

**OSAGE BEACH/LAKE OZARK
JOINT SEWER BOARD MEETING
AGENDA
OCTOBER 15, 2013
4:00 p.m.
LAKE OZARK CITY HALL**

1. CALL TO ORDER

2. ROLL CALL

Mayor, Osage Beach, Penny Lyons
Mayor, Lake Ozark, Johnnie Franzekos
City Administrator, Osage Beach, Nancy Viselli
City Administrator, Lake Ozark, Dave Van Dee
Alderman, Lake Ozark, Don Langley
Alderman, Osage Beach, John Olivarri
City Engineer, Osage Beach, Nick Edelman
Public Works Director, Lake Ozark, Matt Michalik
Gary Hamner

3. MINUTES

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Regular Meeting; September 11, 2013

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4. REPORTS

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September 2013 Alliance and Flow Report	34-49

5. OLD BUSINESS

Magruder Hearing Update	51-57
Presentation Before the LCR	59-80

6. NEW BUSINESS

LOPD Shooting Range	82
2013 Budget Amendment	
2014 Budget Worksheet Discussion	

7. DISCUSSION

8. ADJOURNMENT

THE NEXT MEETING WILL BE NOVEMBER 19, 2013, 4:00 PM @ LAKE OZARK CITY HALL

**LAKE OZARK - OSAGE BEACH
JOINT SEWER BOARD
Meeting Minutes – September 11, 2013**

Call to Order:

Mayor Penny Lyons called the meeting to order at 4:00 p.m. at Lake Ozark City Hall.

Roll Call:

Present: Mayor Penny Lyons
Mayor John Franzekos
City Administrator, Nancy Viselli
City Administrator, Dave Van Dee
Osage Beach Alderman, John Olivarri
Lake Ozark Alderman, Don Langley
Lake Ozark Public Works Director, Matt Michalik
Osage Beach City Engineer, Nick Edelman

Absent: Gary Hamner

Others Present: Gary Hutchcraft, Plant Manager
Gary Johnson, Alliance Water Resources
Karri Bell, Osage Beach Treasurer

MINUTES OF PAST MEETING:

Mayor Lyons asked for a motion to approve the minutes from the August 20, 2013 meeting. Mayor Franzekos motioned to approve the minutes second by City Administrator Van Dee, all voted and unanimously approved.

PUBLIC COMMENT: None to report

BILLS LIST: Mayor Lyons asked for a motion to approve the Bills List. City Administrator Viselli motioned to approve the bills list, second by Alderman Olivarri.

REPORTS:

REVENUE BUDGET ANALYSIS
EXPENDITURE BUDGET ANALYSIS
INCOME & EXPENSE SUMMARY
CASH FLOW ANALYSIS
BALANCE SHEET
CHECK REGISTERS & BANK STATEMENTS

ALLIANCE REPORT & FLOW CHARTS:

Gary Hutchcraft went over the August 2013 summary report of operations, a copy of which was included in the meeting packet. Gary updated the electric cost sheet on page 43 which included the August bill. Gary handed out copies of quotes from three companies that submitted quotes for services and equipment for seismic monitoring and pre-blast surveying. After much discussion, Mayor Lyons suggested to wait and hear back from the hearing on the 26th before we can consider a pre-blast assessment and use a seismograph at the treatment plant as testimony for court hearings if need be. Gary also handed out a Capital Improvement Budget for 2014 which will be listed on the October agenda for discussion. Mayor Lyons asked for a motion to approve the Alliance Report & Flow Charts. Alderman Olivarri motioned to approve the August 2013 Alliance Report and Flow Chart; second by Alderman Langley. All voted and unanimously approved.

OLD BUSINESS:

Update on hearing on September 26, 2013

Karri Bell said the meeting with attorney Mr. Mauer is on the 23rd and the hearing is still set on the 26th.

NEW BUSINESS: None to report

OTHER DISCUSSION:

Mayor Franzekos asked Public Works Director Michalik if he heard back from LOPD Chief regarding the shooting range. Mr. Michalik said he has not and will send him another email to have him put something in writing to submit to the board. Karri Bell also said she sent Naught/Naught Insurance an email about the shooting range and has not heard back from them yet. Karri said she will follow up with them. Mayor Lyons asked if there was a shooting range in place, would it only be limited to PD using it. Mr. Michalik said absolutely, they would gate the road and padlock it to keep people out and help prevent vandalism.

Alderman Langley asked about how much acreage the sewer plant has. Gary Hutchcraft said there is probably 60 acres there. Alderman Langley mentioned that the City needs a place to dispose of leaves and asked if the City could dump leaves down behind the treatment. After some discussion, Gary said we probably won't be able to dump leaves or burn them and DNR would frown on it.

ADJOURNMENT:

With nothing further to discuss, the meeting was adjourned at 4:20 pm. The next scheduled meeting is Wednesday, October, 15, 2013, 4:00 pm. at Lake Ozark City Hall.

Penny Lyons
Osage Beach Mayor

Mardonna Phillips
Lake Ozark Joint Sewer Clerk

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JOINT SEWER BOARD
BILL LIST
October 15, 2013

OPERATING FUND BILLS PAID PRIOR TO BOARD MEETING:	\$ 15,362.22
OPERATING FUND BILLS TO BE PAID:	\$ 39,730.66
EQUIPMENT REPLACEMENT FUND BILLS PAID PRIOR TO BOARD MEETING:	\$ -
EQUIPMENT REPLACEMENT FUND BILLS TO BE PAID:	\$ -
TOTAL	\$ 55,092.88

OPERATING FUND BILLS PAID PRIOR TO BOARD MEETING:

Account	Check	Paid To:	Description:	Amount:
4185	3326	Ameren UE	August 2013 Electric Bill	\$ 10,254.71
4185	3327	Ameren UE	September 2013 Electric Bill	\$ 5,107.51
TOTAL				\$ 15,362.22

OPERATING FUND BILLS TO BE PAID:

Account	Check	Paid To:	Description:	Amount:
4170	3328	Alliance Water Resources, Inc.	October 2013 Management Fee	\$ 23,450.82
4000	3329	Equipment Replacement Fund	New Basin -Loan Payment	\$ 2,330.12
4170	3329	Equipment Replacement Fund	Payment into ER Fund	\$ 3,467.17
4020	3330	Alliance Water Resources, Inc.	Misc Repair/Main	\$ 75.15
4020	3331	Mission Communications	Yearly Maintainance Auto Dialer	\$ 407.40
4220	3332	Zerger & Mauer	Magruder Lawsuit Partial Payment	\$ 10,000.00

\$ 39,730.66

EQUIPMENT REPLACEMENT FUND BILLS PAID PRIOR TO BOARD MEETING:

Account	Check	Paid To:	Description:	Amount:
				\$ -

EQUIPMENT REPLACEMENT FUND BILLS TO BE PAID:

Account	Check	Paid To:	Description:	Amount:
				\$ -



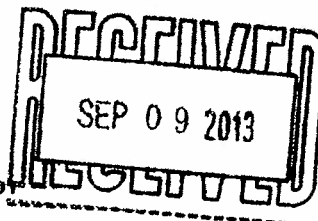
Please Return This Portion With Your Payment

AMOUNT DUE	DUE DATE
\$10,156.42	Sep 19, 2013
AMOUNT PAYABLE AFTER Sep 30, 2013	ACCOUNT NUMBER
\$10,308.77	45800-05832

Amount Enclosed \$ _____

ALLIANCE WATER RESOURCES INC
PO BOX 1985
LAKE OZARK, MO 65049

Ameren Missouri
P.O. Box 66301
St. Louis, MO 63166-6301



00600000 0045800058302 000010156420 000010156420

Keep This Portion For Your Records

ACCOUNT NUMBER	45800-05832
NAME	ALLIANCE WATER RESOURCES INC
SERVICE ADDRESS	3 ANDERSON RD, - LAKE OZARK, MO 65049

BILL DATE	Sep 9, 2013
-----------	-------------

TOTAL AMOUNT DUE BY	Sep 19, 2013	\$10,156.42
DELINQUENT AFTER	Sep 30, 2013	\$10,308.77

Payment Received on Aug 19, 2013 \$9,672.09

TYPE OF READING	METER NUMBER	SERVICE FROM TO	NO. OF DAYS	METER READING PREVIOUS	METER READING PRESENT	READING DIFFERENCE	METER MULTIPLIER	THERM FACTOR	USAGE	R D
Total kWh	11673321	08/06-09/05	30	18265.0000	18919.0000	654.0000	160.0000		104640.0000A	
Peak kW	11673321	08/06-09/05	30	0.0000	1.4680	1.4680	160.0000		234.8800A	

Service To			SUMMARY		Service To	
Total kWh	09/05/2013	104640.0000	Peak kW		09/05/2013	234.9000
Billing Demand	09/05/2013	234.9000	Total Billing Demand		09/05/2013	234.9000

METERED ELECTRIC SERVICE BILLING

Rate 3M Large General Service

Service From 08/06/2013 To 09/05/2013	
Demand Charge	234.90 kW @ \$4.62000000 \$1,085.24
Energy Charge/Hours Used	35,235.00 kWh @ \$.09890000 \$3,484.74
Energy Charge/Hours Used	46,980.00 kWh @ \$.07440000 \$3,495.31
Energy Charge/Hours Used	22,425.00 kWh @ \$.05000000 \$1,121.25
Customer Charge	\$88.82
Fuel Adjustment Charge	104,640.00 kWh @ \$.00552000 \$577.61
Energy Efficiency Pgm Charge	104,640.00 kWh @ \$.00080000 \$83.71
Energy Efficiency Invest Chg	104,640.00 kWh @ \$.00210000 \$219.74
Total Service Amount	\$10,156.42

Current Amount Due	\$10,156.42
Prior Amount Due	\$0.00
Total Amount Due	\$10,156.42

Seasonal Rate Change - Customer bills for the next eight months will reflect the lower winter costs for providing electric service. Look for ways to control your winter bills by visiting AmerenMissouri.com for tips on using energy efficiently.

A late payment charge of 1.5% will be added for any unpaid balance on all accounts after the delinquent date.



Please Return This Portion With Your Payment.

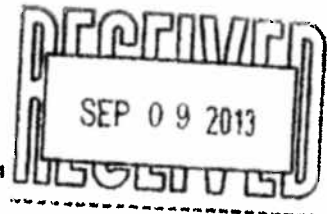
☐ Pure Power

AMOUNT DUE	DUE DATE
\$98.29	Sep 19, 2013
AMOUNT PAYABLE AFTER Sep 30, 2013	ACCOUNT NUMBER
\$99.76	55800-05920

Amount Enclosed \$ _____

ALLIANCE WATER RESOURCES INC
PO BOX 1985
LAKE OZARK, MO 65049

Ameren Missouri
P.O. Box 66301
St. Louis, MO 63166-6301



10633000 0055800059200 000000098290 000000098290

Keep This Portion For Your Records

ACCOUNT NUMBER	55800-05920
NAME	ALLIANCE WATER RESOURCES INC
SERVICE AT	3 ANDERSON RD LAKE OZARK, MO 65049

BILL DATE	Sep 9, 2013
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TOTAL AMOUNT DUE BY	Sep 19, 2013	\$98.29
DELINQUENT AFTER	Sep 30, 2013	\$99.76

Payment Received on Aug 19, 2013

\$189.25

TYPE OF READING	METER NUMBER	SERVICE FROM	NO. TO DAYS	PREVIOUS	METER READING PRESENT	READING DIFFERENCE	METER MULTIPLIER	THERM FACTOR	USAGE	R D
Total kWh	98041275	08/06-09/05	30	3584.0000	3655.0000	71.0000	10.0000		710.0000A	
Peak kW	98041275	08/06-09/05	30	0.0000	4.1810	4.1810	10.0000		41.8100A	

Total kWh Service To 09/05/2013 710.0000 Service To

METERED ELECTRIC SERVICE BILLING

Rate 2M Sm Gen Svc - 3 Ph w/Dmd
Threshold - Peak Demand

Service From 08/06/2013 To 09/05/2013

Total Energy Charge	710.00 kWh	@ \$.10340000	\$73.41
Customer Charge			\$19.54
Fuel Adjustment Charge	710.00 kWh	@ \$.00552000	\$3.92
Energy Efficiency Pgm Charge	710.00 kWh	@ \$.00040000	\$0.28
Energy Efficiency Invest Chg	710.00 kWh	@ \$.00160000	\$1.14
Total Service Amount			\$98.29

Current Amount Due	\$98.29
Prior Amount Due	\$0.00
Total Amount Due	\$98.29

Sign up for Pure Power to support clean renewable energy in Missouri and the Midwest. By checking the box, a 1.5 cents per kilowatt hour charge will apply. You may cancel at any time.

Seasonal Rate Change - Customer bills for the next eight months will reflect the lower winter costs for providing electric service. Look for ways to control your winter bills by visiting AmerenMissouri.com for tips on using energy efficiently.

A late payment charge of 1.5% will be added for any unpaid balance on all accounts after the delinquent date.



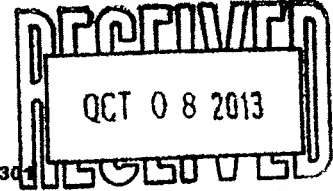
Please Return This Portion With Your Payment.

AMOUNT DUE	Oct 18, 2013
\$4,929.46	
AMOUNT DUE AFTER SEP 10/2013	
\$5,003.40	45800-05832

Amount Enclosed \$ _____

ALLIANCE WATER RESOURCES INC
PO BOX 1985
LAKE OZARK, MO 65049

Ameren Missouri
P.O. Box 66301
St. Louis, MO 63166-6301



00600000 0045800058302 000004929460 000004929460

Keep This Portion For Your Records

45800-05832
ALLIANCE WATER RESOURCES INC
3 ANDERSON RD, - LAKE OZARK, MO 65049

Oct 8, 2013
Oct 18, 2013 \$4,929.46
Oct 29, 2013 \$5,003.40

Payment Received on Sep 17, 2013 \$10,156.42

Total kWh	11673321	09/05-10/06	31	18919.0000	19466.0000	547.0000	160.0000	87520.0000A
Peak kW	11673321	09/05-10/06	31	0.0000	0.9140	0.9140	160.0000	146.2400A

Service To			SUMMARY		Service To	
Total kWh	10/06/2013	87520.0000	Peak kW	10/06/2013	146.2000	
Total Billing Demand	10/06/2013	146.2000	Current Base Demand	10/06/2013	146.2000	
Base kWh Ratio	10/06/2013	1.0000	Base kWh (HUD)	10/06/2013	87520.0000	
Seasonal kWh (HUD)	10/06/2013	0.0000	October Base Demand	10/06/2013	146.2000	

METERED ELECTRIC SERVICE BILLING

Rate 3M Large General Service		Service From 09/05/2013 To 10/06/2013	
Seasonal Energy Charge	0.00 kWh	\$.03630000	\$0.00
Demand Charge	146.20 kW	\$1.71000000	\$250.00
Base Energy Chg / Hours Used	21,930.00 kWh	\$.06230000	\$1,366.24
Base Energy Chg / Hours Used	29,240.00 kWh	\$.04620000	\$1,350.89
Base Energy Chg / Hours Used	36,350.00 kWh	\$.03630000	\$1,319.51
Customer Charge			\$88.82
Fuel Adjustment Charge	87,520.00 kWh	\$.00373000	\$326.45
Energy Efficiency Pgm Charge	87,520.00 kWh	\$.00050000	\$43.76
Energy Efficiency Invest Chg	87,520.00 kWh	\$.00210000	\$183.79
Total Service Amount			\$4,929.46

Current Amount Due	\$4,929.46
Prior Amount Due	\$0.00
Total Amount Due	\$4,929.46

A late payment charge of 1.5% will be added for any unpaid balance on all accounts after the delinquent date.



Please Return This Portion With Your Payment.

