

Rural Water District No. 3

Washington County, Oklahoma

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

Ph. (918) 371-2055 • Fax (918) 371-3864 • TRS 711

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

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 April 11, 2022 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 April 11, 2022, at 8:00 a.m.** Chairman, Richard Kriege called roll: Chairman, Richard Kriege, here; Vice-Chairman Bruce Hoover, yes; Secretary/Treasurer Robert Scott, here. Directors: Bill Jacobs, here; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. 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 April 6, 2022 at 4:00 PM. Also present is Jerry Gammill, District Manager; Chad Pennington, Field Supervisor; Dona Lewis Recording Secretary, David Dollar, Water PAQ Engineering, 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 the March 14, 2022. Bruce Hoover made the motion to approve the minutes as written. Steve Cole seconded. Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes, Steve Cole, yes. Motion carried unanimous.
- 4. Report of Secretary/Treasurer.** Robert Scott, in April we had 42 new taps and 102 transfers. We sold 11 new taps in March.
- 5. Report of District Manager.** Jerry Gammill, the report went out in the board packet. The sampling has been good so far. Regarding the Owasso Road widening project on from 129th to Garnett on 116th St N. We have received betterment cost from Owasso and received an email about material shortages. The total bid cost was \$603,701.00. There will be some other cost DEQ permitting cost and so forth. Our portion is \$635,423.40, summary of different things. We received an email for material shortages fittings. Owasso was asking if we could use a different brand. We have allowed star fittings our treatment plant project but only if necessary. Regarding the 116th & Garnett intersection widening. They have started work and you may have already seen it. But we did our line inspection test and Bac-T's. Most of the waterlines are ours. German corner is Owasso service area and ¼ mile east. They are picking up some of the customers we have served but have been in their service area. Hwy 11, we have received emails regarding two landowners out there. An attorney Michael Beard, he is

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handling for Don Scott and his wife. There are things they want to discuss and go over. These easements and language. We have forwarded to Kyle Sewell and Larry Steidley. Chick-Fil-A, we have done the hydraulic analysis & reviewed the site plan. Dun-rite Development has been shelved for awhile and now we have a meeting with the engineers today. New Leaf has finally got things taken care of. Dona Lewis, no they have one more New Tap application to fill out. Still waiting. Trinity Church, down on 76th and Memorial that's getting ready to start. We did receive submittals last week and in the process for reviewing. Mark Allen haven't heard from them for a while. The plans have been done and they are still working on easements. North Tulsa Commerce Center, we have reviewed plans. The most recent was the plat and the road crossing permit. Chad and I met a gentleman out in Lake Valley, an upset customer. Water was coming out of the road and so forth. He had been under the influence that water only came from us. We do have a very slow leak and the guys need to go out to do some investigation. The landowners off of 186th St N, the ones that DEQ was communicating with regarding their septic system. The landowners are trying to get pricing from a contractor and get that taken care of. We sent a letter letting them know we are working with DEQ. We needed to make a sight visit because they had brought in trailers. Extra living units. We will be contacting the customer again if we don't hear back from them. Doug started back to work today.

a. Field Manager. Chad Pennington reports 7 field audit, 19 change out meters, 2 replaced can, 0 dirt work, 0 drop-ins, 0 flush lines, 3 forfeit, 15 leaks, 1 replaced lid, 0 MXU installed to be radio reads, 0 checked pressure, 0 raise can, 2 get current reading, 4 radio read, 0 replaced setter, 2 shut off, 16 new taps, 5 miscellaneous, zero usage, work orders completed 129. We locked 46 last month.

b. Office Manager. Dona, we issued 100 work orders in March.

