

REGULAR BOARD OF DIRECTOR'S MEETING

McIntosh County Rural Water District #13

Henryetta, Oklahoma

May 08, 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: None

OTHERS PRESENT: Rhonda Roberts Jamie Long
Luke Gaither Sharon Glidden
Carl Glidden Michael Anderson

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 May 05, 2023.

2. Roll Call

All directors were present.

3. Consent Agenda

- a. *Approval of the Minutes of the April 10, 2023 Regular Meeting*
- b. *Consideration of and Possible Action on Financial Reports for Period Ending April 30, 2023. The Board reviewed the Financial Reports for the period ending April 30, 2023 attached hereto.*
- c. *O.W.R.B. Monthly Operating Statement –4/1/23 to4/30/23*
- d. *Consideration of and Possible Action on Field Manager's Report for April, 2023.*
- e. *Consideration of and Possible Action on Office Manager's Report for April, 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

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

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

- a. New Membership – John Chapman – Acct. #570
- b. New Membership – John or Vicki Rhode – Acct. #57
- c. Voluntary Forfeiture – Donald L. Jameson Inheritance Revocable Trust – Acct. #676
- d. Voluntary Forfeiture – Louis &/or Gloria Hicks – Acct. #482
- e. Forfeiture for Non-Payment – Brooke Kirchner – Acct. #331
- f. Payment Plan – Linda Fish c/o David Wright, Josephine Wright Estate – Acct. #497
- g. Payment Plan – Emma Yocham/Alfred Yocham c/o Mary Yocham – Acct. #636 (Was added at the Meeting)

Discussion: Mr. Williams ask if everything was taken care of and in order. Rhonda's response was yes sir everything is in order. I would also like to add a Payment Plan. (g) 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, May, Berry, and Williams. Nay votes: none. Motion carried.

5. Executive Session – Legal Issue and Legal Advice – Luke Gaither, Lawyer

Action taken: Mr. Berry made the motion to Convene to Executive Session at 7:05 pm. Seconded by Mr. Secor; Aye votes; Secor, Barber, May, Berry, and Williams. Nay votes: none. Motion carried.

Mr. Williams asked for a motion to go back to regular session. Mr. May made the motion to RE-CONVENED to the Regular session from the Executive Session at 7:37 pm. Seconded by Mr. Secor; Aye votes; Secor, Barber, May, Berry, and Williams. Nay votes: none. Motion carried.

Mr. May made the motion (after coming out of executive session) (concerning legal advice from our Attorney) to let the Lawyer representing the ORWAAG to represent the District also to recover the remaining funds from our court case. Seconded by Mr. Berry; Aye votes; Secor, Barber, May, Berry, and Williams. Nay votes: none. Motion carried.

6. Personal Appearances – Limited to three Minutes – Sharon Glidden

Discussion: Mrs. Glidden has submitted a request for water to supply a RV park with 75 hookups, Bath House & Laundry, Horse Motel, and an Event Center. This will be funded by the USDA Rural Development. Mrs. Glidden has researched what she believes to be the usage for her project. She tried to break down everything down to the flush. She submitted supporting documents about the whole project.

Mr. Williams introduced Mrs. Glidden to Michael Anderson who does our Hydraulic Analysis. He works for Myer's Engineering Firm who does all of our engineering projects. Mr. Anderson will have to check and make sure all the figures that you submitted well be within our ability to supply water. Mrs. Glidden said that there was nothing in the By-Laws or Rules and Regulations stating that this cost was for the member. At this precise moment it is not so therefore the District has absorbed the cost. Mrs. Glidden stated that what she read didn't read that this was something that had to be done to get water. Mr. Anderson informed her that the water district has an obligation to supply the minimum amount of water pressure to all its members. Which is majority residential use. A project this big must have a hydraulic analysis done to make sure that we can continue supplying water to our existing members and to her project. The District has the capacity to treat and push water all the way to Tiger Mountain by what they already have in place. Which is a 4-inch water line. Right now, the members Storage Tank receives 4 gallons a minute. Worst case scenario for her project would be 100 gallons a minute. Therefore, she would have to have construct her own storage tank plus an engineer to make up the plans. We could possibly put in a flow meter to still stay at the 4 gallons a minute to fill up her tank in the non-peak hours. But by doing this it will be expensive on your part he told her. Mr. Anderson said that he would give her some names of engineering firms because Myers works for the District and could not do the work for her.

Mr. Williams said that when there is a time that this business is slow there will be another issue that may come up. Mr. Anderson explained that she will need to test the water and treat it with chlorine. You may also monitor the depth of the tower. There will be more guidelines to be meet with DEQ also.

Mr. May stated that we have a few issues for this. Whenever this system was put in motion everything was build from the specifications of the Clean Water Act. Clean and safe water to every household and families. One of the guidelines were to provide one meter to each household. We cannot foresee what would happen on such a major project but when the clear well and everything that needs to be done to provide water to this project is built it will have to meet our specifications and inspected by us.

