

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](mailto:lcrwd17@myruralwater.com)

Rural Water District No. 17, LeFlore County

Board of Directors Meeting Minutes

February 11, 2025

- Call to Order: Vicki Cearnal started to call the meeting to order but Bernadine Himes attempted to take over the meeting. She was there with Kelly Pipkins, Mr. Cole, his son Alex Cole, Terry Himes and another member. Bernadine Himes brought a crate with some papers in it, along with a tape recorder. She put her tape recorder on the table. Vicki Cearnal asked everyone who came in to please sign in on the sign in sheet. Vicki Cearnal stated if a member wished to speak at the meeting, they needed to fill out a request form. Ms. Himes stated she was going to speak and would not be filling out a form. Vicki Cearnal called for order. Vicki Cearnal stated she wanted to call the meeting to order. Several members called for point of order. Ms. Himes stated "I am taking over this meeting. We are going to get rid of you and the board. You were voted in illegally and we are getting rid of you. There has been theft and excessive spending". Gilda Meyers said "We do not want that". Vicki Cearnal stated that Bernadine could not do that. Vicki Cearnal again called for order and stated we need to call the meeting to order. There was a discussion among the members regarding Ms. Himes' attempt to take over the meeting with many members stating they did not want her to take over. Ms. Himes said "Turn my water off". Vicki Cearnal said "if that is what you want". Mr. and Mrs. Himes and Mr. Cole and his son Alex Cole and two others gathered their things and left the meeting. (Alex and Arthur Cole returned to the meeting after a little while, and then left again midway during the meeting.) Vicki Cearnal called the meeting to order at 6:08 PM.
- Prayer: David 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. John Butler, Water Operator, present. Others present, see Sign In Sheet filed with meeting minutes.
- Chairman's Opening Comments: Vicki Cearnal apologized for the rocky start to the meeting. Vicki Cearnal stated she had hoped that this would not happen and she was sorry. Vicki Cearnal stated that the board did have the right to request that anyone wishing to speak to sign in and fill out a form to request to speak at the meeting. Vicki Cearnal stated that we have always tried to have open communication during our meetings but at the last meeting things got out of hand

and so we ask that you sign in and fill out a form requesting to speak. Vicki Cearnal stated that we have asked a Deputy to be here, as a member had previously threatened another member at our January meeting. Vicki Cearnal stated that since 2021, we have had 83 meetings. Vicki Cearnal stated that was 83 opportunities for members to observe what the board is doing, to ask questions and to see what is going on. She listed that during that time we have had a total of 58 members attend those 83 meetings. Vicki Cearnal read her prepared opening comments. A copy of her opening comments will be filed with the meeting minutes. Vicki Cearnal stated that Deborah Butler had prepared a wonderful spreadsheet that everyone would be able to review during the grant update section of the meeting. She stated that the Choctaw Nation grant was so important for the district as it was to address the DEQ Consent Order that is coming due soon. She stated that if we do not address this issue then DEQ can fine the district up to \$10,000 per day, and she hoped that no one would try to jeopardize this as it is so vital to the district and all its members. Doug Davis made a motion to accept the Chairman's opening comments. Deborah Butler 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.

- Secretary's Report: The minutes from the January 25<sup>th</sup> GMM and BOD meetings had been emailed to the board prior to the meeting. Kendle asked if the board had any amendments or questions. There were none. Doug Davis made a motion to accept the GMM and BOD meeting minutes from January 25<sup>th</sup>. Deborah Butler 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.
- Treasurer's Report: Deborah Butler had emailed a copy of the Treasurer's report to the board prior to the meeting. Deborah Butler read her report to the members present. A copy of the Treasurer's report will be filed with the meeting minutes. There was a discussion regarding the Treasurer's report. Deborah Butler asked the board if there were any questions regarding the Treasurer's report. There were none. Vicki Cearnal voted aye. Jean Conklin voted aye. Deborah Butler voted aye. Kendle Ortiz voted aye. Doug Davis voted aye. Motion carried.
- Operator's Report: John Butler had emailed a copy of the Operator's report to the board prior to the meeting. A copy of the report will be filed with the meeting minutes. John Butler stated that we had passed our Bac-T and that our other tests results for CL2 and TTHM had been submitted and the results were pending. He stated that the boil advisory for River Road could be lifted as they had passed two back-to-back Bac-T tests. There was a lengthy discussion regarding leaks and our water loss. Doug Davis asked how many miles of line were there? John stated with the width of the line over 60 miles of line. There was a lengthy discussion regarding the waterline leaks, size and locations. Doug Davis asked if there was a minimum size for a leak before John would repair it? John Butler stated he would repair any size leak if he can find it. There was a lengthy discussion regarding finding and repairing leaks. Kathleen Matthews asked if there was a program that he had that would allow him to see if the customer meters were



