

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>2</sup>

FEB 13 2018

Missouri Public  
Service Commission

DERALD MORGAN, RICK AND CINDY )  
GRAVER, WILLIAM AND GLORIA PHIPPS, )  
and DAVID LOTT, )

Complainants, )

v. )

File No. WC-2017-0037

CARL RICHARD MILLS, )  
CARRIAGE OAKS ESTATES, )  
DISTINCTIVE DESIGNS, and )  
CARING AMERICANS TRUST )  
FOUNDATION, INC. (f/k/a Caring )  
Americans Foundation, Inc.), CARRIAGE )  
OAKS NOT-FOR-PROFIT WATER AND )  
SEWER CORPORATION )

Respondents. )

# Respondents' Exhibits for 2/6/2018 Hearing

# Table of Contents

|  |              |               |
|--|--------------|---------------|
| Carriage Oaks Estates POA Assessments.....                                     | A            | 11            |
| Carriage Oakes Estates 6/29/14 HOA Meeting Minutes.....                        | B            | 12            |
| Carriage Oaks HOA By-Laws .....  | C            | 13            |
| Carriage Oaks HOA Declarations of Restrictive Covenants & Easements .....      | D            | 14            |
| Carriage Oaks Not-For-Profit Water & Sewer Corp. By-Laws .....                 | E            | 15            |
| Water Distribution Images.....   | F            | 16            |
| Caring Americans Trust Invoices.....   | G            | 17            |
| Distinctive Designs Invoices .....   | H            | 18            |
| MO DNR Letter.....   | I            | 19            |
| MO DNR Operating Permits .....   | J            | 20            |
| Ozarks Environmental Services Letter & Pamphlet.....                           | K            | 21            |
| <del>D. Morgan v. Carriage Oaks Estates HOA 2015 Stone Co. Judgment.....</del> | <del>L</del> | <del>22</del> |
| <del>Direct Testimony of D. Morgan.....</del>                                  | <del>M</del> | <del>23</del> |
| Rebuttal Testimony of Dick Mills.....  | N            | 24            |
| Sub-Rebuttal Testimony of D. Morgan.....                                       | O            | <del>25</del> |
| M. Stalzer, P.E. Letter dated 9/18/15 .....                                    | P            | 26            |



11 Oak Dr., P.O. Box 606  
Kimberling City, 65686  
www.ozarksenvironmentalservices.org

P: 417.739.4100  
F: 417.739.9889

Sept. 18, 2017

Carriage Oaks Estates Subdivision  
Dick Mills  
209 Falling Leaf Court  
Branson West, Mo.65737

**FILED<sup>2</sup>**

**FEB 13 2018**

**Missouri Public  
Service Commission**

Dear Mr. Mills:

The proposed monthly amount for normal operation and maintenance for the water and wastewater system and reading water meters once a month for Carriage Oaks is estimated at \$600 per month but would be billed according to the attached rate sheet. This estimated price does not include any chemicals at the well or treatment plant. Chemicals will be provided at an additional cost. It also does not cover labor or parts for repairs. See attached rate sheet for those additional costs. OES will check the well weekly and take water samples once per month and take readings of well pump and system pressure. OES will visit the treatment plant once per week and perform maintenance and record readings and will collect required samples once a quarter and perform lab testing as required by MDNR. OES will submit testing to MDNR and provide a monthly report to you. Grounds Maintenance will be billed at \$75.00 an hour if requested.

In addition, Ozarks Clean Water Company (OCWC) can invoice the homeowners on your behalf and establish a reserve for repair account. This would require the approval of all homeowners at Carriage Oaks and their signature on the attached letter. The ultimate responsibility for payment of the services of OES and OCWC would rest with Carriage Oaks Not for Profit Water and Sewer Corporation and will require a signed contract and a personal guarantee from you. I would be willing to be at a meeting of Carriage Oaks homeowners to answer questions, if needed.

Once we have the signatures from all the homeowners, we can proceed with you signing the contract and personal guarantee.

Sincerely,

David L. Casaletto

President

Exhibit No. 21  
Date 2/6/18 Reporter un  
File No. WC-2017-0037



*"Maintaining the environmental quality of our lakes, rivers, streams, and groundwater through professional operation and maintenance of water and wastewater treatment facilities."*



# Environmental Services

11 Oak Dr., P.O. Box 606  
Kimberling City, 65686  
www.ozarksenvironmentalservices.org

P: 417.739.4100  
F: 417.739.9889

September 18, 2017

Carriage Oaks Estates Homeowners:

Ozarks Environmental Services (OES) has been asked to operate and maintain all aspects of your sewer treatment plant and drinking water system. OES is a nonprofit corporation that works closely with Ozarks Water Watch to keep our Ozark streams, rivers and lakes clean and clear. OES has a team of 12 professionally trained and licensed operators that provide 24/7/365 service.

Our operators would visit your system weekly to check operations take readings of pumps and meters and keep chemicals in stock. In addition, we would test your drinking water quality monthly, test the treated waste water as required, and complete and send all paperwork to the Department of Natural Resources (DNR). We could also maintain and pump your STEP system at your home for an additional fee.

