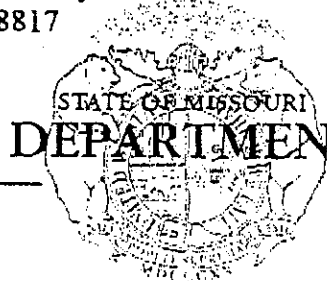


Warren County (WPCP)

Warren County Water and Sewer

MO0098817



Bob Holden, Governor - Stephen M. Malsbend, Director

**DEPARTMENT OF NATURAL RESOURCES**

DIVISION OF ENVIRONMENTAL QUALITY

St. Louis Regional Office  
9200 Watson Road, Suite 201  
(314) 301-7600  
FAX (314) 301-7607

**MEMORANDUM**

DATE: February 11, 2002

TO: Ruth O'Neal, Office of Public Council

FROM: Paul E. Mueller, SLRO *Paul E. Mueller*

SUBJECT: Warren County Water and Sewer

In response to a citizens complaint on January 14, 2002 of a wastewater bypass occurring of the Warren County Water and Sewer collection system at the Shady Oaks Subdivision, an investigation was conducted by Mr. Paul E. Mueller of the Department of Natural Resources' Lincoln County Satellite Office. During the investigation Mr. Mueller took a series of photos.

Due to a malfunctioning camera no photos were taken on January 14<sup>th</sup>; the photos were taken on January 15, January 22, and January 23, 2002. The photos were labeled by Mr. Mueller and reflect an accurate description of what was being photographed.

The original photos are on file in the St. Louis Regional Office's file for Warren County Water and Sewer. The original negatives are in file the St. Louis Regional Office's negative file and are labeled Negative Set # 4447.

PEM

c: WPCP

St. Louis Regional Office  
Negative Files

FILE COPY

12 - Warren Co. Water & Sewer - Shady Oaks

NEGATIVE SET # 4447

Neg	DATE:	BY:	PROG.	DESCRIPTION OF PHOTO
25	1/15/02	PEM	WPCP	Full wet well at Lift Station
24	1/15/02	PEM	WPCP	Electric Panel at lift station, switches off components missing
23	1/15/02	PEM	WPCP	Wastewater flow from lift station
22	1/15/02	PEM	WPCP	#1 manhole west of lift station - overflowing
21	1/15/02	PEM	WPCP	Wastewater flowing up out of ground east of #1 manhole
20	1/15/02	PEM	WPCP	#1 manhole west of lift station - overflowing
19	1/15/02	PEM	WPCP	#1 manhole west of lift station - overflowing
18	1/15/02	PEM	WPCP	Ditch below #1 manhole
17	1/15/02	PEM	WPCP	Ditch below #1 manhole
16	1/15/02	PEM	WPCP	Creek below lift station & manhole
15	1/15/02	PEM	WPCP	Electric meter @ 29693
14	1/22/02	PEM	WPCP	Electric meter @ 29693 a week later
13	1/22/02	PEM	WPCP	#1 manhole west of lift station - overflowing
12	1/22/02	PEM	WPCP	#1 manhole west of lift station - overflowing
11	1/23/02	PEM	WPCP	#1 manhole west of lift station - overflowing
10	1/23/02	PEM	WPCP	#1 manhole west of lift station - overflowing

*Photos by Paul Mueller DVR/St. Louis*

Schedule KKB-10.18

FEB 05 2002

Here is the  
material  
you  
requested

We are pleased to  
respond to your recent  
request.

Feel free to contact us  
again if you need  
additional assistance.



Missouri Department of Natural Resources  
Lincoln County Satellite Office

**PAUL E. MUELLER**

*Environmental Specialist*

678 Hwy. 147, Troy, MO 63379  
(636) 528-4779 FAX (636) 528-5817  
St. Louis Office (314) 306,7600  
nrmuel@mail.dnr.state.mo.us  
[www.dnr.state.mo.us](http://www.dnr.state.mo.us)



Missouri Department of Natural Resources  
Division of Environmental Quality  
St. Louis Regional Office

Schedule KKB-10.19



**Cuivre River Electric  
Cooperative, Inc.**

1732 Prospect Rd., PO Box 508  
Wentzville, MO 63385

February 11, 2002

Ms. M. Ruth O'Neill  
Assistant Public Counsel  
Office of the Public Counsel  
Suite 650  
P. O. Box 7800  
Jefferson City MO 65102-7800

RE: Warren County Water and Sewer Company and Gary Smith

Dear Ms. O'Neill:

Cuivre River Electric Cooperative, Inc. (CREC) is one of forty distribution electric cooperatives operating in Missouri. Cuivre River, incorporated in 1941, serves mainly in Lincoln, Warren, and St. Charles counties and in small parts of Pike and Montgomery counties. The Cooperative's headquarters is located in Troy with full service branch offices in both Lake Saint Louis and Harvester (Highway 94 area near St. Charles). Cuivre River is the state's largest electric distribution co-op serving more than 44,000 meters.