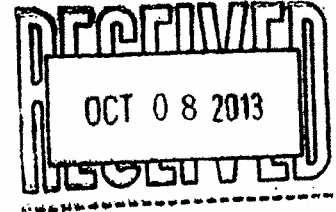
☐ Pure Power

AMOUNT DUE	Oct 18, 2013
\$178.05	
AMOUNT PAYABLE	ACCOUNT NUMBER
\$180.72	55800-05920

Amount Enclosed \$ _____

ALLIANCE WATER RESOURCES INC
PO BOX 1985
LAKE OZARK, MO 65049

Ameren Missouri
P.O. Box 66301
St. Louis, MO 63166-8301



30633000 0055800059200 000000178050 000000178050

Keep This Portion For Your Records

55800-05920
ALLIANCE WATER RESOURCES INC
3 ANDERSON RD
LAKE OZARK, MO 65049

	Oct 8, 2013
Oct 18, 2013	\$178.05
Oct 29, 2013	\$180.72

Payment Received on Sep 17, 2013 \$98.29

ENTER SERVICE		NO. OF DAYS	METER READING	READING	METER	THRM	
FROM				DIFFERENCE	MULTIPLY FACTOR		
Total kWh	98041275	09/05-10/06	31	3655.0000	3886.0000	231.0000	10.0000
Peak kW	98041275	09/05-10/06	31	0.0000	4.5500		10.0000
Service To			SUMMARY				Service To
Total kWh	10/06/2013		2310.0000	Base kWh	10/06/2013		1310.0000
Winter Base kWh	10/06/2013		1310.0000	Current October Base kWh	10/06/2013		1310.0000
Seasonal kWh	10/06/2013		1000.0000				

METERED ELECTRIC SERVICE BILLING

Rate 2M 3m Gen Svc - 3 Ph w/Dmd		Service From 09/05/2013		To 10/06/2013	
Threshold - Peak Demand					
Base Energy Charge	1,310.00 kWh	●	\$.07710000	\$101.00	
Seasonal Energy Charge	1,000.00 kWh	●	\$.04450000	\$44.50	
Customer Charge				\$19.54	
Fuel Adjustment Charge	2,310.00 kWh	●	\$.00373000	\$8.62	
Energy Efficiency Pgm Charge	2,310.00 kWh	●	\$.00030000	\$0.69	
Energy Efficiency Invest Chg	2,310.00 kWh	●	\$.00160000	\$3.70	
Total Service Amount					\$178.05

\$178.05

Current Amount Due	\$178.05
Prior Amount Due	\$0.00
Total Amount Due	\$178.05

Sign up for Pure Power to support clean renewable energy in Missouri and the Midwest. By checking the box, a 1.5 cents per kilowatt hour charge will apply. You may cancel at any time.

A late payment charge of 1.5% will be added for any unpaid balance on all accounts after the delinquent date.

Alliance Water Resources, Inc.*Professional Water and Wastewater Operations***206 South Keene Street****Columbia, Missouri 65201****(573) 874-8080 Fax (573) 443-0833****INVOICE****Invoice No:** 5779

01-Oct-13

SOLD TO

Lake Ozark/Osage Beach Joint Utility Board

c/o Karri Bell

City of Osage Beach

1000 City Parkway

Osage Beach, MO 65065

Customer No: 20220**Terms:** 30 days

REFERENCE	DESCRIPTION	AMOUNT
	Wastewater Plant operating service for month of: Oct-13 Base Fee	\$23,450.82
TOTAL DUE		\$23,450.82

Alliance Water Resources, Inc.

Professional Water and Wastewater Operations

206 South Keene Street

Columbia, Missouri 65201

(573) 874-8080 Fax (573) 443-0833

SOLD TO:

Lake Ozark/Osage Beach Joint Utility Board

c/o Karri Bell

City of Osage Beach

1000 City Parkway

Osage Beach, MO 65065

INVOICE

Invoice No: 5780

Invoice Date: 01-Oct-13

Customer No: 20220

Terms: 30 days

REFERENCE	DESCRIPTION	AMOUNT
	Grainger - 1 Invoice - 50%	\$75.15
TOTAL DUE		\$75.15

GRAINGER

11200 E. 210 HWY
KANSAS CITY, MO 64161-9370
www.grainger.com

PAGE 1

ORIGINAL INVOICE

GRAINGER ACCOUNT NUMBER 858374754
INVOICE NUMBER 9234641406
INVOICE DATE 09/04/2013
DUE DATE 10/04/2013
AMOUNT DUE \$161.68

SHIP TO

ALLIANCE WATER RESOURCES
3 ANDERSON RD
LAKE OZARK MO 65049-0000

PO NUMBER
CALLER:
CUSTOMER PHONE:
ORDER/DELIVERY#:
INCO TERMS:

GARY HUTCHCRAFT
GARY HUTCHCRAFT
5733650455
6238134548
FOR ORIGIN

BILL TO
ALLIANCE WATER RESOURCES
PO BOX 1985
LAKE OZARK MO 65049-1985

THANK YOU!

FEI NUMBER 36-1150280

FOR QUESTIONS ABOUT THIS INVOICE OR ACCOUNT CALL 877-202-2594

PO LINE #	ITEM #	DESCRIPTION	QUANTITY	BACK ORDERED	UNIT PRICE	TOTAL
	5X827	RELAY 8 PINS MANUFACTURER # 5X827	6		23.42	140.52
GL Acct#: <u>6705-20</u> <u>\$86.53</u> <u>1220</u> <u>\$0</u> <u>\$75.15</u> Signature: <u>Gary Hutchcraft</u> Date: <u>9/5/13</u>						

NUMBER OF PKGS:
DATE SHIPPED: 09/04/2013
CARRIER: UPS GROUND
TRACKING NO: 1Z6812730369769431

WEIGHT: 0.900

INVOICE SUB TOTAL 140.52
SHIPPING CHARGE 9.77
TAX 11.39

These items are sold for domestic consumption in the United States. If exported, purchaser assumes full responsibility for compliance with US export controls.

PAYMENT TERMS Net 30 days - PAY THIS INVOICE. NO STATEMENT SENT. PAYABLE IN U.S. DOLLARS.

AMOUNT DUE

\$161.68

PLEASE DETACH THIS PORTION AND RETURN WITH YOUR PAYMENT

BILL TO:

ALLIANCE WATER RESOURCES
PO BOX 1985
LAKE OZARK MO 65049-1985
UNITED STATES OF AMERICA

REMIT TO:

GRAINGER
DEPT. 858374754
P.O. BOX 419267
KANSAS CITY, MO 64141-6267

858374754923464140610000161681000113910000977100000013100428

X

ACCOUNT NUMBER
858374754

DATE
09/04/2013

INVOICE NUMBER
9234641406

AMOUNT DUE
\$161.68

FOR COMMENTS OR CHANGE OF ADDRESS, ENTER INFORMATION ON REVERSE SIDE

**Mission Communications, LLC**3060 C Business Park Dr
Norcross GA 30071-5400

Phone: 678-969-0021

Fax: 678-969-0541

INVOICE

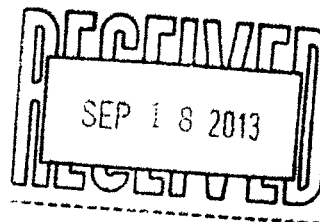
Invoice Date

9/12/2013

Invoice Number

40022061

S.O. No.

Bill ToThe Joint Sewer Board
Accounts Payable/Gary Hutchcraft
P. O. Box 1985
Lake Ozark, MO 65049**Ship To**

CUSTOMER PO	END USER	SHIPPING METHOD	DUE DATE
Annual Service		SERVICE ONLY	10/12/2013
	SALES REP ID	TERRITORY	SHIP DATE
	HK C	C	9/12/2013
			PAYMENT TERMS
			Net 30

QTY	Item	Description	Serial No.	Unit Name	Svc. Start	Svc. End	Unit P...	Extension
1	511R	M110-1-Yr Service Package Renewal	689MIS9752	Waste Water Treatment Plant	10/1/2013	9/30/2014	347.40	347.40
1	582R	1 Year Service Package, Digital Expansion Board, Renewal	689MIS9752	Waste Water Treatment Plant	10/1/2013	9/30/2014	60.00	60.00

Please make checks payable to Mission Communications, LLC

Subtotal

\$407.40

For your convenience Mission accepts credit cards. However, card information must be received within (7) days of the invoice date to avoid a 3% credit card processing fee.

Payment Received

\$0.00

Sales Tax (0.0%)

\$0.00

If you have any questions concerning this invoice please contact Diane Muncher, 877-993-1911 x1002, dianem@123mc.com

Balance Due

\$407.40

Mission provides this service according to the published provisions under Mission's customer service agreement and terms of use.

ZERGER & MAUER LLP

1100 Main Street

Suite 2100

Kansas City, MO 64105 816/759-3300 Federal ID No. 27-5426971

STATEMENT**PRIVILEGED & CONFIDENTIAL**

City of Osage Beach
 c/o Nancy Viselli
 1000 City Parkway
 Osage Beach, MO 65065

Account No. 1014.0002
 RE: Magruder

Statement Date: 09/19/2013
 Statement No. 2974
 Page No. 1

Fees

		Rate	Hours	
08/08/2013				
MLR	Draft and revise letter to Land Reclamation Commission regarding upcoming meeting to consider permit expansion and the obligation to consider the issue in open meeting.	250.00	1.00	250.00
08/13/2013				
SEM	Review notice of dismissal; prepare letter to clerk of court and Judge Conley regarding same; prepare letter to Mayor Lyons, N. Viselli and E. Rucker regarding same. NO CHARGE	280.00		
08/14/2013				
SEM	Prepare letter to Judge Conley regarding case on dismissal docket. NO CHARGE	280.00		
08/20/2013				
SEM	Prepare letter to N. Viselli regarding letter from DNR and meeting to prepare for presentation to Land Reclamation Commission. NO CHARGE	280.00		
08/27/2013				
MLR	Communicate with client regarding meeting to discuss hearing strategy; internal conference regarding same.	250.00	0.30	75.00
SEM	Review information about pre blast assessment; prepare letter to Mayor Lyons, N. Viselli and E. Rucker regarding same; prepare letter to Mayor Lyons, N. Viselli and E. Rucker regarding letter from Judge Conley regarding lawsuit.	280.00	0.50	140.00
	For Current Services Rendered		1.80	465.00

Expenses

08/13/2013	Photocopy charges	2.80
08/13/2013	Postage	2.76

To ensure proper credit, please include account number and statement date on remittance checks. Thank you.

City of Osage Beach
Account No. 1014.0002
RE: Magruder

Statement Date: 09/19/2013
Statement No. 2974
Page No. 2

08/14/2013	Postage	1.38
08/20/2013	Postage	0.46
08/27/2013	Photocopy charges	0.40
08/27/2013	Postage	<u>0.92</u>
	Total Expenses	8.72

Total Current Work	473.72
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Previous Balance	\$45,365.78
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Payments

08/26/2013	Payment	-10,000.00
09/16/2013	Payment	<u>-10,000.00</u>
	Total Payments	-20,000.00

Balance Due	<u>\$25,839.50</u>
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Zerger and Mauer LLP Balance Sheet

Date	Description	Amount
11/19/2012	Statement # 2006	\$ 103,768.83
12/13/2012	Check # 3255	\$ (27,187.56)
12/28/2012	Statement # 2095	\$ 9,210.13
1/15/2013	Check # 3265	\$ (6,133.55)
1/30/2013	Statement #2170	\$ 13,235.39
2/19/2013	Check # 3273	\$ (10,000.00)
2/19/2013	Statement #2236	\$ 9,869.73
3/26/2013	Check # 3281	\$ (10,000.00)
4/16/2013	Check # 3291	\$ (10,000.00)
4/30/2013	Statement #2399	\$197.32
5/10/2013	Check # 3298	\$ (10,000.00)
5/30/2013	Statement #2596	\$127.62
6/24/2013	Statement #2689	\$929.92
7/3/2013	Check # 3306	\$ (10,000.00)
7/23/2013	Statement #2828	\$308.86
8/6/2013	Check # 3311	\$ (10,000.00)
8/22/2013	Statement #2903	\$1,039.09
8/31/2013	Check # 3320	\$ (10,000.00)
9/19/2013	Check # 3325	\$ (10,000.00)
9/19/2013	Statement #2974	\$ 473.72
	Current Balance	<u>\$ 25,839.50</u>
10/15/2013	Check # 3332 (Pending)	\$ (10,000.00)
	New Balance	<u>\$ 15,839.50</u>

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**MONTH-TO-DATE AND YEAR-TO-DATE
REVENUE/BUDGET ANALYSIS**

Account Number	Account Name	9/30/2013				2013 Actual as of 9/30/2013	2013 September Revenue	Percent YTD
		2011 Actual	2012 Actual	2013 Budget				
3020	Osage Beach	399,428.80	403,305.55	451,000.00	338,446.88	38,583.69	75%	
3010	Lake Ozark	90,571.18	86,694.44	99,000.00	69,053.11	7,249.64	70%	
3100	Interest	804.37	537.49	200.00	28.71	1.70	14%	
3060	Waste Haulers' Fee	39,457.00	40,820.00	38,000.00	34,740.00	3,980.00	91%	
Total Operating Fund		530,261.35	531,357.48	588,200.00	442,268.70	49,815.03	75%	
E/R Fund Income		1,355.61	1,374.82	1,500.00	1,020.43	8.72	68%	
TOTAL INCOME		531,616.96	532,732.30	589,700.00	443,289.13	49,823.75	75%	

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**MONTH-TO-DATE AND YEAR-TO-DATE
EXPENDITURE/BUDGET ANALYSIS
9/30/2013**

Account Number	Account Name	2011 Actual	2012 Actual	2013 Budget	2013 Actual as of 9/30/2013	2013 September Expenses	Percent YTD
4000	Equipment Replace Fund	41,606.04	41,606.04	41,606.04	31,204.53	3,467.17	75%
4010	ERF Repayment	27,961.44	27,961.44	27,961.44	20,971.08	2,330.12	75%
4020	***Maintenance & Repair	46,319.94	88,400.79	66,500.00	16,911.34	870.45	25%
4140	Insurance	17,127.00	20,962.00	21,000.00	15,489.00	-	74%
4150	Vehicle Repair/Maint	2,835.38	5,649.28	3,000.00	210.00	210.00	7%
4160	Haulers Fees to Contractor	8,000.00	8,000.00	8,000.00	8,000.00	0.00	100%
4170	Contract Management	266,524.58	272,948.40	281,000.00	211,057.38	23,450.82	75%
4185	Electric	61,407.39	60,862.46	74,000.00	59,550.72	10,254.71	80%
4200	Audit	1,650.00	1,700.00	1,750.00	1,750.00	0.00	100%
4220	***Professional Service	19,298.33	168,904.97	67,000.00	89,639.73	10,000.00	134%
4240	*Capital Purchases	13,241.91	0.00	0.00	0.00	0.00	0%
	Totals	505,972.01	696,995.38	591,817.48	454,783.78	50,583.27	77%
	**E/R Expenses	1,523.00	5,368.50	10,000.00	0.00	0.00	0%
	TOTAL EXPENSES	507,495.01	702,363.88	601,817.48	454,783.78	50,583.27	76%
	***Professional Services:						
	Normal/Magruder Lawsuit						
			67,000.00	Paid 05/13	UV Spare Parts (\$3668.16)		5,000.00
			67,000.00		Replace Wooden drs w/ Fiberglass		2,000.00
					Auto Dialer Yearly Software Fee		500.00
					Rock for Road		2,000.00
					Normal Maintenance		6,000.00
				Paid 07/13	Riding Lawn Mower (\$4449.00)		6,000.00
					#1 Aeration Basin Main.		45,000.00
							66,500.00

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OPERATING FUND INCOME AND EXPENSE SUMMARY
9/30/2013

Beginning Balance	25,517.29
Income - Osage Beach	38,583.69
Income - Lake Ozark	7,249.64
Income - Other	0.00
Income - Waste Haulers' Fees	3,980.00
Interest - Checking	1.70
Income - CD Interest	0.00
Transfers From E/R Fund	0.00
Transfers to E/R fund	-5,797.29
Expenses	-46,535.98
Ending Fund Balance	22,999.05
NOW Account - Central Bank	22,999.05
Outstanding Checks:	0.00
Deposit in Transit:	0.00
	22,999.05

EQUIPMENT REPLACEMENT FUND INCOME AND EXPENSE SUMMARY
9/30/2013

Beginning Balance	356,420.35
Interest - Checking	8.72
Income - CD Interest	0.00
Transfers From E/R Fund	5,797.29
Transfers to E/R Fund	0.00
Income - Miscellaneous	0.00
Expenses	0.00
Ending Fund Balance	362,226.36
NOW Account - First Bank	71,460.43
CD First National Bank, 01/14 #000048178	113,312.52
CD Providence Bank, 01/14	76,121.63
CD First National Bank, 01/14 #000049153	101,331.78
Deposit in Transit	0.00
Outstanding Checks:	0.00
	362,226.36

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CASH FLOW ANALYSIS - OPERATING FUND 2013

