

Tontitown Water & Sewer Commission
Meeting Minutes
2007-03-06

Roll Call:

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

Also in Attendance:

Mark Dossett –City Attorney
Chuck Nickle –USI Consulting Engineers
Terry Carpenter –USI Consulting Engineers
Brandy McAdoo –Administrative Assistant

Approval of the Minutes for 2007-02-06:

Motion to approve the 2007-02-06 minutes as presented by Gene Baker
Seconded by Larry Goddard

Vote:

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

Motion passed.

Approval of the Minutes for 2007-02-16:

Motion to approve the 2007-02-16 minutes as presented by Bill Brandt
Seconded by Gene Baker

Vote:

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

Motion passed unanimously.

Review Financials:

The Commission reviewed the financials that are posted to the web.

Old Business:

Update on Sewer Project:

USI had a meeting yesterday in their office with the contractor and the Arkansas Department of Health County Sanitarians to discuss the progress of the work as it relates to the restaurants and to Mary Maestri's on the east side and Guido's downtown. USI provided them a schedule by which the contractor by contractor has agreed to meet. Schedule A on the contract is to be completed by April 26, 2007. A fourth crew is supposed to start next week. Everything is completed on the lift station and force main with the exception of electrical power. The lift station will be tested later this month.

Mr. Wagner demonstrated on the GIS where the sewer lines were being laid. The Commission receives inspection sheets every week and on those the engineers give a recount versus the footage in the contract. This gives the Commission a percent complete versus the actual time left under the contract. Right now there is about 50% of the pipe laid in the ground with about 60% of the time used. The contractor will be charged \$500 a day for not meeting the schedule if that occurs. USI and the contractors intend to meet again in two weeks for an update on where they are. \

The main concern of the county sanitarians is that the restaurants be able to hook up to sewer. Getting the restaurants hooked up is the highest priority right now.

Mr. Quinton asked dif the line on Agnes will run behind Industrial. MR. Wagner showed him that this line is listed as a future line. At this time, there are not enough funds to furnish sewer in that particular area. As funds become available the Commission will decide on a case by case basis where it would most benefit to lay additional sewer.

Mr. Brandt asked how the situation with the lift stations low flow was going to be addressed. USI stated that they had provisions to add some chemical feed equipment if that becomes necessary but it has not been purchased at this time because it isn't known as to whether it will be needed or not. Mr. Wagner asked when the barn on the lift station will begin being constructed. When they get done with all of the paving then the barn will be put up. The Commission will need to sign a contract to authorize that cost. That will be ready for consideration at the next meeting.

Adopt new Minimum Standards for Water & Sewer System:

The Minimum Standards were addressed in last month's meeting. It occurred after looking at page 9 that the bonds were unclear as they were written and they have since been revised to make them clearer. Also, the hydrant color was to be painted but that was revised to state that they are to be "banded" or "taped". These collars are easier to change out as needed and are reflective for identification at night. These bands will fit right under the bonnet of the hydrants.

Motion to accept the modifications to the Minimum Standards for the Water & Sewer System by Steve Gunderson
Seconded by Bill Brandt

Vote:

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

Motion passed unanimously.

New Business:**South Pointe Subdivision proposal for cost share:**

Mr. Kashi Kumar sent Mr. Wagner a proposal by email for the Commissioners to look at. Mr. Geoff Bates stated that they put some numbers together. They had recently done some bidding and are confident in these numbers. They wanted to put something together to try and give the developer some incentive to build it. It cost more than they were expecting it to in order to develop the entire system. He stated that if the Commission waived some of the fees would help. They were not sure exactly what the Commission was looking for in the way of a proposal. Mr. Wagner stated that the Commission would like to get the sewer to as many people as they can. The Commission had discussed bringing in a gravity line that would service those individuals in that area. USI came back after looking at the numbers and found that there was more cost involved and the Commission isn't able to fund it.

There are 59 build able lots involved in this project. The Commission has a fixed amount of money to start with. Option 1 that is proposed is what they would need to go with. Mr. Nickle states that if they chose to build their original plan which is a pump station he would ask the Commission to pay the difference in the material costs between a 4" and a 6" line for that force main. The amount of that cost would be around \$6,000. Mr. Wagner wanted it made clear that the Water & Sewer Access Fees are due and payable upon application for Final Plat. Mr. Wagner also asked if they had polled the landowners in that area yet and if they were sure that they would have easements from them if they do decide to go that route. Mr. Bates stated that they hadn't had any negative discussions with anyone yet. Mr. Wagner asked if they had talked to the Georges'. The route of the line crosses over their property. Mr. Bates stated that they didn't know for sure. The Commission does not want to get involved in imminent domain for easements and they want it to be agreed upon by the property owners. The Commission could not see paying more for this than what they would be receiving in connection fees due to needing the funds to put sewer in areas that need it more. Mr. Baker asked how much it would cost to lay that line and Mr. Wagner stated that it would be around \$90,000 more than what they would receive in connection fees. Mr. Bates stated that they would talk and see what they could do.

Comments from Mr. Chandler:

Mr. Wagner asked if Mr. Chandler was present. He had asked to be on the agenda and did not show up for the meeting. He had called Mr. Wagner about a week ago and was wondering why his property didn't show that it was going to be serviced

with sewer. Mr. Wagner showed the Commission where Mr. Chandler's property was and where our existing 8" dead ends. His property is about 450' from where the line ends. SOP 30.1 states that he can hook up to sewer and pay for 100% of the expenses and the only thing that the Commission may choose to do is contribute to that is the purchasing of the materials (pipe). Mr. Wagner expressed this to Mr. Chandler and put it in writing to him via email. Mr. Chandler called Mr. Wagner back 20 minutes later and began to give Mr. Wagner a dialog of why it was such a bad idea. At this time, Mr. Wagner invited him to come to the Commission's public meeting and voice all of his concerns. Mr. Chandler then threatened the law 779 about providing sewer. The Commission has provided sewer, Mr. Chandler has to hook up to it.

