

Tontitown Water & Sewer Commission
Meeting Minutes
2006-12-05

Roll Call:

Larry Goddard –present
Steve Gunderson –present
Bill Brandt –present
Gene Baker –present
Mick Wagner –present

Approval of Minutes for 2006-11-08:

Mr. Wagner requested that the date of the minutes be changed to 11-8 from 11-9. Mr. Brandt requested that the spelling of David Kampwerth be corrected. Mr. Nickle asked that his name be corrected also.

Motion to approve the minutes with amendments by Bill Brandt
Seconded by Steve Gunderson

Vote:

Goddard –yes, Gunderson –yes, Brandt –yes, Baker –absent at time of approval

Review Financials:

Old Business:

Update on Sewer project, options for line extensions:

When the Commission let out for bids they tried to let out for what they knew they had enough money to pay for. The initial layout for the sewer doesn't look like much but it was what they Commission knew that they could pay for at that time. Fortunately the contractors came in lower than the initial estimates. Last month there were three propositions that were to extend some lines. It was discovered at Tontitown Z-Mart and the Red Door Bar & Grill that for a little bit of money the lines could be extended back and get between the Red Door and the Z-Mart. That will afford us to get the car wash, a big volume user, which the Z-Mart has as well as the restaurant in the Red Door. This will open up to where more area can be served where as before it was just a dead end line. The other area that the Commission looked at was back behind P.A.M. that has buildings that would be big volume users. That one was approved at the last meeting. Mr. Wagner asked if Mr. Goddard's company would be agreeable to that and Mr.

Goddard stated that they would. Mr. Terry Carpenter stated that the Commission had asked about easements for that and he thought that the areas that the lines would be ran would already be in the right-of-way area so they may not need the easements. Another area that the Commission had discussed last time was out west to go through the Tontitown Plaza to pick up the 15 lots that they had. The Commission had one of the three that they discussed that had been updated. It was the one that goes up to Pozza Lane. That line will stretch about 2,200 ft. This one doesn't have a highway bore. The change order proposes for this to cost around \$162,000 but it will wind up costing around \$90,000 + because of a deduction of \$70,000 off of that due to the rerouting. Mr. Wagner asked USI that in the future that any materials like this be sent to the entire Commission by email with a minimum of 3 or 4 days so that they have a chance to look at it. Everyone will then have a copy of it and aren't wondering where it is at. At this point, the audio will reflect that but Mr. Wagner asked Mrs. McAdoo to make sure that they be in the minutes. Mr. Wagner asked that the minutes be amended to reflect going back that information so that anyone reading the minutes can see what amounts are being approved. Mr. Gunderson stated that we ought to just attach the two orders that were approved at the last meeting to the minutes. Mr. Carpenter stated that the one that went out to the car wash, store and restaurant was basically \$172,900 versus the initial \$210,000. The net of the two is \$310,000 and change. USI is providing a change order to deal with US Fish and Wildlife's requirements to construct the lines within 150 ft of loosing streams as negotiated with Mr. Kampwerth. USI doesn't have any numbers on that yet but they don't think that it will be significant. They asked for a contractors pricing and have not got back with them yet. The estimate for the P.A.M. area is \$46,800. This will bring up to \$348,000 and the Commission had \$400,000 to spend. Fish & Wildlife will be another \$50,000 or so because we will have to double line so stuff. That will put us right were we needed to be. Proposals #1 & #3 have already been acted on and approved so the only one that needs to be acted on is #2.

Motion to accept change order #3 for \$162,500 to extend an additional line on US 412 to Pozza Lane by Bill Brandt
Seconded by Larry Goddard

Vote:

Goddard –yes, Gunderson –yes, Brandt –yes, Baker –yes

Davenshire Subdivision:

Mr. Wagner learned last week that Mr. DeWeese had been making public statements to individuals that we were holding up his subdivision and made statements that were going to fail him regardless of what the flow pattern was. This is quite contrary to the truth. It was indicated, in a meeting in July, that Mr. DeWeese had taken no further action to get flows like we had requested. The reason that we asked for those flows was because we still have a responsibility, even though it isn't on our water system, to improve our ISO ratings and to do that the fire flows are very important. Yesterday Mr. Zulpo the Fire Chief, Mr. John Jenkins who is the Washington County Fire Marshall and Shane

