

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
FOUNTAIN SANITATION DISTRICT**

**November 9, 2022**

**Opening:**

Mr. Christian called the regular meeting of the Board of Directors of the Fountain Sanitation District to order at 5:30 p.m. on November 9, 2022.

**Directors Present:**

Mr. Christian  
Dr. Durbin  
Mr. Holtz *via telephone*  
Mr. Thomas *via telephone*  
Mr. Blankenship

**Also In Attendance:**

District Manager Jim Heckman  
Office Administrator Cindy Murray  
Asst. District Manager Jonathan Moore  
Consulting Engineer Roger Sams  
Attorney Scott Johnson

**Guests in attendance:** None

**A. Approval of Minutes**

Dr. Durbin made a motion to approve the regular meeting minutes of October 12, 2022. Second by Mr. Thomas. Motion carried.

**B. Approval of Bills**

Dr. Durbin made a motion to approve the bills for October 2022 for payment. Second by Mr. Blankenship. Motion carried.

\*The Board reviewed the financial statements for October 2022 at this time with no questions or comments.

**C. Special Business –**

1. The Board was asked to consider approval of Resolution No. 2022-06, a Resolution adopting the Employee Handbook as revised November 9, 2022. Mr. Heckman stated that the Board was previously provided a redline and clean copy of the proposed changes and amendments and there were no additional questions or concerns from the Board. Mr. Thomas made a motion to approve Resolution No. 2022-06 adopting the Employee Handbook with a revision date of November 9, 2022. Second by Dr. Durbin. Motion carried.
2. The Board was asked to consider approval of Payment No. 1 to RMS Utilities, Inc. in the amount of \$159,585 for the Monterey Way Sewer Main Replacement Project. Mr. Moore reported that the project is complete, and the finished pipeline has been inspected. He stated the roadway repair was a joint project with the City of Fountain and the District has invoiced the City for their portion of the project along with holding back the 5% retainage of the contract total. Staff is recommending Payment No. 1 to RMS Utilities, Inc. Mr. Blankenship made a motion to approve Payment No. 1 to RMS Utilities, Inc. in the amount of \$159,585 for the Monterey Way Sewer Replacement Project. Second by Dr. Durbin. Motion carried.

3. The Board was asked to consider approval of Payment No. 1 to RMS Utilities, Inc. in the amount of \$215,745 for the RJCII Sewer Main Realignment Project. Mr. Moore reported that the project is complete and has been inspected. He has retained 5% of the contract total as required. Staff is recommending payment to RMS Utilities, Inc. Mr. Blankenship made a motion to approve Payment No. 1 to RMS Utilities, Inc. in the amount of \$215,745 for the RJCII Sewer Realignment Project. Second by Dr. Durbin. Motion carried.
4. Mr. Heckman reported that staff continues to finalize the 2023 Proposed Budget. They have updated some of the year end values but the 2023 budget numbers submitted with the October draft have not changed. He plans to have the final draft ready for the Board's review at the end of November before the public hearing at the December's meeting.

**D. General Business –**

1. Assistant District Manager Jonathan Moore reported on the Illinois Avenue Sanitary Main Realignment (BNSF) Project. He stated that the District received approval from the Railroad, and the onetime payment for the permit has been sent. The District has yet to receive an executed copy of the permit. The project documents have been put out to bid, and bids are due before January 6, 2023. The project is anticipated to start March 2023. He will keep the Board informed.
  2. Consulting Engineer Roger Sams reported the Water Quality Control Division is moving along with the second step in the Arkansas Basin review and rulemaking hearing scheduled for next Monday, however it appears that the Division is suggesting a delay in that process until June 2023. He will keep the Board updated.
  3. Attorney Scott Johnson reported that at the request of the manager, he reviewed the potential for the District sign onto a PFAS Cost Recovery Program for what is essentially the start of a class actions suit against the global manufacturers of the PFAS forever compounds. He is recommending the District wait until when and if there a class is certified and then evaluate the merits of participation at that time.
  4. District Manager James Heckman reported on the CSU-FSD Wholesale Wastewater Management Services Agreement. He reported that CSU's CEO is leaving and taking another position with another utility and their COO, Travas Deal, will be interim CEO while a replacement is found. With being said, getting the Wholesale Wastewater Management Services Agreement executed will probably be delayed. The Amara Annexation request seems to be moving forward. The Planning Commission meeting was cancelled; however it is still scheduled to go before the City Council with no action on December 13, 2022. He will keep the Board updated.
- He reported on the updated LFMSDD Service Agreement. He and Mr. Moore met with CSU representatives on November 1, 2022 to address their outstanding comments and concerns which he believes was productive. So, all comments received by the members have been addressed. They are currently putting together a final copy with all the exhibits and will send out to the membership and Board for one last review. It will be on the LFMSDD's December 15, 2022, meeting agenda for their approval consideration. He has still not had any communications with Sheila Venezia with Venezia Development as a non-voting developer member representative and signatory to the agreement.

- He reported on the following HDTRWRF items:
  - ✓ He reported that with the strong winds lately, tumbleweeds have caused several operational issues with the equipment causing some partial blockages in the clarifiers, basin #3, recycle pumps and scum pumps.
  - ✓ They have gone 35 straight days of being in compliance with the total phosphorus permit limit using just the BNR demonstration project.
- He reported on the following RJCII facility items:
  - ✓ Staff received a new butterfly valve for the north a-basin for replacement
  - ✓ Staff completed another sludge hauling event with Denali Environmental.
  - ✓ Staff replaced the conveyor belt on the BDP press.
- He reported on the following collection system items:
  - ✓ Staff continues to identify all service lines within public right-of-way and has moved the lateral launching equipment into the Heritage Subdivision.
  - ✓ The Engine Control Module (ECM) was replaced on the 2000 Vac truck.
- He reported on the following maintenance items:
  - ✓ Staff completed 6 new residential sewer mainline inspections
  - ✓ Staff completed 5 residential sewer line point repair inspections

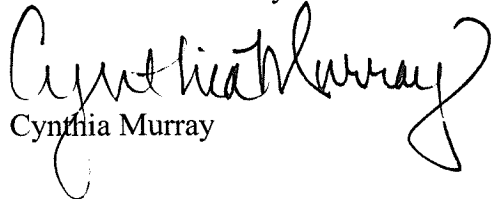
**E. New Business – None**

**F. Other Business – None**

**Adjournment:**

Dr. Durbin made a motion to adjourn the meeting at 6:00 pm. Second by Mr. Blankenship. Motion carried. The next regular meeting will be at 5:30 pm. on December 14, 2022.

Minutes submitted by:

  
Cynthia Murray