CREEK COUNTY RURAL WATER DISTRICT #2

BOARD OF DIRECTORS MEETING

February 13, 2018

The meeting was called to order at 5:30 p.m. by Harvey Morris, President. The roll was called and a quorum was recognized.

**BOARD MEMBERS PRESENT:** **BOARD MEMBERS ABSENT:**

Harvey Morris, President Roy Kirby, Member

Bill Martin, Vice President

Pat Scott, Secretary

Charles Volturo, Treasurer

Larry Bayouth, Member

Bergen Young, Member

**EMPLOYEES & GUESTS PRESENT:**

District staff: Dorothy Greek, Manager: Cindy Hubbell, Admin. Asst.: Marty Lademann, Field Supr.: John Liebeherr Asst. Field Supr. : Ryan Smith, Engineer, Poe and Associates: Larry French, Jim Pilkington and Monroe Hannon Board candidates: Steve and Max Harris, Attorneys for Creek 2: Chris Gullekson, CPA.

**2. ENGINEER’S BUSINESS:**

**A.** Ryan Smith with Poe and Associates reported that he will meet with the Twin Mounds project manager at this office on February 22.

B.131st and Lewis property, Ryan has contacted a person and gotten a price for having the pond drained and the silt removed.

C. The plans for the 4 new projects are 95% complete. If we use USDA money for the projects it will require an environmental clearance, so a meeting will be set up with Ricky Riley.

D. **Discussion/Vote:** on Pay Estimate No. 15 in the amount of $15,056.37 for Poe and Associates, Inc.

**No vote taken**.

E. **Discussion/Vote:** on Pay Estimate No. 16 in the amount of $18,998.68.

**No vote taken**. We will send a copy of Mr. Volturo’s letter to Jay Cobb concerning fees set by USDA.

**F. Vote/Motion** by Bergen Young, second by Pat Scott to approve Estimate #1 from Jerry’s Excavation in the amount of $92,164.25 for work done at 81st ST. and 33rd W Ave. This amount is less the retainage amount of $4,850.75.

**Fo**r: Martin-yes, Scott-yes, Bayouth-yes, Young-yes, and Volturo-yes. **Against**: None. **Motion carried.**

**3. Auditor’s Presentation of 2016-2017 Audit:**

**C. Vote/motion:** by Bill Martin, second by Larry Bayouth to approve 2016-2017 Audit.

**Fo**r: Martin-yes, Scott-yes, Bayouth-yes, Young-yes, and Volturo-yes. **Against**: None. **Motion carried.**

**4. EXECUTIVE SESSION:**

The purpose of the Executive Session relates to property owned by the District at 131st and Lewis, and encroachment of the property by a neighboring owner. Also it will continue to discuss claims against Cherokee Pride concerning the fulfillment of their obligations on Contract #2 of the recent USDA Rural Development Loan Project, Executive Session will also continue to discuss claims against Maguire Iron, contractor on Contract #1 of the recent USDA Rural Development Loan Project and finally the Board will discuss the purchase or appraisal of real property.

**D. Vote /Motion:** by Bill Martin, second by Bergen Young to enter into Executive Session. Time 6:05pm.

**Fo**r: Martin-yes, Scott-yes, Bayouth-yes, Young-yes, and Volturo-yes. **Against**: None. **Motion carried**.

Cindy Hubbell, Ryan Smith and Steve and Max Harris invited to stay.

**G. Vote /Motion:** by Bill Martin, second by Larry Bayouth to end Executive Session at 6:50 p.m.

**Fo**r: Martin- yes, Scott-yes, Bayouth-yes, Young-yes, and Volturo-yes. **Against**: None. **Motion carried**.

No motions were made or actions taken during Executive Session.

**H. Vote /Motion:** by Bill Martin, second by Larry Bayouth, that the Board of Creek County RWD2 authorize our attorney Steve Harris, to instigate a lawsuit against Forest Hills and Yorktown Developers, concerning damages caused by their encroachment on our property and spoilage of our pond at 131st and Lewis.

**Fo**r: Martin- yes, Bayouth-yes, Young-yes, and Volturo-yes. **Abstain**-Scott. **Against**: None. **Motion carried**.

**I**. **Vote /Motion:** By Larry Bayouth, second by Bergen Young, for the Board to authorize Poe and Associates to sign a letter seeking damages in the amount of $139,000.00 plus change against Cherokee Pride.

