

**REGULAR BOARD OF DIRECTOR'S MEETING
AMENDED AGENDA**

McIntosh County Rural Water District #13
Henryetta, Oklahoma
April 10, 2023 – 7:00pm

DIRECTORS PRESENT: Vincent Williams, Chairman
David Berry, Vice-Chairman
R. Wyatt Secor, Director
Brock Barber, Director
Stretch May, Secretary/Treasurer

DIRECTORS ABSENT: Stretch May, Secretary/Treasurer (Joined the meeting at 7:12 p.m.)

OTHERS PRESENT: Rhonda Roberts Jamie Long
Scott Gillin Trevor McCormack

1. Meeting Called to Order

The meeting was held in the District office and called to order by the Chairman of the Board at 7:00 p.m. He noted that this was a Regular scheduled meeting and is in compliance with the Open Meeting Act, Title 25 of the Oklahoma Statutes, Sections 301 & following. Notice of this meeting is on file with the County Clerk, with a copy of the agenda being filed in a public place at 395977 E. 1150 Rd., Henryetta, on April 07, 2023.

2. Roll Call

All directors were present except for Stretch May, Secretary/Treasurer, however he joined the meeting at 7:12 p.m.

3. Consent Agenda

- a. *Approval of the Minutes of the March 13, 2023 Regular Meeting*
- b. *Consideration of and Possible Action on Financial Reports for Period Ending March 31, 2023. The Board reviewed the Financial Reports for the period ending March 31, 2023 attached hereto.*
- c. *O.W.R.B. Monthly Operating Statement –3/1/23 to3/31/23*
- d. *Consideration of and Possible Action on Field Manager's Report for March, 2023.*
- e. *Consideration of and Possible Action on Office Manager's Report for March, 2023*

Discussion: Mr. Williams asked if everyone had a chance to look over the Consent Agenda? Asked if there was any item in the consent again that the members wanted to talk about. If not, we need a motion

Rhonda asked to make a statement if she may. She said that last month that Mr. May found that the financials were confusing and so we went over them. This month I called Lindsay with Sequoyah and asked her what she gave to her board. She said that a few of what I submitted were confusing if they didn't look at them often. So, we have changed it up a bit. We have included reports easy for you all to read and understand where we are at. The Chairman said good deal. Thank you!

Action Taken: Mr. Berry made a motion to approve the consent agenda as presented. Seconded by Mr. Secor. Aye votes: Secor, Barber, Berry, and Williams. Nay votes: none. Motion carried.

4. New Memberships – Transfers – Forfeitures – Reinstatements – Payment Plan

- a. Transfer – Johnathan &/or Amber Harrison to Alexander Heriberto Chavez & Vikarie Chavez – Acct. #198
- b. Transfer – Wade &/or Dana Buchanan to 7 Point Land Co., LLC – Acct. #604

- c. Transfer – 2019 BLT Investments LLC to Harry & Laurie Krimbill – Acct. #488
- d. Voluntary Forfeiture – Marian or Micky Osmond – Acct. #461

Discussion: Mr. Williams ask if everything was taken care of and in order. Rhonda's response was yes sir everything is in order.

Action taken: Mr. Berry made the motion to approve the above New Memberships, Transfers, Forfeiture, Voluntary Forfeitures and Payment Plans as presented. Seconded by Mr. Secor; Aye votes; Secor, Barber, Berry, and Williams. Nay votes: none. Motion carried.

5. Personal Appearances

None.

6. Consideration of and Possible Action on Plan of Action on Funding Options (IHS,CWSRF,DWSRF)

Discussion/Consideration: Rhonda had informed the Board that this was tabled last time because we were waiting for Mr. Berry to get more information for us. Mr. Berry said that Myers can get it done faster and that IHS could help with the 16 miles of glued water line replacement. Rhonda asked does Myers have to get the line replacement ready also. Mr. Berry answered yes.

Action taken: Mr. Berry made the motion to accept the Plan of Action on Funding as discussed. Seconded by Mr. Secor; Aye votes; Secor, Barber, Berry, and Williams. Nay votes: May. Motion carried.

