

**GROVE MUNICIPAL SERVICES AUTHORITY
REGULAR MEETING
TUESDAY, MAY 17, 2016
4:30 PM**

The Grove Municipal Services Authority met in regular session on Tuesday, May 17, 2016 at 4:30 PM with Vice-Chairman, Bill Dyer presiding. Members present were Berwin Kock, Kenneth Fitch and Don Nielsen. Member Robert Plunk was absent. Also present was General Manager, Bill Keefer; Attorney, Darren Cook; Public Works Director, Jack Bower; City Treasurer, Lisa Allred; Assistant General Manager, Debbie Bottoroff and City Clerk, Bonnie Buzzard.

Kock made the motion to approve the minutes from the previous meeting. Seconded by Nielsen. AYE: Kock, Fitch, Nielsen and Dyer. NAY: None. Motion carried.

Fitch made the motion to approve the purchase order register. Seconded by Nielsen. AYE: Kock, Fitch, Nielsen and Dyer. NAY: None. Motion carried.

Fitch made the motion to approve the Acknowledgement of Receipt of Permit No. WL000056160218 for the construction of 723 linear feet of six (6) inch PVC potable water Line and all appurtenances to serve the Ferra Aerospace Manufacturing and Warehouse Facility of Delaware County, Oklahoma. Seconded by Kock. AYE: Kock, Fitch, Nielsen and Dyer. NAY: None. Motion carried.

Dyer opened the floor for discussion with respect to bids for the relocation of water and gas lines and the replacement of water and gas lines as part of Cherokee Street Bridge Replacement Project. Project Manager, Garrett Ball, P.E. addressed the Board to report that five (5) bids were received for this project. All bids were found to be responsive; however, there are inconsistencies among the bids. Ball mentioned that on May 5th he received a letter from the Law Office of Neil McGuffee that was prepared on behalf of his client Goins Enterprises explaining that Goins made an error interpreting the bid documents. Upon examination of the bids, it was discovered that they did make an error and that at least one other bidder made the same error. For this reason, and to eliminate any possible protests, it is our recommendation that all bids be rejected and re-bid. Ball further recommended splitting the project into two bid packet:

1. one would include all work necessary for the bridge replacement, and
2. the other would include the work south of the bridge.

Ball concluded that this will eliminate some confusion from the bidders, and should reduce the cost slightly because the bridge portion will not require compliance with the Davis Bacon Act or other federal requirements. Keefer added that the Staff would concur with the Engineers recommendation to reject the bids and give authorization to rebid this project as two separate projects. Kock made the motion to reject the bids received for this project, and to authorize the Engineers to re-bid as two (2) separate project as discussed. Seconded by Fitch. AYE: Kock, Fitch, Nielsen and Dyer. NAY: None. Motion carried.

Dyer then opened the floor for discussion with respect to the following amendments to Engineering Services Agreements with Rose & McCrary to rebid the Cherokee Street Water and Gas Line Relocation Project:

- a. An Amendment to an Engineering Services Agreement to rebid the replacement of water and gas lines along Cherokee Street not related to the North Cherokee Street Bridge Replacement. Kock made the motion to approve the amended Engineering Service Agreement as presented. Seconded by Nielsen. AYE: Kock, Fitch, Nielsen and Dyer. NAY: None. Motion carried.

- b. An Amendment to an Engineering Services Agreement to rebid the relocation of water and gas lines related to the replacement of the North Cherokee Street Bridge. Kock made the motion to approve the amended Engineering Service Agreements as presented. Seconded by Dyer. AYE: Kock, Fitch, Nielsen and Dyer. NAY: None. Motion carried.

Dyer opened the floor for discussion with respect to approval of the following agreements pertaining to the extension of utilities to the new gaming facility located at the intersection of US Highway 59 and East 250 Road (aka Tom Cat Corner). Keefer reported that two agreements relate to the extension of utilities and the third agreement is a water line maintenance agreement with Rural Water District #10 that provides for GMSA's assistance with the maintenance of the water line between the master meter and the service meter to the gaming facility. Keefer added that though the primary parties to the utility service agreements are Cherokee Nation Entertainment, RWD #10 and GMSA, Cherokee Nation Entertainment requested that the City of Grove be a party to each agreement as well. Cherokee Nation Attorney, Jan Eames was present to entertain questions, comments and concerns from the Council and Staff:

- a. An Infrastructure Development and Service Agreement with the Cherokee Nation Entertainment, L.L.C., Rural Water, Sewer, Gas and Solid Waste Management District Number 10 of Delaware County, and the City of Grove for Potable Water. Attorney Cook reported that he has reviewed the agreements in its entirety and approves the documents with some minor amendments as presented by the RWD and Cherokee Nation. Kock made the motion to approve the agreement as presented and discussed to include the amendments. Seconded by Fitch. AYE: Kock, Fitch, Nielsen and Dyer. NAY: None. Motion carried.
- b. An Infrastructure Development and Service Agreement with the Cherokee Nation Entertainment, L.L.C. and the City of Grove for Sanitary Sewer. Fitch made the motion to approve the agreement as presented and discussed. Seconded by Nielsen. AYE: Kock, Fitch, Nielsen and Dyer. NAY: None. Motion carried.
- c. A Potable Water Infrastructure Maintenance Agreement with Rural Water, Sewer, Gas and Solid Waste Management District Number 10 of Delaware County and the City of Grove. Kock made the motion to approve the agreement as presented and discussed. Seconded by Fitch. AYE: Kock, Fitch, Nielsen and Dyer. NAY: None. Motion carried.

Dyer opened the floor for discussion with respect to the development of a plan, policy and procedures for the retail sale of the sludge compost from the Wastewater Treatment Plant. Keefer reported that he asked Plant Superintendent, Aston York to research and compile a short report identifying a scenario in which GMSA could sell the sludge compost. York reported that the bobcat loader will hold 13.5 cubic feet. On average most places charge \$50 per cubic yard. Staff would propose that we charge \$1.50 per cubic foot with a minimum charge of \$20.25 per one scoop. The cost of one cubic yard of compost would be \$40.50. At this price the customer would receive a total savings of \$79.74 if they were to buy in bulk through the City of Grove. The customer would pay for the compost at City Hall and present the receipt to the Waste Water Treatment Plant for loading. York entertained questions, comments and concerns from the Board and Staff. Fitch made the motion to authorize the Staff to proceed with the plan and procedures development for the retail sale of the compost sludge. Seconded by Dyer. AYE: Kock, Fitch, Nielsen and Dyer. NAY: None. Motion carried.

STAFF REPORTS:

Keefer remarked on the letter of resignation that was received from Trustee, Kenneth Fitch. Keefer expressed thanks to Fitch for his service to the Board.

Keefer reminded the Board of their upcoming budget work session scheduled for Wednesday, May 25th @ 1:30 PM.

Bower reported that the Industrial Park Annex water & gas line is currently shut down due to the excessive rain received. Some pressure testing has been completed on that job, and it is approximately 50% complete.

The 6" main at the school has been sampled and test, and that the crews are continually working on water leaks.

TRUSTEES REPORT:

The Board expressed thanks to Fitch for his years of service to the Board and wished him well with his relocation to Bartlesville, OK.

At 5:24 PM Fitch made the motion to adjourn. Seconded by Dyer. AYE: Kock, Fitch, Nielsen and Dyer. NAY: None. Motion carried.