

Rural Water District No. 3

Washington County, Oklahoma

17227 N. 129th E. Ave., P.O. Box 70, Collinsville, OK 74021-0070

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NOTICE REGULAR MONTHLY MEETING AND AGENDA FOR: RURAL WATER DISTRICT #3 WASHINGTON COUNTY BOARD OF DIRECTORS MINUTES

As required by Section 311, Title 25 of the Oklahoma Statutes, notice is hereby given that the Rural Water District #3 Washington County of Oklahoma will hold a Regular meeting on February 12, 2024 at 8:00 o'clock A.M., at 17227 N. 129th E. Avenue, Collinsville, Oklahoma, 74021.

I. CALL TO ORDER

- 1. The meeting was opened with the pledge of allegiance to the flag.**
- 2. The meeting was called to order February 12, 2024, at 8:00 a.m.** Chairman Richard Kriege called roll: Vice-Chairman Bruce Hoover call, here, Secretary/Treasurer Robert Scott, here. Directors: Gary Burd, here; Steve Cole, yes; Pat Liggett, here. There is a quorum present, and the meeting may proceed. Let the records show that the regular scheduled meeting of Rural Water District #3 Washington County, OK was called to order at 8:00 AM at 17227 N 129th E Ave in Collinsville, Oklahoma. Notice of the meeting was posted on the front door and drive-up window of the district office on January 3, 2024, at 4:00 PM. Also, present is Jerry Gammill, District Manager; Chad Pennington, Field Supervisor; Michelle Pack Recording Secretary, David Dollar, Water PAQ Engineering, Larry Steidley, Steidley Law Office and other interested parties. This meeting will be conducted by the requirements of the Oklahoma Open Meeting Act. Only items on the agenda will be addressed. Anyone wishing to address the board must call the district's office by Wednesday prior to the meeting date and have your name and the nature of your business placed on the agenda.
- 3. Correction, deletions or addition to the minutes of:**
 - a.** The Regular meeting of January 8, 2024. Bruce Hoover made the motion to approve the minutes as written. Steve Cole seconded. Robert Scott, yes; Gary Burd, yes; Pat Liggett, yes. Motion carried unanimous.
- 4. Report of Secretary/Treasurer.** Robert Scott. In February we had 34 new taps and 36 transfers. We sold 32 new taps in January.
- 5. Report of District Manager.** Jerry Gammill. The report went out in the board packets. The sludge management, we did get the soil testing done. We sent those to the engineers and have not heard back from them. A potential development on 176th St N and 113th E Ave. A water service availability from Tanner consulting on the 7520 fire protection. The Meadows II, there has been a question regarding the main line alignment and David returned our feedback. The 12-inch waterline along Memorial, it will have to jump across to the west side of Memorial. Then will cross back over for Phase II. They couldn't get an easement. Regarding Foster Creek, we met with Joe Pace to go over some of the comments. The fire protection, they were going to sprinkle each house. We couldn't meet the full fire flows and we were

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trying to say it would be flushing hydrants. The fire Marshall is trying to tell us it will be fire hydrants. A two-way fire hydrant. The Scalone Acres, we finally got the hydraulic analysis back and I signed the paperwork for DEQ and sent it back to him. That should be sent to get their permit to construct. We have some information for a filter media pricing. The employee handbook should be ready for next month's meeting. The Miller tower did freeze up and water had overflowed. There is no damage to it.

- a. **Field Manager.** Chad Pennington reports 4 field audits, 15 change out meters, 1 replaced cans, 0 dirt work, 0 drop-in, 0 flush lines, 0 forfeit, 27 leaks, 2 replaced lid, 0 lower cans, 5 MXU installed to be radio read, 3 checked pressure, 0 raise can, 5 get current readings, 0 radio read, 0 replaced setter, 0 shut off, 15 new taps, 20 miscellaneous, 0 zero usage. 100 work orders completed. 45 locked meters.
- b. **Office Manager.** Michelle pack. We issued 138 work orders in January. The Annual Meeting will be April 29, 2024 and we have paid the deposit for the room.