	Lake Ozark and Osage Beach Joint Wastewater Treatment Plant												TOTAL	BUDGET
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC		
CASH BALANCE:	36,590	36,837	40,956	43,218	31,428	29,343	29,477	24,129	25,517	22,999	26,950	29,662		
Osage Beach	34,638	38,604	38,005	37,996	37,463	36,992	38,086	38,081	38,584	37,383	37,583	37,583	450,999	451,000
Lake Ozark	6,195	7,230	7,829	7,838	8,370	8,841	7,748	7,753	7,250	8,800	8,800	8,250	94,904	99,000
Interest	4	3	5	3	3	3	3	2	2	2	2	2	35	200
Waste Haulers' Fees	2,320	4,680	2,100	2,340	3,420	4,700	5,500	5,700	3,980	3,000	3,000	2,000	42,740	38,000
Transfers to ER Fund	(5,798)	(5,798)	(5,797)	(5,797)	(5,797)	(5,797)	(5,798)	(5,797)	(5,798)	(5,798)	(5,798)	(5,798)	(69,569)	(69,567)
Equip & Bldg Repair/Main	(190)	(1,610)	(160)	(331)	(5,791)	(308)	(7,535)	(115)	(1,080)	(878)	(1,500)	(2,000)	(21,499)	(21,500)
#1 Aeration Basin				(15,641)				152	-	-	-	-	-	(45,000)
Insurance								(1,075)	-	-	(925)	(1,000)	(15,488)	(21,000)
Vehicle Repair/Main									-	-			(3,000)	(3,000)
Haulers Fees to Contractor									-	-			(8,001)	(8,000)
Contract Management	(23,451)	(23,451)	(23,451)	(23,451)	(23,451)	(23,451)	(23,451)	(23,451)	(23,451)	(23,451)	(23,451)	(23,451)	(281,411)	(281,000)
Electric	(3,472)	(4,240)	(4,069)	(4,056)	(5,132)	(9,135)	(9,332)	(9,862)	(10,255)	(5,108)	(5,000)	(5,000)	(74,680)	(74,000)
Audit	(10,000)	(10,000)	(10,000)	(9,640)	(10,000)	(10,000)	(10,000)	(10,000)	(1,750)	(10,000)	(10,000)	(10,000)	(1,750)	(1,750)
Professional Services									(10,000)				(119,640)	(67,000)
	36,837	40,956	43,218	31,428	29,343	29,477	24,129	25,517	22,999	26,950	29,662	30,249	-	-

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**OPERATING FUND
BALANCE SHEET
9/30/2013**

		DEBITS	CREDITS	
ASSETS	CASH AND INVESTMENTS	22,999.05		
ACCOUNTS PAYABLE	DUE TO E.R. FUND - BASIN		6,921.04	
EQUITY	FUND BALANCE		16,078.01	
TOTAL OPERATING FUND		22,999.05	22,999.05	-

**EQUIPMENT REPLACEMENT FUND
BALANCE SHEET
9/30/2013**

		DEBITS	CREDITS	
ASSETS	CASH AND INVESTMENTS	362,226.36		
ACCOUNTS RECEIVABLE	DUE FROM OPERATING FUND - BASIN	6,921.04		
EQUITY	FUND BALANCE		369,147.40	
TOTAL EQUIPMENT REPLACEMENT FUND		369,147.40	369,147.40	-

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Operating Fund

CHECK REGISTER - JOINT SEWER BOARD OPERATION FUND

reconciled balance 6/30/13				39,477.01
3306	Zerger & Mauer	X	10,000.00	29,477.01
3307	Alliance Water Resources, Inc.	X	23,450.82	6,026.19
3308	ER Fund Transfer	X	5,797.29	228.90
3309	Alliance Water Resources, Inc.	X	720.71	(491.81)
3310	Alliance Water Resources, Inc.	X	570.00	(1,061.81)
3312	Crown	X	4,449.00	(5,510.81)
3313	Vandevanter		2,365.31	(7,876.12)
3314	Ameren UE		9,330.76	(17,206.88)
	Deposit	X		38,085.59
	Deposit	X		7,747.74
	Deposit	X		5,500.00
	Interest	X		2.64
reconciled balance 7/31/13				34,129.09
3311	Zerger & Mauer	X	10,000.00	24,129.09
3315	Ameren UE	X	9,861.34	14,267.75
3316	Alliance Water Resources, Inc.	X	23,450.82	(9,183.07)
3317	ER Fund Transfer	X	5,797.29	(14,980.36)
3318	Alliance Water Resources, Inc.	X	115.49	(15,095.85)
3319	Roemers	X	1,074.61	(16,170.46)
	Deposit	X		38,080.78
	Deposit	X		7,752.55
	Deposit	X		5,700.00
	Deposit	X		152.00
	Interest	X		2.42
reconciled balance 8/31/13				35,517.29
3320	Zerger & Mauer	X	10,000.00	25,517.29
3321	Gerding, Korte, & Chitwood	X	1,750.00	23,767.29
3322	Alliance Water Resources, Inc.	X	23,450.82	316.47
3323	ER Fund Transfer	X	5,797.29	(5,480.82)
3324	Alliance Water Resources, Inc.	X	1,080.45	(6,561.27)
3325	Zerger & Mauer	X	10,000.00	(16,561.27)
3326	Ameren UE	X	10,254.71	(26,815.98)
3326	Deposit	X		38,583.69
	Deposit	X		7,249.64
	Deposit	X		3,980.00
	Interest	X		1.70
reconciled balance 9/30/13				22,999.05



Central Bank of Lake of the Ozarks

MEMBER FDIC

P.O. Box 4500, Jefferson City, MO 65102
(573) 348-2761

001928

Return Service Requested



LAKE OZARK OSAGE BEACH JOINT SEWER
TREATMENT PLANT BOARD
1000 CITY PKWY
OSAGE BEACH MO 65065-3058

Period 09/01/2013-09/30/2013 Page 1 of 2

Web Address
www.cbolobank.com

M

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Your Financial Summary on September 30, 2013

Account Balances & Other Assets

Checking	\$	22,999.05
Total	\$	22,999.05

Detailed Explanation of Account Balances and Other Assets

Checking

Beginning Balance August 30, 2013 \$ 35,517.29

Deposits

Sep. 09 Deposit	38,583.69
Sep. 12 Deposit	2,700.00
Sep. 12 Deposit	7,249.64
Sep. 26 ST. OF MISSOURI VENDOR PAY	40.00
Sep. 27 Deposit	1,200.00
Sep. 27 ST. OF MISSOURI VENDOR PAY	40.00
Sep. 30 Interest Earned	1.70

Total **+\$ 49,815.03**

Checks

Check No.	Date Paid	Amount	Check No.	Date Paid	Amount
3320	Sep. 09	10,000.00	3325	Sep. 19	10,000.00
3321	Sep. 03	1,750.00	3326	Sep. 18	10,254.71
3323	Sep. 13	5,797.29	1500562165	Sep. 13	23,450.82
3324	Sep. 13	1,080.45			

Total **-\$ 62,333.27**

Ending Balance September 30, 2013 **\$ 22,999.05**

Number of days since last statement/interest cycle 30
Beginning and ending dates for calculation of statement/interest cycle are 09/01/2013 through 09/30/2013
Average collected balance 34,471.00
Interest rate 0.06%
Annual percentage yield earned 0.06%

CHECK REGISTER - JOINT SEWER BOARD EQUIPMENT REPLACEMENT FUND			
reconciled balance 12/31/12			19,244.87
Interest	X	1.20	19,246.07
Deposit	X	5,797.29	25,043.36
reconciled balance 1/31/13			25,043.36
Interest	X	2.03	25,045.39
Deposit	X	5,797.29	30,842.68
reconciled balance 2/28/13			30,842.68
Interest	X	2.45	30,845.13
Deposit	X	5,797.29	36,642.42
reconciled balance 3/31/13			36,642.42
Interest	X	3.32	36,645.74
Deposit	X	5,797.29	42,443.03
reconciled balance 4/30/13			42,443.03
Interest	X	3.64	42,446.67
Deposit	X	5,797.29	48,243.96
reconciled balance 5/31/13			48,243.96
Interest	X	3.70	48,247.66
Deposit	X	5,797.29	54,044.95
reconciled balance 6/30/13			54,044.95
Interest	X	7.39	54,052.34
Deposit	X	5,797.29	59,849.63
reconciled balance 7/31/13			59,849.63
Interest	X	7.50	59,857.13
Deposit	X	5,797.29	65,654.42
reconciled balance 8/31/13			65,654.42
Interest	X	8.72	65,663.14
Deposit	X	5,797.29	71,460.43
reconciled balance 9/30/13			71,460.43



4558 Osage Beach Pkwy, Suite 100
Osage Beach, MO 65065
(573) 348-2265

536 00010 2
ACCOUNT:
DOCUMENTS:

PAGE: 1
9/30/2013

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LAKE OZARK-OSAGE BEACH JOINT
SEWER BD.-TREATMENT PLANT BD.
1000 CITY PKWY
OSAGE BEACH MO 65065-3058

NOTICE OF EXPIRATION OF THE TEMPORARY FULL FDIC INSURANCE COVERAGE FOR
NONINTEREST-BEARING TRANSACTION ACCOUNTS
By operation of federal law, beginning Jan. 01, 2013, funds deposited in
a noninterest-bearing transaction account (including an Interest on
Lawyer Trust Account) no longer will receive unlimited deposit insurance
coverage by the Federal Deposit Insurance Corporation (FDIC). Beginning
Jan. 01, 2013, all of a depositor's accounts at an insured depository
institution, including all noninterest-bearing transaction accounts, will
be insured by the FDIC up to the standard maximum deposit insurance
amount (\$250,000), for each deposit insurance ownership category.
For more information about FDIC insurance coverage of noninterest-bearing
transaction accounts,
visit <http://www.fdic.gov/deposit/deposits/unlimited/expiration.html>

BUSINESS MMDA ACCOUNT

LAST STATEMENT 08/30/13 65,654.42
2 CREDITS 5,806.01
DEBITS .00
THIS STATEMENT 09/30/13 71,460.43

DEPOSITS
REF #.....DATE.....AMOUNT REF #.....DATE.....AMOUNT REF #.....DATE.....AMOUNT
09/12 5,797.29

OTHER CREDITS
DESCRIPTION DATE AMOUNT
INTEREST 09/30 8.72

INTEREST
AVERAGE LEDGER BALANCE: 69,207.59 INTEREST EARNED: 8.72
AVERAGE AVAILABLE BALANCE: 68,459.56 DAYS IN PERIOD: 31
INTEREST PAID THIS PERIOD: 8.72 ANNUAL PERCENTAGE YIELD EARNED: .15%
INTEREST PAID 2013: 39.95
*** CONTINUED ***



NOTICE: SEE REVERSE SIDE FOR IMPORTANT INFORMATION



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Professional Water and Wastewater Operations

**OPERATING
DIVISIONS**

MISSOURI

Atchison County

Bonne Terre

Boonville

Bowling Green

Buchanan County #1

Cameron

Cape Girardeau

**East Central Missouri
Water & Sewer
Authority**

Elsberry

Franklin County #1

Franklin County #3

**Henry County
Water Company**

Henry County #3

**Lake Ozark/
Osage Beach**

Lincoln County #1

Nevada

Parkville

Phelps County #2

Platte County #C-1

Proctor & Gamble

Ralls County #1

Russellville

Sedalia

St Charles County #2

St Genevieve

Versailles

IOWA

Maquoketa

Tipton

TENNESSEE

South Fulton

REPORT OF OPERATIONS

**LAKE OZARK/OSAGE BEACH
Joint Wastewater Treatment Plant No. 1**

Month of September 2013

Submitted by Alliance Water Resources, Inc. for the

October 2013

Joint Sewer Board Meeting

SUMMARY OF FACILITY OPERATION

The Lake Ozark/Osage Beach Joint WWTP produced superior effluent quality throughout the month and was in full compliance with effluent limitations established in NPDES Permit No.MO-01013241. No leaks, no spills, and no unauthorized releases to waters of the state. No work related lost time accidents have occurred during the month.

Detailed information relating to plant performance and operations is presented as follows.

PLANT EFFLUENT QUALITY

	<u>BOD</u> <u>mg/l</u>	<u>TSS</u> <u>mg/l</u>	<u>pH</u>	<u>Fecal Coliform</u> <u>Colonies/100 ml</u>
Monthly Average	1.1	0.8	NA	< 20
Peak Day	1.2	1.2	8.0	< 20
Percent Removal	99.5	99.6	NA	NA

NPDES EFFLUENT LIMITATIONS

	<u>BOD</u> <u>mg/l</u>	<u>TSS</u> <u>mg/l</u>	<u>pH</u>	<u>Fecal Coliform</u> <u>Colonies/100 ml</u>
Monthly Average	30	30	6-9	400 col/100 ml
Weekly Average	45	45		

PLANT HYDRAULIC AND ORGANIC LOADING

The average daily influent flow for the month was 1.333 MGD or 44% of Permitted flow with Lake Ozark contributing 17% of the total flow and Osage Beach contributing 83%. Daily influent flow BOD and TSS data is presented in Table A. Daily flow for the month and rainfall are shown in Figure 2. A three-year flow history for each of the two cities is presented in Table B.

Organic loading for the month was 75888 pounds of BOD.

BIOSOLIDS APPLICATION AND INVENTORY

Plant personnel land applied 48 tanker loads of bio-solids during the month equivalent to a total of 177,600 gallons and 56,069 pounds dry weight solids.

507,645 pounds of dry weight solids have been land applied year to date.

Bio-solids inventory in the storage tanks at the end of the month was 307,500 gallons with a level of 5.0 feet in Tank 1 and 1.0 feet in Tank 2.

WASTEHAULERS

The plant received 39 loads of septage during the month totaling 97,500 gallons.

WWTP OPERATIONS

- Decanting digesters and wasting weekly.
- Normal operations.
- We were able to leave one aerator in each ditch off again this month, including weekends.

WWTP MAINTENANCE AND REPAIR

- Performed routine maintenance throughout the month as per Antero Maintenance Data Management schedule. (New version of Operator 10 Software)

SAFETY

- We conducted our monthly routine Safety Meeting on Back Safety / Lifting Methods on the 17th of September.

REGULATORY AGENCY, INSPECTION AND REPORTS

- Mailed DMR to MDNR on the 4th of October.

MISCELLANEOUS AND RECOMMENDATIONS

- We would like to again, Thank Matt and the City of Lake Ozark for hauling and spreading the rock for the road and for doing such a great job on it.

TABLE A
LAKE OZARK/OSAGE BEACH WWTP

MONTH OF September 2013

DATE		FLOW					BOD 5 MG/L			TSS MG/L		
	RAIN FALL IN.	LO mgd	OB mgd	COMB mgd	% LO	% OB	LO mg/l	OB mg/l	COMB mg/l	LO mg/l	OB mg/l	COMB mg/l
1-Sep		0.380	1.685	2.065	18.4	81.6						
2-Sep	0.7	0.407	1.713	2.120	19.2	80.8						
3-Sep		0.317	1.409	1.726	18.4	81.6						
4-Sep		0.200	1.005	1.205	16.6	83.4						
5-Sep		0.194	0.981	1.175	16.5	83.5						
6-Sep		0.205	0.964	1.169	17.5	82.5	207	260	255	182	184	202
7-Sep		0.218	1.082	1.300	16.8	83.2						
8-Sep		0.230	1.143	1.373	16.8	83.2						
9-Sep		0.225	1.056	1.281	17.6	82.4						
10-Sep		0.200	1.008	1.208	16.6	83.4						
11-Sep		0.196	0.912	1.108	17.7	82.3						
12-Sep		0.203	1.017	1.220	16.6	83.4						
13-Sep		0.216	1.065	1.281	16.9	83.1	200	297	264	206	322	282
14-Sep		0.225	1.077	1.302	17.3	82.7						
15-Sep		0.282	1.256	1.538	18.3	81.7						
16-Sep	0.6	0.232	1.164	1.396	16.6	83.4						
17-Sep		0.201	0.972	1.173	17.1	82.9						
18-Sep	0.1	0.202	1.037	1.239	16.3	83.7						
19-Sep		0.201	1.004	1.205	16.7	83.3						
20-Sep	0.8	0.237	1.216	1.453	16.3	83.7	130	133	138	144	136	140
21-Sep		0.246	1.181	1.427	17.2	82.8						
22-Sep		0.221	1.025	1.246	17.7	82.3						
23-Sep		0.224	1.067	1.291	17.4	82.6						
24-Sep		0.183	1.036	1.219	15.0	85.0						
25-Sep		0.169	0.931	1.100	15.4	84.6						
26-Sep		0.200	0.980	1.180	16.9	83.1						
27-Sep		0.210	0.979	1.189	17.7	82.3	140	285	253	118	268	256
28-Sep		0.202	1.056	1.258	16.1	83.9						
29-Sep	0.1	0.230	1.132	1.362	16.9	83.1						
30-Sep		0.213	0.975	1.188	17.9	82.1						
SUM	2.3	6.869	33.128	39.997								
AVG		0.229	1.104	1.333	17	83	169	244	228	163	228	220
NOTE: BOLD PRINT INDICATES WEEKEND DAYS												

