

**Rural Water District #4
Wagoner County
Regular Board Meeting
November 8, 2022
7:00 PM
Join Meeting: call 480-712-7555 ID:1151-258-2331**

Call to order: Chairman Stinnett called the meeting to order at 7:00 pm.

Board Members present: Mr. Charles Stinnett, Mr. Gary Rogers, Mr. Terry Hurst, Mr. Chad Jester, Mr. Jim Self

Staff Present: Mr. Thomas Faulk, Mr. Rick Lang

Citizens Present: No citizens present

The first order of the evening was the Call to Order by Board Chairman, Charles Stinnett, followed by the Roll Call by the clerk. Roll Call: Mr. Jim Self, present; Mr. Gary Rogers, present; Mr. Charles Stinnett, present, Mr. Chad Jester, present, and Mr. Terry Hurst, present.

Discussion and action on Approval of the Minutes of the 10-11-2022 Regular Board Meeting'

Chairman Charles Stinnett called for review of the Minutes recorded for the 10-11-2022 Regular Board Meeting [Tab 1]. Mr. Jim Self entered a Motion to approve the Minutes of the 10-11-2022 Regular Board Meeting. Mr. Chad Jester Entered a Second to the Motion. Roll Call: Mr. Charles Stinnett, yes; Mr. Gary Rogers, yes; Mr. Jim Self, yes, Mr. Terry Hurst, yes, Mr. Chad Jester, yes. The Minutes of 10-11-2022 Regular Board Meeting, stands approved as presented.

Discussion and action on approval on items from citizens present.

No citizens are present. No action required.

Discussion and review of the Operations Manager's Report/Status Report.

Mr. Faulk referred the Board to the Operations Manager's Report [Tab 2]. Mr. Rick Lang's first order of business was to relate that 20,451,730 gallons of water was purchased from the City of Tulsa, He then said that October sales records confirm ten (10) meters sold during the month and twenty-three (23) meters installed.

The pumpage from the water plant in October was 97,050,000 gals. There were a few large leaks during the month of October. He had no additional information; no discussion or questions arose and no action was required.

Discussion and Review on the Engineering Report.

Mr. Faulk referred the Board to the Engineering report [Tab 2]. Mr. Ryan Smith stated that there is a request for a new Dollar General on the SE Corner 101st & 193rd.

Ryan then inquired whether there were any questions; no questions or discussion arose and no action was required.

Discussion and review of the Business Managers Report.

Mr. Faulk referred the Board to The Business Manager's Report [Tab 2] to review account balance figures as of the end of October.

The New Debt Service Fund has a balance of \$169,406.30.

Oneta Energy update: October bill submitted.

The Reserve Fund has a balance of \$3,068,291.16.

The Current Debt Service Reserve balance \$182,450.73.

Billing statement revisions update. The billing statement revisions went live on the October billing and everything seems to be working well.

Bancfirst Wagoner CD Update has been changed to a CD drawing 4.65%.

Workers Comp premium Savings in 2021 the premium was \$36,434.00 and for 2022 will be \$25,593.00 savings of about \$11,000.00 a year.

Arvest Bank Account revisions. November will be the first full month of interest that Arvest is paying us for funds we have on deposit with them.

No further action required.

No questions or discussion arose on the Business Manager's Report and no action was required at this time.

Discussion and action on approval of clarification in continuing education policy.

Mr. Faulk referred the Board to [Tab 3]. After discussion the board agreed on reimbursement of up to 90% and \$6,000 annually for A's & B's this will include fees and books. On employees who makes a C in the class the reimbursement would be 75% and \$4,500 annually. The course work must be in areas that will enhance their job performance and must have relevance to their function within the organization. Mr. Gary Rogers entered a Motion to approve the continuing education policy; Mr. Jim Self Entered a Second to the Motion.

Roll Call: Mr. Jim Self, yes; Mr. Gary Rogers, yes; Mr. Charles Stinnett yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes.

The Motion to approve the continuing education policy, stands approved as presented.

Discussion and action on approval of reimbursement to customer for appliance damages.

