

MINUTES

SHERWOOD WASTEWATER COMMITTEE MEETING APRIL 7, 2009

The Sherwood Wastewater Committee met on Tuesday, April 7, 2009. Chairman Amy Sanders called the meeting to order. Present were Committee members Amy Sanders, Kevin Lilly, and Ken Medlock. Cecil Robertson was absent. Also present were, Engineer Ellen Norvell, Plant Manager Bill Miller, and Attorney Larry Carpenter.

The first order of business was approving the Minutes of March 3, 2009. Kevin Lilly moved seconded by Ken Medlock to approve the minutes. This passed 3-0.

Ellen Norvell distributed the agenda she had prepared for the meeting. She started with an update on the Consent Order with ADEQ.

The overflow response plan will be due to ADEQ this week and that has been sent in. The next item to cover will be preparation of a master plan.

The SSES Study under Pipeline Analysis continues. The location of manholes has been completed. 677 manholes have been located. This number was substantially less than estimated when the contract was signed, and that probably will mean some deduction in the total amount in the contract. At the same time Ellen and Bill think that not all of the manholes have been located for various reasons such as having been paved over or being concealed by overgrowth. They believe that the reason for the over estimation has to do with the existence of private improvement districts which Pipeline Analysis thought were part of the City's system.

With regard to the next work of Pipeline Analysis, Ellen distributed copies and photos of some of the pipes showing significant infiltration problems that will need to be cleared out. She also stated that flow meters were starting to be put into place, and that there had been three major rain events in the last 21 days which is about half the process for measuring the heavy rains. Ellen also stated that neither plant had inflow meters and these have been put in place. The South Plant has had some significant issues with this. Amy Sanders asked about the recent big rain, and Ellen stated that there had been a minor problem because one of the pumps for the plant had been removed for maintenance just about the time the rain came. Because of this we had to use a bypass pump which was rented from a service. There was no requirement to report this to ADEQ because the flow went into a treatment pond. Ellen stated that so far we seemed to be on schedule, and that she had spoken with Anne Roberts of ADEQ to update her, and intends to update her at least every other month or as milestones are reached. She related to the Committee that Anne Roberts had been impressed by the work submitted by Pipeline Analysis and is keeping an eye on it to determine whether that will be a good way for ADEQ to suggest dealing with similar problems in the future.

Ellen reported that ADEQ had inspected both plants in March. There were several issues that came up with the inspection reports. The reported noted that the levees were in bad shape. However, ADEQ notes that we are aware of that and have a plan to deal with that under the Consent Order. There were two new issues that came up. First, there was a question of whether a DMR report had been submitted with improper information. After investigation it was determined that the lab had made a mistake in calculations. This was clarified. Second, we were criticized as needing a larger inventory room. This also is part of the Consent Order, and the building has been completed. However, we have not been able to fully utilize this part yet.

Ellen expressed some puzzlement that the inspector had complimented our records as were

being maintained. The records are being computerized and being made as current as possible so that they can be easily retrieved. However, the inspection report evaluated our records as “marginal.” Ellen was unsure what that was about. Ellen talked about trying to talk with the inspector and Kevin suggested she ask what it is they are looking for; we think we are on the right path and need to know if we are not. Ken Medlock mentioned that in some of his prior work in other cities he had seen reports that would be issued and seemed almost completely unrelated to objective standards. He believed that both Ellen and Bill had done an excellent job of dealing with ADEQ in these matters.

Kevin Lilly next addressed the issue of the un-permitted basin that had come up. Kevin Lilly was concerned that this would come up again and wanted to know if we should address it ahead of time. There followed general discussion about how the “un-permitted basin” had come up in the first place. Ellen reminded the Committee that submission of a modified plan to include the basin at the North Plant was part of the Consent Order. She plans to treat it as a revised schematic of the plant rather than an addition to the plant because it will be easier to handle. Larry Carpenter reminded them that ADEQ had never treated this as going off line and that there is a process to follow if we tried to take something off line. While ADEQ seemed to shrug that part of the regulations off, it seems clear that all parties had always treated this as part of the plant, that it had been accepted before, and that at worst this seems to be part of a clerical problem that had come up and will be addressed in the easiest way possible.