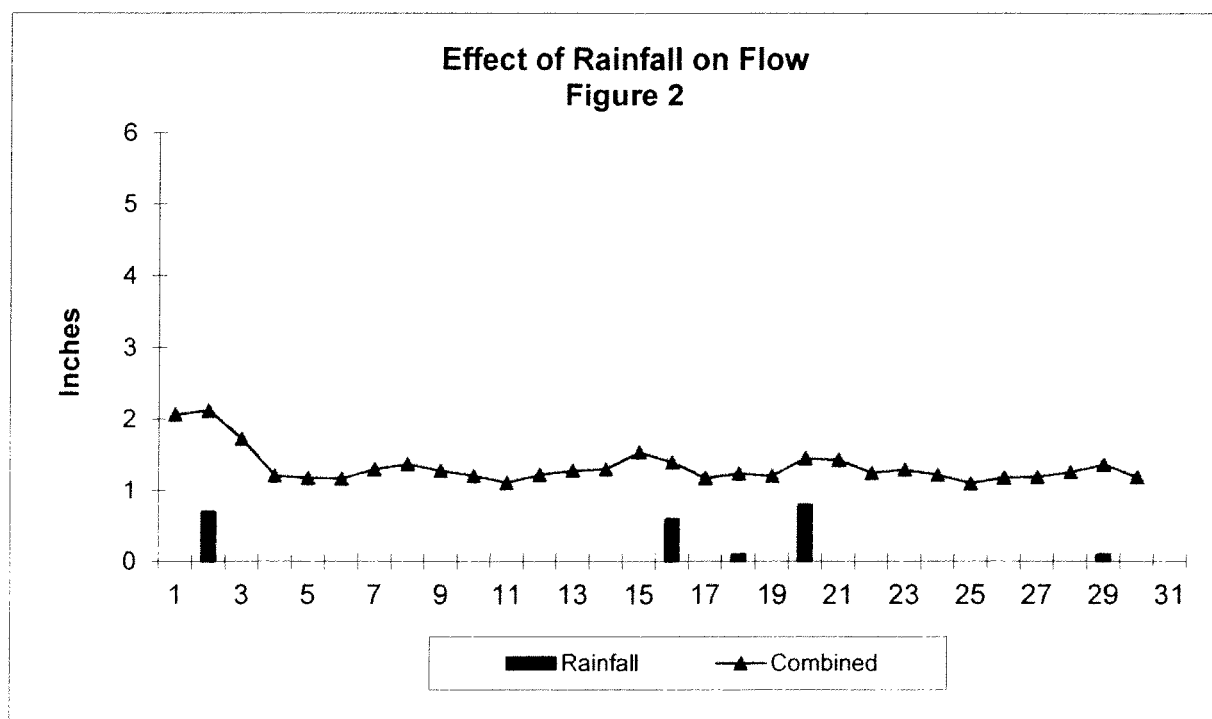
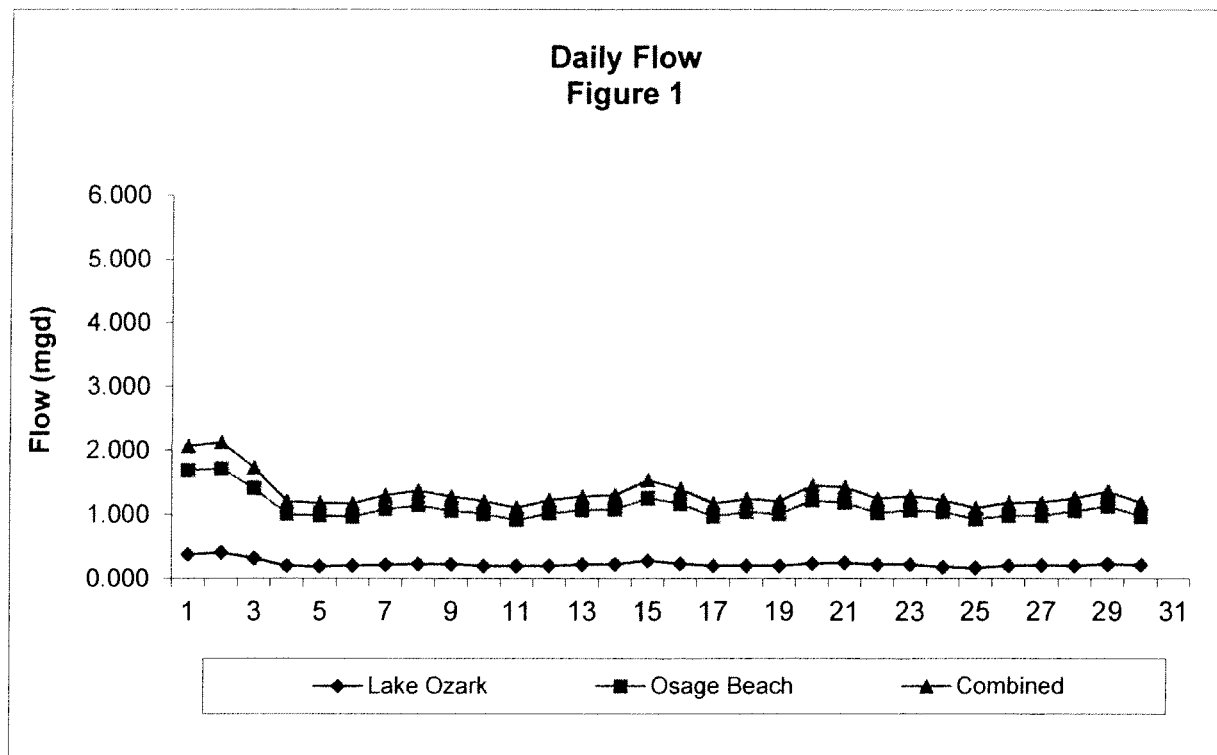
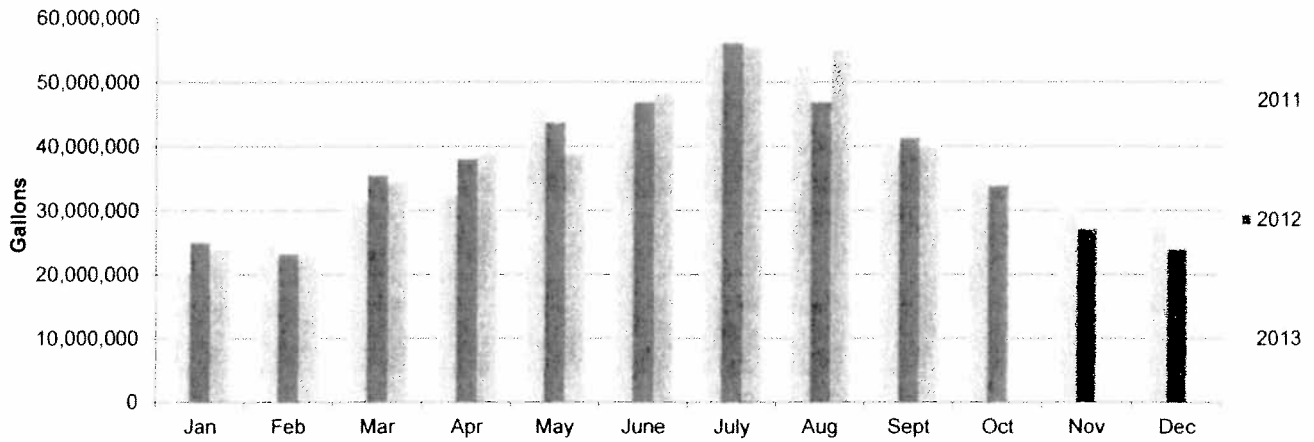


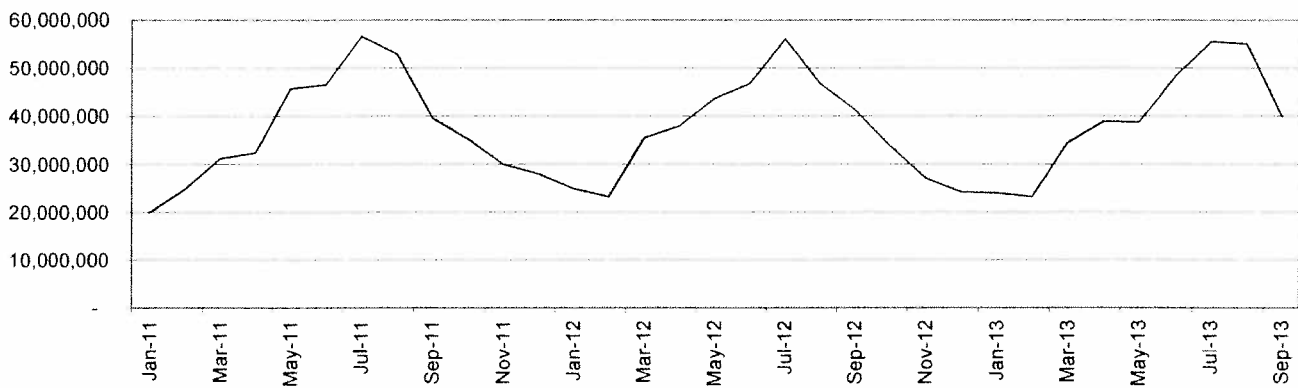
TABLE B
JOINT SEWER BOARD
Monthly Flows

<u>2011</u>	<u>RAINFALL</u>	<u>OSAGE BEACH</u>		<u>LAKE OZARK</u>		<u>TOTAL</u>	<u>%</u>
January	0.8	15,566,000	78%	4,395,000	22%	19,961,000	100%
February	4.8	19,737,000	80%	5,030,000	20%	24,767,000	100%
March	4.7	25,055,000	80%	6,183,000	20%	31,238,000	100%
April	4.8	26,299,000	81%	6,158,000	19%	32,457,000	100%
May	11.8	37,286,000	81%	8,523,000	19%	45,809,000	100%
June	4.4	38,748,000	83%	7,821,000	17%	46,569,000	100%
July	0.3	47,316,000	84%	9,297,000	16%	56,613,000	100%
August	6.5	44,175,000	84%	8,704,000	16%	52,879,000	100%
September	2.7	32,672,000	82%	6,999,000	18%	39,671,000	100%
October	2.3	28,932,000	82%	6,388,000	18%	35,320,000	100%
November	5.6	24,495,000	81%	5,589,000	19%	30,084,000	100%
December	3.5	22,789,000	81%	5,298,000	19%	28,087,000	100%
	52.1	363,070,000	81%	75,087,000	19%	443,455,000	100%
<u>2012</u>	<u>RAINFALL</u>	<u>OSAGE BEACH</u>		<u>LAKE OZARK</u>		<u>TOTAL</u>	<u>%</u>
January	0.7	20,401,000	82%	4,577,000	18%	24,978,000	100%
February	2.4	18,682,000	80%	4,563,000	20%	23,245,000	100%
March	6.3	28,720,000	81%	6,779,000	19%	35,499,000	100%
April	8.0	30,919,000	81%	7,049,000	19%	37,968,000	100%
May	1.6	35,910,000	82%	7,801,000	18%	43,711,000	100%
June	1.4	39,021,000	83%	7,841,000	17%	46,862,000	100%
July	1.4	46,676,000	83%	9,443,000	17%	56,119,000	100%
August	1.0	39,227,000	84%	7,571,000	16%	46,798,000	100%
September	6.5	34,629,000	84%	6,696,000	16%	41,325,000	100%
October	3.6	28,634,000	85%	5,240,000	15%	33,874,000	100%
November	1.1	22,996,000	85%	4,113,000	15%	27,109,000	100%
December	1.4	20,460,000	84%	3,832,000	16%	24,292,000	100%
	35.2	366,275,000	83%	75,505,000	17%	441,780,000	100%
<u>2013</u>	<u>RAINFALL</u>	<u>OSAGE BEACH</u>		<u>LAKE OZARK</u>		<u>TOTAL</u>	<u>%</u>
January	2.8	19,923,000	83%	4,104,000	17%	24,027,000	100%
February	4.2	19,290,000	83%	3,979,000	17%	23,269,000	100%
March	5.3	28,232,000	82%	6,308,000	18%	34,540,000	100%
April	8.7	31,410,000	81%	7,507,000	19%	38,917,000	100%
May	2.9	32,247,000	83%	6,560,000	17%	38,807,000	100%
June	4.6	40,205,000	83%	8,185,000	17%	48,390,000	100%
July	2.2	46,803,000	84%	8,794,000	16%	55,597,000	100%
August	15.0	45,742,000	83%	9,351,000	17%	55,093,000	100%
September	2.3	33,128,000	83%	6,869,000	17%	39,997,000	100%
October							
November							
December							
	48.0	296,980,000	83%	61,657,000	17%	358,637,000	100%