A 16-inch line was repaired on 61st street where it blew out. The line did not get flushed out well enough and a customer's dishwasher was on when we lost water. When the water came back on her dishwasher sucked the sand into the pump. We had a plumber look at the dishwasher to see if it could be repaired. Rick contacted Hahn Appliance about replacing the dishwasher. A new dishwasher is 1617.90 including a Warranty and delivery. After discussion with Mr. Riffe and the board they came to an agreement to pay for fair market value. The district will offer the customer \$800.00. Mr. Charles Stinnett Entered a Motion to approve the reimbursement to customer for appliance damages; Mr. Chad Jester Entered a Second to the Motion.

Roll Call: Mr. Jim Self, yes; Mr. Gary Rogers, yes; Mr. Charles Stinnett yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes.

The Motion to approve the reimbursement to customer for appliance damages, stands approved as presented.

Discussion and action on approval of deductive change order for \$4,073 for relocation of water lines at 193rd & 51st in Tulsa County.

Mr. Faulk referred the Board to [Tab 5]. Mr. Ryan Smith stated that this change order #1 reflects the actual field installed quantities and includes a reduction in contract cost of \$4,073.00. Mr.

Gary Rogers entered a Motion to approve the change order for \$4,073 for relocation of water lines at 193rd & 51st in Tulsa County; Mr. Terry Hurst Entered a Second to the Motion.

Roll Call: Mr. Jim Self, yes; Mr. Gary Rogers, yes; Mr. Charles Stinnett yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes.

The Motion to approve deductive change order for \$4,073 for relocation of water lines at 193rd & 51st in Tulsa County, stands approved as presented.

Discussion and action on approval of pay request from Cook Consulting for waterline relocation project at 193rd & 51st for \$110,834.50.

Mr. Faulk referred the Board to [Tab 5]. This amount will be reimbursed from Tulsa County. We will be receiving \$155,650.51. Mr. Chad Jester entered a Motion to approve the pay request from Cook Consulting for waterline relocation project at 193rd & 51st for \$110,834.50; Mr. Gary Rogers entered a Second to the Motion.

Roll Call: Mr. Jim Self, yes; Mr. Gary Rogers, yes; Mr. Charles Stinnett yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes.

The Motion to approve the pay request from Cook Consulting for waterline relocation project at 193rd & 51st for \$110,834.50 stands approved as presented.

Discussion and action on approval of pay request #18 including \$79,428.55 for Cook Consulting and \$7,860.34 for POE Engineering.

Mr. Ryan Smith stated that this request is for work completed in August 26th, 2022 through October 25th, 2022. Pay Request #18 includes payment for Cook Consulting in the amount of \$79,428.55 and payment for Poe & Associates in the amount of \$7,860.34 for a total of \$87,288.89. Mr. Chad Jester entered a Motion to approve pay request #18 for Cook Consulting for \$79,428.55 and \$7,860.34 for POE Engineering; Mr. Jim Self Entered a Second to the Motion.

Roll Call: Mr. Jim Self, yes; Mr. Gary Rogers, yes; Mr. Charles Stinnett yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes.

The Motion to approve pay request #18 for Cook Consulting for \$79,425.55 for Cook Consulting and \$7,860.34 for POE Engineering, stands approved as presented.

Discussion and action on approval of deductive change order #4 for \$40,628.20 for WWTP project.

Mr. Faulk referred the Board to [Tab 7]. Mr. Ryan Smith stated that this change order #4 reflects a reduction in contract cost of \$40,628.20. The deductive change order is because at the sewer treatment plant right now we have 2 force mains that comes in. One comes from lift station B1 and one comes from Copper Fox/Woodland Hills. They come into a lagoon just south of the existing maintenance building. Their original plan was to reroute them across the creek and into the new treatment plant. But it became more obvious that it was going to be difficult to get across the creek. They have decided to tie into them where they come into the existing plant and go around for a much easier route. With them doing that this is where the deductive change order comes in. Mr. Chad Jester

entered a Motion to approve the deductive change order #4 for \$40,628.20 for WWTP project; Mr. Jim Self Entered a Second to the Motion.