I am the Manager of Branch Offices for Cuivre River Electric and have held this position for eleven years. Active account collection activities are coordinated within the branch offices with support from the Billing section of the Office Services Department in the Troy headquarters office.

Cuivre River Electric Cooperative has served the Incline Village development since its inception. Therefore, CREC has also served any water and sewer facilities for the development. While the Cooperative's relationship with Mr. Gary Smith has been long, it has also been mixed. Mr. Smith has always been helpful and cooperative working with our field engineers, construction, and service crews in the Incline Village area. However, the payment record for Incline Village Water and Sewer, Warren County Water and Sewer, and Warren-Lincoln Investments has rarely been good. In the last several years, the payment record has been very poor and within the last year it has been unacceptable.

Mr. Smith has seven active accounts in the name of Warren County Water and Sewer, D.B.A., Incline Village Water and Sewer. He also has two active accounts in the name of Warren-Lincoln Investments, Inc.

Schedule KKB-11.1

As of the writing of this letter, with weekend mail and night deposit payments not yet posted, all nine active accounts are past due with five of the nine having delinquent or prior balances. The total due from the nine accounts is \$6,496.80.

Four of the nine accounts usually carry small balances and the past due amounts are small, averaging \$20 each.

In general, Cuivre River Electric does not receive a payment each month for each account. On some accounts, within the last year, no payments were received for up to four months. While I have also included a payment history for each of the accounts as well as an individual sheet showing the current status of each account, please let me highlight the payment activity of several of the accounts. Please note that CREC bills each account monthly and consumers are notified immediately by letter of returned checks. In the case of Mr. Smith, phone messages have also been left at different times about the status of these accounts.

Account 74147-005 in the name of Warren County Water and Sewer:

- 1) The account last showed a \$0 balance on 1/23/01
- 2) From that time to 6/14/01, a payment was received every other month
- 3) A payment of \$334.67 was posted on 6/14/01
- 4) This check was returned for NSF on 6/19/01
- 5) Posted payment for the 6/19/01 returned check on 7/17/01
- 6) This check was also returned for NSF on 7/19/01
- 7) Received no additional payments until \$1,191.84 for a balance of \$2,829.49 posted on 11/01/01
- 8) Posted a payment on 12/12/01
- 9) Posted a payment on 1/15/02
- 10) Posted a payment on 1/22/02 of \$712.61 on a balance of \$929.01
- 11) This check was returned for NSF on 1/31/02 leaving a balance of \$1,407.05 past due.

Account 74147-006 in the name of Warren County Water and Sewer:

- 1) The account has not shown a \$0 balance since before 3/27/01
- 2) A \$714.53 check was returned for NSF on 3/30/01 leaving a balance of \$2,207.36
- 3) A payment of \$470.37 was posted on 5/22/01
- 4) This check was returned for NSF on 5/25/01
- 5) A payment for the returned check of 3/30/01 was posted on 6/8/01
- 6) A payment for the returned check of 5/22/01 was posted on 6/22/01
- 7) A payment of \$1,458.56 was posted on 6/26/01 leaving a balance of \$99.35
- 8) No additional payments were received until \$1,100.00 on 11/1/01 on a balance of \$1,512.81
- 9) A payment of \$412.81 on a balance of \$925.66 was posted on 1/15/02
- 10) The current balance is \$811.33 which is past due.

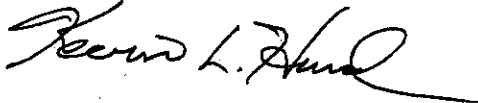
These two examples are typical of the payment records for the five larger accounts.

Most recently, CREC has received four checks for NSF totaling \$3,229.92 all written on a Warren-Lincoln Investments, Inc. bank account. Two of the checks totaling \$1,553.61 were returned on 1/29/02 and one totaling \$712.61 was returned on 1/31/02. The check dated 7/28/01 for the amount of \$963.70 was not received and posted until November, 2001. One of the four most recent returned checks was for a payment on a CREC account in the name of Warren County Water and Sewer. I have provided copies of these last four checks.

Because of the nature of these accounts, Cuivre River has not considered disconnection as a viable option to this point. However, a continuation of the most recent payment history on these accounts is not acceptable. Mr. Smith, in general, has not been responsive to our requests for payments in a timely manner nor has he been responsive to notices of the NSF checks perhaps due in part to our reluctance to force disconnection.

I hope this information proves helpful to you. Please feel free to contact me if I can be of service.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin L. Hurd", with a stylized flourish at the end.