6. Report of Attorney. Nothing.

7. Report of Engineer. David Dollar. The developments I worked on are Foster Creek, Cherokee Nation Housing Authority, The Shoppes @ Cooper Ranch. They are not complete with plans and we were issued approved highway crossing permit. It was unacceptable because they submitted the plans to ODOT without our approval. We called ODOT and they have ascended that project. Tanner consulting asked for As-built drawings on 116th St N in the area on 129th E Ave. Another development going in on the east side of Dutch Bros. Chad received a phone call from an engineer that is seeking a sight for a solar peaking sight. They will need a water service availability report. In my que are the latest submittals on the Shoppes of Cooper Ranch. The 24-inch waterline we are making some process.

8. Approval of accounts payable. Bruce Hoover made the motion to approve. seconded. Gary Burd, yes, Robert Scott, yes; Pat Liggett, yes. Motion carried unanimous.

9. Approval of new tap applications and transfers. Robert Scott made the motion to approve. Pat Liggett seconded. Bruce Hoover, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.

10. Approval and/or acceptance of new developments or line extensions.

- a. Discussion and decision regarding 7520, a commercial development, an 8-inch waterline for proposed 2 future lots, located east of Yale on the south side of Hwy 20. David Dollar recommends approval. Bruce Hoover made a motion to approve. Steve Cole seconded. Robert Scott, yes; Gary Burd, yes; Pat Liggett, yes. Motion carried unanimous.
- b. Discussion and decision regarding Cooper Ranch Phase I, 10 Commercial lots, located on the southside of Hwy 20 approximately ½ mile west of Sheridan. Jerry Gammill. Things keep changing on this project and no one showed up for the meeting today. Phase II, they are not even planning on doing it right now. Steve Cole made a motion to table it until we have better information. Bruce Hoover seconded. Robert Scott, yes; Gary Burd, yes; Pat Liggett, yes. Motion carried unanimous.
- c. Discussion and decision regarding Cooper Ranch Phase II, 2 commercial lots, located commercial lots, located on the southside of Hwy 20 approximately west of Sheridan. Steve Cole made a motion to table it. Bruce Hoover seconded. Robert Scott, yes; Gary Burd, yes; Pat Liggett, yes. Motion carried unanimous.

11. Developments/line extensions waiting final approval.

- a. Discussion and decision regarding Trinity Presbyterian Church, 1 Lot, 1 Block, 14.91 ac., located on the Northwest corner of 76th St. North and Memorial. Bruce Hoover made a motion to approve. Gary Burd seconded. Robert Scott, yes; Steve Cole, yes; Pat Liggett, yes. Motion carried unanimous.

12. Public Comments.

II. OLD BUSINESS

1. **Discussion and decision regarding the ODOT Hwy 11 project, J/P 24351(04) Construction, SSP-174B(058)SS J/P 24351(06)Utilities, STPY-174B(060)UT Washington County, SH-11.**
 - a. Discussion and decision regarding the approval of an invoice from Bartlett & West for engineering design. Kyle Sewell. No invoice.
 - b. Discussion and decision regarding the easement acquisition and counteroffers from landowners. Kyle Sewell. We are getting the permits and it's time to get ready to bid. Bruce Hoover made a motion to bid on the project. Steve Cole seconded. Robert Scott, yes; Gary Burd, yes; Pat Liggett, yes. Motion carried unanimous.
2. **Discussion and decision on the proposed 24-inch water line project and easements.**
 - a. Discussion and decision regarding easement acquisition counteroffers from landowners. David Dollar. We need a little more easement on the Ghormley easement.
3. **Discussion and decision on the bidding of Contract #1 – 24-inch Water Line Extension Project; North WTP to 166th St N.** David Dollar. Most of last month was lost because of the weather. It will be the middle of to the end of April. They did get the tie-end made which is one of the most difficult things of this job. The other challenge will be down at the corner of 166th St.N.
4. **Discussion, decision and update regarding the Tulsa County Road Widening project on 86th St N.**
 - a. Discussion, decision and updating regarding the Water Line Relocation Project along 86th Street North from US Hwy 75 to Memorial. Kyle Sewell. We won't be able to advance until we get all the easements. Waiting for the rest of the documents.
 - b. Discussion and decision regarding the approval of invoice from Bartlett & West for engineering design. No invoice.
5. **Discussion and decision to create a committee to consider changes, corrections and updates to the By Laws, Rules and Regulations and other documents.** Bruce Hoover. I think all of the changes have been made.
6. **Discussion and decision regarding the proposal Utility Relocation Agreement with the City of Owasso for the relocation of District water lines associated with Roadway and Bridge Improvements along E. 96th St. N. in the area west of Highway 169. This project will not include any betterments by the District and all relocation costs will be by the City of Owasso.** Jerry Gammill. No update.
7. **Discussion and decision and update to bid painting of the Pavey Tower.** Kyle Sewell. The estimated total paint job cost is \$240,000.00. David Dollar. I recommend the agreement with Larry's review. Bruce Hoover made a motion to approve. Pat Liggett seconded. Robert Scott, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.