Our sister company, Ozarks Clean Water Company, would send you a monthly sewer and water bill that has a monthly base charge that includes administration and a reserve for repair, and water usage per 1,000 gallons. If there is a major repair needed and there is not sufficient funds built up in the reserve for repair account, the cost of the repair would be split among the homeowners and included on your monthly bill. Since we do not have cost history, your initial billing would be calculated as below, but any costs not covered by these fees would be split among homeowners and included on future bills and your monthly rate adjusted as needed.

|                                  |   |
|----------------------------------|---|
| Monthly flat rate for sewer:     | \$94.25   |
| Monthly base rate for water:     | \$68.25 (Includes first 3,000 gallons of water)   |
| Cost per 1,000 gallons of water: | \$5.36/1,000 gallons (up to 20,000 gallons/month) |
|                                  | \$7.16/1,000 gallons (above 20,001 gallons/month) |

If you agree to this arrangement, please sign below and return in the envelope provided. We will need 100% agreement of all homeowners to proceed.

\*Applicant: (sign) \_\_\_\_\_ (print) \_\_\_\_\_ phone \_\_\_\_\_

\*Co-Applicant (sign) \_\_\_\_\_ (print) \_\_\_\_\_ phone \_\_\_\_\_

\*Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

\*Physical Address (911 Location) \_\_\_\_\_

\*Email Address: \_\_\_\_\_

Please let us know if you have any questions.

Sincerely,

David L. Casaletto, President

*"Maintaining the environmental quality of our lakes, rivers, streams, and groundwater through professional operation and maintenance of water and wastewater treatment facilities."*



11 Oak Dr., P.O. Box 606  
 Kimberling City, 65686  
[www.ozarksenvironmentalservices.org](http://www.ozarksenvironmentalservices.org)

P: 417.739.4100  
 F: 417.739.9889

Standard Operator and Service Rates.

### 2017 Schedule of Rates and Charges

Please note a 2-hour minimum applies to all call outs/emergency service requests.

|   | <u>Regular Rate</u> | <u>Overtime Rate</u> |
|---|---------------------|----------------------|
| Labor Rate (Operator)                                 | \$75.00             | \$112.50             |
| Labor Rate (Helper)                                   | \$50.00             | \$75.00              |
| Labor Rate (E-One Repair)                             | \$75.00             | \$97.50              |
| Labor Rate (Operations Mgr.)                          | \$120.00            | \$180.00             |
| Leak Detection  | \$100.00            | \$150.00             |
| Backhoe and Operator                                  | \$95.00             | \$142.00             |
| Vacuum Unit trouble call -Trip Charge                 | \$85.00             |                      |
| Repair parts/outside contractors/third-party services | Cost plus 20%       |                      |

*"Maintaining the environmental quality of our lakes, rivers, streams, and groundwater through professional operation and maintenance of water and wastewater treatment facilities."*

# Experience



Our staff of trained, experienced and State Certified water and wastewater operators have over 75 years of combined experience. The Ozarks Environmental Services team includes:

- ◆ "A" Wastewater Operators
- ◆ "C" Wastewater Operators
- ◆ "A" Water Operators
- ◆ "C" & "D" Water Operators
- ◆ MO Dept. of Health Registered Installers



We pump septic systems and haul sludge



# Contact Us



P.O. Box 606  
11 Oak Drive  
Kimberling City, MO 65686  
(417) 739-4100  
[www.ozarks-env.org](http://www.ozarks-env.org)

## Our Mission

To maintain the environmental quality of our lakes, rivers, streams and groundwater and to protect the health and welfare of the public by providing professional drinking water and wastewater treatment services.

*Maintenance*

**Ozarks  
Environmental  
Services**

**Your Local  
Water and Sewer  
Service Experts**

417-739-4100

[clove@ozarksenvironmentalservices.org](mailto:clove@ozarksenvironmentalservices.org)

## Our Services

Ozarks Environmental Services 12 man staff of trained, experienced and state certified water and wastewater operators are available 24 hours per day, 365 days per year to assure your system has optimal performance. We currently manage 60 wastewater systems and 40 drinking water systems in the Ozarks area.

We offer a variety of services to fit your needs including:

- Routine operation and maintenance of water and wastewater systems for cities, subdivisions, and individual homes
- Sales, repair, and maintenance of E-One grinder pumps
- Onsite (septic) system maintenance and repair
- Leak detection & repair
- Septic tank & sludge pumping
- Troubleshooting for all types of water & wastewater problems
- Sampling, testing, and reporting to the Department of Natural Resources (DNR) for both water and wastewater systems
- Acting liaison with the DNR to keep operations running smooth
- Plant equipment replacement and repair
- System Performance Audits
- Customer billing and collection services.

## Our Story

Ozarks Environmental Services (OES) is playing a huge role in making rural Missouri a better place to live, work and play. OES provides and maintains wastewater services in areas suffering from inadequate water and sewer service.



What began as a general concern about safeguarding the quality of water throughout the area has become a rewarding endeavor. Until recently, clean water and wastewater practices across the Ozarks lacked the resources and expertise to correct the substandard systems already in place.

The Ozarks region is blessed with abundant and high quality water resources. Unfortunately, those resources are being threatened due to development and failing septic systems. OES was formed to provide neighboring communities the knowledge and resources they need to ensure the future safety of drinking water and the proper disposal of waste as well as maintaining the integrity of our natural resources.



Development in this area now requires the installation of sophisticated wastewater collection and treatment systems and water systems that are protected from the effects of the surface and near surface activity.

To find out more about OES and how our services can assist you, contact us by calling: (417) 739-4100 or (417) 294-1963 or e-mail: [clove@ozarksenvironmentalservices.org](mailto:clove@ozarksenvironmentalservices.org)



Ozarks Environmental Services  
11 Oak Drive  
Kimberling City, MO 65686