

**BENTON/WASHINGTON REGIONAL PUBLIC WATER AUTHORITY**  
*Of the State of Arkansas*

**September 19<sup>th</sup>, 2024 Board of Directors' Meeting**  
**Meeting Minutes**

Board of Directors' Meeting for September 19<sup>th</sup>, 2024 was called to order by Chairman Boston at 1001 hours in the Authority's Board Room at the Water Treatment Plant. Opening invocation was given by Eddie Cooper.

**Directors and/or Alternates**

Bella Vista POA .....	Charlie Holt
BCWD #1 .....	William Putman
Centerton .....	Malcolm Attwood
Decatur .....	James Boston
Gentry .....	Rick Craft
Garfield/Gateway/Lost Bridge .....	ABSENT
Gravette .....	Richard Sutherland
Highfill .....	Dustin Kahrl
Lincoln .....	ABSENT
Pea Ridge .....	Ken Hayes
Prairie Grove .....	Chuck Wiley
WWA .....	ABSENT
Westville .....	Zeb Black
Tontitown .....	James Clark

Others in attendance included Manager Borman, Eddie Cooper, Nathan Hooper, Darrin Byrum, and Jana Wright from BWRPWA, Matt Dunn, Josh Moore, JP Martin, and Dean Kendricks (via phone) from Crist Engineers, Jake Wagner from City of Pea Ridge, Michael Titsworth and Rodger Williams from KAJACS Construction, Jacob Davis and Michael Kalagias from BCWD #1, Sarah Alonyo from WWA, and Marcos Sanchez.

The minutes from the August 29<sup>th</sup>, 2024 Board Meeting were discussed. On a motion made by Director Clark, and a second by Director Attwood, August 29<sup>th</sup>, 2024 minutes were approved unanimously.

**Treasurers' Report** – Treasurers' Report was given by Director Craft, which included for the period of August 22<sup>nd</sup>, 2024 through September 10<sup>th</sup>, 2024. Director Craft discussed the check detail with the Board, which included payroll, electronic fund transfers, and checks 20347-20385. Director Craft then discussed with the Board the financials, which included a Profit and Loss Previous Year Comparison, a Profit and Loss with FY 24 Budget, and a Balance Sheet. After Board discussion of the financials, Director Kahrl made a motion to approve the Check Detail for payroll, electronic fund transfers, checks 20347-20385, and the financials as presented. A second was made by Director Holt. The motion was approved unanimously.

**Matt Dunn and Josh Moore with Crist Engineers then gave the update on current ongoing projects:**

**4 MG Composite Elevated Water Storage Tank**

- Notice of Award issued on October 28, 2022
- Contract Time – 755 Calendar Days
- Substantial Completion Date – October 14, 2024
- Final Completion Date – December 3, 2024
- Contract Amount - \$12,726,000.00
- Change Order #1 - +\$12,233.00
- Change Order #2 - -\$15,022.00
- Current Revised Contract Amount - \$12,723,211.00

- Pay Application #22 - \$438,108.65
- Total Payment to Date - \$11,822,246.97
- Balance Remaining - \$900,964.03
- Project is on schedule.
- Work inside column underway. Floor has been poured.
- Work on inside piping and electrical underway.
- See attached updated construction schedule from Landmark

### **3 MG Clearwell**

- Notice of Award – September 22, 2022
- Contract Time – 363 calendar days
- Substantial Completion Date – February 6, 2024
- Final Completion Date – March 10, 2024
- Original Contract Amount - \$5,132,000.00
- Change Order #1 - \$37,511.00
- Current Contract Amount - \$5,169,511.00
- Pay Application #15 - \$210,850.55
- Total Payment to Date - \$5,119,511.00
- Balance Remaining - \$50,000.00
- Project is on schedule.
- Waiting on yard piping to begin filling and chlorination

### **High Service Pump Station and Electrical Upgrades**

- Project in CMAR. Seven Valley's Concrete is CMAR contractor
- CMAR Phase 1 – Building and Concrete work – GMP \$6,800,000.00
  - Notice to Proceed – June 10, 2024
  - Contract Time – 295 calendar days
  - Substantial Completion Date – March 1, 2025
  - Final Completion Date – April 1, 2025
  - Original GMP - \$6,800,000.00
  - Pay Application #3 - \$835,473.60
  - Total Payment to Date - \$1,272,149.98
  - Balance Remaining - \$5,527,850.02
  - Work Underway
    - Base slab pours completed
    - Forming and rebar installing underway on walls in sections
    - Submittals and RFI's underway
- CMAR Phase 2 – Electrical and other work – GMP \$11,700,000.00
  - Notice to Proceed – Not yet determined
  - Original GMP - \$11,700,000.00
  - Pay Application – none as of yet
  - Total payment to date - \$0.00
  - Balance remaining - \$11,700,000.00
  - Work underway
- Transformers – working on options to award or reject bids and order transformers soon
- Yard piping procurement (steel pipe, fittings, and valves)