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8. Discussion and decision regarding a voting delegate for ORWA Annual Meeting.

Bruce Hoover made a motion to send Jerry Gammill. Robert Scott seconded. Gary Burd, yes; Steve Cole, yes; Pat Liggett, yes. Motion carried unanimous.

9. Discussion and decision regarding a request by Gary Williams a residential water service by Easement Agreement east of Hwy 169 and north 156th St. N. approximately ¾ of a mile.

Chad Pennington. No issues. Steve Cole made a motion to approve. Pat Liggett seconded. Bruce Hoover, yes; Robert Scott, yes; Gary Burd, yes. Motion carried unanimous.

10. Discussion and decision to fill the vacant Board Member position Post #3.

Bruce Hoover made a motion to nominate Caleb Potter to the board. Pat Liggett seconded. Robert Scott, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.

11. Discussion, consideration and possible vote to propose to the District's members the following amendments to the Bylaws:

- a. Change Article 4, Section 1, replacing "rural residents" with "eligible residents".
- b. Change Article 4, Section 2, replacing "he has" with "he/she/they have".
- c. Change Article 5, Section 1, replacing "he" with "he/she/they".
- d. Change Article 6, Section 1, replacing the clause "Any landowner who feels himself" with the clause "Any landowners who feel themselves".
- e. Change Article 6, Section 2, replacing the clause "he intends" to "he/she/they intend" and replacing "Chairman" with "Chairperson".
- f. Add to the end of Article 6, Section 5 a semicolon and the following clause: "; provided, the Board of Directors may approve multiple use of a benefit unit for commercial purposes or to meet familial needs, and the Board may adopt rules and regulations consistent with this section."
- g. Article 6, Section 6, replace "his last" with "his/her/their last".
- h. Article 7, Section 2, replace the term "Chairman" with "Chairperson" in two places, and replace "his successor" with "his/her/their successor".
- i. Article 7, Section 3, replace "him as Director" with "him/her as Director".
- j. Article 7, Section 5, replace "him at least ten (10) days" with "him/her at least ten (10) days".
- k. Article 7, Section 6, replace the term "Chairman" with "Chairperson" in two places.
- l. Article 8, Section 1 (d), add the clause "or her" after the term "him", delete the term "farm" and delete the clause "and non farm members".
- m. Article 8, Section (f), delete "bank" and replace with "financial institutions", deleting "the" before funds in two places and changing "Chairman" to "Chairperson".
- n. Article 9, Section 1, second sentence, replace "He" with "He/she/they" and replace in 4 places "his" with "his/her/their".
- o. Article 10, Section 1, replace "Chairman" with "Chairperson" in 3 places, and replace "he" with "he/she/they".