6. Report of Attorney.

7. Report of Engineer. David Dollar. Developments I worked on, Chick-Fil-A, Red Hawk Hill, North Commerce Mark Allen, Cooper Crossing Ext, Trinity Church, and Reunion of Owasso. Jerry briefly went over the 116th project between 129 and Garnett. I had already done a estimate so I half expected our betterment cost to be \$130,000.00. I haven't done a deep dive in what they have provided but what I can tell it is close. If you look at cost have done in the last year. I think it's right. There are some things in the information they gave us that helps the district. We did respond to a request for water atlas information at 86th and Yale. We have one water service availability review that is in the que. We are trying to get some pressure recordings for an area around 126th that is east of Hwy 169. Our pressure recorder has crashed and we have borrowed one from Ketchum. Chad Pennington. It has been installed and I'm going to go get it off today so you can look at it. David Dollar. They cost about \$500.00-\$600.00 to be replaced. Chad Pennington. I just bought that one in August and I'm getting in the process of warranty stuff. I'm probably going to go ahead and buy another one. David Dollar. I have reached out to Tim Ward and no response.

8. Approval of accounts payable. Bruce Hoover made the motion to approve. Robert Scott seconded. Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.

9. Approval of new tap applications and transfers. Robert Scott made the motion to approve. Bruce Hoover seconded. Bill Jacobs, yes; Max Terrell, 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 Red Hawk Hill, 4 lots, 55.04 ac., located East of Sheridan Rd. on the south side of 166th St. North approximately ¼ mile and possible cost share. David Dollar, the 12" option including installation is \$134,695.00, this is a ¼ mile. The 6" option is \$81,376.00. The important number there is the difference as that would be the cost of share. The difference is \$53,318.00. Now that would be my recommendation. Lloyd Garrison, I appreciate you guys doing that because \$134,000.00 to our bid was \$119,000.00. The \$44,000.00 in labor verses the \$37,200.00 in labor. If you did \$25.00 a foot to lay a 6" line verses \$30.00 a foot to do

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12" line so I'm saying there is \$5.00 difference than the way they do things. So, it seems a fair number to me. That make a difference of \$7,200.00. If you put \$7,200.00 on that \$5,300.00 you have \$60,000.00. Where we were at \$66,000.00 difference. David Dollar, the original information his contractor gave us showed that we would be paying \$66,000.00 and my shows \$53,00.00. Lloyd would like to meet in the middle because the installation is of a 12" waterline is a little more than a 6" waterline. Our contractor which is Creek Construction we have worked with in the past gave me the pricing. He gave me the same price for both lines and Lloyd said there is a difference. David recommends \$60,000.00 maximum share. Steve Cole made a motion to share the maximum amount of \$60,000.00. Bill Jacobs seconded. Bruce Hoover, yes; Robert Scott, yes; Max Terrell, yes; Gary Burd, yes. Motion Carried unanimous.

- b. Discussion and decision regarding Chick-Fil-A, Lot 2, Blk 1 of the Owasso Market Phase III requesting water service for a fire meter service. Brian Burger, Chick-Fil-A is proposing to come in and do some reinvestment work on that store. They're looking to add about 450 square feet to the back of the building. Also do a complete interior remodel, redo the kitchen and dinning area. They will also be adding a double drive through all the way around the building and refiguring the parking lot. When the building was built it was under 5,000 square feet and did not require a sprinkled. So now we are coming in and having to add the fire sprinkler system. So that is why we are before you today. David Dollar. There is no additional domestic or irrigation. I have gone through all the hydraulics; the fire flow test has been performed. There is sufficient capacity to meet the need. It is my recommendation to approve. Bill Jacobs made a motion to approve a 4" fire flow meter. Bruce Hoover seconded. Robert Scott, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.

11. Developments/line extensions waiting final approval.

- a. Discussion and decision regarding A New Leaf, a residential community with agriculture areas, 50 ac., to serve 13 buildings with 100 residents, located south of 86th St N on the east side of Memorial. Jerry Gammill. Everything has been submitted and I recommend approval. Bruce Hoover made the motion to approve. Robert Scott seconded. Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.
- b. Discussion and decision regarding a request by Thiessen North Investment Group for a 12-inch water line extension from 145 E Ave along Hwy 20 going west to the east and north side of Hwy 20 and Hwy 169 to serve the purposed Warren Clinic and potential future development. Jerry Gammill. This is the 12" water line That is brought from a 145th along Hwy 20 over to the Warren Building is being constructed. The are going to tie into the existing line. Everything has been submitted and ready for approval. Steve Cole made the motion to approve. Robert Scott seconded. Bruce Hoover, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes. Motion carried unanimous.

