

**NORTH LITTLE ROCK
WASTE WATER TREATMENT COMMITTEE**

MINUTES OF A MEETING HELD TUESDAY, JULY 13, 2010

A meeting of the North Little Rock Waste Water Treatment Committee was held on Tuesday, July 13, 2010 at the administrative offices located at the Faulkner Lake Treatment Plant.

The meeting was called to order by Chairman Matthews at approximately 12:20 p.m. Those in attendance at the meeting were: Mr. K.W. Matthews, Mr. Ed Nelson, Ms. Patti Julian and Mr. Sylvester Smith. Also in attendance were Mr. Gary Mills, Director, Mr. Marc Wilkins, Assistant Director, Ms. Gina Briley, Mr. Ric Roll, Mr. Bill Staggs, Mr. Vince Hotho with Garver Engineers, LLC, Mr. Sam Hilburn and Mr. Mark Halter with Hilburn, Calhoun, Harper, Pruniski & Calhoun, Ltd., and Dawn Harmon.

The Committee first reviewed the minutes of its June 8, 2010 meeting. A motion was made by Mr. Smith, seconded by Ms. Julian, to approve the minutes of its June 8, 2010 meeting as submitted. The motion carried unanimously.

The Committee then reviewed the voucher disbursements for June 2010. After a brief discussion, a motion was made by Ms. Julian, seconded by Mr. Nelson, to approve the voucher disbursements for June 2010 reflecting total cash disbursements of \$1,882,303.75 and transfers between accounts of \$1,591,672.22. The motion carried unanimously.

Upon motion made by Mr. Nelson and seconded by Mr. Smith, the Committee unanimously approved the Financial Statement for June 2010.

The Committee then discussed the I440 Interceptor project. Mr. Wilkins explained to the Committee that the Utility has been unable to acquire easements for approximately half the length of the I440 Interceptor. The project generally consists of approximately 9,500 L.F. of deep gravity sewer ranging in size from 36-inch to 12-inch and is beneath the ground water table. The staff has asked Garver Engineers to conduct a benefit/risk assessment of the project compared to constructing a parallel force main. After a review of the preliminary construction cost estimates for the proposed force main and the advantages/disadvantages of force main v. gravity sewer, a motion was made by Mr. Smith, seconded by Ms. Julian, to authorize the staff to proceed with the design of a parallel force main, as set out as Alternative B, from Faulkner Lake Road to the Faulkner Lake Treatment Plant. The motion carried unanimously. It was noted that by choosing the parallel force main over the gravity sewer system, the Utility would save approximately four million dollars.

Mr. Mills then advised the Committee that on July 13, 2010 the Utility received a Notice of Violation via email from ADEQ regarding the erosion adjacent to the White Oak Bayou Interceptor. The White Oak Bayou Interceptor was constructed in 2003. The Notice indicates that the erosion had occurred adjacent to the Utility's pipeline in

and around the area containing two manholes and implied that the construction was the cause of the erosion. Mr. Mills further stated that they had inspected the site and made the following observations:

- < The interceptor parallels the White Oak Bayou for its entire length (approx. sta. 143+97).
- < Significant erosion has occurred between stations 35+00 and 44+35.
- < The contractor left the silt fence in place along much of the project length. The Utility has scheduled crews to look for and remove any remaining silt fence.
- < The concrete mentioned in the email is along the same stretch of the bayou as the erosion, but it is on the opposite bank. This concrete appears to have been put there intentionally and may be associated with a nearby concrete plant.
- < Further, the Utility had Mark Wyatt, PE, a geotechnical engineer with Grubbs, Barton, Hoskyn and Wyatt, Inc., look at the erosion. Mr. Wyatt indicated the repair effort would be significant and should involve boulder size stone or equivalent stabilization method to withstand the type of storm events the area has been experiencing.

Mr. Mills informed the Committee that the Utility has contacted the Arkansas Department of Emergency Management to request financial assistance. However, they indicated that the damage would have to have been reported within 60 days of the storm event to qualify for assistance. The Utility still contends that the erosion is not the fault of the Utility since the line has been in place for 7 years but is due to the rainy weather this area has been experiencing in the past year. The Utility is continuing to evaluate its options and looking for other sources of financial assistance.

The Committee then discussed the Consent Administrative Order received from ADEQ regarding the over flows. There have been 429 reported manhole overflows from 2006 to the present. These overflows have significantly decreased due to the rehabilitation and updates on the system. According to ADEQ, the potential fine which could have been imposed in the Consent Administrative Order was \$3,800,000 which was reduced to \$145,800.00. After a lengthy discussion, the Committee agreed on a plan of action which is to:

- < Prepare a full response to the Consent Administrative Order;
- < Work with Mayor Hays to enter the political scene;
- < Rewrite the Consent Administrative Order the way the Utility wants it to read and submit it to ADEQ for review and input, who will then submit it to the EPA; and
- < Make all the required information available to our Senators and seek their assistance in negotiating this matter.

A motion was made by Mr. Nelson, seconded by Ms. Julian, to excuse the absence of Mr. McGlothlin from the meeting. The motion carried unanimously.

There being no further action to come before the Committee, a motion was made by Ms. Julian to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at approximately 1:43 p.m.

APPROVED AS TO FORM:



K. W. MATTHEWS, CHAIRMAN

RESPECTFULLY SUBMITTED,



PATTI JULIAN, SECRETARY