Kevin L. Hurd  
Manager of Branch Offices

WARREN-LINCOLN INVESTMENTS, INC.  
C/B/A WARREN COUNTY WATER & SEWER

1248 MIMOSA CT - PO BOX 150

FORISTELL MO 63348

636 463 1441

PEOPLES BANK & TRUST COMPANY

TROY, MISSOURI 63379

1135

115191-002

038-43-0190

7/28/2001

PAY  
TO THE  
ORDER OF

CUIVRE RIVER ELECTRIC

\$ \*\*963.70

Nine Hundred Sixty-Three and 70/100

Pay To

115191-002

DOLLARS

CUIVRE RIVER ELECTRIC



Insufficient Funds

TROY MO 63379

*[Handwritten Signature]*  
AUTHORIZED SIGNATURE

⑈001135⑈ ⑆081910232⑆ 423 718 8

⑈0000096370⑈

Check returned 11-5-01 Letter Sent

Schedule KKB-11.4

74147-005 038-01-0019  
WARREN-LINCOLN INVESTMENTS, INC.  
D/B/A WARREN COUNTY WATER & SEWER

PEOPLES BANK & TRUST COMPANY  
TROY, MISSOURI 63379

74147-005 1298

1248 MIMOSA CT. PO BOX 150  
FORISTELL MO 63348  
636 463 1441

Pay to the order of  
☒ Inst. ☐ Uncoll. Fdg. ☐ Acct. Closed  
☐ End. ☐ Other

038-01-0019

1/1/2002

PAY  
TO THE  
ORDER OF

CUIVRE RIVER ELECTRIC

\$ \*\*712.61

Seven Hundred Twelve and 61/100\*\*\*\*\*

CUIVRE RIVER ELECTRIC

TROY MO 63379

  
AUTHORIZED SIGNATURE

well/sewer

⑈001298⑈ ⑈081910232⑈ 423 718 8

⑈000007126⑈

Check returned 1-31-02 Letter Sent  
Pd on account 74147-005 1-22-02



WARREN LINCOLN INVESTMENTS, INC.  
D/B/A WARREN COUNTY WATER & SEWER

PEOPLES BANK & TRUST COMPANY  
TROY, MISSOURI 63379

1248 MIMOSA CT. PO BOX 150  
FORISTELL MO 63348  
636 463 1441

115191-002

038-43-01251

038-1608-2

12/17/2001

PAY  
TO THE  
ORDER OF

CUIVRE RIVER ELECTRIC



Interest Funds

\$  
\*\*605.96

Six Hundred Five and 96/100\*\*\*\*\*

CUIVRE RIVER ELECTRIC

TROY MO 63379

038 43 3000/46 1000/46 1001

⑈001251⑈ ⑈081910232⑈ 423 718 8

⑈0000060596⑈

Check returned 1-29-02 Letter Sent  
Pd on accounts 74147-006 + 74147-009

WARREN LINCOLN INVESTMENTS, INC.  
D/B/A WARREN COUNTY WATER & SEWER

1248 MIMOSA CT. PO BOX 150  
FORISTELL MO 63348  
636 463 1441

PEOPLES BANK & TRUST COMPANY  
TROY, MISSOURI 63379

115191-002

038-431221  
-0190

11/2/2001

PAY  
TO THE  
ORDER OF

CUIVRE RIVER ELECTRIC



Investment Funds

\$ \*\*947.65

Nine Hundred Forty-Seven and 65/100\*\*\*\*\*

DOLLARS

CUIVRE RIVER ELECTRIC

TROY MO 63379

AUTHORIZED SIGNATURE

⑈001221⑈ ⑆081910232⑆ 423 718 8

⑆0000094765⑆

Check returned 1-29-02 Letter Sent  
Pd on account 74147-005 1-15-02

FILE COPY

No. 1002

WARREN COUNTY WATER AND SEWER  
PUBLIC COUNSEL DATA REQUEST  
CASE NO. WC-2002-155

REQUESTED FROM: Gary L. Smith

DATE REQUESTED: December 27, 2001

INFORMATION REQUESTED: In Public Counsel's complaint, Public Counsel states in paragraph two, "The Company is owned and operated by Gary Lett Smith, and is believed to have no full time employees." Then in Warren County Water and Sewer's answer to the complaint it states, "Warren County denies the third sentence of numbered paragraph 2." Please answer the following:

- A) Who owns Water County Water and Sewer Company?
- B) Does the Company have any full time employees?

REQUESTED BY: Kimberly Bolin

## INFORMATION PROVIDED:

- A) The stock of Warren County Water and Sewer Company is currently held by Warren Lincoln Investments, Inc. As indicated at the prehearing conference, the stock will be transferred back to Mr. Smith due to concerns about the validity of the original transfer.
- B) The Company does not have any "full time" employees. Mr. Smith devotes a substantial portion of his time to working for the Company.

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present facts known to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

DATE

RECEIVED: \_\_\_\_\_ SIGNED BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

1012339.1

Schedule KKB-12