- 12. Public Comments.** Bill Jacobs. Since we have missed two years of having the Annual Meeting we double up the prize money for this year. The same number of prizes just double the amount. The total amount is \$1,400.00. It takes a while to pass them out so just double the amount.

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 invoice from Bartlett & West for engineering design. Kyle Sewell. No invoice this month.

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- b. Discussion and decision regarding the easement acquisition and counteroffers from landowners. Kyle Sewell. I sent out another letter to the seven hold out properties. One of them immediately turned their easement in. Michael Beard, the Attorney wrote a letter on his three properties, and he has come back with some request. His main concern was the clause that prevents him from building on the easements. He wouldn't allow anything unless it goes through the district. I explained to him that he can't build a shed or a three-story house or something on top of the easement. We have to get to the waterlines. He understands that his concern was a driveway or land scaping. I told him those would be fine. I suggested some language to not delete that clause because you need to have that restriction that they can't build on top of your waterline. I added with the exception of surface improvements, such as fencing and driveways. I'm waiting on him to reply because it was Friday when that discussion happened. He did ask a counter proposal on two of the properties that are owned by Don and Ada Scott. He asked the first one was \$519.81 was original value and he asked for a increase of \$2,000.00. His explanation was we need to build new fencing and build new driveways. We bring cattle in and out of these properties putting in the waterline would disrupt his business and that was his explanation why he thought he need additional funds. The value of his easement was \$4,115.96 and he asked for \$7,500.00. That was # 21 and # 2 increase to \$2,000.00. I think we have an agreement on the language change but on the cost if you want to accept. Richard Kriege. Are we being reimbursed by the Highway Department for these easements? Kyle Sewell. Yes. There are three that have not responded to any of the correspondence. Othel and Jo Ann Trammel, it's a Trust and Ralph G Williams and Andrew Donovan. Gary Burd made a motion to improve the increased amounts. Bill Jacobs seconded. Bruce Hoover, yes; Robert Scott, yes; Max Terrell, yes; Steve Cole, yes. Motion carried unanimous.

2. Discussion and decision the proposed 24-inch water line alignment and easements.

- a. Discussion and decision regarding easement acquisition counteroffers from landowners. Nothing new to report.

3. Discussion, decision and update regarding the Sheridan Booster Station engineering and design.

- a. Discussion and decision regarding the approval of invoice from Bartlett & West for engineer and design. No invoice this month.
- b. Discussion and decision to accept or reject bids regarding the Sheridan Booster Pump Station. Kyle, so I will read off the bids last we took last Friday the 25th of March. Strong Hand had the low bid of \$745,000.00. Orr Construction was at \$785,525.00 and then Timberwolf was \$888,000.00. There were two bids that were close in amounts. So that's about an increase of \$100,00.00 over. Remember we had that low bidder, and he counter proposed another \$95,000.00 more. He didn't know what he was getting into. We followed up with Strong Hand to find out what their qualifications are, and I am tentatively going to go ahead and recommend them. With the understanding that they are a general contractor. They don't really have any almost none of it will be the crews. They have lists of subs for everything from the building to the fence and they may do some of the waterlines. They gave a list of their subs. I talked to some other engineers about Strong Hand and they are going to need some hand holding. Lot of communication and they might nitpick and there a chance of change orders. Any gaps in the plans at all they are going to nitpick. The second bid is Orr Construction Inc., they are a preapproved contractor for ORWA. They have more experience in the water industry directly. We have no problems with hiring them. If that is the route you chose. I do have some reservations

