

Rogers Waterworks and Sewer Commission

August 16, 2004

Revised 8-23-04

Minutes

The Rogers Waterworks and Sewer Commission held its regularly scheduled meeting at 4:00 PM, Monday, August 16, 2004, in the Rogers Water Utilities Training Center. Commissioners in attendance were Lon Pepple, Jerry Pittman, Fred Wanger, and Dick McLelland. Donnie Moore was absent. Others at the meeting were Rogers Water Utilities staff Tom McAlister, Mark Johnson, Joyce Johnson, Terry McCauley, Mike Lawrence, Everett Balk, Steve Ponder, William Evans, Judy Bridges, and Earl Rausch. Others at the meeting were Jason Kelley, George Dottl, Ronnie Hawkins, Dan Porter, David Burton, John Moore, Michael Moore, Simone Meeker, Tobias Meeker, and Aaron Deslatte. Dick McLelland called the meeting to order at 4:00 PM.

There was a motion by Pepple, second by Wanger to approve the minutes of the June 26th Commission meeting (there was no meeting in July). Pepple and Wanger voted aye, McLelland and Pittman abstained. Motion carried.

McLelland recognized Mark Johnson, P. E., Utilities Engineer. Johnson presented the Commission with a spreadsheet showing the status of the several projects in which the Commission had a pecuniary interest. Johnson said that the Garrett/Bellview Road lift station was in service and receiving sewage from the Cross Creek development, although the contractor had not finished with the cleanup in Pleasant Acres. Johnson noted a new project on the spreadsheet, Pleasant Grove Road sewer project. He reminded the Commission that the City's Director of Public Works, Steve Glass, had requested that sewer be extended to the area of Pleasant Grove and Concord Road, which would help the City obtain necessary rights-of-way for the widening project. Johnson said that the plans for the sewer extension were complete, and bids had been advertised. He said that the bids and the landowner's proffers of easements and money to aid the construction would be presented at the next (September 20, 2004) Commission meeting.

Continuing, Johnson said that the water and sewer facilities to serve the new Elza Tucker Elementary in Lowell were 95% complete. He noted that water and sewer relocations were finally started on New Hope Road. He said that the design for water and sewer facilities relocation/extension for the S. First St., S. 26th St., and Pleasant Grove Road east of S. 8th St. widening projects were still waiting final designs from the City's consulting engineers.

Pittman asked Johnson if OSHA had been to visit any of the City's construction projects (Since a worker had been killed earlier in the week due to a fall from inadequate scaffolding)? Johnson said he had heard only rumors to that effect.

McLelland recognized Jason Kelley, Deputy City Attorney. Kelley said that he had been in touch with officials from the Arkansas Soil and Water Conservation Commission (ASWCC) regarding the controversy about who should serve water to Camden Way Addition, a 162 lot addition on N. 2nd St. in Rogers. ASWCC said that, since a conflict existed between the City of Rogers and Benton Co. Rural Water District No. 1 (BCRWD No. 1) over who would serve the addition, there must be a public hearing. ASWCC would conduct the meeting, and all water system within five miles would have to be notified ten days prior to the meeting. ASWCC would then determine who could serve the addition, Kelley said. This might be a way to settle the question without going to court with BCRWD. No. 1, he said.

Wanger asked how long the process would take? Kelley said he did not know, but recommended RWU start the application process. Johnson said that the developer of Camden way had already installed water and sewer facilities for connection to the Rogers systems.

There was a motion by Pittman, second by Pepple, to start the application process to ASWCC. All in favor, motion carried.

McAlister informed the Commission that David Meyers had asked to be taken off the agenda.

McLelland recognized William Evans, Superintendent of Field Operations. Evans asked for permission to advertise for bid three replacement service trucks. He noted that the trucks were budgeted items. There was a motion by Pittman, second by Wanger, to allow the request. All in favor, motion carried.

McLelland recognized George Dottl, 9357 Everest Place in Mountain Lake Estates, Benton County. Dottl presented the Commission with copies of several letters written by him and others, in regard to a problem Dottl had at his residence. He could not get enough water through his house water meter to drive his sprinkler system, Dottl said. When he asked for a one-inch water service from RWU, he had been refused, and told that he would need to spend about \$1900 to bring another service line across the road. Dottl said that RWU had made a mistake by allowing three potential meter sets on the water service line. He mentioned a letter dated June 7 to Donnie Moore, in which he complained about Tom McAlister and then Superintendent of Field Operations, Don Roberts, and had not received the courtesy of a response. Dottl said that he had spoken to Donnie Moore on several occasions, and had finally gone to see the Mayor. Dottl said that Mayor Womack had told him that he had no control over RWU or the Commission, and that the Commission was a “self-perpetuating” board that answered to no one.