leaking that he could run weekly? John stated that unfortunately the billing software did not have the capability to do more than one usage report per month for billing. John Butler stated he had asked Sequoyah if they could do this but they had told him no they could not. John Butler stated that the two proposed developments on River Road were progressing. There was a discussion regarding the two developments. Vicki Cearnal called for point of order. John Butler was thanked for his report.

- Old Business:

- a. Grants update: Deborah Butler distributed packets with the grant updates to the members to pass around and review. Deborah Butler explained the contents of the packets to the members. There was a lengthy discussion regarding the grants. Deborah Butler explained the grants the district had received. Deborah Butler stated that the RIG grants that we had received were an 80/20 grant meaning that the grant was for 80% of the cost of the project and the other 20% was to be paid by the district. She stated we had received 20% for one of the RIG grants from the LeFlore County's ARPA funds. Deborah Butler stated that we felt confident that we would be able to receive the 20% matching funds from either Choctaw Nation or LeFlore County ARPA funds. Deborah Butler stated that unfortunately, we did not receive funding from either Choctaw Nation or the LeFlore County ARPA funds so we had taken a loan from ORWB to cover our 20% for the 2<sup>nd</sup> RIG grant. Deborah Butler stated that the 3<sup>rd</sup> RIG we only were able to apply for a small amount due to our finances. Vicki Cearnal stated that we have not given up in finding a grant to cover our 20% for that grant but for the interim we were making payments on the low interest Communities Unlimited loan, Deborah Butler stated that in total we have received \$2,637,401 in grants. She stated that we are going to be starting the bidding process for the Choctaw Nation grant in a few days. Deborah Butler stated that today we had received some very good news. We have learned that there is \$800,000 from DWSRF and DEQ that have received funding and we hope to receive \$300,000 from DWSRF and \$500,000 from SUDA that should cover another mile of waterline replacement as long as the prices do not go up. Deborah Butler stated that the Choctaw Nation grant has no matching funds required, also the KEDDO REAP grant had no matching funds and the ORWA REAP had no matching funds. Deborah Butler stated we would leave the Pipe Springs Electrical Project on the active list at least until April to see if it can be funded. Deborah Butler stated that Jean Conklin was handling the office endowment project. Deborah Butler stated that Vicki Cearnal was in charge of all new grants and would keep everyone updated on the website and at the meetings regarding any new grants. Deborah Butler stated in the packets she had handed out there was a grant overview, a letter of acceptance and a spreadsheet listing all the invoices paid that total the grant amount. Deborah Butler asked the board if there were any questions regarding the grant update. There were none. Vicki Cearnal stated there was also a grant application submitted to the Bureau of the Interior Department of Reclamation for \$1.5 million for the Pipe Springs Project that was submitted last fall. Vicki Cearnal stated that the district had been contacted by Denise Yokum the Director of FEMA. Vicki stated that FEMA was wanting to put in a large waterline from Sardis

Lake all the way to Big Cedar. Vicki stated there was a real possibility that this will happen but there is no timeline on when but it would be a great opportunity for both district #3 and #17.

