

**Rural Water District #4
Wagoner County
Regular Board Meeting
October 12, 2021
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. Jim Self and Mr. Gary Rogers, Mr. Terry Hurst, Mr. Chad Jester

Staff Present: Mr. Bill Giles, Mr. Rick Lang

Citizens Present: Chris Gander BOKFS, Allan Brooks PFLG, & Brian Barnes Core and Main.

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 9-14-2021 Regular Board Meeting.

Chairman Charles Stinnett called for review of the Minutes recorded for the 9-14-2021 Regular Board Meeting [Tab 2]. Following Board review and with discussion, Mr. Jim Self entered a Motion that the Minutes of 9-14-2021 Regular Board Meeting be approved. Mr. Chad Jester moved to Second 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 9-14-2021 Regular Board Meeting stand approved as entered.

Discussion and action on approval on items from citizens present.

No citizens present.

Discussion and Review of the Manager's Report/Status Report.

Mr. Giles referred the Board to the Manager's Report [Tab 3]. Mr. Rick Lang's first order of business was to relate that there had been 28,041,700 gallons of water purchased from the City of Tulsa for September. He then related that September sales records confirm ninety-four (94) meters sold during the month and sixty-three (63) meters installed.

There were two leaks that were 10,000 gallons in September the rest were small. The pumpage from the water plant in September was 92,494,000 gals. He had no additional information; no discussion or questions arose --- no action was required.

Discussion and Review on the Engineering Report.

Mr. Giles referred the Board to the Engineering report [Tab 3]. Ryan stated that there's not a whole lot of change in the engineering report. The 61st Street from 193rd E. Ave. to 209th E. Ave. is complete and in service. The Waste Water Treatment Plant milestones are:

Evaluate Bids and Make Recommendation to Board: October 12th 2021

Board Approval of Construction Contract contingent on Contractor providing required bonds
October 12, 2021

Notice to Proceed: January 3rd, 2022

Construction Completion: January, 2023

Rick 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. Giles referred the Board to The Business Manager's Report [Tab 3, final page] to review account balance figures as of the end of August.

The New Debt Service Fund has a balance of \$128,361.23.

Oneta Energy update: September bill submitted.

The Reserve Fund has a balance of \$2,329,039.09.

The Current Debt Service Reserve balance \$169,308.86.

Sewer Plant loan update.

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 Pay Requisition #6 in the amount of \$68,715.05 for billing of the 101st Street Relocation project.

Mr. Giles referred the Board to [Tab 4]. Mr. Ryan Smith stated that pay request #6 is for \$57,748.60 to Cook Consulting and to POE for \$10,966.45.

After discussion, Mr. Gary Rogers entered a Motion that the Pay Requisition #6 in the amount of \$68,715.05 for billing of the 101st Street Relocation project for materials and Engineering 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 Pay Requisition #6 in the amount of \$68,715.05 for billing of the 101st Street Relocation project, stands approved as presented.

Discussion and action on approval of disposal of excess inventory: 2008 Chevy 1500 pickup for the highest sealed bid at or over \$5,000.00.

Mr. Rick Lang stated that he has looked at Kelly Blue Book and looked at the values of the vehicles. Mr. Lang is requesting that the board approve to take sealed bids on the vehicles and the highest bid at or over \$5,000.00 gets the vehicle.

Mr. Chad Jester entered a Motion to the approval of disposal of excess inventory: 2008 Chevy 1500 pickup for the highest sealed bid at or over \$5,000.00 to be approved; 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 of disposal of excess inventory: 2008 Chevy 1500 pickup for the highest sealed bid at or over \$5,000.00, stands approved as presented.

Discussion and action on approval of disposal of excess inventory: 2014 Ford F150 pickup for the highest sealed bid at or over \$7,500.00.

Mr. Jim Self entered a Motion on approval of disposal of excess inventory: 2014 Ford F150 pickup for the highest sealed bid at or over \$7,500.00 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 disposal of excess inventory: 2014 Ford F150 pickup for the highest sealed bid at or over \$7,500.00, stands approved as presented.

Discussion and action on approval to release water service to the City of Broken Arrow for the project of Hwy 51, per attached map, due to previously approved water service to adjacent businesses.

Mr. Giles referred the Board to [Tab 5]. Mr. Rick Lang also referred the Board to a map. The property is on Highway 51 across the highway from Braums and Blue Bell, on the side of Quick Trip. It is right past the neighborhood. There is one lot that is 5.47 Acres and the next is 7.05 Acres. In order for the district to serve them water it will require a road bore underneath Highway 51. The neighborhood that is there is serviced by the City of Broken Arrow and Mr. Lang is suggesting to release the property to the City of Broken Arrow to service the property. The District will come back at next month's meeting to discuss de-annexing the property to City of Broken Arrow.

