

**City of Troy, Missouri**  
**Regular Board of Aldermen Meeting**  
**Monday, November 4, 2019**  
**6:30 P.M.**

Present for the Regular Board of Aldermen Meeting were Aldermen Walker, Norman, Sconce, Anderson, Detert, and Mayor Cross. Alderman Curt was not present. Also present were City Attorney Granneman and City Clerk Schneider.

Mayor Cross called the Regular Board of Aldermen Meeting to Order, announced a Quorum present and led in the Pledge of Allegiance.

Kelly DeBold, Tara Valley Homeowner's Association "HOA," met today with five employees of Missouri Department of Natural Resources ("MoDNR"), Dennis Kallash, Mayor Cross, City Attorney Granneman and City Clerk Schneider. She said MoDNR remained adamant that if Tara Valley opted to purchase City water through a master meter that it would be considered a water company by redistributing water. A brief summation of the options discussed are as follows:

The first option was purchasing City of Troy water through a master meter approved by the Board in June 2018. This option would still require Tara Valley to hire a licensed operator to perform testing, perform billing and collections, and maintain water lines in addition to purchasing individual meters and meter pits for each property owner. DeBold said that Tara Valley does not have the resources or knowledge to run a water company or hire people to manage it.

A second option was to pursue a reverse-osmosis treatment facility recommended by MECO Engineering costing \$900,000 plus ongoing charges for waste removal.

A third option was a large-scale water softener (e.g., sold by Culligan) with an estimated cost between \$200,000 and \$300,000. Again, DeBold stated that it was a cost in excess of Tara Valley HOA's resources.

A fourth option, and the requested option for today's meeting, was to enter into an agreement with City of Troy for dedication of Tara Valley's water system upon certain installation of equipment and improvements to City specifications, warranties, and all individual property owners executing "outside-city-limit" utility agreements, direct billing, pay utility deposit and double the rates.

A fifth option explored was to drill a new well. Flynn Drilling would charge \$15,000 to perform a drill test but the odds were that drilling in the same water aquifer would yield the same problems.

Alderman Sconce asked for Tara Valley's cost estimate on the master meter option. DeBold replied that \$30,000 was the cost estimate and \$800 per resident for meter and meter pits. She wasn't sure if the \$800 was included in the \$30,000. Alderman Sconce asked for an explanation why Tara Valley changed its request from purchasing City water through a master meter to taking over its water system and direct billing each lot owner. DeBold explained that MoDNR considers the City of Troy as a higher water authority and wanted the City to be responsible stating that it would not be sustainable for Tara Valley to run it. In the meeting with MoDNR, Mayor Cross relayed that the City had a successful thirty-year history with two subdivisions outside City limits of Troy purchasing City water through a master meter. After the meeting, DeBold checked with those two subdivisions and one of them contracts out the monthly billing, testing and lab work. DeBold agreed that it was a nominal amount but then there was the cost of lines and equipment.

Aldermen Detert stated that Tara Valley was under close scrutiny with continual testing for radio-nucleides ("RADS") but testing would diminish over time if purchased City water through a master meter.

Alderman Sconce said the Aldermen's responsibilities are to City of Troy residents and not adding a burden of water systems outside of the city limits. Alderman Anderson pointed out that if approved Tara Valley homeowners would become paying customers. Sconce continued that although sympathetic, water was a limited or finite resource and spreading out beyond City limits was not the City's responsibility.

Alderman Anderson asked whether annexation was an option which would reduce water rates from double. DeBold said it was an option but not high on the list because many of Tara Valley's residents "built in the country for a reason." Mayor Cross said living in the country is a choice making them responsible but giving City services without annexing and not paying City taxes is not right either.

Alderman Sconce said that revenues received by paying a regular or double rate go into a water fund to pay for resources but a lot more revenue is required to maintain a water system. If approved, this decision would set a precedent and was not a money-making decision. Alderman Anderson requested that annexation be revisited by Tara Valley to ease consternation and agreed that water was a finite resource and a decision to approve the request would not necessarily be about the money.

Alderman Walker said he voted in favor of selling water but not taking over a water system outside the City of Troy and asked if annexation could be given a chance. DeBold said that annexation was a sixth option. She continued that MoDNR will not lift testing requirements even if purchasing water through master meter. She was not looking for a mercy vote just that MoDNR was not giving any options. The question was asked if

Tara Valley would proceed with the master meter approval if today's vote failed. DeBold admitted that she did not know how to answer. She said several homeowners only want to pay for their usage if having to purchase new equipment. DeBold will re-visit annexation with property owners and a selling point could be sewer connections.

Alderman Detert made a motion, seconded by Alderman Anderson to Approve and Authorize Mayor to Enter into a Master Agreement with Tara Valley Homeowners Association outlining the purchase of all meters, meter pits, pay all costs associated with hook-up installation, easement acquisition, provide three-year warranty on PVC lines, addressing 4" water main and fire hydrant specifications, pay all recordation and legal costs associated therewith, require all individual lot owners to Enter Into Agreement for Connection to Troy Water Works and Sewer System, Construction Specifications, Payment of Right-to Connect Fees and Double the Rates for Outside City Limits. Vote: Detert aye, Anderson aye, Walker nay, Norman aye, Sconce nay. Motion carried 3-2.

Alderman Detert made a motion, seconded by Alderman Sconce to Go Into Closed Session in compliance with 610.021 of RSMo., for the purposes of discussing Legal. Vote: Detert aye, Sconce aye, Anderson aye, Norman aye, Walker aye.

City Attorney Granneman advised the Board on Legal matters.

Alderman Walker made a motion, seconded by Alderman Norman to Direct City Attorney and Human Resource Generalist to File a Protest for any Claim for Unemployment Benefits if the City of Troy has an Open Eligible Position Available. Vote: Walker aye, Norman aye, Detert aye, Anderson aye, Sconce aye.

Alderman Sconce made a motion, seconded by Alderman Norman to Go Out of Closed Session. Vote: Sconce aye, Norman aye, Walker aye, Detert aye, Anderson aye.

Alderman Anderson made a motion, seconded by Alderman Walker to Adjourn the Meeting. Vote: Anderson aye, Walker aye, Norman aye, Sconce aye, Detert aye. Meeting adjourned at 7:37 p.m.

ATTEST:

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City Clerk

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Mayor Mark Cross