

## **Deer Mountain Sanitary District Annual Meeting**

201 W. Main Street Suite 301 & via Zoom

September 2, 2025

President Oz Enderby called the meeting to order at 4:35 p.m. Trustees Enderby, Dan O'Connor, Joe Kosel, Marty Fabens and Rod Davis were present at the district office along with water operator Steve Ryan. Attorney Talbot Wiczorek & Clerk Shari Kosel appeared via Zoom.

Seat New Trustees & Officer Election. Enderby noted there were two petitions for the two positions, so there is no need for an election. He appointed Kosel to a three-year term and Rod Davis to a two-year term. Kosel motioned to approve Enderby as President, O'Connor as Vice-President and Kosel/Davis as Trustees. Fabens seconded. All approved.

Approval of Business Agenda. Motion by O'Connor, seconded by Kosel to approve the agenda. All approved.

Motion by Fabens, seconded by Kosel to approve the August 15, 2025 meeting minutes. All approved.

Approve Treasures Report. Enderby updated with a balance of \$194,042. Motion by Kosel, seconded by O'Connor to approve the Treasurer's Report. All approved.

Update on Open Meeting Laws/Talbot. Wiczorek updated the Trustees about a couple changes in the laws this year. The primary changes that impact the board are emails. You cannot have email exchanges with a majority of the board unless it's an informational-only email as per statute. This was effective July 1, 2025. They also require that we review the open meetings requirements every year. O'Connor inquired if this pertains to all electronic communications and Wiczorek confirmed yes.

Mainline/AE2S/Billing/Payment Update. Enderby noted the current loan was funded last week, and now we have to prepare a submission that will go to the BH Council of Local Govt's. All work that has been completed to date will be paid once approved by SRF. There is a force account by Mainline for \$2100. Enderby has concerns on the work he and Ryan had to do to repair "mistakes" by Mainline and feels the district should not have to pay for these. Two meters were installed backwards, we had to locate the serial numbers on 62 meters and some road work. Brook with Mainline commented that he's willing to work with the district and that Mainline was never contracted to document the serial numbers. Enderby said this is between Mainline and AE2S as this was discussed in the construction meetings

Lidel Construction Payment Update. Payment will be made at the end of the week for the baffle.

Nold/Hoyt Construction Update. Nold is our general contractor that is putting in the remaining pits and curb stops. We have not received an invoice yet.

Kamstrup Collector Meter Reading/Billing Update. Enderby noted it has been installed and they were able to read 100% of the meters by a drive-through. It's not online yet.

2025 Budget/Tax Request to Lawrence County Auditor/Submitted. Enderby stated it was submitted on August 29 to the LC Auditor's Office.

Operator Report/Maintenance/Repairs. Ryan has been very active in getting the system to run automatically and there is still one glitch that is preventing it from doing so. Dakota Pump is addressing it. Enderby reviewed the

water rates and suggested an increase from \$50 to \$70/mo baseline. Motion by Fabens, seconded by Davis. All approved.

Discussion only items:

Items from the public. No comments.

Items from the trustees. Kosel noted we should discuss the force account issue so we can get up to speed and the SJL issues, if this will be a private road and how this agreement will look. We need everything in writing to maintain the water system. And Ryan's work on the DMV village, they will pay Ryan, correct? Enderby confirmed yes. O'Connor mentioned the article written by Rep. Odenbach about our water and urged everyone to read it.

Next Regular Meeting September 12, 2025

\*Adjourn to Executive Session to discuss contractual/legal issues. Motion by Kosel, seconded by Fabens to go into executive session. All approved at 4:58 p.m.

\*DMSD/KRDMV Agreement Update/Discussion/Talbot.

\*Aberle/Morris Legal Update

Motion by O'Connor, seconded by Kosel to come out of executive session at 5:29 p.m. All approved.

Motion by Fabens, seconded by Kosel to adjourn at 5:30 p.m. All approved.

Approved 9.12.25

Shari Kosel

Secretary/Clerk/Notary