#### **Ferguson Waterworks**

- Notice of Award – January 26, 2023
- Notice to Proceed – February 23, 2023
- Contract Time – 573 calendar days
- Final Completion Date – June 6, 2024
- Contract Amount - \$2,809,734.00

- *Change Order #1 - \$544,221.23*
- *Change Order #2 - \$9,054.67*
- *Current Contract Amount - \$3,363,009.90*
- *Pay Application #3 - \$538,905.58*
- *Total payment to date - \$3,060,555.23*
- *Balance remaining - \$302,454.67*
- *Will have additional costs on 36" DIP for connections and steel pipe reroute due to conflicts with other underground utility lines*
- **Generator and Switchgear Procurement**
  - **Nixon Power – Direct Procurement from Kohler**
    - *Proposal Executed – August 2, 2023*
    - *Generator and Load Bank Transformer have been ordered and in production. Switchgear finalizing submittals and will be placed into production.*
    - *Estimated Deliveries*
      - ❖ *Approved Submittals – September 20, 2024*
      - ❖ *Generator – September 2025*
      - ❖ *Switchgear – June 2026*
      - ❖ *Permanent Load Bank – September 2025*
    - *Contract Amount with Estimated Tax - \$6,131,413.00*
- **High Service Pumps Procurement (2 pumps w/ motors)**
  - **Tencarva Machinery**
    - *Notice of Award – February 22, 2023*
    - *Contract Time – 361 calendar days*
    - *Final Completion Date – February 18, 2024*
    - *Contract Amount - \$1,018,816.00*
    - *Pay Application #1 - \$916,934.40*
    - *Total payment to date - \$916,934.40*
    - *Balance remaining - \$101,881.60*
    - *Delivery to BWRPWA – On hold*
    - *Pumps built and passed testing process*
    - *Pumps and motors in storage in Springdale*

### **Parallel 54" Transmission Line – Phase 1**

- *The project has been split into two contracts – Phase 1A and Phase 1B.*
- **Phase 1A – KAJACS Construction**
  - *Notice to Proceed – September 5, 2023*
  - *Contract Time – 450 calendar days*
  - *Substantial Completion Date – October 9, 2024*
  - *Final Completion Date – November 28, 2024*
  - *Original Contract Amount - \$11,820,000.00*
  - *Change Order #1 (yard piping) - \$980,000.00*
  - *Current Contract Amount - \$12,800,000.00*
  - *Pay Application #13 - \$450,905.61*
  - *Total Payment to Date - \$10,422,791.75*
  - *Balance Remaining - \$2,377,208.25*
  - *Pipe delivery began on 02/12/24.*
  - *Construction progressing – 10,000 feet installed through September 12, 2024. 17,943 total feet to install. Approximately 56% complete.*
  - *Yard Piping project – Change Order \$980,000.00*
    - *Final pipe delivery 02/13/24*
    - *Construction underway. 54" connected to Phase 1A. All piping installed except for realigned portions and connecting to existing piping/clearwell*

➤ Approximately 1100 feet installed through July 26, 2024

• **Phase 1B – KAJACS Construction**

- Notice to proceed – September 5, 2023
- Contract Time – 450 calendar days
- Substantial Completion Date – October 9, 2024
- Final Completion Date – November 28, 2024
- Original Contract Amount - \$11,820,000.00
- Change Order #1 (lagoon maintenance) - \$856,125.00
- Change Order #2 (lagoon maintenance) - \$624,950.00
- Current Contract Amount - \$13,301,075.00
- Pay Application #13 - \$1,314,737.53
  - Payment from Bond Funds - \$710,113.98
  - Payment from BWRPWA Funds - \$604,623.55
- Total Payment to Date - \$11,278,835.60
- Balance Remaining - \$2,267,869.40
- Pipe delivery began February 6, 2024.
- Construction progressing – over 11,900 feet installed through September 13, 2024. 14,536 feet to install – approximately 82% complete
- Lagoon Maintenance Project
  - Sediment from both lagoons have been moved into the ravine and the cap has been placed
  - Rip Rap sides completed on lagoon #1
  - Rip Rap sides completed on lagoon #2
  - Walkway being installed
  - Slide gates on order