Harrison our City Building Inspector had a meeting to discuss the requirements or whether there were such requirements. Mr. Jenkins clearly indicated that he had made it on numerous prior occasions to get with the engineer for Mr. DeWeese. In fact, the state fire code does require fire flows and not so much that the Water & Sewer was asking for the fire flows. Regardless of whether Mr. DeWeese thought that was fair or unfair, the fact of the matter was the law says that any subdivision, and according to Mr. Jenkins, in Washington County that is over 4 houses are required to provide him with fire flow data of any hydrants in the vicinity. Mr. Jenkins contacted Washington Water Authority. Mr. Wagner stated also that the thing that concerns him with Washington Water is in discussions with Mr. Josh Moore, who is the General Manager; he said that yes he, at that point, held up on allowing any flow tests to be done because his firm was charged with providing water not to be worried about fire flows. This cuts against our grain because we are not only charged with providing water for drinking purposes but to also insure the lowest ISO ratings. In order to accomplish this, as the Commission has said a number of times, we have flowed every one of our meters; we have that data online and are accessible through our GIS. When you pull up our GIS system it pulls up little red dots, those are hydrants and you can move your arrow over any of them and get the flow data for that hydrant. In recent talks with Bentonville who received an ISO rating of 3, which is the lowest that Mr. Wagner is aware of in Arkansas, they have a very similar system to this and it is one of the things that makes it good. The more ISO can get without having to dig is better for us. By asking any sub-development, regardless of whether it is in our water system territory, as long as it is in the City limits of Tontitown, we want to obtain this data on the front end. We are going to flow our hydrants once a year to be sure that this data continues to be updated and as we add more lines in there, theoretically, those flows improve and we have to keep records of that. The water system of the City is attributed to 40% of the score card that an ISO rating goes by, the Fire Department is 50% and the emergency communications procedures are 10%. There isn't a lot that you can do with the emergency communications that are dispatched out of Springdale but you can do something to improve our water. We do have a pending report in with the ISO folks now. Mr. Wagner feels very confident that with what improvements that we have made on the water system and the improvements that the Fire Department has made, we are going to get a lower ISO rating. Mr. Wagner reminded them again that 1 point, right now we are a 6, if we go to a 5 and take an average \$250,000 home, what the insurance rates would reduce, with the number of households that we have in the city limits of Tontitown as of 2004, it would mean \$100,000 a year to the citizens just by lowering the ISO rating 1 point. With that said, Mr. DeWeese's lots were flowed yesterday. They are minimal as would be expected. We have a fire hydrant within about 1,060 ft. Springdale also has a couple in the vicinity so we have sufficient fire flow to make it a safe neighborhood. Mr. Wagner asked the Attorney to suggest ways in which we could work with Washington Water's Attorney to get some kind of Interlocal agreement in place so that we don't have to go and have an argument because if it hadn't been for Washington County's Fire Marshall getting involved yesterday, Washington Water had refused us. Washington Water doesn't care about the fire protection in Tontitown, AR. They have the mission to providing water for people to drink. Maybe if Mr. Dossett could do something about that it could resolve some things. There will be subdivisions built in Washington Water at some point. Mr. Dossett stated that he will look at it.

Melton easement:

Mr. Melton is the only easement that we have had issues in obtaining. We won't be cutting across so much of his property. Mr. Gunderson had been the one that was doing the talking to him. We have changed the easement to where it just catches the very corner of his property. There is a bridge just to the west of his property that when it rains it can't handle the water coming from the east as well as coming from the south. It backs up and floods his backyard. He has had a problem with the development to the north and thinks that part of the problem is that they didn't provide for drainage. He wanted anyone who took that easement to fix that problem. Mr. Gunderson didn't see how we could fix it. Mr. Wagner didn't think that the problem could be attributed to Barrington Heights subdivision because it was the same creek that was there when they built the houses. This bridge has two 60 inch culverts in it. Mr. Wagner didn't know who done the design work on it for the City's streets at that time. He didn't know if it was undersized or not. On the FEMA maps this area is flood plain. The Commission can't be expected to fix mother natures problems or past problems that may or may not be from the design work of this. With the mind set that Mr. Melton has and with the necessary progress to be made on our sewer project, we feel and have asked the appraisal firm of Mark Risk to appraise this because we will have to have appraisal in hand, according to our attorney, to proceed in condemnation. This will be the first condemnation that the Water & Sewer Commission will have to undertake. The City itself had to undertake condemnation on Taldo Loop with a guy that had a house trailer that we were going to cross his property. He wanted us to pay for his whole property. We don't like to do condemnation but at this point we are waiting to hear back from Mr. Risk. Mr. Wagner asked Mr. Chuck Nickles to ask Mr. Risk to provide the Commission with the forms and make sure that we are still on that. When we have that in place we can go to the Judge and he will issue us possession and we will have to have what the fair market value is. We will have to post the value in order to get an order of possession started. Mr. Wagner provided them authorization to proceed by form. Alderman Penzo asked how much property Mr. Melton had to the south of that. Mr. Wagner stated that from the back of his house to the property line was about 230 ft. Mr. Penzo asked if it had to run in a straight line down through his property. Mr. Wagner showed Mr. Penzo on the GIS where the line will now run and how it would get off of his property as soon as it could. Mr. Penzo stated that what he was getting at was if you can go to the right, go to the east and get across that fence and it isn't on him. Mr. Wagner stated that the problem they had there was that on gravity flow they would have to get so deep with their ditch because of the drag and grade that it is going up there. It would be a significant ditch to get back over onto Mr. Gunderson's. They looked at several options in considering this. They even looked at coming up to the property on the north and crossing the creek up there and then straight down but the problem that they got up there is we can't seem to find out who that person is. We have sent registered mail and we have there names but they don't ever seem to answer the phone. It's kind of an absentee landowner issue. We thought that we could work out an easement with them to cross the creek up high and come back down. This is about the only way that we can do it and condemnation is always our last choice

but it looks like our only angle here. Mr. Penzo stated that to the east of Mr. Melton is owned by Dorothy Sbanotto. There is a little piece down there that Melton mows that is not his. Mr. Wagner showed the land contours to Mr. Penzo on the GIS and showed him the elevations of the land in question. He stated that you start with maybe a 10 ft ditch and then go to a 20 ft ditch to keep your line flowing on gravity. Mr. Wagner stated that the Commission doesn't want to condemn anyone if they don't have to but there are a lot of people that want and need the sewer and he doesn't see any other way to do it.