**Monthly Influent Flow
Figure 3A**

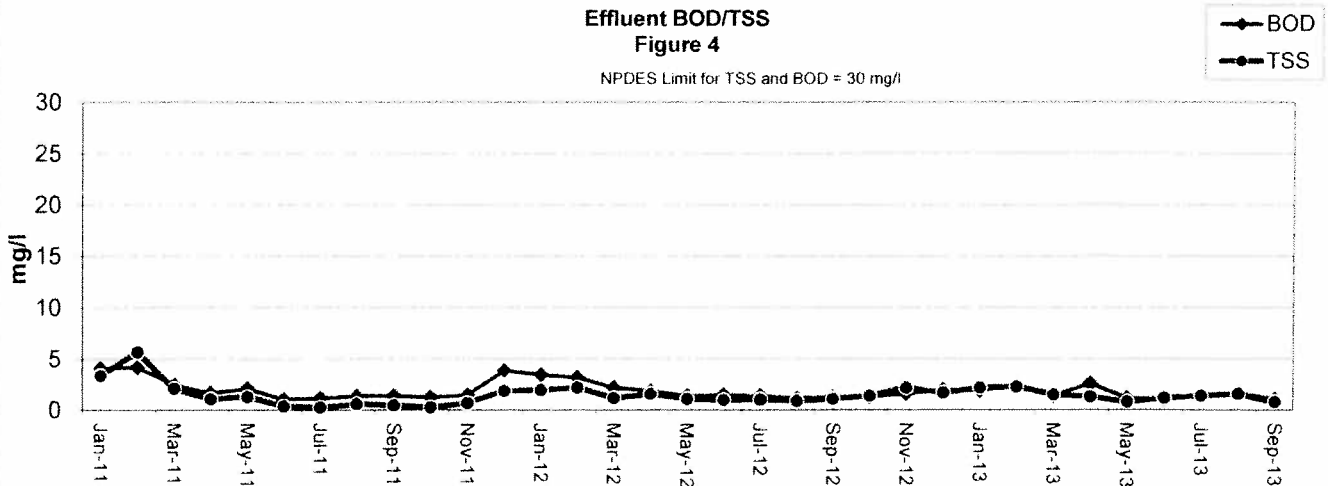


**Monthly Influent Flow
Figure 3B**

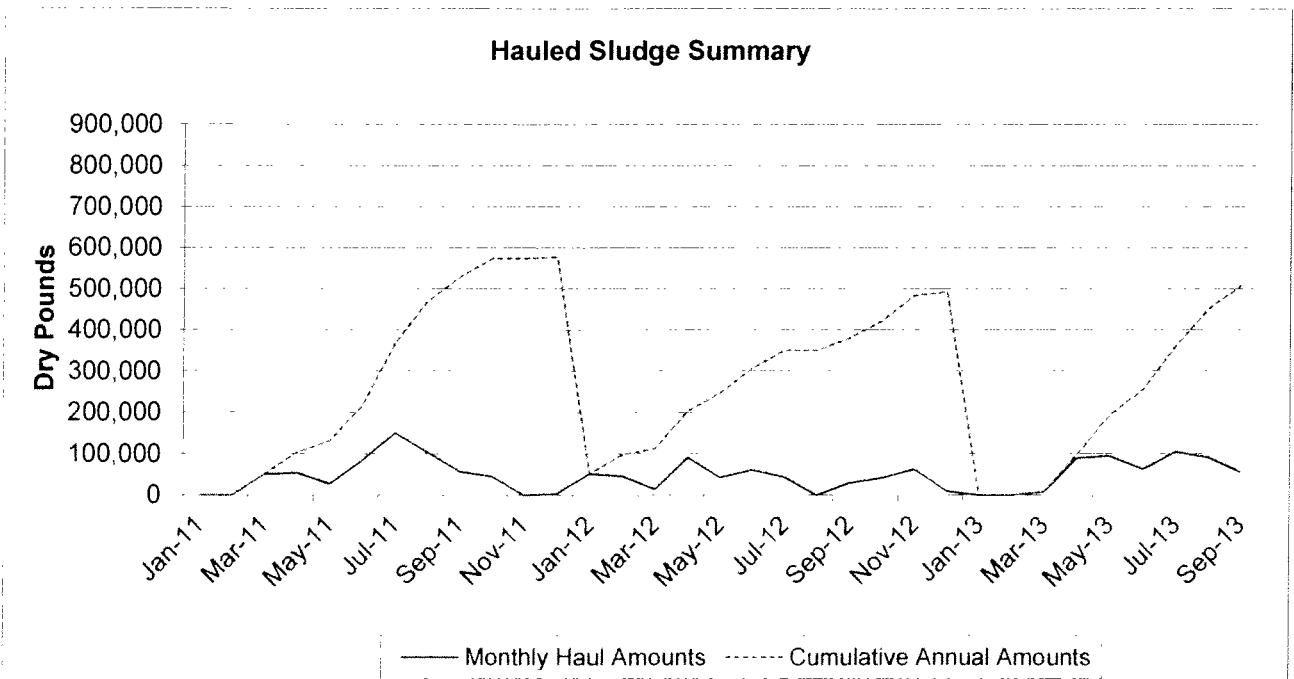
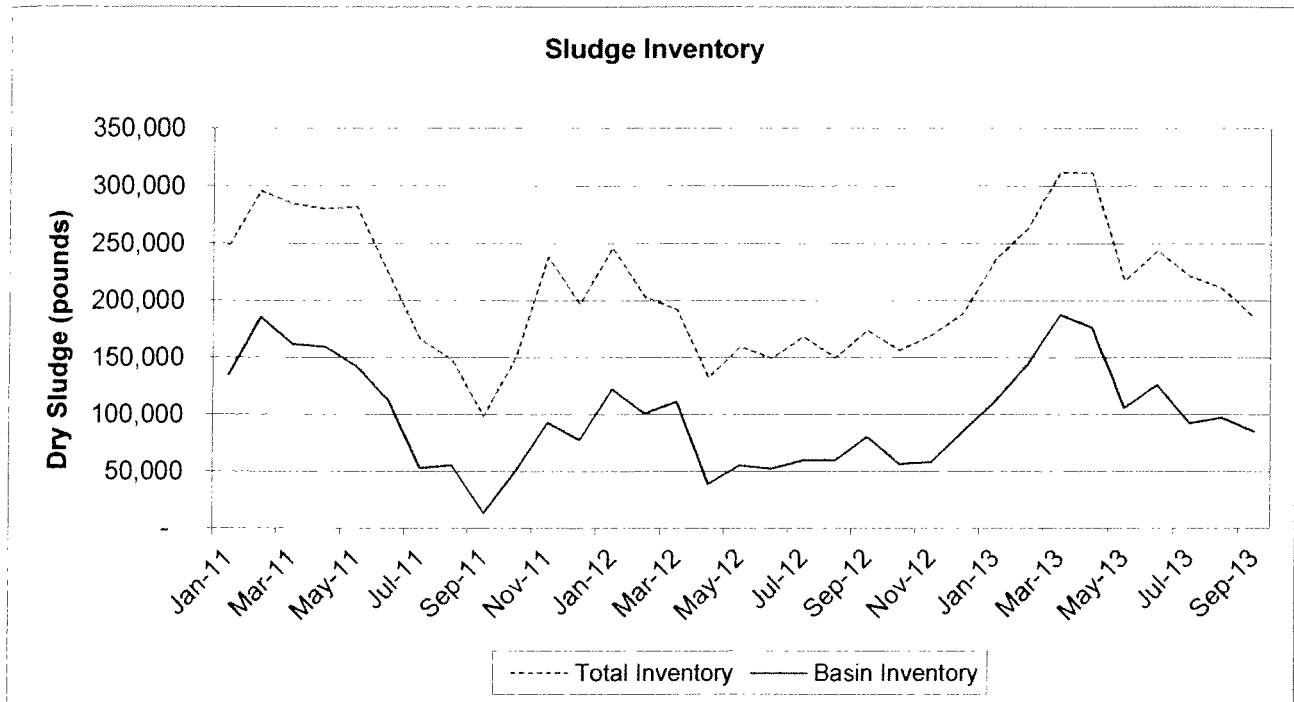


**Effluent BOD/TSS
Figure 4**

NPDES Limit for TSS and BOD = 30 mg/l



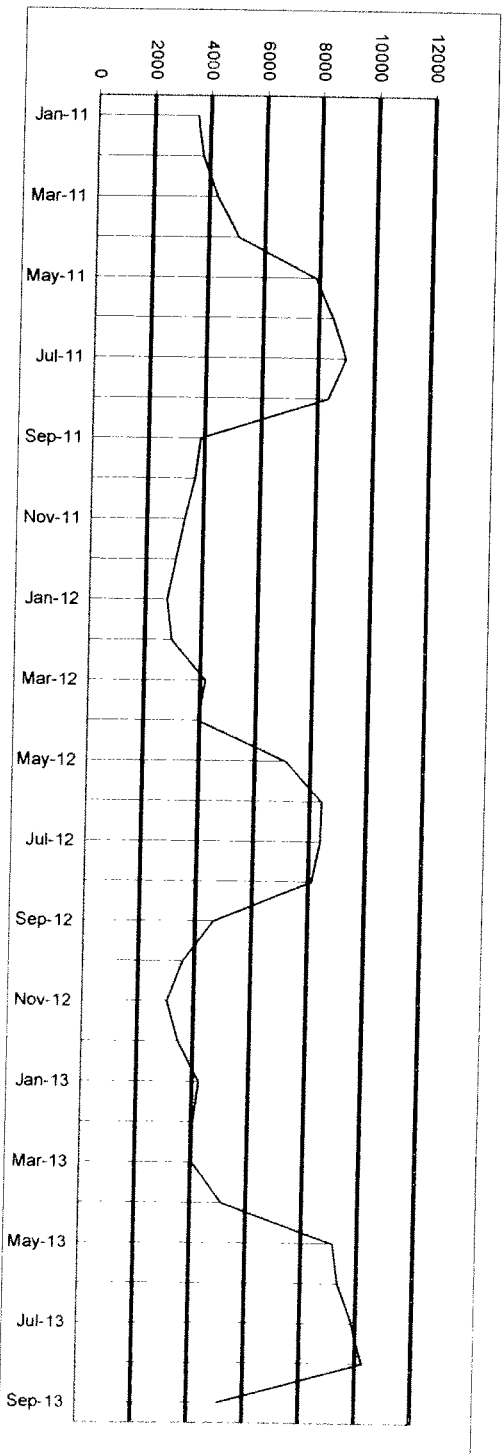
Date	Loads	Gallons	Hauled Sludge			Basin Depths			Blanket Depths			MLSS Inventory			Blanket and MLSS Inventory			Accepted Septage				
			# Dry	% Solids	Annual Cumulative # Dry	Tank #1	Tank #2	AB #1	Basin Gallons	# Dry	Chart #1	Chart #2	Chart #3	MLSS AB #1	MLSS AB #2	Gallons	# Dry	% Solids	Sludge Inventory	Total Dry	Loads	Gallons
Jan-11	0	-	0	4.5%	-	5.5	2.5	0.0	360,000	135,108	1.0	2.0	0.0	3,520	3,930	3,653,286	113,456	0.00373	248,603	248,603	19	45,000
Feb-11	0	-	0	4.5%	-	6.0	5.0	0.0	495,000	185,774	2.5	2.0	0.0	3,580	3,980	3,679,929	109,872	0.00358	295,646	295,646	6	15,000
Mar-11	43	159,100	49,803	3.8%	49,803	7.5	4.0	0.0	517,500	161,993	1.0	1.0	0.5	4,100	4,540	3,657,238	122,615	0.00402	284,608	284,608	25	59,000
Apr-11	45	186,500	53,692	3.9%	103,495	7.0	4.0	0.0	495,000	159,625	2.0	3.0	2.0	3,130	4,540	3,775,666	120,761	0.00384	280,395	280,395	27	70,300
May-11	24	88,800	28,051	3.8%	131,546	5.5	4.5	0.0	450,000	142,150	2.0	2.0	2.5	4,960	3,920	3,779,618	139,958	0.00444	282,108	282,108	39	101,500
Jun-11	78	288,600	85,043	3.5%	216,589	3.5	5.0	0.0	382,500	112,713	3.0	2.0	2.0	3,500	3,560	3,775,666	111,156	0.00353	223,869	223,869	36	96,000
Jul-11	138	510,600	150,712	3.5%	367,301	4.0	0.0	0.0	180,000	53,130	1.5	2.5	1.0	3,740	3,550	3,714,476	112,917	0.00365	166,047	166,047	51	127,500
Aug-11	91	336,700	103,837	3.7%	471,138	2.0	2.0	0.0	180,000	55,511	2.0	2.0	2.0	2,840	3,110	3,736,190	92,700	0.00298	98,447	98,447	47	118,500
Sep-11	52	192,400	57,488	3.6%	528,626	0.0	1.0	0.0	45,000	13,446	2.5	2.5	1.5	2,530	2,990	3,753,952	85,001	0.00272	98,447	98,447	68	175,000
Oct-11	33	122,100	45,361	4.5%	573,987	0.0	3.0	0.0	135,000	50,153	2.0	2.5	1.0	3,470	2,940	3,723,357	99,524	0.00321	149,628	149,628	17	42,500
Nov-11	0	-	0	4.5%	573,987	3.0	2.5	0.0	247,500	92,887	2.0	3.0	2.0	4,610	3,850	3,725,666	145,165	0.00461	197,279	197,279	18	45,500
Dec-11	5	18,500	3,549	2.3%	577,536	6.0	3.0	0.0	405,000	77,694	3.0	4.0	0.0	4,060	3,850	3,724,334	119,585	0.00385	238,051	238,051	15	37,500
Jan-12	46	170,200	51,317	3.6%	577,536	5.5	3.5	0.0	405,000	122,112	2.0	1.5	0.0	4,060	3,680	3,655,524	102,483	0.00406	246,114	246,114	18	43,500
Feb-12	42	155,400	46,472	3.6%	577,536	4.5	3.0	0.0	337,500	100,929	1.0	1.0	0.0	3,880	3,635	3,724,334	102,483	0.00338	203,411	203,411	17	42,500
Mar-12	12	44,400	14,627	4.0%	592,163	5.5	2.0	0.0	337,500	111,185	2.0	2.0	1.5	2,880	2,310	3,724,334	93,682	0.00297	132,264	132,264	39	103,500
Apr-12	86	318,200	90,939	3.4%	683,102	2.0	1.0	0.0	225,000	55,177	2.0	2.5	2.5	3,070	3,060	3,728,489	93,682	0.00297	132,264	132,264	37	96,500
May-12	47	173,900	42,646	2.9%	725,748	3.0	2.0	0.0	225,000	55,177	2.0	2.0	2.0	3,070	3,070	3,757,904	104,365	0.00333	159,543	159,543	26	65,000
Jun-12	56	207,200	60,513	3.2%	786,261	1.0	3.0	0.0	180,000	52,569	1.0	3.0	1.0	3,560	2,690	3,714,476	96,609	0.00333	149,378	149,378	55	138,000
Jul-12	45	166,500	44,127	3.2%	830,388	5.0	0.0	0.0	225,000	59,631	2.0	1.5	1.0	3,560	2,690	3,705,595	109,993	0.00333	168,125	168,125	36	90,000
Aug-12	0	-	0	0.0%	830,388	2.5	2.5	0.0	225,000	59,631	1.0	1.5	1.0	3,440	2,390	3,718,428	90,399	0.00292	150,030	150,030	36	80,000
Sep-12	33	122,100	29,161	2.9%	859,549	4.5	3.0	0.0	337,500	80,605	2.0	0.0	2.5	3,080	2,910	3,744,094	93,521	0.003	174,126	174,126	37	91,500
Oct-12	40	148,000	41,473	3.4%	901,022	4.5	0.0	0.0	202,500	56,745	1.5	0.0	1.5	3,160	3,320	3,691,785	99,758	0.00334	156,503	156,503	33	76,500
Nov-12	52	192,400	62,487	3.9%	963,509	2.0	2.0	0.0	180,000	58,460	1.0	5.0	2.0	3,970	3,090	3,775,666	111,156	0.00334	169,516	169,516	32	66,500
Dec-12	9	33,300	9,720	3.5%	973,229	5.0	1.5	0.0	292,500	85,378	4.0	1.5	0.0	4,030	3,090	3,697,691	104,081	0.00338	189,459	189,459	48	120,000
Jan-13	0	-	0	3.5%	973,229	6.0	2.5	0.0	382,500	111,652	1.5	2.0	0.0	4,120	4,010	3,662,167	124,155	0.00407	263,807	263,807	26	65,000
Feb-13	0	-	0	3.5%	973,229	6.0	5.0	0.0	495,000	144,491	2.0	2.0	1.0	4,000	3,740	3,666,714	119,314	0.00387	285,005	285,005	56	140,000
Mar-13	8	29,600	8,517	3.5%	981,746	8.0	6.5	0.0	652,500	187,748	1.0	2.0	1.0	4,030	4,050	3,714,476	123,915	0.004	311,663	311,663	21	52,500
Apr-13	74	273,800	89,488	3.9%	981,746	6.0	6.0	0.0	540,000	176,492	2.5	2.0	2.0	4,620	4,130	3,766,785	135,084	0.0043	311,576	311,576	24	60,000
May-13	82	303,400	95,228	3.8%	1,071,234	3.5	4.0	0.0	405,000	105,931	1.0	5.0	2.0	3,970	3,040	3,828,952	117,994	0.0037	244,095	244,095	36	85,000
Jun-13	54	199,800	62,210	3.7%	1,133,444	6.0	3.0	0.0	405,000	126,101	1.0	2.0	1.0	3,860	3,540	3,705,595	129,181	0.00418	221,482	221,482	47	117,500
Jul-13	97	359,900	105,164	3.5%	1,238,608	6.0	3.0	0.0	315,000	92,301	1.5	2.0	1.0	3,950	3,410	3,705,595	129,181	0.00418	221,482	221,482	58	137,500
Aug-13	74	273,800	90,969	4.0%	1,333,577	6.5	0.0	0.0	292,500	97,182	2.0	2.5	2.0	3,580	3,680	3,766,785	114,036	0.00363	211,218	211,218	57	142,500
Sep-13	48	177,600	56,069	3.8%	1,390,646	5.0	1.0	0.0	270,000	85,240	2.0	1.5	1.5	3,150	3,300	3,727,309	100,252	0.00323	185,492	185,492	39	97,500



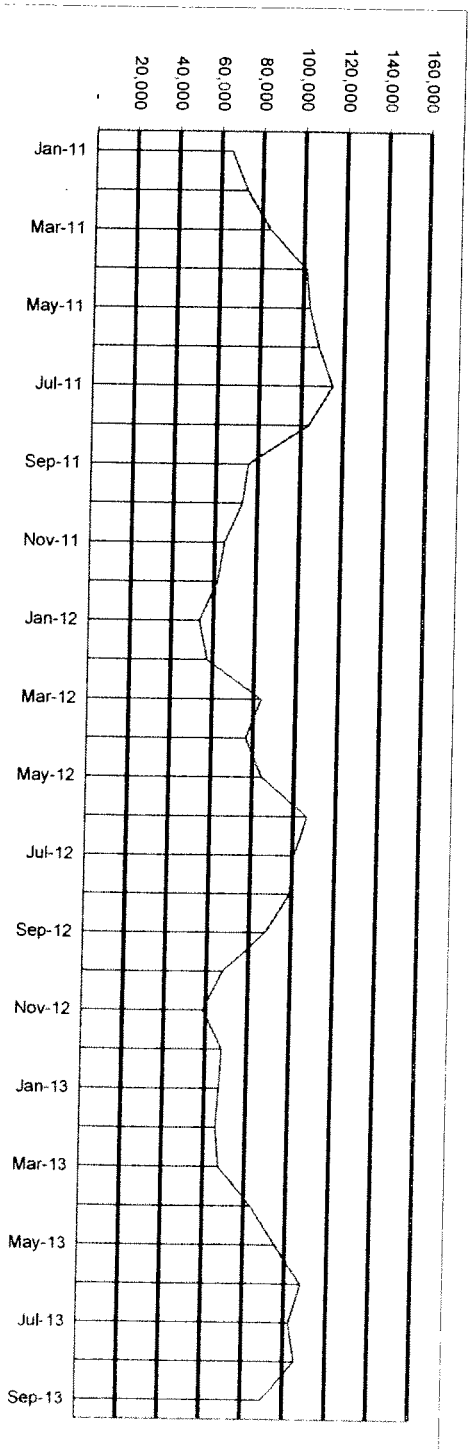
Electric Cost Kilowatts Used

Jan-11	3547	65,206
Feb-11	3757	72,752
Mar-11	4309	84,045
Apr-11	5092	101,440
May-11	7876	103,396
Jun-11	8505	108,021
Jul-11	8983	114,906
Aug-11	8382	103,698
Sep-11	3848	75,430
Oct-11	3697	73,005
Nov-11	3345	64,695
Dec-11	3064	61,670
Jan-12	2784	53,291
Feb-12	2962	57,492
Mar-12	4200	83,720
Apr-12	3943	76,650
May-12	7120	84,700
Jun-12	8431	106,650
Jul-12	8404	100,910
Aug-12	8121	99,190
Sep-12	4653	87,730
Oct-12	3588	67,820
Nov-12	3050	58,850
Dec-12	3472	68,170
Jan-13	4240	66,990
Feb-13	4069	65,810
Mar-13	4056	67,500
Apr-13	5132	83,390
May-13	9135	95,360
Jun-13	9331	107,780
Jul-13	9861	102,490
Aug-13	10255	105,350
Sep-13	5108	89,830

