

COMPTON WATER ASSOCIATION
Monthly Meeting Minutes
Held at Compton School, Compton Arkansas
April 12, 2016 - 7:00 P. M.

Mitch Jones called meeting of April 12, 2016 Compton Water Association to order. Roger Jones called roll to determine if a Quorum is present. Members present: Mitch Jones, Roger Turner, John Henderson, Clint Wilt and Wayne Hartlerode. Quorum established.

REPORTS:

MINUTES: Katrina Davidson

DIRECTORS REPORT: Katrina Davidson

WATER OPERATOR REPORT: None

BOOKKEEPER REPORT: Katrina Davidson

DIRECTORS REPORT: Katrina read that we had a water loss of 46.9%; she stated last years' water loss average was 33.75%. Roger Jones asks why it's going up. Veronica Clark says in past its maintained around 30%, what we are getting from Bobby is more leaks, couldn't find a leak. Roger asks how much that costs us when the average jumps up so much. Veronica states that 40% is about \$1200-1500 additionally a month for water loss. She says going back to Josh Freeman, circuit rider, recommends shut off valves and meter so that Bobby can tell where the leak is. Roger Jones asks the cost per meter. Veronica says we need 5, have 2, and the cost is around \$750. Roger asks if we were quicker in finding leaks then the investments would pay off. Veronica state the board needs to vote this is, the board has discussed this before but it wasn't followed through with. Wayne Hartlerode states if we put these in, someone would need to check them every day. Roger asks how we can tell if it's a leak or just usage. Veronica says because it is checked at night when everyone is asleep. Roger asks if Bobby is going to be able to do this. Veronica states, that Josh is recommending a backup water operator. Our system has grown to the point that someone needs to have eyes on it almost every day, but Bobby is overloaded. Roger asks if the meter reader has capabilities along this line.

Veronica Clark- Yes, but we need someone to send to school, Bobby needs help.

Mitch Jones- We don't really have an option on investing in the needed equipment, we have to do that and figure out how to manage it.

Roger Jones-Is this going to help with an emergency? Is it going to help with water loss?

Veronica Clark- Yes, a leak will run a shorter time because it will help pinpoint problems. Josh Freeman (Circuit Rider with Arkansas Rural Water) says we need a full time water operator, someone to take some pressure off of Bobby.

Veronica Clark- Wayne, you have a water operator license, can you shed some light on this?

Wayne Hartlerode- I would be willing to sit down and figure out how to check those meter on a regular basis, the key is being consistent. When Josh was here they couldn't find a leak, Bobby found it a couple of days later.

Karl Lehr (interrupts Board Meeting)- When you find a leak do you shut off the customer's water or at this new meter?

Veronica Clark- Its separate, it will be valves that will tell how much water has passed through which means Katrina will have to redo the books and section off the water system and keep Bobby informed with figures on how much water passes through that place on the system.

Karl Lehr (interrupts meeting)- Do you have to shut off water?

Veronica Clark (attempts to answer Karl Lehr)- To avoid a boil order they can fix them while running. Josh Freeman says mileage on our system surpasses most other systems.

Wayne Hartlerode- We have fewer customers per water line than anyone in the state.

Roger Jones- Which is why our rates are so high.

Veronica Clark- He suggested these valves (be put in place) because of mileage.

Roger Jones- If it's more efficient, that's the key, efficiency is everything.

Wayne Hartlerode- It would take a while to implement.

John Henderson- Where do we get pricing from?

Veronica Clark- We are looking at \$2500 plus labor. We are supposed to be changing out high volume meters and we haven't been able to do that. Josh recommends looking at the customer when doing rates, commercial vs. residential customers. Turkey houses could use 100,000 gal.

Ruby Davidson (from the audience, was asked how much turkey houses use)- says turkey houses could use 7500 gal. a day.

Roger Jones- Do other rural water companies charge separate rates for commercial and residential?

Veronica Clark- They do according to Josh Freeman. Our rate is being figured now. They also suggest a cost of living increase, 3-5% annually. We are 2 years behind on a rate survey.