Roll Call: Mr. Jim Self, yes; Mr. Gary Rogers, yes; Mr. Charles Stinnett yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes.

The Motion to approve deductive change order for \$40,628.20 for WWTP project, stands approved as presented.

Discussion and action on approval of Disbursement request #9 for WWTP project for \$1,001,322.35.

Mr. Faulk referred the Board to [Tab 8]. Mr. Ryan Smith stated that this request is for work completed in September 26th, 2022 through October 25th, 2022. Pay Request #9 includes payment for Daris Contractors in the amount of \$892,295.15 payment for Poe & Associates in the amount of \$25,073.61 and electrical upgrade reimbursement to RWD4 for \$83,953.59 for a total of \$1,001,322.35. Mr. Jim Self entered a Motion to approve pay request #9 for WWTP project for \$1,001,322.35; Mr. Terry Hurst Entered a Second to the Motion.

Roll Call: Mr. Jim Self, yes; Mr. Gary Rogers, yes; Mr. Charles Stinnett yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes.

The Motion to approve pay request #9 for WWTP project for \$1,001,322.35, stands approved as presented.

Discussion and action on approval of OWRB & ARPA loan & grant funding resolutions and Engineering RFQ'S.

The following items were presented & approved by the board:

1. CONSIDER AND TAKE ACTION WITH RESPECT TO A RESOLUTION AUTHORIZING A LOAN FROM THE OKLAHOMA WATER RESOURCES BOARD IN THE AMOUNT OF NOT TO EXCEED \$4,300,000.00; APPROVING THE ISSUANCE OF A NOTE IN THE AMOUNT OF NOT TO EXCEED \$4,300,000.00, SECURED BY A PLEDGE OF REVENUE AND A MORTGAGE AND AUTHORIZING ITS EXECUTION; APPROVING AND AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT FOR DRINKING WATER SRF LOAN; DESIGNATING A LOCAL TRUSTEE AND APPROVING AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT; APPROVING AND AUTHORIZING THE EXECUTION OF A MORTGAGE WITH POWER OF SALE AND SECURITY AGREEMENT; APPROVING VARIOUS COVENANTS; APPROVING AND AUTHORIZING PAYMENT OF FEES AND EXPENSES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Mr. Charles Stinnett entered a Motion to approve the above item; Mr. Chad Jester Entered a Second to the Motion.

Roll Call: Mr. Jim Self, yes; Mr. Gary Rogers, yes; Mr. Charles Stinnett yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes.

2. CONSIDER AND TAKE ACTION WITH RESPECT TO A RESOLUTION OF RURAL WATER, SEWER, GAS AND SOLID WASTE MANAGEMENT DISTRICT NO. 4, WAGONER COUNTY, OKLAHOMA (THE "DISTRICT") AGREEING TO FILE APPLICATION(S) WITH THE OKLAHOMA WATER RESOURCES BOARD (THE "OWRB") FOR GRANT FUNDING THROUGH THE AMERICAN RECOVERY PROGRAM ACT (ARPA) FOR THE PURPOSE OF FINANCING CERTAIN WATER SYSTEM IMPROVEMENTS; RATIFYING AND CONFIRMING THE DISTRIBUTION OF REQUESTS FOR QUALIFICATIONS FOR ENGINEERING SERVICES AND SELECTING A CONSULTING ENGINEER FOR THE PROJECT; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Poe Engineering was selected to be the Engineer for the above project. Mr. Chad Jester entered a Motion to approve the above item; Mr. Jim Self Entered a Second to the Motion.

Roll Call: Mr. Jim Self, yes; Mr. Gary Rogers, yes; Mr. Charles Stinnett yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes.

