

# **Rogers Waterworks and Sewer Commission**

**October 21, 2002**

## **Minutes**

The Rogers Waterworks and Sewer Commission held its regularly scheduled monthly meeting at 4:00 PM, Monday, October 21, 2002, in the Rogers Water Utilities Training Center. Commissioners present were Lon Pepple, Dick McLelland, Jerry Pittman, and Fred Wanger. Rogers Water Utilities staff in attendance were Tom McAlister, Mark Johnson, Mike Lawrence, Don Roberts, Joyce Johnson, and Earl Rausch. Others in attendance were Jim Clark, John Moore, Mike Rowe, Brian Truitt, Mike Bender, Shawki Al Madhoun, Charles Kester, Glen Kelley, John Lehman, and Arnold Lehman. Chairman Moore called the meeting to order at 4:00 PM.

There was a motion by Wanger, second by Pepple, to approve the September minutes. Pepple, Wanger, and Moore voted "aye". Pittman and McLelland abstained. Motion carried.

Moore recognized Mark Johnson, P. E., Utilities Engineer. Johnson presented the commission with a spreadsheet updating the various projects in which the Commission had a pecuniary interest. Johnson announced that the Phase VIA 1998 sewer bond project commonly referred to as the "Southwest sewer project" was finally complete, with most of the residents hooking onto the new sewer system. He said that the Phase VIII sewer project, known as the Southeast Rogers project was almost complete, lacking only a long jack and bore under the Highway 71B and the railroad tracks, Johnson said that Arkansas Missouri RR had finally signed an easement for the sewer project. Johnson said that the sewer extension to serve Charles Reaves' commercial development was set to begin construction next week. The sewer extension to serve Cooper Homes' development at Garrett Road would be designed as soon as a signed contract was returned from Cooper, he said.

Continuing, Johnson reported that the Phase III 1998 water bond project was now complete. He said that the design work on the ground storage pump station was continuing. Johnson noted that that project had been placed on the state drinking water revolving loan fund priority list, in order to be eligible for low cost loan money.

Johnson reported that design work on the New Hope Road widening project was underway. The City wanted the design work to be complete before the first of the year, and Johnson said he did not think that it was possible, given the magnitude of the project. Johnson said that the 1996 RLF Phase IV project was finally approved by the Arkansas Soil and Water Conservation Commission, and the project could start. Johnson said that the unit prices were so attractive from the successful bidder, Insituform, that the staff was desirous of adding additional sewer to the pipeline rehabilitation project, in order that the city use all the low cost loan funds available. He said that the staff would probably bring a change order to the Commission next month to add additional feet to the project.

Chairman Moore recognized Mr. Charles Kester, who represented Lehman Properties, the owner of a large metal building on Stoney Brook Road in Rogers. Kester recounted the history of the building and the lawsuit pending with the City of Rogers. He said his client, Arnold Lehman, had been in negotiations with RWU engineering staff in order to get sewer service to his property. Kester said that the design of this off-site sewer had changes a couple of times, and the Commission had approved the sewer line on the south side of Stoney Brook Road. Since there was not enough room on the south side of the road, the design had been changed to go along the north edge of the street. After all that, Kester said, the staff at RWU had “changed its mind” and decided that the entire length of sewer ditch would have to be filled completely with crushed stone, at a cost of \$30,000. Lehman was asking for relief from this condition of approval, Kester said, claiming that it wasn’t reasonable or necessary to fill the sewer ditch with “SB 2”.

McAlister said that RWU’s Standard Specifications required granular backfill in roadways or potential roadways. He said that waiving the requirement would be setting a dangerous precedent. He said that the purpose of the standard was to protect the city streets. Maurice Kolman, Director of Streets and Planning, said that Stony Brook was designated a minor collector street, and would someday be a 39ft wide, three lane road, and the sewer, as proposed, would be under the pavement. Mark Johnson said that this requirement was for all developers, including RWU, when it buried facilities in roadways. John Lehman said that the City didn’t use base when it buried a waterline in front of the building.

There followed a lot of discussion about meetings in and out of sequence, and who said what, or didn’t say anything about base being required. Chairman Moore said that the Commission did not approve detailed design, on the extension of service. John Lehman said that the building had set empty for over a year, and that the building wasn’t going anywhere and neither was he. Pittman said that he would have to support the RWU staff on technical detail matters. Pepple said that the minimum standard was pretty clear that granular backfill was required. Mike Bender, an engineer with Northstar Engineering, said that Kolman had originally told him that base would not be necessary. Kolman denied making such a statement.

Finally, Kester surmised that the Commission was not going to grant a waiver for the requirement of granular backfill. Moore said he was correct, and directed the developer to “work things out with engineering”. There was no action on the request.

Moore recognized Mike Lawrence, Rogers Pollution Control Plant Manager. Lawrence presented the Commission with some information regarding the removal of phosphorus from the effluent. He said that, since 1988, when the new plant went on line, phosphorus loading had decreased 86%. Lawrence recounted the present difficulties with the controversy over water quality in the Illinois River. He said that the cities in NWA had offered to meet 1 mg/L total phosphorus (TP). He said that the total P loading (in pounds per day) would become an issue with Oklahoma, and to reduce the loading, he was currently investigating ways to land apply more effluent.

Moore recognized Brian Truitt of Lundy and Allard Co. Truitt presented the Commission with audit reports for FY '02. He briefly led the Commission through one report. In his management letter, Truitt mentioned that the Controller had too many responsibilities regarding cash counting and banking. He recommended that Joyce not work the window, where so much cash comes through the Utilities office. When asked how often she had to man the drive through window, Joyce answered, “Every day, usually at lunch or during break.”

Truitt said that the books were in very good order, and no adjusting entries were necessary. The Commission praised Joyce for her good work on behalf of the citizens of Rogers.

Moore recognized Joyce Johnson, Utilities Controller, who presented the Commission with financial statements for September 2002. No exceptions were taken to the statements.

Moore announced that the first meeting of NACA (Northwest Arkansas Conservation Authority) would be at 3:00 PM, Thursday, October 24, 2002, at the Springdale Water Utilities office.

The meeting adjourned at 4:40 PM.

Respectfully submitted,

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

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