Roger Jones- We at one time, had the money to build an office, but then here come lawsuits and court costs.

Veronica Clark- We would have an office, we would have those valves, but it looks like the legal system is something we are going to be involved with moving forward, unnecessarily, is my opinion as a water member.

Roger Jones-Their tactics will change.

Veronica Clark-This board is being targeted and harassed.

Roger Jones- It's doubtful any other rural water deals with this, but they have a right, it's just the way it is. Do I understand it or appreciate it? NO it's not fair to the other rate payers in the system, I don't take it as a personal attack, I take it as an attack on their neighbors.

Karl Lehr (interrupts from the audience)- This is not an attack, this is the law.

Roger Jones- We can work if you will come talk to us.

Karl Lehr- That's the law and if you want to follow it that's fine. (Mr. Lehr is referencing how late fees are charged).

Roger Jones- We of course want to follow the law, we have to.

Karl Lehr- You are not.

Roger Jones- You never brought it to us before taking it to the Attorney General.

Karl Lehr- Yes I did; I wrote it in a letter to the Attorney General.

Veronica Clark- You have to have a lawyer to address complaint to the Attorney General and a lawyer to determine if this is a law that is applicable to this board, you can not take the general public's opinion on what the law is, you have to say, what is the meaning of this and does it apply to us? If your opinion is one thing and someone else's is another, then you are a board speaking from your heart instead of saying what does the law of the land say about this, that is why your legal bills are so high, your doing what you have to do.

Roger Jones- Mr. Lehr, where does this come from?

Karl Lehr- General rules for the AR Public Utilities Commission.

Roger Jones- Are those laws or suggestions?

Karl Lehr- They are rules that have the effect of laws, you have the Constitution, States rules....

Roger Jones- It's either a law or not. We will be glad to investigate if this is a law. It's either a law in law sense; you can't be in a general sense. We will investigate this. Is this an actual law or a rule?

Karl Lehr-It's a rule that has the effect of a law.

Veronica Clark- asks Scott Fancher if he has anything to add.

Scott Fancher- I am an attorney in Harrison, I do not represent the water company, I am friends with many here. To answer your question, this is an administrative rule, falls under the jurisdiction of Arkansas Administrative Procedures; it is a law that you have to follow. Arkansas legislative will enact the law Administrative agencies that are responsible for it will write procedures that are adopted as administrative rules that are expected to be followed if it's a non-profit association or non-profit corporation doing business.

Clint Wilt- It boggles my mind what you people want. We want to do everything according to the law, what you just read. You sir, have no clue what this water board has in pocket, you have no clue or maybe you do, if you do, shame on you; shame on everyone if you actually realize what abiding by the law actually costs this community, forget the water board.

Karl Lehr- (Comment inaudible??)

Clint Wilt- This is my turn to talk.

Karl Lehr- You are making a mistake.

Clint Wilt- I have been on this water board for a very long time, I'm fixing to resign, I want everyone in here to know I am not resigning because of your pressure, I'm resigning cause I'm going to Mexico to build Churches. It has nothing to do with you guys' bullshit. You guys have cost, not this water board, this community, which is you guys not us a lot of money, the stipulations the law puts on us and you have put on us, we do not have the finances to meet those stipulations.

Karl Lehr- That's false.

Clint Wilt- That is true.

Veronica Clark- That is not false, that is absolutely right.

Clint Wilt- This is my turn to talk sir, shut up. You told us that many times.

Karl Lehr- Never

Veronica Clark- In writing, you have Mr. Lehr, your letters are very aggressive.

Clint Wilt- I don't know what your objective is?

Karl Lehr- Just comply with the laws.

Clint Wilt- Ok so get another full board in here, you sir, Garland Matlock, Wanda Roudabush, whoever wants to sit on the board, let them try to figure it out, the law doesn't give them finances to do that. We are doing our best. You said your piece; your piece is turmoil and opposition. A house divided can't stand, this community can not stand with you guys coming against it. That is what you don't get. This is a community that you continue to use and abuse it. Keep doing lawsuits; all you're doing is jacking up water prices.