**Fo**r: Martin- yes, Scott-yes, Bayouth-yes, Young-yes, and Volturo-yes. **Against**: None. **Motion carried**

**J. Vote/Motion:** By Pat Scott, second by Bergen Young, to **table** claims against Maguire Iron until more information is available.

**Fo**r: Martin- yes, Scott-yes, Bayouth-yes, Young-yes, and Volturo-yes. **Against**: None. **Motion carried.**

**K. Vote/Motion:** by Charles Volturo, second by Bill Martin, to **table** item concerning the decision by the board, pursuant to inquiries, concerning possible sale of the property on 121st street.

**Fo**r: Martin- yes, Scott-yes, Bayouth-yes, Young-yes, and Volturo-yes. **Against**: None. **Motion carried.**

**At 7:00pm the regular meeting was paused for the Annual Meeting.**

**At 8:06pm the regular meeting resumed.**

**5. Attorney Business:**

Mr. Harris has not heard from City of Glenpool attorney Lowell Peterson concerning a review of the Annual CPI-U adjustment in meter connection fees and royalty payments as agreed to in the Settlement Agreement.5.

**6.VISITORS BUSINESS:**

None

**7. WATER AND FIELD REPORT:**

Marty Lademann: Maguire Iron returned 3 times in the last month to make repairs on the Tulsa North Tower leaks. We have notified them that they need to come back because the tower is still leaking.

8**. CONSENT AGENDA BUSINESS:**

8a**.** Regular Meeting Minutes of 01/09/2018

8b. Treasurer’s Report (pages 2 thru 5)

8c. Accounts Payable Report (pages 6)

8d. Transfer of Benefit Units & New Taps (page 7)

**Discussion/Vote:** The board members reviewed and asked questions regarding the Consent Agenda Business.

**Motion:** by Bill Martin, second by Larry Bayouth, to accept the Consent Agenda Business.

**For**: Martin-yes, Young-yes, Scott-yes, Bayouth-yes, and Volturo-yes, French-yes. **Against**: None. **Motion carried**.

**9. PREVIOUSLY KNOWN BUSINESS OR OLD BUSINESS:**

None

**10.** **UNKNOWN BUSINESS OR NEW BUSINESS:**

**Vote/Motion:** by Bill Martin, second by Charles Volturo, to approve Permit Exception No.WLMC0019170969 for the construction of 2,350 linear feet of six (6) inch PVC potable waterline and all appurtenances to serve the Sandstone Resources Property, - fourteen service connections, Creek County. This is located in the SW/4 of the SW/4 of Sec. 18 T17N, R12E, Creek County, OK. (This has been modified to six service connections by the Creek County Planning Commission, none the less the DEQ Permit Exemption is for fourteen Service Connections.)

**For**: Martin-yes, Young-yes, Scott-yes, Bayouth-yes, and Volturo-yes, French-yes. **Against**: None. **Motion carried**.

Dorothy was asked to notify the DEQ, that the Creek County Planning Commission has modified the application, to include only six service connections.

**10B. Vote/Motion:** by Charles Volturo, second by Pat Scott,to adopt as Field Policy a document on Regulations and Recommendation as prepared and recommended by the Department of Environmental Quality.

**For**: Martin-yes, Young-yes, Scott-yes, Bayouth-yes, and Volturo-yes, French-yes. **Against**: None. **Motion carried**.

**11. BOARD MEMBERS’ COMMENTS AND DISCUSSION:**

**12. MANAGER’S REPORT:**

Dorothy reported that the easement request from Public Service at 131st and Lewis has been withdrawn.

Sandstone Resources Property has been granted a Permit Exception by the DEQ for property located in the SW/4 of Section 18, Township 17North, Range 12 East, Creek County. Also, the request has been reduced from fourteen service connections to six service connections.

Dorothy also reported that she had received a document from DEQ that clearly outlines the requirements for flushing lines. She asked that we adopt these policies as our requirements as well.

Finally, Dorothy announced that she plans to retire beginning July 1, 2018. At that time, she will have completed thirty and one-half years of service to the District. She will also be available after that date to assist the new manager, if necessary. She wants to make this a smooth transition for everyone.

**ADJOURNMENT:**

**Motion:** There being no further business, a motion was made by Larry Bayouth and seconded by Pat Scott to adjourn the meeting at 9:00pm.

**For**: Martin-yes, Young-yes, Scott-yes, Bayouth-yes, and Volturo-yes, French-yes. **Against**: None. **Motion carried**.

Minutes recorded by tape and Cindy Hubbell; reviewed by Dorothy Greek.