

**Lake Forest Clean Water District  
Board of Trustee Meeting Minutes  
August 13<sup>th</sup>, 2020  
6:00pm**

**Face to Face meeting held at Community Center & ZOOM Teleconference**

**Call to Order: 6:00pm by Mark Basler**

**Roll Call:** The following members answered as present:

Mark Basler  
Eric Kelly  
Don Kuehn  
Bruce Giesler  
Duane Harley - ZOOM Teleconference

Also in attendance Paul Martin, Attorney, Greg Stephenson - ZOOM Moderator,  
Rich Cochran – Waters Engineering

**Agenda:**

Motion made by Don Kuehn to accept agenda as submitted, seconded by Eric Kelly.

**Communications:**

Duane Harley discussed the upcoming replacement of Mark Basler whose term expires in April of 2021. The current process is to have an election. Interested candidates should file a declaration of candidacy with the board and then the board certifies that candidacy to the county clerk- the election authority- who will then hold the election. More to follow on this topic as we get closer to the end of the year. Again, ***Interested candidates should file their declaration of candidacy with the board.***

**Citizen Comments:**

John Cooper had some questions regarding our discharge permit. His question was around if we had any considerations on potential additional leachate discharge overtime coming from the lake operating system (waste water drainage piping). This question was fielded by Rich Cochran from Waters Engineering who re-assured John that our operating permit requirements with the MDNR are for the waste water treatment facility only and does not include any considerations for lake water discharge. Rich also informed John that there is a peaking factor taken into consideration with the current engineering design. Mark Basler also indicated that the full environmental report is out on our website for resident review.

**Note: All interested residents who may have questions are encouraged to review the full Environmental Report that is posted out on our website.**

**Action Items:**

A discussion was held on draft submittal comments on the proposed Waters Engineering Contract for Engineering Services. All comments and revisions were reviewed and considered by Waters Engineering. Draft comments were submitted by Bruce Giesler, Duane Harley and our attorney, Paul Martin.

**A motion was made by Eric Kelly to accept Resolution 2020-004 Exhibit A, and seconded by Bruce Giesler authorizing and directing the District to enter into a final contract with Waters Engineering, Inc. in substantial conformity with the attached Exhibit A.**

A discussion was held on the proposed contract with the Lake Forest Estates Community Association for the transfer of assets and operations of the Lake Forest Estates Subdivision's sewer and water systems.

John Heitkamp questioned who has the operating responsibility in the interim. Mark Basler indicated that until the actual assets are transferred the Lake Forest Estates Association maintains operating authority and responsibility.

**A motion was made by Eric Kelly to approve Resolution 2020-005 and seconded by Bruce Giesler authorizing and directing the District to enter into a contract**

**with the Lake Forest Estates Community Association in substantial conformity with attached Exhibit A.**

**Next Steps:**

There is continuing due diligence on meeting the financial application requirements of the USDA. USDA call this the “processing” phase.

Also required is the preparation of a financial pro forma and legal opinion re. legality of transfer.

**A motion was made by Don Kuehn and seconded by Mark Basler to have an all residents meeting as part of community outreach to obtain lot owner approval of asset/operations transfer. The goal is to obtain a 2/3 approval by signature.**

**Miscellaneous Business:**

John Summers asked about the voting process with the county. There will be more to come on this topic but we assume this will be conducted by mail-in ballot for the replacement of Mark Basler.

**Adjournment:**

**Motion made by Mark Basler and seconded by Don Kuehn. All voted in favor and meeting adjourned at 6:47 pm.**

Please note that the Board of Trustees may adjourn to closed session pursuant to the Revised Statutes of the State of Missouri to discuss legal, confidential, or privileged attorney-client matters pursuant to Section 610.021 (1), real estate matters pursuant to Section 610.021 (17), or for any other reason allowed by Missouri Law.