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- p. Article 10, Section 2, in 3 places replace “Chairman” with “Chairperson”.
- q. Article 10, Section 3, replace “He” with “He/she/they”, replace “his” with “his/her/their” and replace “Chairman” with “Chairperson”.
- r. Article 10, Section 4, replace “Chairman” with “Chairperson” in 2 places, replace “he” with “he/she/they” in 2 places, and replace “his” with “his/her/their” in 2 places.
- s. Article 12, Section 1, change the annual meeting date from 7:30 P.M. to 6:00 P.M., and add to the end of the provision “or as so designated by the Board and notified to the membership”.
- t. Article 12, Section 2, replace “Chairman” with “Chairperson” in 2 places.
- u. Article 13, Section 1, delete the term “annually” in the first sentence, and replace “Chairman” with “Chairperson”.
- v. Article 19, Section 4, change “his” to “his/her/their”.
- w. Article 20, Section 1, change “his” to “his/her/their”.
- x. Article 21, Section 1, delete “the” before “Reserve Accounts” and replace with “one or more”, delete the clause “amount equal to 1/60th of the annual payment on the loan, until there is accumulated in that fund an amount equal to one annual loan payment, after which no further deposits need be made except to replace withdrawals” and replace with “necessary to cover any District loan requirement”.
- y. Remove the affidavit from the original incorporating Bylaws.
- z. Add a new section 2 to Article 7, renumber all those in said section 2 which follow, the new section to state: “Section 2. To qualify for election to the Board of Directors, participating members shall be required to file notice of intent to run for office between January 2 and January 31 of each year prior to the annual meeting. The filing shall be at the main office of the District during regular office hours each working day the office is open within said period. The notice of intent to run for office shall be in such form as the Board may determine. The Board may proscribe other rules pertaining to dissemination of candidate information, which shall be administered equally for all qualified candidates. Upon the filing of the notice of intent to run for office the candidate shall then become qualified to be elected to any vacancy that may be open to be filled at the annual meeting.”
- aa. Adjust/amend the language above suggested if determined advisable by the members after discussion. Renumber or re-letter provisions as required.

Bruce Hoover made a motion to adopt all changes to the By-laws. Steve Cole seconded the motion. Robert Scott, yes; Gary Burd, yes; Pat Liggett, yes. Motion carried unanimous.

12. Discussion, consideration and vote to approve changes to the Rules and Regulations as follows:

- a. Replace all masculine text to include the feminine, and where appropriate a plural non gender based text.
- b. Remove unnecessary attachment references and numbers.
- c. Provision 2.10, replace “septic” with “sewer”.
- d. Renumber all provisions to correct errors and coincide with approved revisions.
- e. Replace provision 2.17, with the following: “Section 2.17 Compensation for expenses: Board Members shall be reimbursed expenses pursuant to the policy

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adopted and applicable to employees, as set forth in the District's Employee Handbook and Policy Manual.”

- f. In provision 3.1, delete the following sentence: “The portion of funds over and above the actual cost of installation will be recorded in a separate capital improvement account, which is to be allocated for distribution system improvement funding programs.
 - g. Replace provision 3.7 with the following: Mobile Home Parks, Tiny Homes, Apartments, and Recreational Vehicles and like uses: Rates charged for mobile home parks, tiny homes, apartments, recreational vehicles and like uses as determined by the Board shall include a monthly base rate per space, plus the applicable rate for water usage. This provision shall be applicable upon its approval by the Board.
 - h. Delete provision 3.8 dealing with RV parks, to be incorporated into 3.7 above.
 - i. Renumber provisions consistent with these changes.
 - j. Provision 5.1: In the opening sentence, replace “his” with “his/her/theirs” and in subparagraph B, replace “septic” with “sewer”.
 - k. In provision 6.5, replace “his” with “his/her/their”.
 - l. In provision 6.6 dealing with misappropriation, replace “of One Thousand Dollars (\$1,000.00)” with “equal to the cost of a new membership”.
 - m. Provide the date of adoption, and replace “Chairman” with “Chairperson” as needed.
 - n. Revise the language above-described as per agreement of the Board after discussion.
 - o. Authorize the District Manager, with consultation of the engineer and lawyer, to revise the forms to be consistent with the District's Bylaws, and Rules and Regulations. Suggested revisions will be provided and discussed at the meeting.
- Bruce Hoover made a motion to adopt all changes to the Rules and Regulations. Steve Cole seconded the motion. Robert Scott, yes; Gary Burd, yes; Pat Liggett, yes. Motion carried unanimous.

III. NEW BUSINESS

IV. ADJOURNMENT

1. Gary Burd made the motion to adjourn at 9:18 a.m. Bruce Hoover seconded. Robert Scott, yes; Steve Cole, yes; Pat Liggett, yes. Motion carried unanimous.

Robert Scott – Secretary/Treasurer
Notes by Dona Lewis