- b. Bid Opening Date for Stand Pipe Project: There was a discussion regarding the timeline for the Choctaw Nation Project. Choctaw Nation was to start accepting bids on Thursday February 13<sup>th</sup>.
- c. BOI grant: There was a lengthy discussion regarding the BOI grant.
- d. Revisions to Policies and Procedures: Jean Conklin stated that she had sent out the revisions for the Policies and Procedure to the board via email. Jean Conklin stated she began the revision of the Policies and Procedures the first week of November and that all of the board members had contributed to the revision and was compiled along with the ORWA guidelines for Policies and Procedures. Jean Conklin stated those revisions were adopted on January 25<sup>th</sup> at the BOD meeting. Jean Conklin stated the guidelines were there to guide the board on how to be effective, be proper and have policies in place for the district. Jean Conklin stated upon reviewing the Policies and Procedures we found small revisions: the flow chart needed to be changed, spelling errors and dates to be corrected, the District legal name needed to be updated. Mr. Roba asked didn't the board need to have a certain percentage of the board to vote to approve any changes? Vicki Cearnal stated no. Kathleen Matthews stated that according to the bylaws they did need a majority of the members to approve changes. Vicki Cearnal stated that would be for changes to the bylaws and that could only be done during the Annual Membership Meeting or a Special Called meeting. Vicki Cearnal stated the board had the right to run the district and were voted in to do that function. Daliah Lavender stated "if we don't have a voice, why are we here". Vicki Cearnal stated the board would review the bylaws and would answer the questions regarding this with them after she had time to review the bylaws. Gilda Meyers stated that it might be easier for members to see the changes that are made if they post to the website the original document with the item being changed struck through and then the new document posted. She stated that made it very easy for anyone viewing the document to clearly see the changes made. Vicki Cearnal stated we would take that under advisement. Vicki Cearnal made a point of order to return to business. Kathleen Matthews asked "was the business from the last meeting settled?" Vicki Cearnal asked "what business settled"? The member said "never mind". Vicki Cearnal stated that she really was confused by the question and wanted to address any questions or issues. The member stated it wasn't important. Jean Conklin made a motion that Policies and Procedures revision 1.0 be adopted by the district with provision that the document can be revised as needed. 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.

- Unfinished Business – Tabled Motions



- e. Process outline and costs for copies under Open Records Act: Vicki Cearnal made a motion to table this discussion until the next BOD meeting. 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.
- New Business
  - f. Office Endowment: Vicki Cearnal stated that soon the office would be having a lot of people using it due to the upcoming project. There was a discussion regarding who would be using the office and why. Vicki Cearnal stated that during the inspection for the USDA grant they had mentioned that our bathroom and building were not ADA compliant and while it wasn't an issue with that grant it could potentially be an issue in the future. There was a discussion regarding the building being ADA compliant. Vicki Cearnal stated that Jean Conklin has taken on this project. Jean Conklin read her report to the members. A copy of the report is filed with the meeting minutes. Jean Conklin stated she was calling the project the "Sows Ear Project". She stated that no district funds would or could be used for this project. There was a lengthy discussion regarding the office endowment project. Jean Conklin stated that she was hoping to use many different resources, such as member contributions, looking for bargain pricing on left over materials from build sites, etc. and she was confident that we could do the project within the budget. Gilda Meyers stated she had some 30' metal to donate. Jean Conklin stated she would get with her regarding that soon.
  - g. Invoice Approval for CNO grant: Deborah Butler stated we had an invoice to submit to Choctaw Nation for payment. Deborah Butler stated that the board had not had a chance to review the invoice for the ad that was run for the open bids. Deborah Butler passed the invoice and printed ad with supporting documentation to the board members for review. Deborah Butler made a motion to approve invoice #3 be sent to Choctaw Nation for \$277.71. 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.
- Open Member Comments: Vicki Cearnal stated that strictly due to a member being threatened by another member during the last meeting we were having members sign up to speak during the comment portion of the meeting. Vicki Cearnal stated everyone would have five minutes to speak.
  - h. Mr. Roba stated he had two questions for the board. He stated he had run out of water three times in the last two weeks. He stated that John Butler had come out and fixed the issue and he was satisfied that John was doing all he could but that he had been told several times that a grant had been gotten to fix the problem and he wanted to know why it hasn't been started yet. Vicki Cearnal stated that a grant application had been submitted but had not been approved yet. Mr. Roba stated he had been informed the grant had been received. Mr. Roba stated in the last email he had received it stated

that the grant had been received. Vicki Cearnal stated she apologized for the misunderstanding but the grant had been applied for but not awarded as of yet. Mr. Roba stated that every time there is a loss of water pressure, he has awful black and red chunks of material in his water that will clear after 2-3 days. Mr. Roba stated it runs out after about two days and it looks right but everything gets stained pink by the red particles. Mr. Roba stated if we test it, he would like to know what it is and if it is something that will cause damage. Mr. Roba stated he would like the water tested while it has the black and red particles in it. Mr. Roba stated he has been running out of water for three years now and that it was unacceptable. Mr. Roba stated there has got to be something that can be done. Kathleen Matthews asked him if it had always been a problem? Mr. Roba stated that no it was fine before just the last three years. Vicki Cearnal thanked Mr. Roba and stated she knew it sucked and she hated that for him. Mr. Roba stated there is a law and there is a standard and this needs to be fixed. Mr. Roba stated it is up to the board to keep the members happy. Vicki Cearnal stated that DEQ was involved with this issue and she would email Rocky Overgaard and see where they are at. Vicki Cearnal thanked Mr. Roba for his input.

