passed. No dissenting vote.

Engineering bills

McCormac presented Bartlett & West Engineers' Invoice #730023698.

Request was made by Bartlett to replenish retainer back to \$10,000 after payment of most recent invoice.

Motion #041006 made by Young, seconded by Fevold, to introduce and approve Bartlett & West Engineers' Invoice #730023698 and replenish retainer to \$10,000. Motion passed. No dissenting vote.

Committee Reports

Executive Committee

Clay discussed increasing rates for billing of wastewater for the following communities/entities to \$1.15 per meter:

Rippey Boxholm
Kamrar Boone
Ortonville

Motion #041007 made by DeLong, seconded by Powers, to introduce and approve increasing billing rate for billing wastewater services to the communities served to \$1.15 per meter. Motion passed. No dissenting vote.

Governance Committee

DeLong spoke of work done by staff to determine if the current payment terms and late fees were uniform with those charged by other rural water districts. It was deemed that Xenia is not out of the ordinary with the current policies and no changes are needed to be made.

Finance and Audit Committee

Clay and DeLong updated the progress of the 2010 Budget. Budget will correlate with the proposal sent to Xenia's creditors.

Personnel Committee

No report

Development Committee

No report

Compliance Committee

No report

Management Report

McCormac discussed the change in removing the drop box payment methods in the communities of Menlo and Boxholm. They are the only communities served that offer this service, but there are issues with getting the payments into the office in a timely manner.

Motion #041008 made by Pierce, seconded by Larson, to introduce and approve removal of drop box payment in Menlo and Boxholm. Motion passed. No dissenting vote.

Correspondence received from Assured Guaranty regarding equipment sales and the board's proposal to resolve insolvency as well as USDA's response to the board's proposal has been delegated to the executive committee for review. Report will be given at the next meeting.

McCormac discussed the upcoming RUS site visit.

McCormac and Iben gave the staffing update. District has hired a meter reader and has received notice of voluntary work departures.

McCormac discussed the request to let 2 property owners west of Panora be released by the District and be serviced by the LPA. Xenia does not have adequate infrastructure to service these 2 residents.

Attorney Report

McCormac reviewed settlement offer for Caldwell Tanks collection litigation.

Motion #041009 made by Rinehart, seconded by Young, to introduce and approve acceptance of settlement offer pending lenders approval. Motion passed. No dissenting vote.

McCormac reviewed settlement offer for the return of telemetry equipment to Siemens.

Motion #041010 made by Powers, seconded by Fevold, to introduce and approve acceptance of settlement offer. Motion passed. No dissenting vote.

Motion #041011 made by Powers, seconded by Sansgaard, to introduce and approve to adjourn the meeting. Motion passed. No dissenting vote.

Xenia Rural Water District, Secretary Date