Electric Cost



Kilowatts Used





MISSOURI DEPARTMENT OF NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL QUALITY
 Discharge Monitoring Report For Municipal Wastewater Treatment Plants

NAME OF FACILITY					LOCATION ADDRESS & CITY								COUNTY/REGION	
Lake of the Ozarks Regional WWTP #1					#3 Anderson Road								Miller/SWRO	
MONTH/YEAR		PERMIT NUMBER			OUTFALL NUMBER		TYPE TREATMENT FACILITY							
Sep-13		MO-0103241			#001		Oxidation Ditch/UV/Sludge Holding-sludge is land applied							
INFLUENT					EFFLUENT								% Removal	
DATE	pH UNITS	BOD mg/L	TSS mg/L	TEMP °C	FLOW MGD	pH UNITS	BOD mg/L	TSS mg/L	Ammonia as N mg/l	DO mg/L	E. coli COLFRM #/100 ML	TEMP °C	BOD mg/L	TSS mg/L
1	7.4			24.4	2.193	7.9				4.4		25.7		
2	7.3			23.8	2.309	7.9				4.6		24.7		
3	7.3			23.3	1.880	8.0				4.7	< 20	24.3		
4	7.3			23.3	1.249	7.8				5.0		23.9		
5	7.3			22.9	1.392	7.8			0.06	5.8		23.4		
6	7.4	255	202	23	1.343	7.9	0.8	0.6		5.9		23.2	99.7	99.7
7	7.2			23.2	1.328	8.0				6.2		22.7		
8	7.2			23.9	1.543	7.9				6.3		23.5		
9	7.2			23.9	1.434	7.9				6.6	< 20	24.4		
10	7.3			23.8	1.368	7.8				6.1		24.6		
11	7.4			22.7	1.108	7.8				5.9		23.9		
12	7.1			24.3	1.542	7.8			0.02	5.1		24.5		
13	6.9	264	282	23.8	1.422	7.7	1.1	0.4		5.3		23.6	99.6	99.9
14	7.2			20.6	1.338	7.9				6.2		20.8		
15	7.2			22.3	1.776	7.9				5.8		21.2		
16	7.1			22.9	1.610	7.8				6.0	< 20	22		
17	7.2			23	1.371	7.7				5.8		22		
18	7.2			23.3	1.438	7.5				5.7		22.4		
19	7.1			23.3	1.445	7.6			0.02	6.6		22.7		
20	7.2	138	140	22.8	1.647	7.8	1.2	1		5.7		23	99.1	99.3
21	7.3			21.5	1.483	7.9				6.0		20.9		
22	7.5			20.3	1.506	7.9				6.8		20.1		
23	7.3			21.6	1.471	7.8				6.1	< 20	20.2		
24	7.1			22.3	1.365	7.8				6.0		20.8		
25	7.2			21.8	1.269	7.8				6.0		20.8		
26	7.3			21.6	1.355	7.7			0.02	6.3		21.1		
27	7.1	253	256	21.6	1.361	7.6	1.1	1.2		6.2		21.6	99.6	99.5
28	7.1			22.5	1.346	7.9				6.6		22		
29	7.2			22.1	1.546	7.6				5.8		21.5		
30	7.1			21.8	1.403	7.9				6.8	< 20	20.8		
Total					44.841									
Avg		228	220	23	1.495		1.1	0.8	0.0	5.9	0.0	22.5	99.5	99.6
Min	6.9	138	140	20	1.108	7.5	0.8	0.4	0.0	4.4	0.0	20.1	99.1	99.3
Max	7.5	264	282	24	2.309	8.0	1.2	1.2	0.1	6.8	0.0	25.7	99.7	99.9

MONTHLY EFFLUENT MONITORING		QUARTERLY EFFLUENT MONITORING	
DATE	Oil & Grease mg/L	Selenium µg/L	Zinc µg/L
1			
2			
3			
4			
5			
6			
7			
8			
9	< 5.0		
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
Total			
Avg	< 5.0	0.00	0.00
Min	< 5.0	0.00	0.00
Max	< 5.0	0.00	0.00

OPERATIONAL CONTROLS/LABORATORY TEST REQUIRED FOR "ACTIVATED SLUDGE" PROCESSES

DATE	SLUDGE DISP. LBS. DRY WEIGHT	#1 Aeration Basin, O-Ditch, Etc.				#2 Aeration Basin, O-Ditch, Etc.				*Weather Conditions		
		MIXED LIQUOR				MIXED LIQUOR				Outside	*RAIN inches	Time
		* DO	** MLSS	*Settleability		* DO	** MLSS	*Settleability		* Ambient		
		mg/l	mg/l	*30 min ml	Temp ° C	mg/l	mg/l	*30 min ml	Temp ° C	Temp ° F		
1		1.0	3,950	400	25.4	1.1	3,670	400	25.2	76	0.7	7:30
2		1.0	4,020	440	24.3	1.2	3,540	370	24.3	66		7:30
3		1.0	4,520	520	23.7	1.3	3,700	400	23.6	61		7:30
4	3,857	1.8	3,690	400	23.1	1.4	3,790	430	23.1	62		7:30
5		2.9	3,460	380	23	2.2	3,730	460	22.9	61		7:30
6		4.4	3,090	350	22.8	2.3	4,010	570	23.1	66		7:30
7		4.6	3,070	310	22.5	3.3	3,650	450	22.7	63		7:30
8		2.4	3,470	330	23.5	2.7	3,590	390	23.6	71		7:30
9	4,937	2.4	3,240	290	24	1.5	4,150	430	23.8	71		7:30
10	7,776	3.6	3,330	300	24.3	1.8	3,930	400	24.1	69		7:30
11		3.4	3,130	290	23.4	3.2	3,680	350	23.5	66		7:30
12	7,406	1.2	3,490	290	24.2	1.2	3,760	330	23.9	71		7:30
13	3,610	2.6	3,430	300	23.2	2	3,630	330	23	59		7:30
14		3.8	3,100	270	20.6	3.4	3,580	340	21	50		7:30
15		3.5	3,060	270	21.2	1.6	3,760	370	21.3	59		7:30
16		2.4	3,690	320	21.8	2.8	3,400	290	22	65	0.6	7:30
17	5,308	1.5	3,530	300	21.7	1.8	3,560	330	21.7	64		7:30
18	6,665	2.1	3,180	250	22.3	2.2	3,600	350	22.1	67	0.1	7:30
19	9,288	2.4	2,920	230	22.7	2.8	3,860	360	22.6	69		7:30
20		3.2	2,980	240	22.8	2.3	3,830	380	22.9	69	0.8	7:30
21		4.4	2,750	250	20.7	2.2	3,300	340	21	53		7:30
22		4.6	2,970	260	19.7	3.9	3,410	320	20.1	53		7:30
23		4.1	3,180	270	19.8	3.1	3,280	310	20	52		7:30
24	7,221	2.4	3,450	300	20.5	2.7	3,030	280	20.7	60		7:30
25		3.0	3,520	300	20.7	2.8	3,350	310	20.7	60		7:30
26		3.9	2,890	250	20.7	2.8	3,700	370	20.7	60		7:30
27		4.2	2,780	230	21.4	2.2	4,080	450	21.5	63		7:30
28		4.1	2,930	260	21.9	3	3,480	360	22	65		7:30
29		4.1	3,160	300	21.1	2.8	3,070	360	21.1	60	0.1	7:30
30		4.9	3,150	310	20.2	4.2	3,300	380	20.3	56		7:30

COMMENTS:

TESTS PERFORMED BY (PRINT)	SIGNATURE	PHONE #	DATE
Frank Hendricks	<i>Frank Hendricks</i>	(573)365-0455	10/3/2013
REPORT APPROVED BY (PRINT)	SIGNATURE	PHONE #	DATE
Gary Hutchcraft	<i>Gary Hutchcraft</i>	(573)365-0455	10/3/2013

*Required Daily (Monday / Friday)

**Required 1/week

LAKE OZARK/OSAGE BEACH WWTF
Operation Report

FOR SEPTEMBER 2013

[illegible]

Use following abbreviations: R-rain, S-snow, O-overcast, C-clear, PC-partly cloudy.
Prepared by GH, FH, JH

Approved by _____ GH

Date 10/3/2013

**Semi - Annual I & I Report
Wastewater Treatment Summary for the City of Osage Beach
(Million Gallons)**

2013

	April	May	June	July	August	September
O.B. Total MG	31.410	32.247	40.205	46.803	45.742	33.128
O.B. Peak MG	2.306	1.692	2.184	1.950	3.109	1.713
Avg. Daily MG	1.047	1.040	1.340	1.510	1.476	1.104
% Diff.	120%	63%	63%	29%	111%	55%
Rainfall Inches	8.7	2.9	4.6	2.2	15.0	2.3

Semi - Annual I & I Report
Wastewater Treatment Summary for the City of Lake Ozark
(Million Gallons)

2013

	April	May	June	July	August	September
L.O. Total MG	7.507	6.560	8.185	8.794	9.351	6.869
L.O. Peak MG	0.640	0.347	0.749	0.399	0.831	0.407
Avg. Daily MG	0.250	0.212	0.273	0.284	0.302	0.229
% Diff.	156%	64%	174%	40%	175%	78%
Rainfall Inches	8.7	2.9	4.6	2.2	15.0	2.3

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Melody L. Rayl
mlrayl@zergermauer.com

October 2, 2013

VIA Regular U.S. Mail and Electronic Mail to JDobbs@Polsinelli.com

S. Jay Dobbs, Esq.
Polsinelli Shughart
100 S. Fourth Street, Suite 1000
St. Louis, Missouri 63102

Re: *Lake Ozark/Osage Beach Joint Sewer Board, et al. v. Magruder Limestone Co., Inc., et al.*

Dear Mr. Dobbs:

As you are likely aware, the matter of *Lake Ozark/Osage Beach Joint Sewer Board, et al. v. Missouri Dept. of Natural Resources, Land Reclamation Commission, et al.*, Case No. 08ML-CC00106, remains pending in the Circuit Court of Miller County, Missouri.

On or about September 15, 2008, the Court entered its Order Staying Final Order In Re: Expansion of Permit #0086. In its Order, the Court continued and extended its September 11, 2008 stay order regarding Expansion of Permit #0086.

Subsequent to the Court's September 15 Order, Magruder continued blasting on the proposed quarry site under a land disturbance permit. On September 25, 2008, after blasting impacted the nearby sewer treatment plant, Joint Sewer Board sought clarification of the Court's stay order. In response, the Court entered its Memorandum making it clear that "no blasting should occur on that permitted ground until this matter is resolved."

Based upon the orders of the Court, Joint Sewer Board anticipates Magruder will not undertake any blasting at the proposed quarry site until such time as the Circuit Court of Miller County has expressly found that it may do so.

Feel free to contact me with any questions or concerns.

Very truly yours,

Melody L. Rayl

cc: Adam Troutwine, Esq.
Timothy Duggan, Esq.

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McLody L. Rayl
mlrayl@zrgermawer.com

October 3, 2013

VIA Regular U.S. Mail

Mr. Kevin Mohammadi
Staff Director, Land Reclamation Commission
Missouri Department of Natural Resources
P.O. Box 176
1101 Riverside Drive
Jefferson City, Missouri 65101

Re: *Magruder Limestone Co., Inc. Permit No. 0086 Expansion Request*

Dear Mr. Mohammadi:

As we stated during our comments before the Land Resource Commission ("LRC") on September 26, 2013, the Lake Ozark / Osage Beach Joint Sewer Board ("Joint Sewer Board") has grave concerns about the potential impact of activities associated with a quarry operation on property directly adjacent to its state-of-the-art sewer treatment plant ("Plant").

Joint Sewer Board's concerns are based on the Hearing Officer's findings that Magruder Limestone Company, Inc.'s ("Magruder") blasting on the property in 2008 impacted the Plant's UV purification system. Of the five occasions on which blasting occurred, the Plant suffered a simultaneous failure of its UV system on two occasions. In addition, an underground drain tile at the Plant collapsed during the same time period blasting was being conducted.

Despite the evidence, Magruder has consistently maintained that its blasting had absolutely nothing to do with either the UV system failure or the drain tile collapse. Joint Sewer Board anticipates Magruder will similarly deny any future claimed damaged at the Plant caused by blasting.

As approved by the LRC, Permit No. 0086 contains absolutely no conditions to protect the Plant or to provide a remedy to Joint Sewer Board when Plant operations are disrupted. Accordingly, this letter serves as a formal request by Joint Sewer Board that a pre-blast survey of the Plant's facilities, equipment and infrastructure be conducted at the expense of Magruder prior to any blasting at the proposed quarry site. The pre-blast survey is needed to document the condition of the Plant prior to blasting for the protection of both Joint Sewer Board and Magruder in the event of future damage or equipment failures at the plant.

October 3, 2013

Page 2

Joint Sewer Board has solicited proposals from several third-party vendors, and the cost of the pre-blast survey is anticipated to range between \$40,000 and \$60,000 and take up to 12 weeks to complete. We will be happy to provide copies of the proposal documents upon request. Please feel free to contact me if any additional action on the part of Joint Sewer Board is required to facilitate completion of the pre-blast survey.

Very truly yours,

Melody L. Rayl

cc: Jay Dobbs, Esq.
Adam Troutwine, Esq.
Timothy Duggan, Esq.

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1000 City Parkway • Osage Beach, MO 65065
City Hall [573] 302-2000 • Fax [573] 302-2009

October 8, 2013

VIA Regular U.S. Mail

Mr. Kevin Mohammadi
Staff Director, Land Reclamation Commission
Missouri Department of Natural Resources
P.O. Box 176
1101 Riverside Drive
Jefferson City, Missouri 65101

Re: *Magruder Limestone Co., Inc. Permit No. 0086 Expansion Request*

Dear Mr. Mohammadi:

At its regularly scheduled meeting on September 26, 2013, the Land Reclamation Commission ("LRC") considered the Administrative Hearing Commission's Recommended Decision in the matter of Magruder Limestone Company, Inc.'s ("Magruder") application for expansion of its mining permit to operate a quarry in Miller County, Missouri.

As you are aware, Magruder's application has been hotly contested since it was submitted in April 2007. The Osage Beach/Lake Ozark Joint Sewer Board ("Joint Sewer Board") has strenuously objected to Magruder's application because of its proximity to Joint Sewer Board's Wastewater Treatment Plant ("Sewer Plant") and because the two force main sewer lines connecting the entire city of Osage Beach to the Sewer Plant run directly through the middle of the proposed quarry site. Magruder's application has been the subject of two multi-day administrative hearings, judicial review by the Miller County Circuit Court and appellate review by the Missouri Court of Appeals.

Following the LRC's approval of Magruder's application in 2008, and while the matter was pending appeal, Magruder commenced blasting on the proposed quarry site. Blasting occurred on five occasions, and on two of those occasions the Sewer Plant suffered a simultaneous shutdown of its sophisticated ultraviolet purification system. Joint Sewer Board sought court intervention from the Miller County Circuit Court and was able to put a stop to the blasting. These events provide concrete evidence that a quarry operation on the proposed site will have a significant adverse impact on the Sewer Plant, and the potential for an environmental catastrophe is very real.

Despite the lengthy procedural history of Magruder's application, and Joint Sewer Board's evidence that the proposed quarry operation poses a significant environmental risk to the entire Lake of the Ozarks region, the LRC allowed only five minutes for all those who oppose the permit expansion, including Joint Sewer Board, to present their concerns. Ultimately, the LRC approved Magruder's permit application without many of the conditions recommended by the Administrative Hearing Commission to protect Joint Sewer Board and the other petitioners.

October 8, 2013

Page 2

LRC Vice Chairman Gregory Haddock admitted that Magruder's application, and any permit conditions that should be included, were discussed and considered by the LRC in closed session prior to the September 26th open meeting. This closed session discussion included input received from the Land Reclamation Program regarding proposed permit conditions. Potentially, the LRC considered input from Magruder during this closed session as well. Joint Sewer Board was not provided any opportunity to address the LRC, or otherwise provide input, during the closed session.

Moreover, the closed session of the LRC was not properly noticed in that it does not appear anywhere on the published agenda for the September 26, 2013 meeting. In addition, discussion and consideration of what permit conditions should be included on Magruder's permit are not appropriate topics for a closed meeting under Missouri's Sunshine Law. Under Section 610.021, RSMo., the LRC is permitted to discuss the following topics in closed session: (1) personnel actions; (2) litigation; and (3) matters protected by the attorney-client privilege. Whether Magruder's permit expansion application should be approved, and under what conditions, is not included within any of those exceptions.

Joint Sewer Board is deeply disappointed with the lack of regard given to Joint Sewer Board's concerns by the LRC. The LRC is tasked with representing the interests of Missouri's citizens, yet the petitioners who have presented competent and scientific evidence establishing that Magruder's proposed quarry operation will impact their health, safety or livelihood were deprived of any meaningful opportunity to be heard prior to the LRC's decision. In the end, their proven concerns, as well as the recommendations of the Administrative Hearing Commission as a means to attempt to address those concerns, were discarded by the LRC in a closed session without any input from those most directly impacted. We expected more.