Karl Lehr- If I could just draft them....

Clint Wilt- That is not a question, I am telling you... (Karl continues inaudible) Keep doing what you want to do; all you're doing is jacking up the water prices. We are doing our best; we are doing our best on notifications of boil orders, with what we have to work with. The bad people, the people who actually stole from this water board, they have been gone for like 5 years that I know of, you are fighting the wrong battle. All your doing is raising our water prices, your's sir and everyone else's. A house divided will fall. This probably won't go to the State, it probably needs to, try your bullshit with the State and see how far you get. I'm saying that to Roudabush, Matlock and everyone else on God's green earth who is coming against this water board. These guys are the best men that I know of, on this board, the most honest and they are qualified but you guys won't have it. All you guys do is attack, attack, attack and next time you turn around its another lawsuit, you guys are trying to find problems. All you have found is a higher water rate.

Karl Lehr- No, I have found the answer, I will draft it for you.

Roger Jones- We aren't doing that.

Veronica Clark- I would never personally, as a water member, think it alright that this board would do anything from the general membership, that is why we have to hire lawyers, you (the Board) need a lawyer.

Roger Jones- Mr. Lehr, you have to understand that can't happen, you're not even on the board.

Karl Lehr- That is why I have presented it to you.

Clint Wilt- You need to realize, this isn't Little Rock and these men do the best with what they have to work with.

Roger Jones- Clint, I appreciate that.

Clint Wilt- I am not resigning because of you guys' pressure, I am resigning because I have stuff I have to do and I can not do my work here appropriately because I am going to be gone too much. These guys can.

Roger Jones- Wishes Clint good luck in his ventures in Mexico.

Roger Jones- Mr. Lehr, if you will just bring this to us.....

Karl Lehr- (presents a paper regarding late fees) It's a matter of changing a computer program.

Veronica Clark- Our computer already does it on the balance.

Roger Jones- Is this different from the way we do it?

Veronica Clark- No, the current unpaid balance is all the 10% in charged on. This is the most lenient board I have ever seen.

Roger Jones- If this is the accurate law, are we abiding by this?

Veronica Clark- Now we have to pay someone to tell us if we are or not.

Roger Jones-Gotcha

Mitch Jones- Call meeting back to order stating for the bookkeeper to move on with report.

Billy Clark (asks to speak)- Mr. Lehr, most everybody out here on water, works, some barely can pay their water bill, it does not need to be going up over idiots. This group that's here over a boil order or something, just wanting to fuss, I'm a water user and I'm sick to death of it. I wish to hell yall had something better to do then sit around from month to month figuring out your strategies. I'm sick of it, think of other people around here instead of yourselves.

Wayne Hartlerode (?)- We appreciate the insight and help; we just need it in a different approach.

Roger Jones- Instead of antagonistic, instead of adversarial, we are a community. I've asked Wanda Roudabush) before, what do you want? What is it that you're after? Please just tell us so we can try to come to some agreement. And that does not seem to be a desire, whatsoever.

Clint Wilt- That's because she wants all this.

Roger Jones- I'm a volunteer, volunteering for the water board. This is lunacy. It's beyond any rational persons thought process. You have been a part of... It's embarrassing for an adult to be behaving this way.

Wayne Hartlerode- I know several people who have recently moved into this community, including a retired pastor of a church (Allen Archer), who is very respected, they were talking of getting him on the board, he caught wind of all this crap that goes on up here, he wont touch it.

Roger Jones- He is a good person; we are losing good people that could be contributing here. And we are losing them because of lunacy. It's offensive. That's why I haven't walked away, Mr. Lehr. How long have they tried to get rid of me? Since I walked in the door.

Veronica Clark- Since they chest butted you out in the parking lot.