**Parallel 54" Transmission Line – Phase 2A**

- Route for first 7.25+/- miles walked out and design is 95% complete
- Field surveying work complete
- Met with Bentonville Parks and Attorney about easements across parks property
- Sent resubmittal to ADOH for review
- All appraisals complete
- Easement acquisition underway – 8+ in hand – others are being worked on and should have several more by next month. Staking out about 10 currently
- Geotech work and report completed. Additional Geotech work possible.
- Environmental, Corp permitting underway
- Project must go through LSD in City of Bentonville. Submitting this week to do an in-house review
- Project under CMAR with KAJACS Contractors, Inc.
- CMAR agreement signed – Preconstruction Services underway – steel pipe purchase authorization issued per Early Works Package.
- Potholing existing utility crossings completed by CMAR Contractor
- American Spiral Weld Steel pipe is working on lay schedule currently
- GMP to be presented at meeting September 19

**Parallel 54" Transmission Line – Phase 2B & 2C**

- Phase 2B – Route for next segment to Centerton has been studied and reviewed with CMAR contractor the past month and a final route selection is under review. Survey work is underway
- Phase 2C – Route from Centerton to Decatur will follow soon
- Phase 2C – To include 10MG tank at Decatur Tank Site

### **New Beaver Lake Intake Structure and Raw Water Line**

- 48" route being finalized for route selection. Electric easement with Carroll Electric being coordinated for new power substation site.
- Route will need to be surveyed so it can be finalized, and easements can then be written and then begin to be obtained
- Geotechnical boring work is completed at the new intake site. Report is completed.
- Design work beginning in early stages currently

### **New Board Room / Training Facility**

- Notice to Proceed – June 3, 2024
- Contract Time – 330 calendar days
- Substantial Completion Date – March 30, 2025
- Final Completion Date – April 29, 2025
- Original Contract Amount - \$1,664,500.00
- Pay Application #3 - \$50,711.11
- Total Payment to Date - \$214,682.23
- Balance Remaining - \$1,449,817.77
- Project is on schedule
- Work on dirt work, structural subgrade, and footings poured complete
- Currently working on plumbing, electrical, and slab preparation
- Building delivery first week of October

### **Power Substation Land Acquisition**

- Property Closed – now owned by BWRPWA
- House site cleaned up and all structures removed.
- Met with Carroll Electric January 10, 2024. Plan on moving forward with power substation and property adjustments
- Substation expected to be completed early 2026
- Lot line adjustment underway

**Operations' Report for August 2024** – Manager Borman then gave the Operations' and Managers' report for August 2024, which is herein included as part of the official minutes.

**218 Agreement – Social Security** – Manager Borman then discussed with the Board the 218 Agreement for Social Security. Back in the 1950's, Section 218 of the Social Security Act has made Social Security coverage available to State and local government employees through a voluntary Federal – State agreement known as a Section 218 Agreement. It represents a mutual commitment to assure that participation in the Social Security program is a viable part of employee benefit programs available to public employees – requiring all government agencies, which includes Water Authorities, with public employees to enter into a 218 Agreement with the Social Security Administration making employees eligible for Social Security Benefits upon retiring. Manager Borman stated that he needed the Board to pass the Resolution – entering into a 218 Agreement with the Social Security Administration. **The Resolution to Request Authorization of Referendum reads as follows:**

**Whereas, it is the express purpose and intention of the Benton Washington Regional Public Water Authority of the State of Arkansas to extend to its employees an opportunity to participate in Full Social Security on as broad a basis as is permitted under applicable State and Federal Law, and**

**Whereas, Therefore, be it resolved that the Benton Washington Regional Public Water Authority of the State of Arkansas is hereby authorized to make written request to the Arkansas State Social Security Administrator for authorization to hold a referendum to determine whether a majority of said employees desire Full Social Security coverage effective.**

Once approved by the Board, the Resolution and board meeting minutes will be sent to the State Social Security Administrator's Office then referendum will be scheduled with the employees of BWRPWA for voting on whether they want to participate in Social Security Benefits upon retirement. This has been overlooked for many years and

*the Social Security Administration is wanting to bring BWRPWA back into compliance. After Board discussion, Director Putman made a motion to adopt the Resolution to Request Referendum from the Social Security Administration – entering into a 218 Agreement. A second was made by Director Attwood. The motion passed unanimously.*