In closing, Joint Sewer Board and the City of Osage Beach will continue their fight to avert an unnecessary environmental catastrophe that would impact the health and economy of the entire lake region and the state of Missouri. Contrary to the apparent belief of the LRC, the interests of a single quarry operator should not supersede the interests of the thousands of citizens who will be affected when things do not work out as the LRC apparently hopes it will.

Very truly yours,

Penny Lyons

Mayor, City of Osage Beach

Chair, Osage Beach/Lake Ozark Joint Sewer Board

cc: Chris Koster, Missouri Attorney General
Sara Parker-Pauley, Director, Missouri DNR
Rocky Miller, Missouri State Representative
James M. DiPardo, Chairman, Land Reclamation Commission

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Lake Ozark-Osage Beach Joint Sewer Board

Presentation Before the
Land Reclamation Commission
September 26, 2013

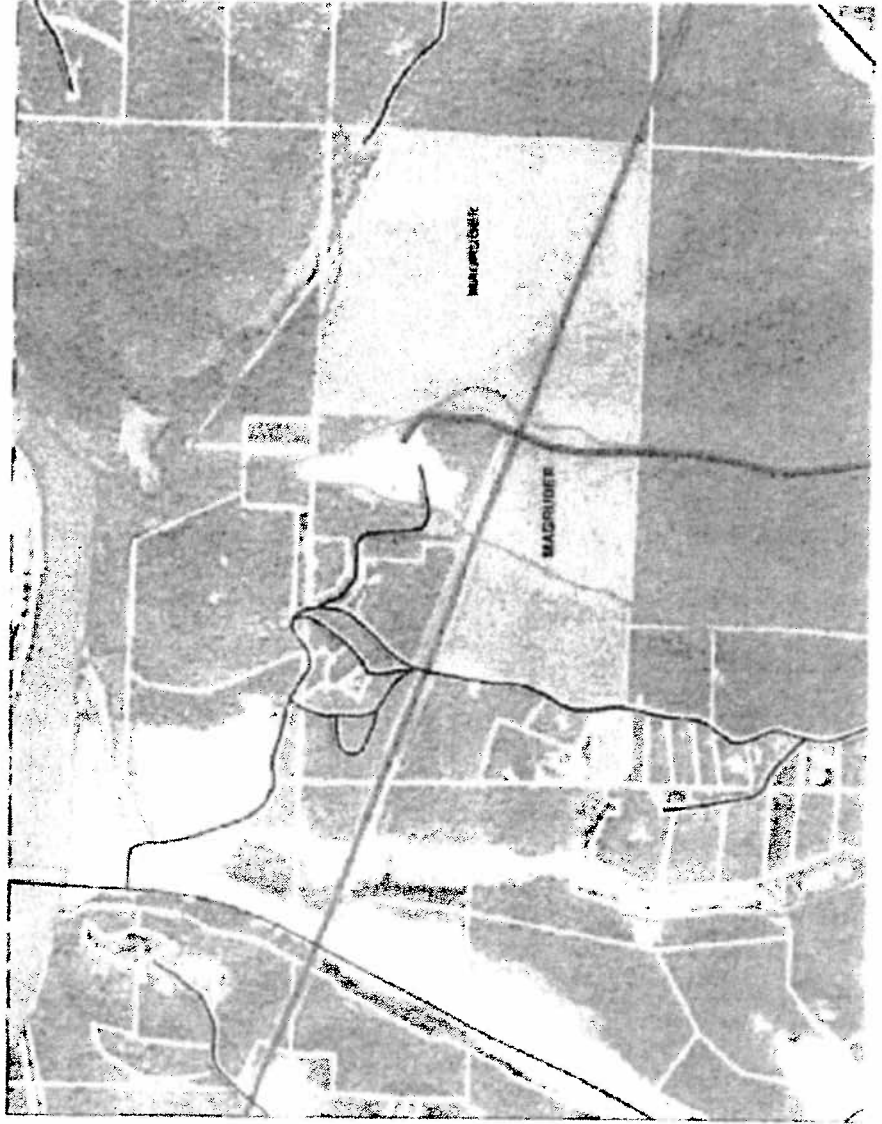
Magruder's Proposed Quarry

- On April 17, 2007, Magruder Limestone Co. ("Magruder") filed its application to expand LRC Permit 0086 to operate a rock quarry on 200+ acres in Miller County, Missouri.



Sewer Board's Objections

- The quarry will come within 50' of the Sewer Treatment Plant.
- The sewer lines serving all of the City of Osage Beach run directly through the middle of the quarry site.



The Sewer Treatment Plant

- The Sewer Treatment Plant is a state-of-the-art facility that serves as an example touted by the DNR for its operation.

From: Macy, Jim [<mailto:jim.macy@dnr.mo.gov>]

Sent: Thursday, August 15, 2013 8:34 AM

To: 'ghutchcraft@alliancewater.com'

Cc: Atkins, Jay

Subject: Thank you

Gary

Jay and I want to thank you for all the time you spent with us yesterday. We appreciate your openness in sharing information about waste water treatment. I can tell you take a lot of pride in your work and in the plant. I was really impressed at how clean and orderly you have kept the treatment facility and equipment.

Thanks again for your time and insight!

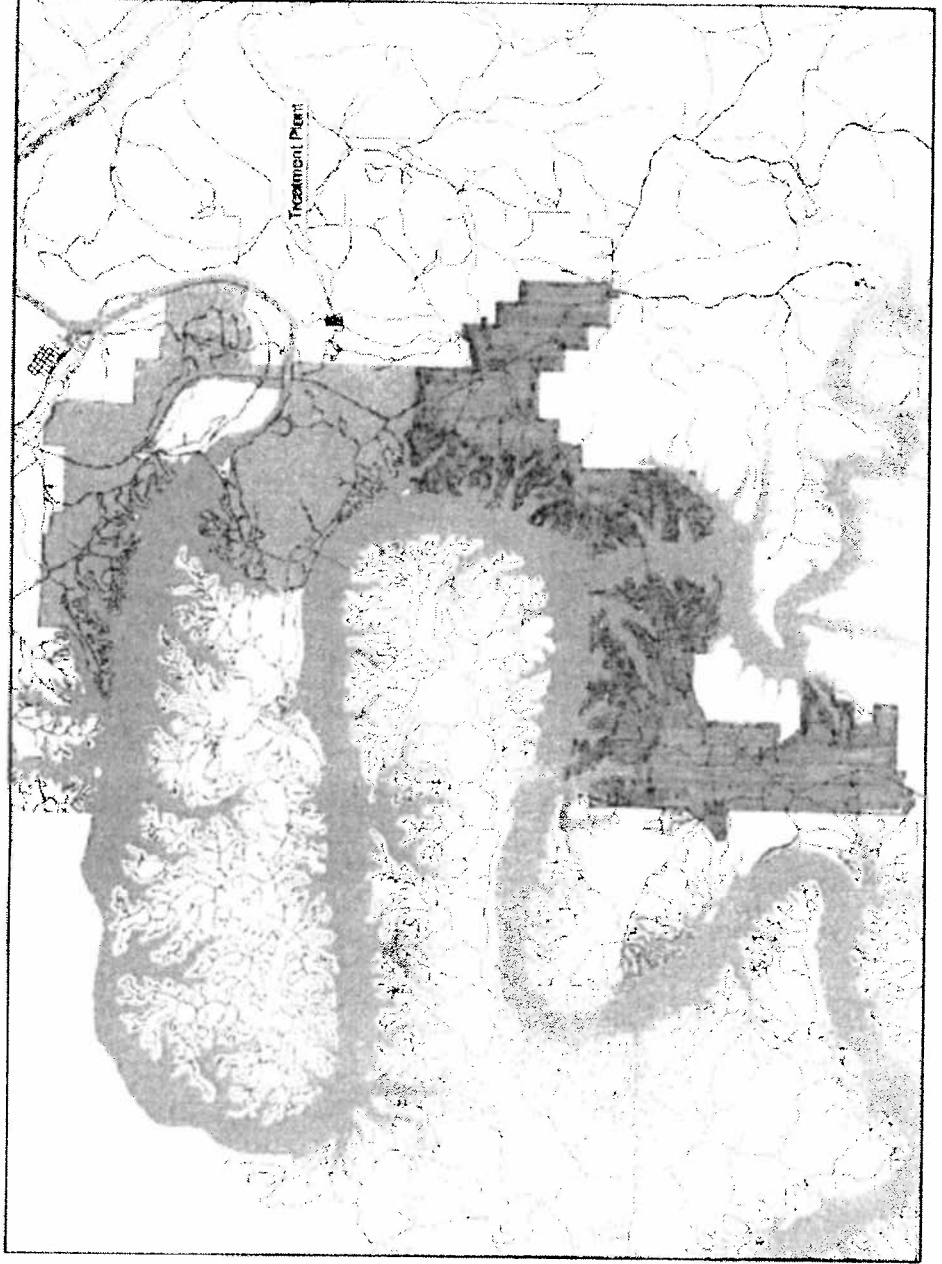
Jim Macy

Director, Financial Assistance Center
Department of Natural Resources

Sewer Plant Service Area

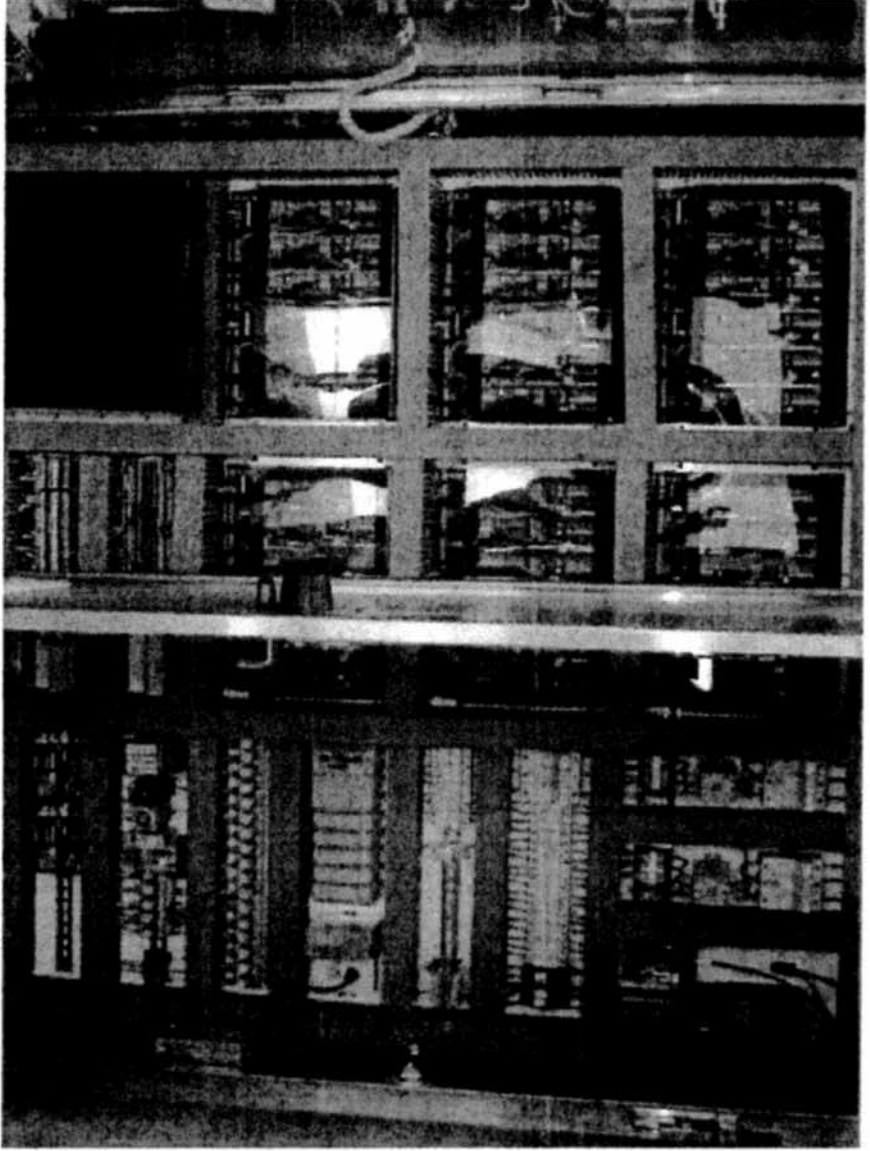
- Up to 4 million gallons of raw sewage from the entire region flow into the sewer treatment plant each day.

Lake Ozark/Osage Beach Joint Sewer Treatment Plant Service Area



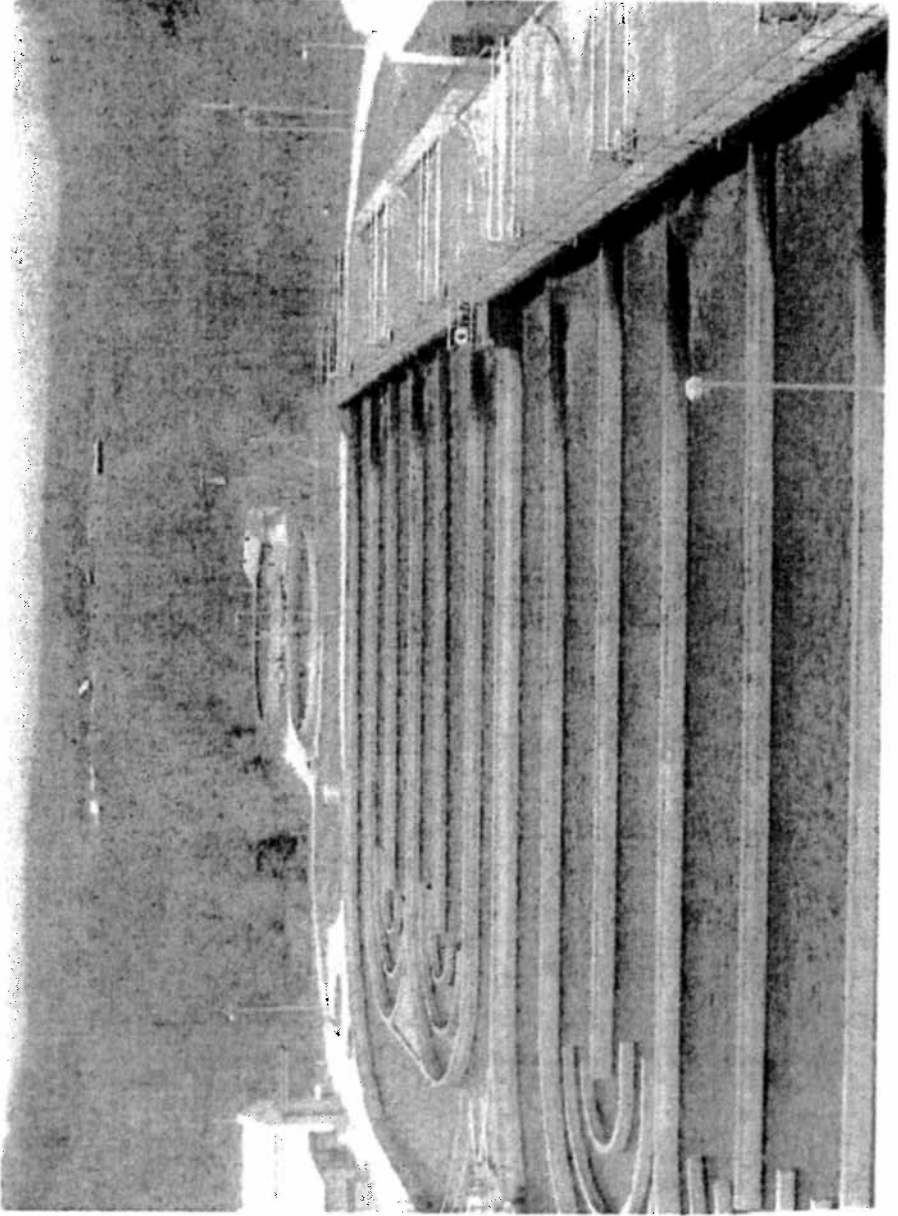
The UV System

- The sewer treatment plant utilizes an ultraviolet light system (“UV System”) as a critical final purification step before the treated effluent is discharged into the Osage River.



The Sewer Lines

- Up to over 3 million gallons of raw sewage flow through the sewer lines that traverse the proposed quarry site and into the sewer plant **each day**.



Litigation History

- A multi-day hearing was held in 2008, following which the Hearing Officer recommended approval of Magruder's application.
- On July 24, 2008, the LRC approved Magruder's application **for only approximately 60 acres west of Sewer Board's sewer line** and denied it as to the remainder of the 200+ acres.
- Sewer Board sought judicial review in the Miller County Circuit Court, who agreed with Sewer Board and ordered a new hearing. Magruder appealed.
- In August 2010, the Missouri Court of Appeals agreed with Sewer Board and the Circuit Court and ordered a new hearing.