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about Strong Hand. They will be a little squirrely with us on change orders. They have already sent a letter saying cost are going up. They called me the day, after we opened the bid. They said we need to pass our cost increase on because we will give you our invoices from the suppliers. That's not allowed and we can't do it that way. The owner said we must've misunderstood, we are going to honor our bid. Sent an email back to them about why you would say that, with no response back from them. One guy says pass the cost on and the owner says no you must have misunderstood. The price difference between those two bids is \$40,000.00. Robert, we don't have to go with the low bid. Kyle. Strong Hand has been very proactive and have given me their submittals already. In their favor they have been overly communicated. David. What about the piping and pumps, any experience at all? Kyle. They have put in pipes that have water line and sewer lines piping projects but no pumping. Must depend on Haynes coming in and leveling them and getting them to fit right. They Handle the pump basis but I don't think they have the experience directly with water pumps. Robert. The second company up is known in the water business? Kyle. Orr Construction has a good reputation and are known by ORWA. They do on call services for water companies and districts that have need with valves and fittings. Robert. I don't know about you guys but it's time we got this built and we have gone with these companies in the past that may be good and maybe bad in the past. Robert Scott made a motion to go with the second bid Orr Construction because of lack of industry experience. Steve Cole seconded. Bruce Hoover, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Robert Scott, yes; Steve Cole, yes. Motion carried unanimous.

- 4. Discussion, consideration, and possible vote to change and/or amend the District's Rules and Regulations pertaining to excessive water usage, the proposed changes, and amendments to include, without limitation, to the User Application and / or Developer Agreement.** Table until next meeting.
- 5. Discussion and decision 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. Jerry Gammill. We have not received anything back since the board approved Bartlett & West to do the engineering. We sent that down to Tulsa County And have not sent anything back.
- 6. Discussion and decision regarding a request by Matthew McDonald and Courtney Lack for water service for 12427 N 11th E Ave, Skiatook for water service.** Jerry do is get a meter from Skiatook. Chad and I have met with Skiatook, and they have no problems with the arrangement. Matthew McDonald. I do have a problem, Skiatook would charge me \$585.00 and through you guys it's going to be \$1,500.00 and then a upcharge of 30%. If that's in your district and you can't service, it then why am I getting an upcharge. Jerry Gammill. He is wondering why we feel we need to serve our water

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service area and he has property in our service area. There are some older Skiatook meters that have been over there for a long time. Matthew McDonald. They moved a meter down there at the end of 11th. Miss Ashlock has a house down there on the west side of the road. They did run a new line from the intersection of 126th and 11th all the way down. They moved her existing meter over to that line. There is an actual waterline where my driveway is going to be. Is it private line or can we tap right there? David Dollar. You need to remember that membership he is paying the biggest part of that is the cost to put in a tap. I can tell you for a fact that the Skiatook fee for a tap is not accurately. The 30% upcharge is for buying water outside our service area. Chad Pennington. Skiatook will set the meter and we will set a can on your side of the meter with a shut off valve so we can shut off if needed. I'm sure where they extended the line and moved existing meter. That's probably that's probably where they will put you. Matthew McDonald. They confuse me because they said there is a 6-inch waterline down at the bottom of the hill. But doesn't the meter need to be set towards the house. Chad Pennington. It's wherever they set it because it is their call where to set the meter. Now, if we ever bring water to you, and we bring it down that road it would be up front. It would be moved to where we set meters. They will have to show me where it is set. Matthew McDonald. If they put the meter at the bottom of the hill I will have to run lines over a ¼ mile of waterlines to my house. Chad Pennington. You might ask them about that line they extended that existing water tap. Steve Cole made a motion to approve the tap for service with Skiatook supplying the water with the 30% up charge. Bill Jacobs seconded. Bruce Hoover, yes; Robert Scott, yes; Max Terrell, yes; Gary Burd, yes.

7. Discussion and decision an amendment to the City of Tulsa Master meter Agreement for an additional 6-inch meter correction (Amendment #2). Jerry Gammill. This has to do directly with The North Tulsa Commerce but specifically with between Washington County Rural Water and the City of Tulsa. The master meter agreement we have had for along time all this is an addition an amendment that will be added to that contract. This amendment specifically with Tulsa but it is for The North Tulsa Commerce Center. Gary Burd made the motion to approve the Amendment. Bruce Hoover seconded. Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Steve Cole, yes. Motion carried unanimous.

