

Pursuant to the Open Record's Act: The minutes of the Rural Water District No. 17, LeFlore County are available to its members upon request. Copy rates are posted at the RWD No. 17 LC office and on file with the County Clerk. Minutes will also be available at our website lcrwd17@myruralwater.com

Rural Water District No. 17, LeFlore County

Special Called Board of Directors Meeting Minutes

March 24, 2025

3:00 PM

- Call to Order: Vicki Cearnal called the meeting to order at 3:06 PM.
- Jean Conklin led the meeting with prayer.
- Roll Call: Vicki Cearnal, Chairperson, present. Jean Conklin, Vice-Chairperson, present. Deborah Butler, Treasurer, present. Kendle Ortiz, Secretary, present. Doug Davis, Member at Large, present. Also present John Butler, Water Operator.
- DEQ Consent Order – Booster Pump 3/Pipe Springs: Vicki Cearnal asked if everyone had a chance to review the Consent Order. The board indicated that they had reviewed the Consent Order. Vicki Cearnal asked if anyone had any comments. John Butler stated that it appeared to be much stricter than the last order. Vicki Cearnal asked how so? John Butler stated that the time frame and things, that they were really pushing but he thought if you read the wording on that section, we may be able to just say this is our plan when we can find the funds for it to get it permitted. John stated that he thought they would accept that as an alternative solution. Vicki stated that she had actually drafted a letter after talking with Aaron Mears I will circulate for everyone to review. Vicki stated that we have already fulfilled Item A, which was engineering. Vicki stated that Item B says, "Respondent shall submit approvable plans and specifications and obtain a DEQ-issued Permit-To-Construct for "Pump Station No. 3," or shall otherwise implement another approvable solution to ensure that PWS standards, including maintaining a minimum distribution system pressure of at least 25 psi at all points of connection at all times, are met". Aaron Mears was connected to the meeting via a phone call. Vicki Cearnal placed Aaron Mears on speaker phone. Vicki stated to John Butler that your opinion is that this is a little stricter than what we had seen in the previous one. John Butler stated that is correct. Vicki Cearnal stated that the other Consent Order had been around for a long time for the standpipe. John stated that we still had another year on that one. Vicki asked John have we not been able to maintain the 25 psi. John stated that yes, we have been able to maintain the 25 psi. John stated that the issue is that the booster station was unpermitted, that we should have had two pumps and a back up generator, but we only have the one pump, and no back up generator. John stated that he had not had one single phone call from Buck Roba in quite a while. John stated he did not know if he was calling other people other than me, but that would not do him any good if the pump went off, John was the only one who could turn it back on. John stated he did not think there was a major customer issue at this time. Vicki Cearnal stated

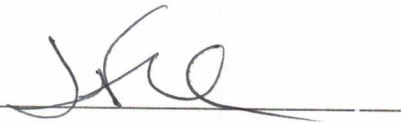
that we have to maintain a 25 psi, and if we are doing that already what else can we do other than getting permitted. Aaron Mears stated that DEQ wanted them to move forward with getting plans and specs is how he was reading it. Aaron stated you were asked to get an engineering report, and that it has been completed. Aaron stated that other approvable solutions, other than what we have proposed, is the only thing that is going to give you a long-term continuous solution to get to 25 psi. Aaron stated that we must remove the illegal pump station and then upsize all the lines that are specified in the engineering report and upgrade the booster pump. Doug Davis asked what kind of upgrade we were talking about. Aaron stated putting all new equipment in there and ensuring that the pump is sized adequately. Aaron stated that he needed to replace the line and remove the booster pump 3 and that was all included in the engineering report, so that it will be properly designed for what it is intended use. John stated we would be going back to the original design from 2000. Aaron stated exactly. Vicki stated that Aaron had included two alternatives in the engineering report. Vicki stated that one was to repair both areas with the lines and that was about \$1.6 million almost in cost, and the second alternative was to totally remove booster 3. Aaron stated that both alternatives would remove booster 3. Aaron stated that booster 3 is not a permitted pump station, and it does not have redundancy, and he didn't know if it even had a heating unit up there, and that is why DEQ has issued the Consent Order, because that booster station was put in there without being permitted or designed. There was a lengthy discussion regarding the two alternatives from the engineering report and the costs of the alternatives. There was a lengthy discussion regarding what DEQ would accept from the district regarding approvable plans. Aaron Mears stated that \$1.375 million was the total cost of the plan that he recommended for the district. Aaron Mears stated that \$100,500 was for the plans and specifications, and that included the surveying as well. Aaron stated they would survey it, design it and then submit it to DEQ for permitting and that would appease task B. Aaron Mears stated that it could be as simple as a letter or an email stating that he was under contract with the district, and this is the proposal and specifications for that. There was a lengthy discussion regarding possible sources for a grant to cover this expense. Aaron Mears stated that shovel ready projects when you have a consent order will move you to the top of the list. Deborah Butler stated that we could submit for a RIG grant and submit to USDA for the \$20,000 for our matching funds for the RIG. Vicki Cearnal stated that was the bare minimum that we needed to do unless we can get DEQ to amend the date for some reason. Vicki Cearnal stated she had drafted a preliminary letter and she had spoken with the Bureau of Reclamation, and they promptly responded back that the funding was on hold for the Water Smart Drought funds but they did add our consent order to our application, which is really what she was after as that would push us up on the list. Vicki stated the purpose of that is to tell DEQ this is the current status of that and secondly this is the next thing we plan to do because we believe that plans and specifications are going to run us about \$100,000. There was a lengthy discussion regarding the timeline for completing the plans and specifications. Aaron Mears stated that if we signed by the end of April 2025 that he could probably start in July 2025 and he could probably have it ready to submit to DEQ in November or December 2025. Aaron Mears stated that getting an extension from DEQ is generally no big deal. Aaron stated DEQ just wants you to be communicating what your plans are. Aaron Mears stated that we should just send them a letter stating this is what our plans are and that we are just waiting for funding. Aaron stated they should give you an extension until at least 2026.

