

Resolution # _____
XENIA RURAL WATER DISTRICT
October 21, 2021 – 5:00 PM
Regular Board Meeting Minutes

Board Members Present: Lovett, Becker, Carris, Jensen
Board Members Telephonic: Schrum, Sporrer, Wilson
Staff Present: Andrews, Benjamin, Iben, Lyons, Hayden
Other Present: Ryan & Monica Hansen, Frank Smith (telephonic)

Call to Order

Lovett called the meeting to order at 5:00 pm.

Approve Agenda

Motion #102101 made by Jensen, seconded by Becker to introduce and approve the October 21, 2021 Agenda. Motion passed. No dissenting.

Consent Agenda

Motion #102102 made by Becker, seconded by Carris to approve the October 21, 2021 Consent Agenda items A, B, C, D and E. Motion passed. No dissenting.

Open Forum

Ryan & Monica Hansen spoke with the Board regarding Xenia's purchase of a portion of their property for a pumping station.

Boone East Elevated Water Storage Tank

Lovett opened a Public Hearing for comments from the public regarding the form of contract, plans and specifications and estimated cost. No comments were given either oral or in writing. Public Hearing was closed.

Motion #102103 made by Becker, seconded by Jensen to approve agreement with Maguire Iron, Inc. for the Boone East Elevated Water Storage Tank in the amount of \$2,736,500 and authorize the Chair and CEO/General Manager to execute the agreement. Motion passed. No dissenting.

Auditing Services

Motion #102104 made by Jensen, seconded by Carris to authorize TDT CPAs and Advisors, P.C. to perform Xenia's 2021 annual audit. Motion Passed. No dissenting.

2022 Budget and Water Rates Discussion

Andrews discussed the preliminary budget. Full budget will be presented at the November Board meeting for approval.

Banking Services Request for Proposal

Motion #102105 made by Becker, seconded by Carris to Authorize staff to send a request for proposal for banking services to the banks mentioned in the memo. Motion passed. No dissenting.

Ames Agreement for Water Service Operations and Territory Transfer

Motion #102106 made by Becker, seconded by Jensen to authorize Chair and Secretary to execute the Agreement for Water Service Operations and Territory Transfer once all legal review comments have

been successfully addressed and after USDA Rural Development has approved the final agreement. Motion passed. No dissenting.

Closed Session – Iowa Code 21.5 (c) for Purposes of Discussing Imminent Litigation Matter with Counsel
Motion #102107 made by Becker, seconded by Carris to go into closed session for purposes of discussing imminent litigation matters with counsel for the reasons set forth in, and pursuant to the provisions of Iowa Code 21.5(c). Roll Call: Lovett – Aye, Wilson – Aye, Becker – Aye, Carris – Aye, Schrum – Aye, Jensen – Aye, Sporrer – Aye
Motion #102108 made by Jensen, seconded by Becker to return to open session. Roll Call: Lovett – Aye, Wilson – Aye, Becker – Aye, Carris – Aye, Schrum – Aye, Jensen – Aye, Sporrer – Aye

Open Session

Motion #102109 made by Carris, seconded by Jensen to retain Belin firm to take such actions as are necessary, including commencing litigation against Woodward, to protect Xenia’s exclusive right to provide public water service (a) to Woodward Resource Center and (b) to Woodward Business Park and to undertake all actions deemed appropriate related thereto. And to also authorize staff to execute the engagement letter provided by the Belin law firm for its representation of Xenia. Motion passed. No dissenting. Wilson abstained.

Manager’s Report

Updates were given on the following projects: City of Johnston, City of Bagley, CEO/General Manager search, repairs made due to storm damage at the office and the next month’s board meeting.

Departmental Reports

Department updates were reviewed.

Old Business

None

New Business

None

Public Comment

None

Adjournment

Motion #102110 made by Becker, seconded by Carris to adjourn the meeting. Motion passed. No dissenting.

Xenia Rural Water District, Secretary

Date