8. Discussion and decision regarding the utilization of a Utility Billing Agreement with the City of Tulsa where applicable, by utilizing City of Tulsa sewer services in Washington. Richard Kriege. I have one question; we have to turn the water off if they don't pay the sewer? Jerry Gammill. That is somewhat built into the agreement with the existing agreement like we have with Owasso. We do all the billing and so forth and they don't pay their sewer bill. They are not paying the full bill that is coming back to us rather that be the sewer bill or the water part. If they don't pay in full, we go down and shut the water off. This agreement by the way this one is done we won't be billing for the sewer. We will read our meters, send a report to City of Tulsa. The City of Tulsa will do their own direct billing. So, we will not be receiving and/or additional admit billing fees. Those customers do not pay their sewer bill that piece we will have to shut their water off. With Owasso, we bill for water sewer ambulance with additional fees. With City of Tulsa, we will be billing for our water. When we get a meter reading upload to the computer it generates a water bill and we will generate a report that Sequoyah set up for us. Send the report to City of Tulsa. City of Tulsa will have two lots for sewer alone. City of Tulsa will send those bills out directly. Robert Scott. We don't get any extra on all this for what we are doing? Richard Kriege. Basically, we are telling them how much water they used so

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they can bill for sewer. Robert Scott. It's an extra function where we are going to have to perform for the City of Tulsa and their going to bill for it and we aren't. We will come up with a fee. We will be billing that customer for a \$20.00 per meter, an Admin fee. Steve Cole. And if they don't pay their sewer bill to City of Tulsa, we go out and shut their water off. Jerry Gammill. We are agreeing to that will have to go shut that water off. In that situation we have trip fees that if we have to go out to shut water off. Larry Steidley. The customer should be agreeing on this when they set up service. The only comment I have is that we already have been through the comment process with them and they haven't sent their comments to legal first before they sent us their comments. Jerry Gammill. Since then we have received another copy that their legal department has looked at and Larry Steidley hadn't had a chance to look at it. Larry Steidley. I've tried to look at it and I don't understand the mark ups so if you approve it, I would make it subject to our approval. David Dollar, Jerry Gammill, and Larry Steidley's approval. Subject to the mark ups. Most of the changes was the instead of City of Tulsa utilize TMUA (Tulsa Municipal Utility Authority) Robert Scott. The only thing I don't like is our guys have to go be the bad guys and shut the water off. Jerry Gammill. Right now, it is only two commercial lots. In here the City of Tulsa wanted it minimized. Area of service, a govern control include developments that currently lie within the boundary of section 27-21-13 that are provided domestic water service by the district and sanitary service by TMUA. If the number of customers exceeds twenty this agreement will need to be negotiated. David Dollar. Where they are extending sewer service in that area but there is the possibility that it could go farther but they are limiting this to that one section. Jerry Gammill. This will only apply where there is someone that needs water from us and sanitary sewer from City of Tulsa. Larry Steidley. It would be put in their sewer contract that in order to receive sewer services if they don't pay their sewer services there is agreement with us to have the water cut off. They should pay us. The odds of you getting sued and being a big deal are pretty slim but they would need to compensate us. Defend whole harmless and identify us for anything we would have take the charge for from a customer. Which they are wanting to write part of that out. David Dollar. Across the street is a open lot and a developer could put fifty homes in sewer is right here. They are putting in a big new sewer line so it's not like it will be limited. The sewer line is being extended up from the down the Cherokee Industrial line south side. They're bringing in a 12 inch sewer line. David Dollar. They know at least the team we are working with right now\ completely understand the territorial service boundary of the water district verses theirs. Gary Burd made a motion to contingent approval waiting on the legal from Jerry Gammil and Larry Steidley. Bill Jacobs seconded. Bruce Hoover, yes; Robert Scott, yes; Max Terrell, yes; Steve Cole, yes. Motion carried unanimous.

III. NEW BUSINESS

IV. ADJOURNMENT

1. Gary Burd made the motion to adjourn at 9:12 a.m. Steve Cole seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes. Motion carried unanimous.

Robert Scott – Secretary/Treasurer
Notes by Dona Lewis

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