Ellen also asked if anyone on the Committee had any memory of how the rates were set at the North Plant at the time it was put on line. She needed this information to give as part of the package for request of the rate study. Larry Carpenter will try to check the old minutes and see if there is anything that will provide any insight into that matter.

Larry Carpenter raised several matters he had. First, he mentioned that a member of the public had requested the minutes be placed online. He told the Committee he checked with Angela and that this could be easily done if he would send the minutes to her in an electronic format. He wanted to make sure Committee members had no objections and there were none.

Next he asked whether any progress had been made to find a replacement member. At this time we are still looking for a new member. Larry mentioned that when the Committee had been reformed several years ago, there was an effort to include two new members one residing in what had been the Sherwood North area, and one residing in what had been the Pickthorne area. He was not sure if that would still be required.

Finally he addressed two items he thought that the Committee should be taking a look at for the future. He noted that at the last meeting we had the discussion about the merging the North Little Rock and Sherwood systems into a regional system. He had earlier distributed to the Committee members an excerpt in a previous study that indicated this might be a workable plan. At the same time, he did not know whether this plan would be able to go through and that there were some issues regarding input on development and rates that Sherwood citizens would be giving up if the merger went through. He stated to the Committee members that if those matters were covered by the governing body, we would be in a position where merger probably would be in Sherwood’s best interest, but he was not sure how that was going to come about at this time and had been unable to discuss it with Steven Cobb, the City Attorney.

At the same time he felt it was incumbent upon the Committee to continue a parallel course toward two matters: First, a rate study in order to determine the best rate and whether should be a rate increase, and if so, how much. Second, the rate study would contribute to a budget plan and it was clear if this utility is to remain an entity within the City of Sherwood, additional employees,

equipment, and other matters are going to have to be dealt with. It was his memory that the budgeting for the next year would probably start coming under study in July and it might be a good idea for this Committee to start looking along those paths. Kevin Lilly stated he agreed that we probably needed to be on a parallel track in case the merger did not come through. He asked what other issues were involved and Ellen reminded the Committee that the utility really needs to have a Wastewater office. We are not running very well because Bill as Plant Manager operates out of an office in the Public Works department and she wears two hats within the City Hall. She suggested that it would be a good idea for all our records to be at a Wastewater Utility office. In planning toward that, she mentioned the attempt to purchase the property near the North Plant had as part of its aim converting a structure there into an office but that that effort had not been passed by the City Council. It was the consensus of the Committee and staff that these items do need to be addressed and that we would continue to work on them until it became clear that a possible merger might take this responsibility off the table.

Kevin Lilly then asked whether or not there were particular problem extending service on East Lee. This was a matter that had come up for discussion last year because one resident had been having a problem getting her septic tank repaired. Bill Miller reminded the Committee that he had taken close look at the particular property involved and that apparently that individual's house was located in an area assigned to Sherwood. Kevin stated he had heard that there were ordinances that forbid North Little Rock from extending service to them. Larry stated he was not sure that there may be ordinances involved because court order covered some of these responsibilities. However, the fact that the customers were within the Sherwood area meant it would be the responsibility of us to create the lines. Sherwood has been much more amenable to extending service lines then North Little Rock on these border areas. Bill Miller said the real problem was that in order to extend the line, we would have to extend it to all the houses then on septic tanks, and that absent some agreement of those residences to tie-on to the sewer system, it would not be a good idea to extend the line. There had been no other efforts at this time. At that point Larry Carpenter mentioned that there were ordinances that would require tying-on within a certain amount of time if the service lines were available, and that he thought that those ordinances were driven by a requirement in the State law.

There being no further business the meeting adjourned. The next meeting of the Committee will be Tuesday, May 5, 2009.