Roger Jones- Since I have been threatened for being on a water board that just came back from being \$200,000 in the red, This board right here brought us back to its current condition, which in its dilapidated condition is still better than most rural water systems. It has caused me to sit here and shake. I am going to prison for volunteering on a water board? Do you see how lunacy that is?

Clint Wilt- That's pretty F'd up.

Veronica Clark- And as a member of the public and almost ex-employee of this I want to say, Mr. Lehr, you have a great amount of knowledge, and it is a sad thing to me that you have leant that to the wrong side. You have absolutely been everywhere they have all been, in every venue, I've seen you in court, I've seen you everywhere, and I do know what side you support. Whether this is right with the delinquency, I don't know, I don't care, I'm fine with finding out and putting the right thing in place. What I am over the top with is, since you are the only one here that is a part of this fringe group, that is not here that called and insisted and made a huge email trail of, pain in the ass stuff.

Clint Wilt- I was really hoping they were all going to be here.

Roger Jones- Let me wrap this up, this has been cathartic in a way, we are picking on you Mr. Lehr, and it's not really fair, but you can see the anxiety and troubles this group has caused, for what result, what has Compton Water or our community gained? Absolutely nothing! Zero! So this \$5-6,000 spent has been for nothing. Is that not embarrassing?

Karl Lehr-I am not part of that group.

Veronica Clark- You are sir, every step of the way. You are costing your neighbors.

Billy Clark- We have a board down here we don't need the Attorney General running this water department.

Karl Lehr- You can find that online, go to the library, its Arkansas Public Utilities.

Clint Wilt- We are doing the best we can.

Veronica Clark- Everybody knows and this board knows that I come from a purely professional and business background in my other life, I know I have driven this board to every legal endeavor that they need to have, I have always said, you better get some advice, you can't represent yourself. Every step of the way we have sought legal advice, not only when we were pushed, but on a volunteer basis. Now whether we are right or wrong about the delinquency, if I showed you every attitude I faced every month for people who play our system and do not pay their water bill you would not mind one day off on your postmark, which by the way, I save envelopes to prove if I am right or wrong and I am often wrong, but not that much and I will tell you this, this board has endeavored by my propelling to do it the right way.

Roger Jones- You can go back through the minutes and see how many times we have said, over and over, that this will not be done in any other manner except with full disclosure. We have created a website, instant full disclosure. What more can you do as far as a water board in Arkansas? I would bet that we are the most progressive around, now admittedly, some of this pressure has forced us into these things, hallelujah for the good but this has not been fair. Lets wrap this up, we need to finish this meeting. I would ask that if you would work with us that we will be more than receptive, if you go to the Attorney General, we probably wont be as receptive.

Veronica Clark- We will be \$400 answering your deal.

Karl Lehr- Comments inaudible????

Veronica Clark- Once you've propelled yourself and you drag Compton Water down the road of the Attorney General, we have got to respond with an attorney Mr. Lehr. So now we have to go investigate who is right and who is wrong and when that is determined we will hire somebody to finish our by-laws, re-write the legal aspect of whether we are right or wrong into our by-laws regarding late fees....

Roger Jones- So you don't have to pay a day early.

Veronica Clark- We will be out \$400-500 just putting the fire out that you (Mr. Lehr) alone started.

Karl Lehr- I'm willing to draft it for you.

Veronica Clark- We would never hire you.

Karl Lehr- I'm not asking you to hire me.

Veronica Clark- We cannot even take your advice because you don't have, I'm a lawyer behind your name. (missed a little of conversation to turn tape over)

Roger Jones- He called me a liar, that was ridiculous.

Veronica Clark- You publicly called him a liar.

Scott Fancher- Could I make a suggestion to both parties here? Would you be satisfied if the board sent their current billing procedures and by-laws to Arkansas Rural Water Commission, and if the ARWC says that they complied, they have their own council who could do this and save these people \$400-1000?

Karl Lehr- Are you saying the Arkansas Rural Water board follows different rules?