New Business:

Discuss ratification of sewer master plan:

Mr. Wagner asked USI to bring the Water Master Plan. The Commission had updated it earlier this year because it was out of date and they had run into several problems. One of the problems was done on Bandini Street. The old master plan showed that they had a 6" line that went under Barrington Road. We went out there and looked and had David look and they didn't have a 6" there although the master plan showed they did. We have put an 8" there now because there has to be a fire hydrant near the church. Master Plans do two things: it tells you what you have in the ground and it tries to look out into the future shows you what you need to have in the ground as your city grows. When we started the sewer project they didn't have anything to worry about two years ago because they didn't have anything in the ground. We will have it in a couple more months and then the problem will be now that we got it, where do we go? Mr. Wagner asked the engineers to put us a Master Plan together to guide the Commission and to give them some indications as to what needs to be their next venue in the sewer plan. Mr. Chuck Nickles stated that what we need to take the zoning that you have approved, you assume that you have development that will occur sometime in the future to equal the density of the zones that you have out there, and those zones, for example, if you had 3 houses per acre they would generate a certain waste water flow that the engineers generally use. They add up all of those in the various zones. So they look at both the development and projected development 20 years out. Then they say this is the amount of flow that the areas will have and figure out what line size you will need to have to where it would run logically following the drainage patterns. Basically you would come up with a map that has a few of fingers right now of real info structure in the City in three different areas. This would take that and go out further and say where would we run 8" line and 12" lines to pick up everything inside the City limits based on the zones that are currently approved by the City Council. We wouldn't design every line but we would give the Commission a graphical map that shows line size and then cost estimates for each of those lines in 2007 dollars at that point. So when a developer comes to you you've got a way to go and see what you will have to extend and what is the developer going to have to extend and pay for in order to get to their area or from a Commission stand point, if we ran a line to this other drainage area (referring to GIS) what all you could pick up and what the cost share would be to that developer. Mr. Wagner stated that in the infancy of their sewer business, keep in mind that when we went to Springdale they gave us a 7 year contract that we are about 1 1/2 - 2 years into that 7 years. Although the fact that we have a connection with Springdale, we are spending about 1.5 million dollars. In the future,

Springdale's excess sewer will be shipped down to NACA. So this line that we are going to use temporarily to connect to Springdale will long term be hooked into a bigger pipeline which Springdale, Lowell and even at some point down the line the drainage will come in from Rogers and back to NACA. That only occurs when there is enough volume to make it feasible to all those cities to get together and get on that big pipeline. At the end of 2012 we will also in our Master Plan have to show that right now on this lift station will have to pump to another lift station back up to where NACA's plant is. So we will have long term, two connections to NACA's plant; one riding with Springdale and one going through the recently annexed area which is the drainage of Brush Creek and will pump from this to a certain point and this will start gravity going so far and then we will have to put another pump station in and lift it back up over the hill to Snaigley Road where NACA's plant will be put. Mr. Nickle's state that there was another option that will extend the gravity system out west down the valley all the way to where the Osage regional treatment plant is and build a lift station is and pump directly up the creek. Mr. Wagner states that that is another option because when NACA and Osage converge they still own that land so that will be a third option. Those will continue to be worked on. USI has put together the initial Master Plan for our sewer. We have to have good management in place to say if these guys come on with a proposition for the Commission is it good or is it bad for the City. This Plan will also plot alternate lift station plans for different locations. This Master Plan is just a start and we will have cost estimate spreadsheets for each line segment. Mr. Wagner has forwarded to the other Commissioners a proposition from USI for the cost of the Master Plan that has a \$25,000.00 top on it. This is a small amount considering what Springdale has paid for theirs. USI thinks that within 2 months they could have the plan. If they are authorized to begin they could give us a report in 30 days as far as where they were at and what it will look like at that point and see the progress that has been made. Hopefully they will here some of the Commissions input and have it by the first of February. Mr. Brandt stated to USI that they had said the costs would be in 2007 dollars and Mr. Nickles stated that they would be in 2006 dollars not what had been stated earlier.

Motion to engage USI to start work on the Sewer Master Plan made by Larry Goddard
Seconded by Bill Brandt

Vote:

Goddard –yes, Gunderson –yes, Brandt –yes, Baker –yes

Mr. Gunderson asked if they now had to make another motion in order for Mr. Wagner to be authorized to sign the contract for the Sewer Master Plan. Mr. Wagner stated that he thought that they would. Mr. Dossett agreed that would need to take place.

Motion for the Chairman to be authorized to sign the contract with USI made by Steve Gunderson
Seconded by Larry Goddard

