

# **Rogers Waterworks and Sewer Commission**

**June 20, 2001**

## **Minutes**

The Rogers Waterworks and Sewer Commission held a special called meeting at noon, Wednesday, June 20, 2001, at the Rogers Water Utilities Training Center. Commissioners present were Donnie Moore, Jerry Pittman, and Beck Scott. Dick McLelland and Lon Peple were absent. Utilities staff in attendance were Tom McAlister, Mark Johnson, Bob Anderson, Joyce Johnson, Don Roberts, and Earl Rausch. Others in attendance were Jim Clark, E. J. Miller, Lori Harrison-Stone, and Kevin Thomas. Chairman Moore called the meeting to order at 12:07 PM.

Moore recognized Mark Johnson, Utilities Engineer. Johnson presented the Commission with bid tabulations for the Phase VI waterline project (Prairie Creek waterline). The project was bid in three sections, A, B, and C, in order that the project might proceed in a more timely fashion, he said. The apparent low bidder on Phase VI-A, Red Deer, Inc., was not a "responsible" bid, Johnson said. Red Deer lacked the necessary experience, and their own references failed to recommend Red Deer for the job. The next lowest Bidder, DECCO, had been contacted, and DECCO assured Johnson that they could handle the job. Moore asked Jim Clark, Deputy City Attorney, if it was legal to award the bid to a bidder other than the lowest? Clark answered in the affirmative, provided the low bid was not "responsible". There was a motion by Pittman, second by Scott, to approve the bid of DECCO Contractors, Inc., for Phase VI-A, for \$846,479. All in favor, motion carried.

Continuing, Johnson presented the bid tabulation for the Phase VI-B water line project. The low bidder was DECCO, for \$573,220. This was the corrected bid, since DECCO had originally transposed the bid documents for parts B and C. Moore again asked Clark if it was legal to waive the bid irregularities, and award the bid to DECCO? Clark said that it was legal. Motion by Pittman, second by Scott, to approve the bid of DECCO Contractors, Inc., for \$573,220. All in favor, motion carried.

Johnson presented the bid tabulation for Phase VI-C water line project. The low bidder was Crowder Construction Co., for \$637,043.24. Johnson said that this bid was opened late, because Crowder left the bid opening process thinking that they had been successful bidders on Phase VI-B. After DECCO's bid had been revealed to be the low bid on B, Crowder wanted to submit a bid for Phase VI-C. Moore again asked Clark if the Commission was on firm legal ground to award the bid to Crowder? Again, Clark answered in the affirmative. There was a motion by Scott, second by Pittman, to award the bid to Crowder for \$637,043.24. All in favor, motion carried.

E. J. Miller, Prairie Creek POA President, wanted to know when the construction would be done? Earl Rausch, Design Engineer, stated that he had secured about forty

easements, with another 28 easements to go. Mark Johnson said he thought they could secure enough easements to allow the contractors to get started by August 1. He said the longest contract period was for six months, giving the contractor through the end of January to be substantially complete, not counting weather-related delays. Miller thanked the Commission and staff for their help in getting the project started. Scott said, "All we need to do now was to figure out how to pay for it".

Moore recognized Tom McAlister, Utilities Manager. McAlister presented the Commission with a proposed letter to the Prairie Creek area residents, reminding them of the current water conservation measure in force, and warning them of possible enforcement measures. Jim Clark said that the Commission had a responsibility to run the water system in a "governmental capacity", having been empowered to do so by an act of the Rogers City Council. He said that he thought the Commission could make any reasonable policy, and had the authority to enforce it.

The Commission considered two policies proposed by McAlister. The first policy referred to the May 17, 2001 letter to the Prairie Creek residents, asking them to water outside only at night, and only every other night. McAlister suggested that reports of noncompliance phoned into the office be dealt with by registered mail, reaffirming the details of the water conservation effort, and detailing the possible consequences of noncompliance. The second policy covered a "drought emergency", with less leniency than the first policy. The Commission made several changes in the policy as proposed, raising the reconnection fees, and making the policy more general, covering the entire City of Rogers. A copy of the policy is attached hereto, and by reference made a part of these minutes as if set out word for word. There was a motion by Scott, second by Pittman, to adopt the policy, as amended. All in favor, motion carried.

Continuing, McAlister presented the Commission with a proposed lease agreement with Cricket Wireless Communications, Inc., for antenna space on the water tower on Persimmon Street. McAlister said that two other companies had already leased the tower. He said that the annual rent was \$12,000. Pittman asked Don Roberts, Superintendent of Field Operations, his opinion about the proposal? Roberts said he did not want their antenna on the tank, and enumerated some reasons why. McAlister said that those problems had been addressed. There was a motion by Pittman, second by Scott, to approve the proposed lease. All in favor, motion carried.

The meeting adjourned at 12:40 PM.

Respectfully submitted,

Tom S. McAlister, Acting Secretary  
Rogers Waterworks and Sewer Commission