Mr. May said that we used to have a two-part system. Part of the system was supplied by the wells and the other part was supplied by the Henryetta water supply. He said that if we started getting enough capacity then Tiger Mountain will be put back on the Henryetta water supply system because the rest of the system will be using the Well capacity to the max. We only have a limited amount of water available on our well system because we are only allowed 2 acres feet to every acre that we have leased around the well system. Mr. Williams said that the system was something like red water and Mr. May explained that it was a geological thing. We are at the edge of the bottom movement of the river. We are getting red clay from central and western Oklahoma that comes down along the river bottom movement. Now where our wells are we are in the mouth of a big canyon and on the north side of the river there is what you call sugar sand so what happens is that there are about 160 areas of drainage on top of the mountain and when it rains it comes down the canyon and is filtered by the soil. So, by doing this it has always kept the river away from the water from our well so that we have always had fresh clean water. So, once we start pulling more water than we should and if we ever pull the river water our wells are no longer usable and no fresh water will be available. What I mentioned before about the 2 acres feet for every acre that is leased means that we only have a certain amount of water that we can use per year. Should we meet this limit then all of Tiger Mountain will have to go back to Henryetta Water supply and members and friends living there may not react to kindly to this. So please keep that in mind. Mr. Williams stated that when we do buy water from Henryetta it is costly for us to send to areas of the system. Mr. May said that these are things that we have to consider when asked to provide water to a project of this undertaking. This is where the engineers come in to see if we are capable of supplying, you water by doing a hydraulic survey. You will have to get with DEQ and provide your own septic system. Mr. May told Mrs. Glidden that the best thing would be for her to build her own system and we could supply her water. That way we could be consisted in our water flow per minute. She could control her flow meter to accommodate the amount of her customers. Mr. Williams told her the steps that she needs to do and the first one is getting an engineer to see exactly how much water she will need. Mrs. Glidden asked Mr. Anderson to help her find someone to help her get started. Mr. Anderson asked what she was going to do about waste water and she replied that they are going to do two lagoons. She gave him all the information in her folders.

Rhonda informed Mrs. Glidden that we were in the process of increasing our membership total separating the residential and adding commercial also at an amount higher that of a residential membership. Mrs. Glidden said that she figured that would be because hers is commercial.

No Action taken:

7. Consideration of and Possible Action on Moving Funds to Depreciation/Capital Improvement Account

Discussion: Rhonda said that we have received the Restitution and Dishonest claim checks and we deposited them to the main account. Jamie called the auditor and asked him where we should put them. He replied that since we have already put them in the main account where it original come from that it would be our choice where to put it now. He would do his part when he does our year end audit. Rhonda said that since the interest rate is high right now it might be good to put it in an account like depreciation or capital improvement. Mr. Williams said that he thinks that would be a good idea so that it can make money. After discussion amongst the Board of Directors they decided to put it all into the depreciation account.

Action taken: Mr. Secor made the motion to put the monies into the Depreciation account. Seconded by Mr. Berry; Aye votes; Secor, Barber, May, Berry, and Williams. Nay votes: none. Motion carried.

8. Consideration of and Possible Action on Increasing the Membership Fee

Discussion: Rhonda informed the Board that Scott (who is fixing a water leak at the moment along with Trevor) said that the membership fee of \$1,000.00 is cutting it short. Sometimes we are a little below the cost of setting the meter. However, the majority of the time we are over and on occasion we come out even. He said that he would recommend going up a couple hundred dollars. Mr. Berry said that since he

has the position now where he's at he could attest to the fact that we are the cheapest water district around. Mr. May said that the cost of inflation things may get even more expensive. Everyone decided to raise the cost of a new membership up to \$1,500.00.

Action taken: Mr. Secor made the motion to increase the New Residential Membership to \$1,500.00. Seconded by Mr. Berry. Aye votes; Secor, Barber, May, Berry, and Williams. Nay votes: none. Motion carried.

Discussion: Rhonda said that was residential and now we need to address a Commercial Membership Fee. If a person comes in and wants a commercial Membership, they will need to purchase a membership at a cost higher that of a residential. After much discussion it was decided to charge \$5,000.00

Action taken: Mr. May made the motion to increase the New Commercial Membership to \$5,000.00. Seconded by Mr. Berry. Aye votes; Secor, Barber, May, Berry, and Williams. Nay votes: none. Motion carried.

(After this meeting I was informed that the cost of memberships is in the By-Laws and the majority of the voting members could change this. Therefore, we will be requesting a special meeting to address and make these changes).

9. New Business

Discussion: Mr. May said now that we have commercial memberships, we have to discuss the permeameters of what this entails. Things like do we need to see the application first to see if a Hydraulic Analysis needs to be done and at who's cost (All expenses). We would need to talk about requirements that are different than a residential membership. Put it on next month's agenda.

10. Adjournment

Action Taken: Mr. Berry made a motion to adjourn the meeting at 8:40 p.m.; seconded by Mr. Secor; Aye votes; Secor, Barber, May, Berry and Williams. Nay votes: none. Motion carried.



Chairman



Secretary/Treasurer