- i. Dahlia Lavender asked if we had ever found out where the tractor went? Dahlia Lavender stated that unless things have changed that there needs to be a vote to change the bylaws and that only members who have an account in their name can vote. Vicki Cearnal stated that it is her understanding that the account does not necessarily need to be in the person's name for them to be a voting member. Vicki stated she had her account set up under a corporation name and businesses also could be in a different name as well. Vicki Cearnal stated that related to the tractor she was unsure what she was asking. Dahlia Lavender stated there had been a post on Facebook relating to the sale of a tractor owned by the district, so where was the money from that sale? Vicki Cearnal stated that all financial records of income coming in and going out could be requested and there was a form on the website that she could fill out and request any documentation she was wanting. Dahlia Lavender stated there was a post on Facebook as well implying that water rates were going up to pay for John Butler's wage raise. Dahlia Lavender stated there were a lot of people here on fixed incomes and that was wrong. Vicki Cearnal stated that John Butler's employment discussions were done in an executive session and those minutes were sealed and not available for discussion with members of the district. Dahlia Lavender stated that her husband Gibby had worked for the district for many years and all his requests for a pay raise were denied because the district did not have the money. Vicki Cearnal stated these were questions pertaining to approximately 10 years ago and we could not answer for decisions made by a previous board. Vicki Cearnal stated that as far as John Butler's wages went if there was an increase it was merely a cost of living increase. Vicki Cearnal stated that the rate increase had been done in the summer of 2022 and there had been multiple BOD meetings regarding the increase as well as a member committee that went over all the options prior to it being instated. Vicki Cearnal thanked Dahlia Lavender for her comments.



- j. Gilda Meyers stated she did not want to come to this meeting but she felt that she had to. Gilda Meyers stated she had been here 30 years now and she was one of the first members of the district her account number was 12. Gilda Meyers stated this district has been to hell and back and there is no way to compare then with now and she had been praying about what to say. Gilda Meyers stated that her mouth had gotten her in trouble before and it still got out of place tonight. Gilda Meyer said "never had there been a group of people that I admire more than the people right here on the board. They have been doing things I could never have imagined happening here. (Buck Roba exited the meeting.) I am sorry there are folks right here in this room that don't like what I have to say". Gilda Meyers said we have members pitted against each other just like the United States right now but we have got to come together. Gilda Meyer stated that Mena water rates are outrageous and they are passing that cost on to us to pay. Gilda Meyers said "I had a good friend on the Mena Water Board and she shut me down when I tried to talk to her about the rate increase. They had already decided what they were going to do". Gilda Meyers stated she has had problems with her waterline the same as everyone. Gilda Meyers stated she had moved here from Dallas Texas where people did not know who you were or where you lived and that is why she moved here. Gilda Meyer stated she was sorry that gentleman is upset. (Referring to Buck Roba who left the meeting.) Gilda Meyers stated she was ashamed of the people who came here tonight and caused problems. Gilda Meyers stated she used to be on the board and was "constantly getting chewed out because I was a woman and didn't know anything about water". Gilda Meyers stated we all needed to come together. Vicki Cearnal thanked Gilda Meyers for her comments.
- k. Catherine Furney stated that the letter that was sent out stated that we had paid our water operator trainee a lot of money and then he split. Catherine Furney stated can we not have a trainee sign an agreement that they will work for a period of time? Sandy Lewis stated that happens all the time and no one can make an employee stay. Vicki Cearnal stated that Oklahoma is a "Right To Work" state and that was part of the problem and that the trainee had tried to sell his property and move closer but had been unable to sell it. Vicki Cearnal stated we really need someone who lives locally because they had to be available at all hours to respond to emergency situations. Vicki Cearnal stated that Sean had tried really hard to sell and get invested in this area. Vicki Cearnal stated that John Butler had been planning to retire in May but was not able to at this time. Vicki Cearnal thanked Catherine Furney for her comments.
- l. Sandy Lewis stated she just wanted to say that 6 ½ years ago no one even wanted to come to a meeting. Sandy Lewis stated that the old board did not fix the problems in the past and what was this board supposed to do about that. Sandy Lewis stated this was a dedicated group of people on the board now and "if you don't want to help okay, but then don't cause problems". Sandy Lewis stated that we should appreciate what we have, a group of people who give their time to make this district better. Sandy Lewis stated that is all that matters when it comes down to it. Sandy Lewis stated that John Butler had been out at all hours of the day and night to work on this waterline. Sandy Lewis stated that everyone is complaining about what needs to be fixed but that costs

