

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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BOARD OF DIRECTORS

SPECIAL MEETING

June 15, 2020

I. CALL TO ORDER

1. Roll Call. The meeting was opened with the pledge of allegiance to the flag.
The meeting was called to order June 15, 2020 at 8:00 AM. Chairman Richard Kriege called roll: Richard Kriege, here; Vice-Chairman Bruce Hoover, here; Secretary/Treasurer Robert Scott, yes. 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 special 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 June 10, 2020 at 4:00 PM, emailed to Tulsa County, faxed to Washington County, Rogers County and Osage County. Also present is Jerry Gammill, District Manager; Chad Pennington, Field Supervisor; Rosemary Robinson, Office Manager and Recording Secretary; Larry Steidley, Steidley Law Firm, and other interested parties, Kyle Sewell, Bartlett & West and Jeff Thompson, Creek Construction. 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.
2. Discussion, decision and possible vote to approve audit for the 2019 fiscal year. Bill Jacobs made the motion to approve the 2019 audit. Max Terrell seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried.
3. Discussion, consideration and possible vote with respect to the waterline relocation project associated with the Oklahoma Department of Transportation's ("ODOT") Highway 20 project east of Hwy 75 as follows:
 - a. Determine whether the District will settle all disputes with the bonding company, EMC Insurance Companies ("EMC"), pertaining to its performance bond by accepting the face amount of the performance bond and entering into a Tender and Release Agreement by and between the District and EMC for the Hwy 20 relocation project, same to be contingent upon securing an agreement with a replacement contractor identified by the bonding company: Kyle Sewell, the EMC check is for \$1,038,783.50 with 70.38% to go to ODOT. Gary Burd made the motion to accept. Bill Jacobs seconded. Bruce Hoover, yes; Robert Scott, yes; Bill Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.
 - b. Vote to approve closing out the original Form 305 Utility Relocation with ODOT and approve the splitting of the EMC performance bond funds with ODOT as per the original agreement with 70.38% going to ODOT, and the remainder to be retained by the District. Bruce Hoover made the motion to approve. Bill Jacobs seconded. Bruce Hoover, yes; Robert Scott, yes; Bill

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- Jacobs, yes; Max Terrell, yes; Gary Burd, yes; Steve Cole, yes. Motion carried unanimous.
- c. Approval of a new Form 305 Utility Relocation Agreement with ODOT to complete the Hwy 20 project; and. Bill Jacobs 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.
 - d. Approve contract with Creek Construction as the replacement contractor for the Hwy 20 project, as per the Tender and Release Agreement with the Bonding Company, EMC. Kyle Sewell, Creek Construction bid is \$1,278,924.00. Bruce Hoover 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. Jeff Thompson with Creek Construction is here. Contract time is 120 days. Start time is July 1, 2020.

II. ADJOURNMENT

Gary Burd made the motion to adjourn at 8:17 a.m. Bruce Hoover seconded. Motion carried.

Robert Scott-Secretary/Treasurer
Recorded by Rosemary Robinson