

Rural Water District No. 3

Washington County, Oklahoma

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BOARD OF DIRECTORS

REGULAR MEETING VIDEO CONFERENCE

April 13, 2020

I. CALL TO ORDER

- 1. Discussion, consideration and possible vote to appoint Larry Steidley as Parliamentarian for purposes of assisting in running the Videoconference meeting, and to keep order due to lags in service or other logistical impediments.** Gary Burd made the motion to approve Larry Steidley as parliamentarian. Steve Cole seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.
- 2. Determination that the ZOOM app is recording the meeting.** Larry Steidley, it is recording.
- 3. NOTATION TO THE PUBLIC: All votes occurring during this meeting shall be recorded by roll call votes.**
- 4. Roll Call. The meeting was called to order April 13, 2020 at 8:00 AM.** Chairman, Richard Kriege called roll: Chairman, Richard Kriege, here; Vice-Chairman, Bruce Hoover, here; Secretary/Treasurer, Robert Scott, here. Directors: Bill Jacobs, here; Max Terrell, here; Gary Burd, here; Steve Cole, 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 8:15 AM at ZOOM app over the internet. Notice of the meeting was posted on the front door and drive-up window of the district office on April 8, 2020 at 4:00 PM. Also present is Jerry Gammill, District Manager; Rosemary Robinson, Office Manager and Recording Secretary; David Dollar, Water PAQ Engineering; Larry Steidley, Steidley Law Firm; Louis Funk, Bartlett & West; Eric Smallwood, representative with EMC bonding company; Bob Mackey, CrossBo. 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 office by Wednesday prior to the meeting date and have your name and the nature of your business placed on the agenda.
- 5. Correction, deletions or addition to the minutes of:**
 - a.** The Regular meeting of March 9, 2020. Bill Jacobs made the motion to approve the minutes as written. Gary Burd seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.
- 6. Approval of accounts payable.** Steve Cole made the motion to approve. Bill Jacobs seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.
- 7. Approval of new tap applications and transfers.** Robert Scott made the motion to approve. Steve Cole seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.
- 8. Approval and/or acceptance of new developments or line extensions.**

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C., 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).

- a. Discussion and decision regarding Dollar General water service, 1.63 ac., located on the southwest corner of Hwy 75 and W 3900 Rd (Vera Road.) Jerry Gammill recommends preliminary approval at this time. Gary Burd made the motion to give preliminary approval. Bill Jacobs seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.

II. OLD BUSINESS

1. Discussion, decision and update regarding waterline relocation associated with ODOT's Hwy 20 project east of Hwy 75 being constructed by CrossBo Construction, LLC, for the following:

- a. Discussion and decision regarding the approval of pay application #7 in amount of \$21,015.00 from Cross-Bo for construction and stored material. No action.
- b. Discussion and decision regarding the approval of invoice from Bartlett & West for engineering and inspection in the amount of \$33,261.60. Jerry Gammill made the recommendation for approval. Gary Burd made the motion to approve. Bill Jacobs seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.
- c. Discussion and decision regarding the approval of Assignment of Claims #20 and #21 to ODOT for engineering, construction and reimbursement for previously incurred RWD#3 expenses. Louis Funk, Claim #21 to CrossBo recommends NOT to pay \$21,015.00. Robert Scott made the motion to approve Claim #20 in amount of \$23,406.51 to Bartlett & West. Max Terrell seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.
- d. Discussion and decision regarding the approval of payments from District to Cross-Bo and Bartlett & West for District's 29.62% share of the total project cost. Gary Burd made the motion to approve \$9,852.09 to Bartlett & West. Bill Jacobs seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.
- e. Discussion and decision regarding the approval of an amendment to the engineering agreement with Bartlett & West for an increase in the not-to-exceed amount due to construction time overrun by Cross-Bo. Table this item.
- f. Discussion and decision whether to allow Cross-Bo Construction a reasonable time to finish, based upon a schedule submitted by contractor and advice of the District's Engineer handling the project, or whether to declare a contractor default and terminate the contract, the District thereafter demand the bonding company perform under the performance bond. CrossBo is unwilling to default because of liquidated damages. Steve Cole made the motion to terminate the contract with CrossBo. Bill Jacobs seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.

III. NEW BUSINESS

1.

IV. ADJOURNMENT

1. Gary Burd made the motion to adjourn at 8:58 a.m. Bill Jacobs seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.

Robert Scott – Secretary/Treasurer

Notes by Rosemary Robinson

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