McAlister said that the developer of Mountain Lake Estates had paid to install the water system and the creation of building lots. He said that RWU had not approved the setting of three meters on the end of the service line. He said that that the mistake, if there was one, was made by the developer. He said that Dottl’s request could not be granted,

since the placement of a one-inch meter could jeopardize the neighbor's water system. McAlister said that it was RWU policy that the person asking for the service or the modification in the water system, should pay for all the cost. He said that it was against state law to give service away, so that, even if there was not a Commission, the Mayor or the City Council could not legally give Mr. Dottl what he wants.

There followed some discussion about the letters supplied by Dottl. The Commissioners said that they had not seen the June 7 letter to Donnie Moore until now. Pittman asked, "Where did we make a mistake?" Pepple said that he would like more time to study the documents furnished by Dottl. McLelland said, that since Donnie Moore had been in contact with Dottl previously, Donnie should be present during the discussions regarding Mr. Dottl's issues. Dottl was asked if he could come to the Commission meeting next month (September 20, 2004), and he said that he would be here.

McLelland recognized McAlister again. McAlister said that he had asked for Statements of Qualifications (SOQ's) from firms experienced in sewer rehabilitation techniques. He said that, while RWU had the skill and the ability, the time required to do an adequate sewer system evaluation survey would seriously affect the regular maintenance activities of the sewer department. He said he also wanted a contractor with enough engineering experience to make detailed recommendations for a possible sewer rehab project. He noted that there was \$800,000 in the budget for "outside sewer rehab services", and he was concerned that another year would get away without a serious study of Rogers' infiltration and inflow problems.

McAlister said that timing was critical, since the dry period would not last long. He said that four firms had submitted SOQ's, and the firms had been rated by staff. The top rated firm was Pipeline Analysis, he said. McAlister asked for permission to negotiate a contract with Pipeline Analysis, and bring a recommendation to the Commission at the next meeting. There was a motion by Pittman, second by Wanger, to allow McAlister to negotiate a contract with Pipeline Analysis. All in favor, motion carried.

McLelland recognized Ronnie Hawkins, P. E., Hawkins-Weir Engineers of Fort Smith. Hawkins represented his client, Dan Burton, the developer of the proposed Chenal Subdivision on Oakwood Drive in far south Rogers. Hawkins said that the developer of Oakwood was asked by RWU staff to extend a 24" waterline through his addition to the existing 24" line in Pleasant Grove Road. He said his development only required an eight-inch line, so he was asking the Commission to pay for the difference. Hawkins said that staff had required the developer to extend sewer service to four "out-parcels" belonging to the previous owners (the McLeod family). He said that RWU should pay for this, since the price of the land was already agreed upon. Further, he said that the RWU staff had asked for the water extension be made to the property line(s) to facilitate extension in the future. Since this was for future developers, he asked the Commission to pay for these short extensions of eight-inch main line. All together, Hawkins said that there about \$523,173 (actual bid prices) in RWU required additions.

Mark Johnson, said he agreed with the engineer's assertion regarding the 24' inch water line and the water line extensions to the property lines. He said that the additional capacity was needed in that part of the City. He said the RWU's standard specifications said that the extensions to the property line(s) might be eligible for reimbursement. He did not support paying for the sewer extensions to the out parcels, since water was being offered to the out parcels. Johnson recommended that the Commission offer to pay up to \$500,000, based on actual quantities and pay estimates, and that any cost for off-site easements be applied toward the Commission's contribution.

There was a motion by Pepple, second by Pittman, to participate up to \$500,000, and that all costs to acquire easements should be applied toward this amount. All in favor, motion carried.

McLelland recognized Simone Meeker. She said that she and her husband had purchased a home on Laura Street in Rogers. The home has several serious problems, she said, and they were unable to move into the house. She said that the well was too close to the septic tank, and that the septic tank did not function as designed. She said that she needed water and sewer service as soon as possible.

Mark Johnson said that a public sewer main existed in S. First St., and that a water line was planned for the widening of S. First. The cost to extend water and sewer service was about \$114,000, and could serve four existing homes. He cautioned that water and sewer service could not be available for at least six months. Pittman asked Meeker if she would help secure easements from her neighbors, and help defray the cost of the extensions, similar to the cost of a new well or septic tank? She replied in the affirmative.

There was a motion by Pittman, second by Pepple, to allow staff to proceed with a design for the needed water and sewer facilities, based on the conditions above. All in favor, motion carried.

McLelland recognized Joyce Johnson, CPA, Utilities Controller. Johnson presented the June financial sheets, which were also the FY '04 year ending statements. She noted that both water and sewer departments were well ahead of budget as far as revenue was concerned. She pointed out some reasons, such as the unexpected rebate from Beaver Water District. The July statements depicted the rainy, cool weather this summer: revenues were off the same period last year. Johnson said that the auditors were now working on the FY'04 audits, and that might be ready next month.

The meeting adjourned 5:06 PM.

Respectfully submitted,

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

File: RWWSC minutes, 8-16-04