

Rogers Waterworks and Sewer Commission
December 19, 2022
Minutes

The Rogers Waterworks and Sewer Commission held its regularly scheduled meeting at 4:00 PM Monday, December 19, 2022, in the Rogers Administration Building located at 601 S 2nd Street. Present were Commissioners Roger Surly, Travis Greene, Michael Watkins, and Peter Farmer. Rogers Water Utilities staff present were Matt Savell, Jerry Roegner, Dana Daniel, Brian Sartain, Stephen Ponder, Aaron Short, Johnny Lunsford, Mark Landis, and Brent Dobler. Also in attendance was Robert Frazier with Frazier Lawyers.

Chairman Watkins called the meeting to order at 4:00PM. Robert Frazier noted an error in the minutes with regard to the printing and mailing bid. This item did not require a resolution as stated in the minutes, it only required a motion to approve. Noted that this will be corrected by Dobler. Commissioner Surly made a motion to approve with the removal of the Resolution number, seconded by Commissioner Farmer. All in favor, motion carried.

Chairman Watkins then recognized Matt Savell to present the Financial Reports. There were no questions.

Watkins then recognized Brent Dobler. Dobler stated that RWU had been awarded \$4,999,998 in ANRC grants. Half was for work that has already been completed on Train 2, and the other half will be spent on the upcoming Solids Handling Ph2. The Train 2 monies will be put into the sewer account, and the Solids Handling Ph2 monies will be used during the upcoming construction of the project.

Dobler then presented Resolution No. 22-33 Approving a Cost of Living Adjustment for Employee Salaries. He stated that RWU works in tandem with the City of Rogers and that the City of Rogers had instituted a 7% COLA for their employees. RWU was requesting the same. Commissioner Surly asked how much this would cost, Dobler replied that the cost would be approximately \$125,000 annually. Commissioner Surly made a motion, Commissioner Farmer seconded. All in favor, Resolution passed.

Watkins then recognized Brian Sartain to introduce a motion to approve a change order on the construction of Arkansas St North. RWU's water main must be moved to allow for storm drain construction. The amount of the change order is \$226,524.53. RWU pre-purchased the long-lead time materials for this project which were the pipe and valves. Commissioner Greene asked if the unit prices were good. Sartain replied that they were reasonable based on other bids received lately. Commissioner Greene made a motion to approve, Commissioner Surly seconded. All in favor, motion approved.

Sartain introduced Resolution 22-34 Requiring Installation of a Private Sewer Pump Station in Cases of Significant Improvement to a Property Being Served by a Small Public Sewer Pump Station. Brian gave a brief history of the issues. The homes with these systems were not capable of operating the pump station due to outdated and undersized electric panels. Therefore, RWU had to install separate electric supplies to these pump stations. RWU's intent was never to maintain these pump stations in perpetuity. The intent when installed was to turn these over to the homeowners when adequate and updated electric panels were installed that could operate the existing pump stations. RWU privatizes these grinder systems when electric service is upgraded and would like to formalize this policy. Commissioner Greene asked what area of town these were in. Sartain replied east of Arkansas between

Glenwood and North C Street and that there are approximately 80 of these still in existence. Commissioner Farmer asked if we had a good definition of "Significant Improvement" to warrant action. He stated that RWU must have a good definition to avoid litigation. Sartain replied that our interpretation would be if the structure had a new electric panel. After discussion, Sartain replied that RWU could step back and try to get a better definition of Significant Improvement if requested. Commissioner Surly agreed and stated that "significant" could be interpreted differently by different customers. Surly then asked Robert Frazier to state his thoughts. Frazier stated that RWU could further refine the definition. Commissioner Farmer then stated that he didn't want to slow down the process, and was there a particular issue that this applies to. Sartain stated that there is an issue, a home with a lot split that we were receiving push-back on when RWU tried to make the pump system private. Sartain said that we could tie this definition to the value of the permit. Farmer stated that this is what Bentonville does. If the permit exceeds 50% of the value, it is a significant improvement. Commissioner Greene asked what the cost to the customer is, and Sartain replied could be up to \$10K. Sartain then proposed that RWU table this Resolution to determine a better definition of "significant improvement" and get a trigger mechanism in place possibly tied to the issuance of building permits. Surly then made a motion to table Resolution 22-34, Farmer seconded. All in favor, Resolution was tabled to be brought back to next Commission meeting and addressed in "Old Business".

Since 22-34 had been tabled, the next Resolution introduced would carry that Resolution number.

Brian Sartain then introduced Resolution 22-34 Authorizing the Purchase of Ductile Iron Pipe and Waiving the Requirements of Competitive Bidding. Sartain stated that back in June of 2022, the Commission had authorized RWU to pre-purchase material for various projects due to the extremely long lead times. He explained that RWU had issued a purchase order for ductile iron pipe to Core and Main at that time. He received an update on the order in December that the pipe would not be available to ship until January of 2024. Sartain went to other vendors and found that he could get this pipe from NWA Winwater by February of 2023. This would keep the projects going. Commissioner Surly asked how the new price compared to the original quote and Brian replied that it was less than a 20% premium. Commissioner Greene made a motion to approve, seconded by Commissioner Farmer. All in favor, Resolution passed.

Sartain then introduced Resolution 22-35 Designating an Electronic Bidding Service Vendor and Website for Public Works Projects for Calendar Year 2023. Sartain stated that this is required to be done annually. Commissioner Greene asked how much it would cost RWU. Sartain replied that it does not cost RWU anything, but may cost a contractor that is bidding the project if they decide to download plans. Contractors do not have to use this service, it is only there if they choose to. This is just in addition to our regular bidding procedures. Commissioner Farmer made a motion to approve, Commissioner Surly seconded. All in favor, Resolution passed.

Chairman Watkins then notified the Commission that his two year term as Chairman was over, and that the Commission needed to nominate a new Chairperson. Commissioner Greene nominated Commissioner Farmer, Commissioner Surly seconded the motion. All in favor, motion passed. Peter Farmer is the new Chairman of the Rogers Water & Sewer Commission with a term to end in December 2025.

Watkins also stated that the Commission needed to name a new Commissioner to the Rogers Water & Sewer Commission Depository and Investment Committee to replace Commissioner Surly term. Commissioner Greene volunteered. Commissioner Surly made a motion, seconded by Commissioner

Farmer to nominate Commissioner Greene to the Rogers Water & Sewer Commission Depository and Investment Committee. All in favor, motion passed.

With no further business, Chairman Watkins adjourned the meeting at 4:35pm.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Brent Dobler', with a stylized flourish at the end.

Brent Dobler, Acting Secretary
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