Discuss waiver for Mussino extension line size:

The Minimum Standards state that there is a minimum of an 8" C-900 PVC in our water system. If anyone wants to extend a water system in the City, they are bound by this unless the Commission grants a waiver. The waterline comes across Mr. Mussino's property with a 3" line. It would not be feasible to require Mr. Mussino to comply and put an 8" feed by a 3" line. He asked the Commission to consider allowing him to connect and extend a 3" line down to the end of his road. Mr. Mussino has plans to build three houses down there. Per SOP 30.2 the Commission would provide a \$500 credit for each house that hooked on to that line. This would provide service to Mr. Mussino and the Commission would get three new customers. It is at the Commissions discretion whether or not he is allowed to do that.

Motion to grant the waiver allowing Mr. Mussino to connect to an existing 3" line and extending it along the backside of his property approximately shown as 1,100 to 1,200' by Steve Gunderson
Seconded by Gene Baker

Mr. Brandt asked that if Mr. Mussino realized that he would not have fire protection on that line. Mr. Wagner stated that he did and then asked Mr. Dossett if the Commission allowed Mr. Mussino to do this if it would open the Commission up to a lawsuit. Mr. Dossett stated that he thought it would be okay. Mr. Gunderson asked if the Commission would require him to do the construction according to the specifications and also make him sign some sort of release regarding the fire issue. Mr. Dossett stated that there would be a memorandum of understanding.

Vote:

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

Motion passed unanimously.

Comments from Commissioners:

Mr. Gunderson stated that the Bersi easements will be resolved soon. Mr. Wagner stated that Mark Zulpo has one to bring back also. Mr. Wagner also stated that if the Commission recalled they allowed damages to Mr. Stolphi for one spot on his property and that the Commission needed to get that check cut. Mr. Gunderson asked Mr. Dossett where the Commission was at on the Melton issue. Mr. Dossett replied that they have an order of possession on it. He states that apparently they have concerns that the construction is going to add to their drainage problem on his property. Mr. Dossett states that it seemed like they wanted the Commission to solve their existing drainage problem in exchange for the easement. Mr. Dossett explained to them that the Commission couldn't do that and that it wasn't going to make the drainage worse but that they weren't going to fix the existing problem. Mr. Carpenter met with Mr. Melton and his attorney at their request about two or three weeks ago. Mr. Melton's concern was he didn't want some trees cut down even though he is the one that was forcing the easement that way. Mr. Carpenter stated to Mr. Melton that there would be clean up and reseeded of any construction areas. If the easement is redrawn to Mr. Melton's wants he would need to drop the lawsuit with the Water & Sewer Commission. He could then go and sue the City for the drainage issues since they do not pertain to Water & Sewer.

Mr. Nickle handed out to the Commission their recent letter to the Commission concerning Springdale's evaluation of the water supply that would serve AEP. Springdale has a brand new hydraulic model and they ran the scenario with their updated peak max day and Tontitown's peak day and they said that they would also run a fire flow at Harbor High School and one at the new baseball stadium and then run 500 gallons a minute regular flow at the new baseball stadium and based on that, they didn't have enough water to give Tontitown. They can't give Tontitown the 400 gallons a minute that we would like to have for AEP. Rene Langston has indicated that they might be able to give 200 gallons a minute additional around the clock on a 24 hour basis. If they did that and if AEP provided 288,000 gallon storage, they were going to provide 270,000 onsite for them, then they could operate 12 hours a day. They could supplement 200 gallon a minute out of their tank, 200 gallon a minute coming from Springdale and that would get them by on some kind of interim basis.

Mr. Nickle told Mr. Langston that Tontitown was needing some more water also with the new sub developments going up and that their contract was going to have to be reevaluated anyway. The current contract states 350,000 gallons a day and the last three months of last year, according to the records, Tontitown was averaging about 100,000 over that. Mr. Nickle recommended to the Commission that they request additional water supply because we are exceeding the contract. Mr. Wagner asked USI to draft a letter and put it on the Commission's letterhead. Mr. Nickle talked to the head of Springdale's Commission, Chris Wiser, and he indicated that yes Tontitown needed more water due to growth and to get with the staff and see what they could get what Tontitown needs.

Mr. Wagner wanted to address the Kissinger issue. The Planning Commission has to recommend any changes to the City's Master Street Plan to the City Council. In the 1075 model Street Master Plan, Kissinger Road was an extension going east and west. Mr. Wagner brought up the MSP on the GIS for discussion. He stated that the problem that they have is that the way it is laid out right now the line is going right

through someone's house. That was an oversight when it was drawn out. By the time you widen that out to meet the standards to what this collector street required that was going to take a 60' right-of-way. Because the Commission wants to run waterlines, whenever possible, parallel to roads Mr. Nickle said that it would make sense to swing a little wider and get down on the fence row. The only draw back that Mr. Wagner saw to that was that there were some nice houses in the 112 Subdivision and it appeared that the waterline would miss that. The waterline would be on the south side of the proposed street. Mr. Wagner stated that he believed that if there is an opening on the Planning Commission, that since the Water Commission and the PC have to work together on issues, that the Chairman make a recommendation to put a Water Commissioner in that place.

Motion to adjourn made by Steve Gunderson
Seconded by Bill Brandt

Vote:

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

Motion passed unanimously.

Adjournment