

## Rogers Waterworks and Sewer Commission

March 5, 2021

### Minutes

The Rogers Waterworks and Sewer Commission held a special meeting at 11:30 AM Friday, March 5, 2021, remotely from the Rogers Water Utilities Administration Building located at 601 S 2<sup>nd</sup> St. due to the COVID-19 Pandemic. Commissioners present were Roger Surly, Travis Greene, Kathy McClure, Don Kendall, and Mike Watkins. Rogers Water Utilities staff present were Brent Dobler, Dana Daniel, Vera Hall, and Brian Sartain. Others in attendance was Robert Frazier of the Frazier Law Firm. Chairman Watkins called the meeting to order at 11:30 PM.

Chairman Watkins recognized Brian Sartain, Utility Engineer, to present Resolution No. 21-06 a resolution authorizing a certain Facilities Extension Contract and a Covenant and Agreement regarding connection of sewer facilities: and for other purposes. Soho District, LLC is attempting to purchase land from IVQ Rogers, LP and execute a property line adjustment; Arvest Bank holds the mortgage on the real property. The resulting purchase with property line adjustment would cause Grand Brook Memory Care of Rogers, a healthcare facility, to lose adjacency to public sewer. To temporarily accommodate the property line adjustment request and maintain adjacency to the sewer line and the healthcare facility, RWU is willing to take ownership of the force main sewer line, subject to the terms and conditions of the applicable Special Contract for Facilities Extensions (between RWU and the Commission and IVQ) and Covenant and Agreement (between RWU and the Commission and IVQ, Soho, and Arvest). When a new gravity sewer main becomes adjacent to the property (planned), RWU will then require both properties to connect to this gravity sewer main and abandon the shared force main. This is in the best interest of RWU in the long term. RWU staff also requests the ability to negotiate the final form and content of the both the Facilities Extension Contract and Covenant and Agreement. Commissioner Surly asked if there is a cost to RWU to take ownership of the force sewer main. Sartain stated there would be no cost to RWU related to the agreements. Costs, if incurred in the future, would be in the form of participation costs (upsizing pipe) to ensure the area to the South can be served. Commissioner Kathy McClure made a motion, second by Commissioner Don Kendall. All in favor, motion carried. With no further business, Chairman Watkins adjourned the meeting at 11:35 AM.

Respectfully submitted,



Brent Dobler, Acting Secretary/JAL

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