The Clarified Burden of Proof

- The burden of establishing an issue of fact regarding the impact, if any, of the permitted activity on a hearing petitioner's health safety or livelihood shall be on that petitioner by competent and substantial scientific evidence on the record. See 10 CSR 40-10.080(3)(B)
- **Once such issues of fact have been established, the burden of proof for those issues is upon the applicant** for the permit. See 10 CSR 40-10.080(3)(B)
- "Petitioners bear the burden of production and the Applicant subsequently bears the burden of persuasion." 6/27/2013
Recommended Decision, p. 31

Sewer Board's New Evidence

- While the matter was wending its way through the courts, critical events occurred that served to validate Sewer Board's concerns about Magruder's proposed quarry:
 - **Blasting impacted the sewer treatment plant . . .**
 - Magruder conducted blasting on the proposed quarry site on a handful of occasions in 2008.
 - On two of those occasions, the blasting caused the Ultraviolet purifying system at Sewer Board's sewer treatment plant to fail.
 - **Blasting impacted Osage Beach's sewer lines . . .**
 - During blasting operations conducted as part of the highway construction project through Osage Beach, a water line and a sewer line was ruptured by the blasting.

Sewer Board Met its Burden

- Petitioner Joint Sewer Board met its burden regarding the impact of the proposed quarry activities on both the sewer treatment plant and the sewer lines.
- “We conclude that there is competent and substantial scientific evidence that blasting at the proposed quarry site has the potential to disrupt the **operation of the UV system.**” 6/27/2013 *Recommended Decision*, p. 39.
- “The Dresslers’ testimony is sufficient to meet the Sewer Board’s burden of production” regarding the impact of quarry operations on **the sewer lines** that run through the proposed site.” 6/27/2013 *Recommended Decision*, pp. 42-43.
- “If a blast could cause a sewer pipe 150 yards away to rupture, it stands to reason that continued blasting 150 feet away could do the same. . . .”

Vicky Stockman Met Her Burden.

- Petitioners Larry and Vicky Stockman also met their burden regarding the impact of the proposed quarry activities on the operation of their nearby RV park.
- “ . . . we assume that Stockman met the burden of production to show that **the quarry would impact her livelihood.**” 6/27/2013 *Recommended Decision*, p. 49.

Magruder's Burden

- Sewer Board met its burden of establishing that activities associated with a quarry operation would impact the sewer treatment plant and sewer lines.
- Magruder was required to prove how it would operate its quarry operation so that it would not unduly impact the sewer treatment plant and sewer lines.
- Magruder has presented no evidence showing how Magruder intended to mitigate the impact of its quarry operation so as to address Sewer Board's legitimate concerns.

Magruder Insists No Impact

- Instead, throughout the entire six years this application has been pending, Magruder has time and again insisted there will be no impact whatsoever to Sewer Board from activities associated with a quarry operation at the proposed site.
- Magruder argues that Hutchcraft “is not qualified to render an opinion on whether Magruder’s blasting caused the UV system to lose power.” *6/27/2013 Recommended Decision*, p. 39.
- Magruder argues that the Sewer Board “failed to produce any evidence . . . that Magruder’s quarry activity would in fact rupture or damage the sewer lines at issue.” *6/27/2013 Recommended Decision*, pp. 41-42.
- Commissioner Winn disagreed and found there would be an impact.

Commissioner's Suggestions

- To facilitate a compromise, Commissioner Winn crafted some suggestions:
 - **As for the Sewer Treatment Plant . . .**
 - “ . . . if Magruder’s blasting causes frequent or massive outages, Magruder should not only bear the cost to replace the bulbs and any other repairs, but should also be required to take measures to reduce the impact of its blasting on the UV system. *6/27/2013 Recommended Decision, pp. 40.*
 - **As for the Sewer Lines . . .**
 - “In addition, the LRC could consider whether to require Magruder to offer to engage in a cooperative endeavor with the City of Osage Beach to install circumferential strain gauges to monitor the stresses on the pipelines over time.”
6/27/2013 Recommended Decision, pp. 52.

The Commissioner's Conditions

- Commissioner Winn also took it upon herself to craft certain conditions she hoped could mitigate the adverse impact created by Magruder's quarry.
- Magruder's blast plan shall apply to the entire 205-acre site.
- Magruder shall notify the sewer plant in advance of each blast.
- Trucks or other heavy equipment shall not travel over the sewer lines.
- Magruder shall employ the best available technology for dust suppression and control.
- If Sewer Board documents a correlation between blasting and disruption to the UV system, Magruder shall pay the cost of repairs and adjust its blasts to minimize the disruption.

If Everything Goes as Hoped

- Ultimately, Commissioner Winn's recommendation hinges on a single finding . . .

“We are convinced the quarry *can* be operated safely, so any impairment is not ‘undue.’”

- While it may be possible to safely operate a quarry on the proposed site, it is also possible – and even likely – that the quarry operation will adversely impact the sewer treatment plant and/or the two force main sewer lines.
- Any possibility of a catastrophic environmental incident creates an undue impact and the permit should be denied.

Sewer Board is Prejudiced

- Sewer Board was not permitted to put on evidence regarding the effectiveness of any of these conditions.
- In addition, Sewer Board was not permitted to provide any input into the conditions.
- There is no condition that a pre-blast survey be conducted in order to provide evidence of the condition of the sewer treatment plant and sewer lines prior to any blasting.
 - The cost of a pre-blast survey of the sewer treatment plant alone has been quoted at between \$40,000 and \$60,000, in addition to the internal labor costs of a project that could take up to three months to complete.
- The conditions require Sewer Board to continually monitor its equipment and the sewer lines to identify any failures.

LRC as Police Agency

- The Commissioner's Recommended Order makes the LRC the investigating and enforcing agency to ensure the sewer treatment plant and the sewer lines remain unaffected by Magruder's quarry activities.
- If Magruder refuses to work cooperatively to reduce the impact of its blasting on the UV system, "the Sewer Board should notify the LRC of the problems related to the UV system and the LRC should require Magruder to modify its blast plan to reduce or eliminate the impact of its blasting on the UV system." 6/27/2013 *Recommended Decision*, pp. 40.

Magruder Will Not Cooperate

- Magruder has refused to cooperate with Sewer Board throughout the pendency of this litigation.
- In 2008, Sewer Board was forced to seek a court order.
 - In 2008, Sewer Board sought, and obtained, an order from the Circuit Court staying the permit in order to keep Magruder from blasting on the proposed quarry site during the appeal process.
 - In order to circumvent the stay, Magruder obtained a land disturbance permit in order to continue blasting.
 - It was this blasting by Magruder that impacted the UV system at the sewer treatment plant.
- Sewer Board was forced to go back to court a second time and seek a restraining order to put a stop to all blasting on the proposed quarry site.

No Precautions by Magruder

- During the six years this application has been pending, Magruder has done absolutely nothing to prepare for and/or mitigate the impact of its quarry operation.
- Magruder has not built a retention pond to catch any spill from a ruptured sewer line.
- Magruder has not built any berm or other barrier to stop sewage from running into the Osage River.
- Magruder has not consulted with the sewer treatment plant to determine what steps it can take to avoid damage or disruption to the plant's UV system.
- Magruder has not offered to increase its insurance coverage or post a bond to help offset the cost of a catastrophic disaster.

Unanswered Questions

- Who will monitor Magruder's compliance with Commissioner Winn's recommended conditions?
- What if Magruder fails to comply with the conditions?
- Does the LRC have the authority to revoke the permit? In the alternative, will Magruder agree to voluntarily surrender the permit if it fails to comply with the conditions?
- Who will determine whether there is a correlation between blasting and "frequent or massive" outages of the UV system? What if blasting cannot be modified to reduce the impact?
- What if strain gauges are installed on the sewer lines and they detect significant strain on the lines?
- What if the unthinkable happens and millions of gallons of raw sewage flow into the Osage River – who will pay?

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Lake Ozark Police Department

3162 Bagnell Dam Blvd., PO Box 370, Lake Ozark, MO 65049

Phone 573.365.5371 - Fax 573.365.6329

www.lakeozarkpolice.com

Mr. Michalik,

Please be aware of the following updates to address to the joint sewer board. The Osage Beach Police Department has been approached with our plans to construct a firearms range adjacent at the joint sewer property. They have decided not to participate. We, the Lake Ozark Police Department, would like to continue forward with the construction and implementation of the range. In order for this, we need to know the amount it will cost for the range to be covered through the insurance company so it can be addressed in the budget. Does the joint sewer board want to run this through their insurance carrier or do they want the city to proceed in a different manner? I would assume the insurance carrier would want to conduct an inspection of the range and review any policies and documentation we have. We have established basic guidelines and user rights for the range. We can schedule the meeting if you can provide me with the contact information. The Chief and the Mayor want to present this to the Lake Ozark Board of Alderman in the next 30 days with the prior approval and support of the joint sewer board.

Respectfully Submitted,


Officer Justin Romito DSN: 704

Lake Ozark Police Department

3162 Bagnell Dam Blvd.

Lake Ozark, Mo 65049

573-365-5371

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CAPITAL IMPROVEMENT ITEM DESCRIPTIONS
For Consideration
BUDGET YEAR 2014

TIER 1

				Notes
1. 350 kw Back-up diesel generator & 1000 amp transfer switch.	New (estimated)	\$200,000		New - Carryover
Installed	Used (estimated)	\$100,000		
2. Annual fee for Mission autodialer (software fee)	(estimated)	\$500		Annual Fee
3. Regular Plant & Vehicle Maintenance	\$6,000 & \$3,000 (estimated)	\$9,000		Annual Maint.
4. UV Spare Parts	(estimated)	\$5,000		Annual Maint.
5. Rebuild Ducking Skimmer Arm on Clarifier #2	(estimated)	\$3,500		New
6. Rebuild Skimmer Arm Supports on Clarifier #1 & 2	(estimated)	\$5,000		New
7. Replace Storage Building w/ wooden 12 X 20	(estimated)	\$4,500		New
8. Install Metal Roofing on roof of Blower Building at Digesters	(estimated)	\$3,000		New
9. Replace wooden doors w/ fiberglass doors, a couple per year	(estimated)	\$2,000		New - Carryover
10. Rock for the Road	(estimated)	\$2,000		Annual Maint.
Estimated Tier 1 Total		\$134,500 to \$234,500		

TIER 2

1. Take # 1 Aeration Basin down, removal of grit by Contractor and repair valves and required lab testing on grit.	(estimated)	\$50,000		Carryover
2. Sandblast & repaint Clarifier #1	(estimated)	\$45,000		Carryover
3. Repair & paint Sludge Truck cab, Sandblast & paint tank & frame	(estimated)	\$10,000		New
Estimated Tier 2 Total		\$105,000		

Informational TIER 3

1. New 4 wheel drive pickup w/ snow plow	(estimated)	\$35,000		Carryover
2. Option 1 - New replacement highway style sludge truck w/ 3500 gallon tank	(estimated)	\$165,000		Carryover
Option 2 - New 6 wheel drive sludge truck w/ flotation type tires w/ 3000 gallon tank	(estimated)	\$180,000		Carryover
Estimated Tier 3 Total		\$200,000 to \$215,000		

Note: All above cost are estimated because of the escalating raw material, fuel and shipping prices.

**LAKE OZARK - OSAGE BEACH JOINT SEWER TREATMENT PLANT
2014 BUDGET WORKSHEET
REVENUE**

Operating Fund	2011 Actual	2012 Actual	2013 Budget	2013 9/30/2013	2013 Oct/Nov/Dec	2013 Total Est.	2014 Proposed	2014 Proposed
3020 Osage Beach	399,428.80	403,305.55	451,000.00	338,446.88	112,553.12	451,000.00	451,000.00	
3010 Lake Ozark	90,571.18	86,694.44	99,000.00	69,053.11	25,850.00	94,903.11	99,000.00	
Misc.								
3100 Interest	804.37	537.49	200.00	28.71	6.00	34.71	50.00	
3060 Waste Haulers' Fee	39,457.00	40,820.00	38,000.00	34,740.00	8,000.00	42,740.00	38,000.00	
Total Operating Fund	530,261.35	531,357.48	588,200.00	442,268.70	146,409.12	588,677.82	588,050.00	
Equipment Replace.								
Transfers-Operating	69,567.48	69,567.48	69,567.48	52,175.61	17,391.87	69,567.48	41,606.04	
Interest Revenue	1,355.61	1,374.82	1,500.00	1,020.43	479.57	1,500.00	1,500.00	
Total E.R. Revenue	70,923.09	70,942.30	71,067.48	53,196.04	17,871.44	71,067.48	43,106.04	

LAKE OZARK - OSAGE BEACH JOINT SEWER TREATMENT PLANT
2014 BUDGET WORKSHEET
EXPENDITURES

	2011 Actual	2012 Actual	2013 Budget	2013 9/30/2013	2013 Oct/Nov/Dec	2013 Total Est.	2014 Proposed
4000 Equip. Replace Fund	41,606.04	41,606.04	41,606.04	31,204.53	10,401.51	41,606.04	41,606.04
4010 Loan Repayment (6%, 20 yr.)	27,961.44	27,961.44	27,961.44	20,971.08	6,990.36	27,961.44	-
4020 Equip & Bldg. Repair/Main.	46,319.94	88,400.79	66,500.00	16,911.34	4,588.00	21,499.34	126,500.00
4140 Insurance	17,127.00	20,962.00	21,000.00	15,489.00	-	15,489.00	18,000.00
4150 Vehicle Repair/Main.	2,835.38	5,649.28	3,000.00	210.00	2,790.00	3,000.00	13,000.00
4160 Haulers Fees to Contractor	8,000.00	8,000.00	8,000.00	8,000.00	-	8,000.00	8,000.00
4170 Contract Management	266,524.58	272,948.40	281,000.00	211,057.38	70,353.00	281,410.38	281,000.00
4175 Electric	61,407.39	60,862.46	74,000.00	59,550.72	15,100.00	74,650.72	77,000.00
4200 Audit	1,650.00	1,700.00	1,750.00	1,750.00	-	1,750.00	1,800.00
4220 Professional Services	19,298.33	168,904.97	67,000.00	89,639.73	30,000.00	119,639.73	30,000.00
4240 Equipment Purch-New Generator	13,241.91	0.00	-	-	-	-	200,000.00
Total Operating Fund	505,972.01	696,995.38	591,817.48	454,783.78	140,222.87	595,006.65	796,906.04
E/R Expenses per Alliance	1,523.00	5,368.50	10,000.00	-	10,000.00	10,000.00	10,000.00
Disinfectin System	-	-	-	-	-	-	-
Total E.R. Fund	1,523.00	5,368.50	10,000.00	-	10,000.00	10,000.00	10,000.00
TOTAL EXPENSES	507,495.01	702,363.88	601,817.48	454,783.78	150,222.87	605,006.65	806,906.04
***Professional Services:							
Magruder Lawsuit		30,000.00					
**Maintenance & Repair							
UV Spare Parts						5,000.00	Tier 1
Replace Wooden doors w/ Fiberglass						2,000.00	Tier 1
Auto Dialer Yearly Software Fee						500.00	Tier 1
Rock for Road						2,000.00	Tier 1
Normal Maintenance						6,000.00	Tier 1
Vehicle Maintenance						3,000.00	Tier 1
Generator (100,000 Used)						200,000.00	Tier 1
Skimmer Arm Ducking & Support						8,500.00	Tier 1
Storage Building						4,500.00	Tier 1
Metal Roof on Blower Building						3,000.00	Tier 1
#1 Aeration Basin grit removal						50,000.00	Tier 2
Sandblast/Repair Clarifier #1						45,000.00	Tier 2
Repair/Repaint Sludge Truck						10,000.00	Tier 2
						339,500.00	

ESTIMATED FUND BALANCES

OPERATING FUND

BALANCE 1/1/13	36,589.70
TOTAL ESTIMATED REVENUE	588,677.82
TOTAL ESTIMATED EXPENSES/TRANSFERS	<u>(595,006.65)</u>
BALANCE 12/31/13	30,260.87
TOTAL ESTIMATED REVENUE	588,050.00
TOTAL ESTIMATED EXPENSES/TRANSFERS	<u>(796,906.04)</u>
BALANCE 12/31/14	<u>(178,595.17)</u>

EQUIPMENT REPLACEMENT FUND

BALANCE 1/1/13	309,030.32
TOTAL ESTIMATED REVENUE/TRANSFERS	71,067.48
TOTAL ESTIMATED EXPENSES	<u>(10,000.00)</u>
BALANCE 12/31/13	370,097.80
TOTAL ESTIMATED REVENUE/TRANSFERS	43,106.04
TOTAL ESTIMATED EXPENSES	<u>(10,000.00)</u>
BALANCE 12/31/14	<u>403,203.84</u>