Mr. Gary Rogers entered a Motion on approval to release water service to the City of Broken Arrow for the project of Hwy 51, per attached map, due to previously approved water service to adjacent businesses. 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 to release water service to the City of Broken Arrow for the project of Hwy 51, per attached map, due to previously approved water service to adjacent businesses, stands approved as presented.

Discussion and action to approve awarding the Wastewater Treatment Plant project to Daris Contractors, Inc. in the amount of \$19,541,400.00.

Mr. Giles referred the Board to [Tab 5]. Mr. Ryan Smith stated that Thursday, October 7th was the bid opening. The lowest bid was \$19,541,400.00 by Daris Contractors, Inc.

Mr. Chad Jester entered a Motion to approve awarding the Wastewater Treatment Plant project to Daris Contractors, Inc. in the amount of \$19,541,400.00. 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 approval to approve awarding the Wastewater Treatment Plant project to Daris Contractors, Inc. in the amount of \$19,541,400.00, stands approved as presented.

Consider and take action with respect to a resolution authorizing a loan from the Oklahoma Resources Board in the amount of not to exceed \$21,580,000.00; approving the issuance of a note in the amount of not to exceed \$21,580,000.00, secured by a pledge of revenue and a mortgage and authorizing its execution; approving and authorizing the execution of a loan agreement for clean 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; approving a parity agreement; and containing other provisions relating thereto.

Mr. Giles referred the Board to [Tab 6].

Mr. Allan Brooks (Public Finance Law Group) discussed the process by which the existing loan for the Sewer Plant construction was de-obligated and negotiated as a new loan for a larger sum to accommodate the \$increase due to the spike in costs.

He further explained that after tonight's anticipated approval of the loan resolution, the matter goes before the OK Water Board on their agenda for approval on the 19th, with the closing of the loan scheduled for the 21st.

Mr. Chris Gander (Bank of Oklahoma Financial Services) further explained the role of the Trustee Bank in this process.

After discussion, Mr. Chad Jester entered a Motion on approval to Consider and take action with respect to a resolution authorizing a loan from the Oklahoma Resources Board in the amount of not to exceed \$21,580,000.00; approving the issuance of a note in the amount of not to exceed \$21,580,000.00, secured by a pledge of revenue and a mortgage and authorizing its execution; approving and authorizing the execution of a loan agreement for clean 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; approving a parity agreement; and containing other provisions relating thereto. 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 approval to Consider and take action with respect to a resolution authorizing a loan from the Oklahoma Resources Board in the amount of not to exceed \$21,580,000.00; approving the issuance of a note in the amount of not to exceed \$21,580,000.00, secured by a pledge of revenue and a mortgage and authorizing its execution; approving and authorizing the execution of a loan agreement for clean 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; approving a parity agreement; and containing other provisions relating thereto, stands approved as presented.

Discussion and review on Water plant and distribution issues.

Mr. Rick Lang stated that the new fan that was ordered for the VFD two months ago, will not be in until December. The VFD's that we have has been in service for about 12-13 years. Mr. Lang went ahead and ordered another VFD and it will not be here until February. Other than that, the plant is running well.

No questions or discussion arose on the Water Plant and Distribution and no action was required at this time.

Discussion and Review on Waste Water Plant and collection issues.

Mr. Rick Lang stated that the sewer plant is running well at this time. After discussion, Mr. Lang said he had no additional information; no discussion ensued and no action was required.

Discussion and review on Oneta power activity.

The District's Business Manager, Mr. Bill Giles directed the Board's attention to variances [Tab 8]; 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

897,000,000 gallons as compared to the prior year figure of 1,370,000,000 gallons, reflecting a decrease of -34.5%; corresponding revenue for YTD was \$330,852.60 contrasted with \$507,277.01 for the prior year also, reflecting a percentage of decrease at -34.8%.

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

Old Business.

Mr. Rick Lang nor Mr. Bill Giles have no old business. No action was required.

New Business.

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

Mr. Rick Lang nor Mr. Bill Giles have no old business. No action was required.

Discussion and action of the Claims Lists.

Mr. Giles directed the Board to the Claims Lists [Tab 12]. Following the Board's review of the Claims Lists, Chairman Stinnett inquired as to any questions or discussion. Mr. Charles Stinnett 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. Giles referred the Board to the Investment Statement, [tab 15] to review the information.

As of September 30th, the aggregate value had shown a decrease in value from \$804,985.48 to \$802,099.73.

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 Regular Meeting; Chad Jester Seconded the Motion. Roll call: Mr. Charles Sinnett yes; Mr. Gary Rogers, yes; and Mr. Jim Self, yes; Mr. Terry Hurst, yes, Mr. Chad Jester, yes. The Motion to Adjourn at 7:56 PM stands approved.