3. CONSIDER AND TAKE ACTION WITH RESPECT TO A RESOLUTION OF RURAL WATER, SEWER, GAS AND SOLID WASTE MANAGEMENT DISTRICT NO. 4, WAGONER COUNTY, OKLAHOMA (THE "DISTRICT") APPROVING A PROFESSIONAL SERVICES AGREEMENT RELATING TO THE OKLAHOMA WATER RESOURCES BOARD (THE "OWRB") GRANT FUNDING THROUGH THE AMERICAN RECOVERY PROGRAM ACT (ARPA); AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Mr. Jim Self entered a Motion to approve the above item; Mr. Gary Rogers Entered a Second to the Motion.

Roll Call: Mr. Jim Self, yes; Mr. Gary Rogers, yes; Mr. Charles Stinnett yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes.

4. **CONSIDER AND TAKE ACTION TO APPROVE AND IMPLEMENT A FISCAL SUSTAINABILITY PLAN.**

Mr. Chad Jester entered a Motion to approve the above item; Mr. Gary Rogers Entered a Second to the Motion.

Roll Call: Mr. Jim Self, yes; Mr. Gary Rogers, yes; Mr. Charles Stinnett yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes.

Discussion and review on Oneta power activity.

The District's Business Manager, Mr. Thomas Faulk directed the Board's attention to variances [Tab 11]. He began to contrast the Oneta raw water activity for the year in terms of usage and revenue. [Note: this report is maintained on a calendar year basis.] The raw water usage for YTD was 1,035,000,000 gallons as compared to the prior year figure of 993,000,000 gallons, reflecting an increase of +4.2%; corresponding revenue for YTD was \$389,372.23 contrasted with \$366,317.69 for the prior year also, reflecting a percentage of increase at +6.2%.

Chairman Stinnett inquired whether there were any questions; none arose and no action was required.

Old Business.

Mr. Thomas Faulk or Mr. Rick Lang did not have any old business. No action was required.

New Business DEQ Consent Order on DBP's (THM's & HAA5's)

Under the Open Meeting Act, this agenda item is authorized only for matters not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda.

Mr. Rick Lang stated that we are getting a consent order from DEQ on disinfection by products. This is the THM's & HA5's Mr. Rick Lang state that we had a rough year last year where we couldn't keep the numbers below the max. The max on the THM's is .080 and we exceeded that on all locations for a combined number of .083. A letter went out to all of the customers. When the consent order comes in Ryan will have to write a letter explaining that we are in the process of changing to chloramines.

Another item that needed to be discussed is that there was a 3-inch line break November 9th (today) on County Line. Tommy Helton and his crew fixed the leak and instead of going and turning the flush valve on or pulling a couple meters they went to three valves and turned them wide open. A customer called in scared to death because of her house making so much noise. As soon as the customer got off the phone a line to her hot water heater broke. A plumber came out and has fixed the leak and we have blowers going because water went under the walls into her bedroom and water got on her printer. The customer's shower is completely stopped up, one toilet had to have the fill valve replaced and a sink is stopped up. Mr. Rick Lang stated that this could have been avoided had Tommy Helton flushed the lines after he made the repair.

There was not further discussion and no action required.

Discussion and action of the Claims Lists.

Mr. Faulk directed the Board to the Claims Lists [Tab 14]. Following the Board's review of the Claims Lists, Chairman Stinnett inquired as to any questions or discussion. Mr. Jim Self entered a Motion that the Claims List be approved; Mr. Chad Jester Entered a Second to the Motion.

Roll Call: Mr. Jim Self, yes; Mr. Gary Rogers, yes; Mr. Charles Stinnett yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes.

The Motion to approve the claims list, stands approved as presented.

Review of Investment Statement.

Mr. Faulk referred the Board to the Investment Statement, [tab 15] to review the information. As of October 28th, the aggregate value had shown a decrease in value from \$686,300.77 to \$680,047.61.

There was no further discussion and no action required.

Adjournment

With no further business to conduct, Mr. Gary Rogers Entered a Motion to Adjourn the Meeting; Chad Jester Seconded the Motion. Roll call: Mr. Charles Stinnett yes; Mr. Gary Rogers, yes; and Mr. Jim Self, yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes. The Motion to Adjourn at 9:15 PM stands approved.