7. Consideration of and Possible Action on Hiring Myers for the IHS Projects

Discussion: None.

Action taken: Mr. Secor made the motion to hire Myers for the IHS Project. Seconded by Mr. Berry; Aye votes; Secor, Barber, Berry and Williams. Nay votes: none. Motion carried.

8. Consideration of and Possible Action on DEQ Fine

Discussion: Mr. Williams explained that DEQ will be sending a letter and a Consent Order with the amount of the fine. Mr. Williams stated that the person that he talked to, Brent Polise, told him that if the dates need to be changed to mark through them and change them. He said that the fine was \$2,200.00 and that we could pay half the cost if we could hurry up and get it done. Scott replied, "That's what they told me too". Mr. Williams said when the letter gets here let him know and he will come sign it. Mr. Williams stated that it was to be done last year and that's why we are being fined. Scott stated that they had another engineer company and they never did anything so they called Myers and they are getting it done. Mr. Williams said we have to pay it no matter what so let's pay it get it fixed right and move on.

Action taken: Mr. Berry made the motion to Pay the DEQ Fine. Seconded by Mr. Secor. Aye votes; Secor, Barber, Berry, and Williams. Nay votes: none. Motion carried.

Stretch May, Secretary/Treasure joined the meeting at 7:12 p.m.

9. Consideration of and Possible Action on A Resolution Approving a Financing Application with ORWB; Approving the Execution of Professional Services Agreement; Approving and Authorizing a Drinking Water SRF Loan from ORWB in the total Aggregate Principal Amount of not to Exceed \$1,000,000.00; Approving the Issuance of its Drinking Water SRF Promissory Note in the Total Aggregate Principal Amount of not to Exceed \$1,000,000.00, and Authorizing its Execution of a Development Agreement; Approving and Authorizing Payment of Fees and Expenses and Containing other Provisions Relating Thereto.

Discussion: Mr. May asked Rhonda what this was. She stated that the resolution was for Allan Brooks with Myers Engineer to get started to obtain the funding for the district. Mr. Brooks informed Rhonda that the Secretary/Treasurer would have to read it to the Board for it to be on record for legal purposes. Rhonda also informed the Board that she had talked to Allen on Friday, April 7, 2023 and he wanted the zip codes for the areas that we serve and she gave them to him. He called her back and told her that he had contacted DEQ and they found that we were extremely under privileged and that we could apply for one million dollars. We however will be responsible for Legal Fee and Out-of-Pocket Expenses of \$30,000.00 and to our Attorney, Luke Gaither Legal Fee \$2,500.00. Mr. May read the resolution.

Action taken: Mr. Berry made the motion to accept the Resolution Approving a Financing Application with OWRB, Agreements and all that entails for such. Seconded by Mr. Secor. Aye votes; Secor, Barber, May, Berry, and Williams. Nay votes: none. Motion carried.

Discussion: Rhonda said that she believes that the Bond Council needs to be voted on also.

Action Taken: Mr. Berry made the motion to accept the Bond Counsel for Upgrade Project a legal services agreement and resolution with The Public Finance Law Group PLLC (Allen Brooks) on the System Upgrade Project. Seconded by Mr. Secor. Aye votes; Secor, Barber, May, Berry, and Williams. Nay votes: none. Motion carried.

10. Consideration of and Possible Action with Respect to an Engineering Agreement with Myers Engineering

Discussion: Rhonda told them that this was the agreement with the Myers Engineering Firm. It needs to be voted on also.

Action taken: Mr. Secor made the motion to approve the Agreement for Engineering Services with Myers Engineering on the System Upgrade Project. Seconded by Mr. Barbara. Aye votes; Secor, Barber, Berry, May and Williams. Nay votes: none. Motion carried.

11. New Business

Discussion: None

12. Adjournment

Action Taken: Mr. Berry made a motion to adjourn the meeting at 7:32 p.m.; seconded by Mr. Secor; Aye votes; Secor, Barber, May, Berry and Williams. Nay votes: none. Motion carried.



Chairman



Secretary/Treasurer