money and grants are so hard to get. Sandy Lewis stated that Deborah Butler should be so proud of all the work she has done because without grants we are going to be stale and without grants we will never get this district up to par. Sandy Lewis stated that the state doesn't want to take over the district and we don't want it to either. Sandy Lewis stated she didn't care about any of that, "I don't care as long as things are being done". Sandy Lewis stated that rural water isn't cheap. Sandy Lewis stated she was sorry to take up so much time but hopefully we can all come together. Vicki Cearnal stated that she was shocked when she found out that there was no water or waste water project that could be done without a grant or loan because they are so expensive. Vicki Cearnal stated that we need about 200 to 210 meters to become solvent and we are so close now. There was a discussion regarding Pipe Springs. Vicki Cearnal called for a point of order. Vicki Cearnal thanked Sandy Lewis for her comments.

- m. Lisa Craven stated Sandy Lewis had said everything she had wanted to say. Lisa Craven stated that what happened at the January meeting and tonight at this meeting was shocking and that she was very proud of Vicki Cearnal for how she handled everything. Lisa Craven stated that she had been on boards before and it is a thankless job and that every day you are doing something. Lisa Craven stated that the board didn't have all the spare time anymore like we do. Lisa Craven stated that John Butler had been out on Christmas day working on the waterline and it had been so cold and he had no helper and unfortunately, she didn't know enough about anything to be able to help him with anything. Lisa Craven asked "That mess that left, what were they bringing anyway? Everything they were complaining about was over and done with. You cannot change what happened 25 years ago or 10 years ago. Let's move forward and to things fixed with grants". Lisa Craven stated she "wanted to thank the board for all it's hard work. You cannot find anybody who wants to work anymore". Lisa Craven stated that she had a business 25 years ago and she was glad she wasn't trying to start it now because you cannot find anyone willing to work. Vicki Cearnal stated we need your prayers, and if you know of someone who is looking to work to send them our way. Vicki Cearnal stated that she did not think everyone knew how much Deborah Butler actually did for the district. Vicki Cearnal stated that along with grants she also did the accounting and billing all as a volunteer. Jean Conklin stated that all the members donated paper and ink and time. Lisa Craven stated that she had the meeting dates in her calendar now and would make a commitment to attend the meetings. Lisa Craven stated that everyone needed to come to the meetings and support the board. Lisa Craven stated we were blessed with great talent. Vicki Cearnal thanked Lisa Craven for her comments.
- n. David Conklin stated he was not from Texas he was from Oregon. David Conklin stated that politics drove him out. David Conklin stated his family were loggers and he was a teacher but he could still cut down a tree. David Conklin stated that Gilda Meyer had stolen almost everything he wanted to say. David Conklin stated at the last two meetings he came to there were so many people he didn't recognize. David Conklin stated that like Gilda he started to come to the meetings when he first came here. David Conklin stated he came because he wanted to be informed and know what is going on. David Conklin stated Aesop said "either you are for me or against me" and



until we stand together divided, we will fall. David Conklin stated we need to be united. David Conklin stated if you want to be informed don't wait until you get a letter to come to a meeting. David Conklin stated that someone said that at the last board meeting the board was going to raise our rates but that was a lie another person told a water user. Sandy Lewis said she had also been told that lie. David Conklin stated he had been asked by Lawrence McHenry to be on the board but "I told him I had served on boards for 30 years but I was retired". David Conklin stated we cannot survive with conflict like this. David Conklin stated that "some people see things are they are and say why and some people say why not?". David Conklin stated we have an outdated system with high water rates. David Conklin stated he went to the Mena BOD meeting and heard people from this district say some amazing things. David Conklin stated we have a hardworking board with major problems, so "be part of the solution not part of the problem". Vicki Cearnal thanked David Conklin for his comments.

- o. Vicki Cearnal stated that the people who disrupted the meeting had told the board and her specifically that this would occur if we didn't fire John Butler and we told them no. Vicki Cearnal stated they won't volunteer to be on the board either. Vicki Cearnal stated she wanted to thank everyone for sticking it out and staying to hear and to speak. Vicki Cearnal stated she didn't know if we could do it and for all to take care.
- Adjournment: Vicki Cearnal made a motion to adjourn the meeting. Deborah Butler 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 at 8:20 PM.

Signed: \_\_\_\_\_

