

May 11, 2017
Mt Pleasant, IA

The Board met in regular session at 9:00 AM. Members present: Chairman, Marc Lindeen, Vice-Chairman, Greg Moeller and Gary See.

Joining the meeting was Donna Preston.

It was moved by See and seconded by Moeller to approve the minutes of the May 9, 2017 meeting. 3 ayes. Motion carried.

It was moved by See and seconded by Moeller to approve Resolution #13-2017 accepting the sewer rates set in resolution by RUSS for former City of Mt Union for FY18. 3 ayes. Motion carried.

RESOLUTION #13-2017

A RESOLUTION ESTABLISHING RATES AND CHARGES FOR THE USE AND SERVICE OF THE SANITARY SEWER UTILITY OF REGIONAL UTILITY SERVICE SYSTEMS COMMISSION IN **HENRY COUNTY/MOUNT UNION, IOWA.**

BE IT RESOLVED BY THE BOARD OF THE REGIONAL UTILITY SERVICE SYSTEMS COMMISSION:

Section 1. There shall be and there are hereby established sewer service charges for the use of and for the service supplied by the Regional Utility Service systems Commission (RUSS) in the City/Town of **HENRY COUNTY/MOUNT UNION, Iowa** based upon the amount and flat rate as follows:

AMOUNT	SEWER SERVICE CHARGE
Flat Rate Amount per User/Hookup	\$60.66 per month (monthly bill)

In the case of flat rate services, the service charge shall not be less than **10%** per month, which is necessary to retire the indebtedness, to pay operating, maintenance and replacement and to fund reserves necessary for maintaining the sanitary sewer facility.

Service to industrial establishments may be by contract if the Board deems this to be in its best interest.

SECTION 2. Bills for the rates and charges as herein established shall be self-billing, based on the flat rate established and paid monthly by Henry County to RUSS. All bills shall be payable on the first day of the month for the period of service and shall be paid at the office of Regional Utility Service Systems, 1501 West Washington Street Mount Pleasant, IA. If any charges for the services of the system shall not be paid by the 15th day of the month in which it shall become due and payable, a late payment charge of ten percent (10%) of the amount of the

bill shall be added and only assessed on the month due, and collected therewith. Failure to pay in a timely manner may result in discontinuance of service pursuant to RUSS Resolution R05-16 and Iowa Code § 384.84.

SECTION 3. Applications for sewer service shall be filed with RUSS upon a form to be supplied by RUSS. The application shall state the name of the applicant and the premises to be served. All applications filed after the commencement of the operation of the system, shall be accompanied by a fee of estimated cost, payable to RUSS, for the connection charge. Final connection fee will be the actual cost.

SECTION 4. The owner of the premises served shall be liable of the sewer service provided to said premises.

SECTION 5. It is hereby the duty of the Treasurer of RUSS to bill and to collect all money for sewer service and all other charges in connection herewith.

SECTION 6. RUSS shall report the rates and charges herein established to the HENRY COUNTY/MOUNT UNION Iowa (the “County”), and the County shall by ordinance (the “Mount Union Sewer System Rate Ordinance”) fix, establish and maintain such rates and charges as reported by RUSS. The county shall amend the Mount Union Sewer System Rate Ordinance from time to time to reflect adjustments in the rates and charges reported by RUSS. As provided in Section 28F.5, the rates and charges shall be collected by RUSS from the consumers of the services provided by the Mount Union Sewer System, and to the extent not paid by such consumers as provided by the Mount Union Sewer System Ordinance when due, such unpaid rates and charges are hereby levied against and payable by the County, and the County agrees to pay the same within 60 days of being billed therefore by RUSS. In accordance with Section 28F.5, all such unpaid rates and charges shall constitute a lien upon the real property served by the Mount Union Sewer System and shall be collected in the same manner as general taxes and, to the extent previously paid by the County, shall be applied to reimburse the County for such payments.

SECTION 7. All revenues and moneys derived from the operation of the sewer system shall be paid to and held by RUSS separate and apart from all other funds of RUSS and all of said sums and all other funds and moneys incident to the operation of said system, as may be delivered to RUSS, shall be deposited in a separate fund designated the “Sewer Revenue Fund”, and the Board shall administer said fund in the manner provided by the Code of Iowa and all other laws pertaining thereto.

SECTION 8. RUSS shall establish a proper system of accounts and shall keep proper records, books and accounts in which complete and correct entries shall be made of all transactions relative to the sewer system. At regular annual intervals RUSS Commission shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewer system, or other financial statements and reports, as required by USDA – Rural Development. RUSS shall be required annually to prepare a budget of the Sanitary Sewer System to show the required revenues and expenses. If necessary, user charge

rates will be adjusted to produce adequate income to retire indebtedness, meet operation; maintenance and replacement needs, and establish required reserves.

SECTION 9. All Resolutions and parts of Resolutions in conflict herewith are hereby repealed insofar as the conflicting portions thereof are concerned.

SECTION 10. This Resolution shall be in full force and effect upon its approval by the RUSS Board of Directors and the Henry County Board of Supervisors.

Dated this 11th day of May, 2017.

ATTEST:
/s/Shelly Barber
Henry County Auditor

HENRY COUNTY BOARD OF SUPERVISORS
/s/Marc B Lindeen, Chairman
/s/Greg Moeller
/s/Gary K See

It was moved by Moeller and seconded by See to approve an Agreement between RUSS and Henry County for the reimbursement of delinquent fees and costs that can't be special assessed as the individuals do not own any property, therefore RUSS will file a claim with the City Development Board which will not be paying before September 23, 2017. Henry County will be paying RUSS these funds in June so that sewer fees can be lowered for all residents and RUSS agrees to refund the payment back to Henry County upon receiving it from the City Development Board. 3 ayes. Motion carried.

John Pullis, Conservation Director gave his monthly update. U of I is drilling core samples at the park in Lowell. Dust control is being applied which is soy oil. Conservation approved to go ahead and sell property in front of Butch's River Rock Café so long as there is no cost to Conservation. Approved request for Jam at the Dam for the Friends of Conservation. At the Park Event May 25, 2017, Outdoor Cooking deadline for sign up is May 22, 2017.

In sub-committee meetings Lindeen attended RUSS, SEIL and a meeting with Des Moines and Lee County for a Medical Examiner.

It was moved by See and seconded by Moeller the meeting be adjourned. 3 ayes. Motion carried.

Shelly Barber, Auditor

Marc Lindeen, Chairman