Scott Fancher- No. What I am saying, if they took their procedures and submitted them and asked for an opinion from the Arkansas Rural Water board and they said the way they are doing their current billing complies with the Arkansas Administrative Procedure Act, would that satisfy you rather than making it litigious and adversarial?

Karl Lehr- If I am told it is untrue or false, that is fine.

Scott Fancher- I don't think anybody is arguing that its untrue or false, they are saying maybe the way they are doing it now complies with this. But in order for you to see if it is.

Karl Lehr- In one of their responses, they gave me the language that the board claims the board policy and that language violates and contradicts. All I'm saying is substitute that for what you have. That is why I thought I could draft it. And I can send it and you can consider it, if you don't want to do

it that's fine but I could at least draft it and you can have an Arkansas attorney figure out if I (inaudible) or not.

Scott Fancher- Would you be willing to draft your proposed regulation that you want this board to adopt and follow and if they sent that to the ARW commission and those people looked at it and they agreed, so this board can be defended? Cause they guys can't be thrown in jail. There has got to be a little give and take here. That would address your concerns and would let somebody that's a professional in these matters look at what your proposing drafts are and they can advice this board.

Karl Lehr- Sure, you can show what's current and ask if they are both valid.

Scott Fancher- And just get a professional opinion, but don't put these people through having to spend thousands of dollars.

Roger Jones- Its just a lot of wasted energy, we had so many things to do and we are spending our time on you, Karl.

Veronica Clark- I want to reply to what Mr. Fancher said. At the onset ARW does have our bylaws and when we took this over they did look at our skeleton and said move forward in this. And now the last little court harang we went to, Judge Martin is very kind, came over and said to us, ya'll need to forthwith immediately redraft your bylaws, they are antiquated and don't match the laws of the land, in that redrafting, if that's correct, an attorney would have brought this forward and redone our bylaws for us at that point. So we are going to be sometime in the end of 2016 before that is done, since all the new bylaws have to be written anyway, that will be covered in it anyway, so....

Roger Jones- Instead of spending money on bylaws, we are spending money on this (Attorney General responses).

Veronica Clark- Yes, and Mr. Lehr, the Attorney General requires us to respond to your complaint and because we can't write the response and I am not a lawyer, this board has to hire one to respond to your complaint. We are in it, we can't bail out of that. Even if you agreed to what Mr. Fancher is suggesting, there is no way of bailing out of having to defend what you put before the Attorney General, we have to see that through. So we will be doing that and doing the bylaws, which will cover any error. That's what their saying, the current laws and our by laws are antiquated, and the law of the land don't even (?), so all of them have to be done anyway. If we are in error, we are delighted to fix it. Just so you know, what you set forth has to be put out financially and every other way, in addition to writing bylaws and determining whether we are right or wrong. Are we good with that? Move on.

Motion was made by Roger Jones to accept reports as ready, seconded by John Henderson. All in favor motion carries.

UNFINISHED BUSINESS:

1. Mitch Jones reminds everyone that elections are coming up; everyone will have the opportunity to get whoever we need on this board.

NEW BUSINESS:

1. Mitch Jones introduced Katrina Davidson as the new bookkeeper. Veroinca will continue to train her. Motion to accept Katrina as bookkeeper by John Henderson, seconded by Roger Jones, all in favor.
2. Clint Wilt resigned, Mitch Jones wished him the best. A new board member to be appointed soon. Wayne Hartlerode asks if Clint could just take a leave of absence. Clint states he will be back in December. Mitch Jones says we will have a plan in place to address that situation; we want to make sure we always have a quorum.
3. Veronica explains the need for a phone line at the bookkeeper's house, stating it will aid in boil orders, returning calls to customers, etc. Roger Jones makes a motion to proceed with this, John Henderson seconds the motion, all in favor.
4. Mitch Jones states you can go on our website and see Compton Water business meeting minutes and everything else, stating everything is totally transparent.

REQUEST TO BE ON AGENDA

Motion was made by Roger Jones to adjourn, second by John Henderson.



Mitch Jones, President

April 12, 2016



Roger Jones, Treasurer

April 12, 2016