There was a lengthy discussion regarding Pipe Springs and the issues with water there. Aaron Mears stated he could go ahead and provide a proposal for all the engineering services and plans and specifications and then Vicki could show that we have a contract it just hasn't been signed yet, and we just have to secure funding. Vicki Cearnal stated that was a great idea. There was another discussion regarding funding sources for the project. Aaron Mears was thanked for his time and assistance, and he hung up the call. There was a discussion regarding the terms of the Consent Order. Vicki Cearnal stated she would like to address the issue that we have no pressures below 25 psi. Kendle Ortiz asked John if he was documenting the pressures past Buck Roba's house. John Butler stated yes, and they have 75 psi at the top of the hill. John Butler stated that Jeremy Holman from DEQ had checked it, and he stated there were no issues. John Butler stated that we have it in writing from Jeremy Holmen that there are no issues at Pipe Springs. There was a lengthy discussion regarding the last time John Butler had a work order for Mr. Roba. Doug Davis stated it was February 4th. John Butler stated that it was during the big freeze. Vicki Cearnal asked John Butler if there was an official report out of the system that shows the psi's at Pipe Springs. John Butler stated he had the pressure readings the Mears Engineers had done. Vicki Cearnal stated that it was just for one moment in time and was there something that would be real time. Deborah Butler stated there could be a work order every day and log it in. Doug Davis stated that Rocky Overgaard from DEQ had said that they would provide a pressure logger that could be placed up there. John Butler stated that would be a question to ask them if they were going to provide that equipment or not. Doug Davis stated he would have to go back through his emails and find the one where he stated he would provide the equipment. Kendle Ortiz stated that it would be a real benefit to be able to demonstrate that we did not have pressures that dipped below the 25 psi. There was a discussion regarding what happens if Booster 3 is not working. There was a lengthy discussion regarding the repercussions of turning up the pressure at Booster 3. There was a discussion regarding when Booster 3 was installed. Vicki Cearnal asked what the impetus was for installing Booster 3. John Butler stated that they could not keep the pressure up enough to get water to the top of the line without blowing the pipes apart. There was a lengthy discussion regarding the pressures at the Booster stations. Vicki Cearnal stated that it is important when it was installed and why it was installed. Vicki stated that Pipe Springs was installed and working and then what changed that they needed to install Booster 3. There was a lengthy discussion regarding the number of homes located at Pipe Springs and the number of homes that had been planned for originally at Pipe Springs. Deborah Butler stated that there were 19 homes that were planned on being up there and she assumed the engineer who designed the original plans should have planned on Pipe Springs being developed. There was a discussion regarding hydraulics at Pipe Springs. There was a discussion regarding Booster 3 being installed without engineering or permitting. Vicki Cearnal stated that we did not need to make a motion regarding this, but she was going to respond to DEQ with the information we have discussed as far as plans and specifications from Aaron Mears and amended dates and request for that information. Vicki Cearnal stated that she would get that drafted as soon as Aaron Mears gets me that document and that she will get it out to everyone before she sends it out to Rocky Overgaard at DEQ. There was a discussion regarding the letter. Jean Conklin made a motion that Vicki Cearnal would draft a letter to DEQ pending receipt of document proposal from Aaron Mears, and the draft will be distributed to the board members and sent on to DEQ with the Board's approval. There was a discussion

regarding the motion. Doug Davis seconded the motion. Vicki Cearnal voted aye. Jean Conklin voted aye. Deborah Butler voted aye. Kendle Ortiz voted aye. Doug Davis voted aye. Motion carried.

- Executive Session: Vicki Cearnal made a motion to adjourn to Executive Session. Kendle Ortiz seconded the motion. Vicki Cearnal voted aye. Jean Conklin voted aye. Deborah Butler voted aye. Kendle Ortiz voted aye. Doug Davis voted aye. Motion carried. Meeting adjourned to Executive session at 3:47 PM. Deborah Butler and John Butler left the meeting at 4:07 PM. Vicki Cearnal made a motion to return to regular session. Doug Davis seconded the motion. Vicki Cearnal voted aye. Jean Conklin voted aye. Kendle Ortiz voted aye. Doug Davis voted aye. Motion carried. Returned to regular session at 4:52 PM
- Adjournment: Vicki Cearnal made a motion to adjourn the meeting. Doug Davis seconded the motion. Vicki Cearnal voted aye. Jean Conklin voted aye. Kendle Ortiz voted aye. Doug Davis voted aye. Motion carried.

Signed: _____



Seal: _____