***CMAR GMP on Phase 2A of 54-inch pipeline from KAJACS*** – Josh Moore with Crist Engineers then discussed with the Board the GMP proposal for Phase 2A of the parallel line project. Crist Engineers have reviewed the GMP proposal from KAJACS and it is comparable in price to Phase 1A and Phase 1B of the parallel line project. KAJACS GMP proposal is for the **installation** of the pipe on Phase 2A, and it also **incorporates** the previously approved bid (August Board Meeting) from American Spiral Weld Steel for the steel pipe and fittings (\$10,124,854.00) for the project, comprising the Construction Price Amendment. The total GMP for Phase 2A is \$29,896,355.00. The proposal has been split into 2 sections – Job Preparation and Project Installation. The job prep work can begin now, and as soon as the pipe is delivered in April 2025 then project installation can begin. Josh Moore made a recommendation to the Board to award Phase 2A – Construction Price Amendment for the Phase 2A 54” Parallel Water Line to the CMAR Contractor – KAJACS. After Board discussion, Director Clark made a motion to award and approve the Construction Price Amendment for Phase 2A of the Parallel Line Project in the amount of \$29,896,355.00 (GMP) from CMAR Contractor KAJACS. A second was made by Director Wiley. The motion passed with 10 voting for and 1 voting against.

***Setting Joint Finance and Personnel Committee Meeting for October 16, 2024 to review Draft FY 2025 Budget*** – Manager Borman stated that the Joint Finance and Personnel Committee meeting would be on October 23, 2024 instead of on October 16, 2024 beginning at 10:00 AM in the Water Authority’s board room. The Personnel Committee reviewed the resumes for the assistant managers’ position and have selected 2 candidates for interviews. The budget meeting will be held that morning and interviews will be set up for that afternoon. Interviews will last approximately one and a half hours for each candidate. The Finance and Personnel Committees and Officers are encouraged to be present at the meeting to go over the FY25 budget. Once the budget has been reviewed by the Finance and Personnel Committees, it will be sent out to the Board and will be on the agenda for approval at the October 31, 2024 board meeting.

Manager Borman then discussed with the Board an easement that is currently being worked on for Phase 2A. The property (parcel # 23-00098-000) is located off of Rocky Ridge Road and there is an issue with this particular property concerning the original installation of BWRPWA’s water line. BWRPWA’s pipe is not where it is supposed to be from the original install - not on the easement that BWRPWA purchased. There is no easement for the existing line from the original install. Josh Moore mentioned that with the designs/specs for the new pipe, he has widened the area of the property to encompass both lines (original and new) within an easement making it legally correct at this point in time. The property is roughly 5 acres and is not very wide. BCWD #1’s vault is at the northwest corner of the property. With the easement taking up a good portion of the property, building on the property wouldn’t be feasible. Manager Borman mentioned that the owners of the property are potentially looking at selling the property, and with the size of the easement encompassing both lines, it could possibly be more beneficial financially for BWRPWA to purchase the 5 acres, and then there would be no trespass or legal issues. There may be potential that BCWD #1 may want to purchase some of the property for a storage tank at some point in the future. If BCWD #1 wanted to purchase the property from BWRPWA for a tank site, BWRPWA would put a permanent easement on the property, and sell part or all of the property to BCWD #1 for the amount that BWRPWA paid for the property. The owners paid \$180,000.00 for the property and Manager Borman is proposing offering them what they paid for it – best scenario solution. Manager Borman asked the Board to authorize him to make an offer on the property. After board discussion, Director Kahrl made a motion authorizing Manager Borman to negotiate an offer on the 5 acres for easement purposes. A second was made by Director Putman. The motion passed unanimously.

Director Kahrl proposed to the Board moving the time back to 9:00 AM for the board meetings instead 10:00 AM. After board discussion, Director Kahrl made a motion for board meetings to begin at 9:00 AM instead of 10:00 AM. A second was made by Director Wiley. Motion carried unanimously.

*Being no further business before the Board, Director Kahrl made a motion to adjourn at 1043 hours. A second was made by Director Attwood. Motion carried unanimously and the meeting was adjourned.*

***NEXT BOARD MEETING – OCTOBER 31<sup>ST</sup>, 2024***

*Rick Craft, Secretary/Treasurer – Benton/Washington Regional Public Water Authority  
SKK: JKW*