

TONTITOWN WATER & SEWER COMMISSION

MEETING MINUTES 08-27-2008

1. ROLL CALL – At 3PM All Commissioners present except Baker, who arrived during discussion of water line on Wildcat Creek. Also present: Mick Wagner, Rebecca Bennett, Mark Dossett, W&S Attorney, Chuck Nickle, USI Engineering. Joe Dean, Jarvis, and Joe Davenport of Davenport farms and Geoff Bates of Bates and associates, and Michael Hamilton

2. APPROVAL OF AGENDA – Wagner stated that Brandt inserted Discussion of AEP contract as item 6B. A motion made by Zulpo to approve agenda as amended and 2nd by Baker, motion passed unanimously.

3. APPROVAL OF MINUTES FOR 07/23/08 meeting – A motion made by Zulpo to approve minutes as written and 2nd by Gunderson, motion passed unanimously.

4. REVIEW FINANCIALS – Wagner stated that water sales are behind 3% and service fees are up due to sewer connections. Water purchases and contract labor are under budget. Utilities and Rent are higher due to rent not being budgeted for. Compared to last year the gross profit is better, but expenses are worse than expected. The overall net income is down \$100,000, mainly due to recognizing income from the STAG grant which occurred in 2007. Wagner explained that there are three customers who are not able to connect to sewer until the line is completed. Three other customers have not paid for their sewer connections yet and will be turned over to Mr. Dossett to proceed with mandatory connections.

5. OLD BUSINESS:

- A. Update on Water tank project** – Wagner stated that there is a pending offer for the Mhoon property which is contingent upon rezoning. However since the re-zoning was not approved by the Planning Commission another site may have to be considered. The site location depends on access to a good supply of water, whether it is near the water system or not, and the elevation of the land. The Mhoon property on Pianalto is the first choice out of five. The city owns property on David Lane, however this site does meet the needs for the water tank. It is only 1.9 acres, the water line is too small, and this property is 20 feet lower which would add considerably to tank construction costs. The tank site needs to be 2 acres minimum, so that the tank would be located in the center of the site to prevent damage if it were to fall.
- B. Update on sewer line construction** – Chuck Nickle stated that it would be three weeks before the sewer line, currently under construction in the North Central part of the city would be finished. The final line behind Yester Years Antiques would then start and should be finished within 3 weeks. The current Phase One Sewer project will be finished within two months. Mr. Nickle went on to discuss the SCADA connections at the AEP

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water meter site. In order to receive signals for the SCADA system from AEP, pressure sensors and flow meter internals will have to be added. Discussion occurred that a change order would need to be considered to the contract with ISE for some electrical work estimated to be around \$2900.

6. NEW BUSINESS

- A. Mr. Davenport wishes to address Commission** – Mr. Davenport stated that Davenport Farms received a bill for a hydrant the hit while mowing their field. He questioned why they were held responsible since the hydrant was not visible due to lack of hydrant maintenance. Brandt explained that the policies state that any property damaged must be paid for by the person responsible. Davenport stated that since they couldn't see the hydrant they shouldn't have to pay for it. Wagner stated that there are no requirements for maintaining easements and the W&S Department is not liable weed eating around hydrants. Weed eating around hydrant is done for the primary reason of being able to find the fire hydrants at night, the Water Department does this as a courtesy to the fire department. Dossett stated that having an easement gives the W&S Department the right to maintain their lines, but doesn't require maintenance. Davenport stated that the fire hydrant that was damaged had been there for a while; therefore a used hydrant should have been used to replace it. Wagner stated that the hydrant that was installed met with the W&S Specifications, which doesn't allow for certain, types of hydrants. Brandt stated that it would be the Commissions decisions to act on this. Goddard stated that the policy should be followed. Mr. Dossett stated that the Commission doesn't have to vote on the matter unless a motion is made and seconded. Mr. Davenport asked each Commissioner to reconsider but all Commissioners agreed that the repairs should be paid by Mr. Davenport.
- B. Discuss AEP contract** – Dossett explained that the contract states that AEP will be charged the same price per volume as any other customer. Fees that will be paid by AEP are a meter charge which Springdale will define, fees for putting the SCADA system in, penalties for any excessive usage that can be attributed to AEP, and any other fees agreed upon. Wagner stated that the present contract will be in effect until June of 2009. Dossett stated that AEP has not seen the contract yet, but did agree to pay any fees attributed to them. A motion made by Gunderson to send the contract to AEP and second by Goddard, motion passed unanimously.

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- C. **Discussion of Policy Bulletin No. 23 – sick leave** – Wagner stated that the existing policy doesn't always require a doctor's note. Brandt and Goddard stated that he doesn't feel a doctor's note should be required but should leave that up to the supervisor's discretion. A motion made by Goddard to approve SOP as revised and second by Zulpo, motion passed unanimously.
- D. **Review line south of Wildcat Creek** – Wagner stated that there is around 1400 feet of water line on Wildcat Creek that is outside Tontitown's water service line. There is no record of when the line was built or how much it cost, however Mike Pennington has provided proof that he was the contractor who paid for the line. No records of easements or dedication of this line can be found. Springdale's Contract states the Tontitown is to provide water for customers only inside the Tontitown water service area. The Commission directed Mr. Dossett to contact the Washington Water Authority and provide the Commission a report on what direction to take.
- E. **Review ANR W&S infrastructure initiative** – Wagner stated that he attended a meeting of the Arkansas Municipal League at Eureka Springs on 8/22/08 at which AR Natural Resource Commission Ex. Director, Randy Young spoke. Question 1 on the ballot is for a \$300 million bond program to be administrated by ANR to be used for W&S infrastructure. ANR funds are used mostly for rural water. The Municipal League is concerned that RDA projects would continue to be funded for projects which allow lines that would not provide adequate fire flow yet may meet AHD standards. Wagner stated that Young, committed to put it in writing that ANR would not fund projects with a city's defined planning area unless the lines met the individual city's specification. This would assure that fire protection ratings could be maintained in the event the city annexed areas in the future.

7. COMMENTS FROM COMMISSIONERS – At this time the Commission allowed Michael Brandon Hamilton, who lives at 664 Tuscan Sun Lane, to speak. He explained that he was billed for a damaged meter lid, meter and ERT. The items were damaged by whoever mowed the property next to his. The meter box is on the other property and he feels he would be trespassing if he went onto their property to put a pole by the meter. Zulpo stated that if we start paying for items damaged by individuals, we would be obligated to continue to do this for everyone. Dossett stated that it is the responsibility of the customer who pays the bill to pay for damages to water meters or other such equipment owned by the Commission. Dossett explained that this situation should be between the neighbors and not the Commission; and suggested Hamilton to contact the lot owner to seek reimbursement for his expense. Hamilton stated that he would do this.

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8. ADJOURN – A motion made by Zulpo to adjourn and second by Goddard, motion passed unanimously.