

# **Rogers Waterworks and Sewer Commission**

**December 20, 1999**

The Rogers Waterworks and Sewer Commission held its regularly scheduled meeting at 4:00 PM, Monday, December 20, 1999, in the Rogers Water Utilities Training Center. Commissioners Donnie Moore, Beck Scott, and Jerry Pittman were present. Commissioners Dick McLelland and Lon Pepple were absent. Rogers Water Utilities staff present were Tom McAlister, Don Roberts, Mark Johnson, Mike Lawrence, and Judy Bridges. Others in attendance were Jim Clark, Tom Sissom, Rollin Ford, and Jeana Walker. Chairman Moore called the meeting to order at 4:05 PM.

Motion by Pittman, second by Scott, to approve the minutes from the November meeting. All in favor, motion carried.

Moore recognized Mark Johnson, P. E., Utilities Engineer. Johnson reported that Phase I of the 1998 Sewer Bond project was almost complete, but he wanted to add a 350-ft. piece of eight inch sewer to serve three homes on Scott Circle. Motion by Scott, second by Pittman, to allow the addition onto the project. Johnson said the cost would be \$11,663, and would be done by Phase I contractor, Necessary & Sons Construction.

Johnson reported that the City of Rogers had awarded a contract to rebuild Oak Street, from 17<sup>th</sup> to 24<sup>th</sup> St.. He said that the cost to relocate the water and sewer lines would be about \$599,000, and would be done by the general contractor, McClinton – Anchor, Inc. Pittman asked if any action was required by the Commission? McAlister said that the City Council had already taken the necessary action to spend the funds. Moore asked if there was any benefit to the Utilities in this project? Johnson said that the old, eight-inch clay sewer pipe was being replaced with ten-inch PVC pipe.

Johnson said that the Arkansas Department of Highways and Transportation had plans to improve the intersection at South 8<sup>th</sup> Street and New Hope Road. He said that the Utilities had submitted a plan to AHTD to relocate the water and sewer facilities, and that the plan had been approved. He said that the project was going to be bid next month, and that he planned to have bids for the January 2000 meeting. His estimate for the work was \$337,000, Johnson said.

Johnson said that the Bellview water line project was almost complete, and that the contractor, John Parker of Palestine, Arkansas, had done a good job. Johnson said that Earl Rausch, P. E., the design engineer for the Phase II 1998 sewer bond project, had visited with most of the homeowners in the southwest Lake Atalanta area, and that most were satisfied with the City's efforts to locate the sewer pump stations on their properties. Johnson said that Phase IV was being held up for lack of a few easements, which might have to be condemned.

Moore recognized Mr. Rollin Ford, 2803 Seminole Court. Ford reiterated his request of last month, namely, to be allowed to use his proposed septic tank to be built at his residence under construction on West Seminole Road, in order to get “some return on his investment”. Ford said that he did not know about the proposed sewer to be constructed over his property when he started his project, and that the septic system would only have been in use a few months before he would be required to connect to the sewer system. He said that his circumstance was unique, and that the Commission should develop some policy to accommodate homeowners like him.

Moore asked Jim Clark, Deputy City Attorney, about the legal ramifications of granting Ford’s request. Clark said that the State statute and the city code were somewhat contradictory, but that the city ordinance could be more restrictive, by law. He said that the city code said that the homeowner must connect to the sewer within sixty days after receipt of official notification from the Superintendent. Clark said that, if the homeowner failed to comply with the notice, then he or she would be given a “reasonable” period of time to comply, or be faced with a misdemeanor violation. Clark said that Ford’s request was more of a policy decision than a legal question, since the law was vague about when the notices should be sent out, and what a “reasonable” time period might be.

Pittman expressed concern about the Commission setting a precedent by granting Ford’s request. Also, he was concerned with the effect it could have on Ford’s neighbors, who might be forced to connect. Moore said that the Commission would continue to kick the question around, and try to be fair to everybody. No decision was made on the request.

Moore recognized Mike Lawrence, Pollution Control Facility Manager. Lawrence said that he had received an unsolicited offer from Brown Bear Corporation for \$30,000 for the Utilities’ Brown Bear sludge drying machine. Scott asked how much did we pay for the machine in 1987? McAlister said that he thought it was about \$120,000. Motion by Pittman, second by Scott, to approve Resolution No. 00 – 03, which waived the requirements of competitive bids, and approved the sale of the machine to Brown Bear Corporation for \$30,000. All in favor, motion carried.

The Commission briefly discussed the financial reports. No exceptions to the statements were taken.

The meeting adjourned at 4:35 PM.

Respectfully submitted,

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

