

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF MAUMELLE
SUBURBAN IMPROVEMENT DISTRICT, A/K/A MAUMELLE WATER MANAGEMENT**

**January 13, 2009
4:30 P.M.**

Commissioners present

Dave Kaufman, Chairman
Mary Peyton, Vice Chairman
Ralph Kearney, Secretary

Managers present

Mike Thomason, General Manager
Barry Heller, Asst. General Manager
Tina Richardson, Business Manager

Attending

Stuart Hankins, MWM Legal Counsel
Fred Oswald, Consulting Engineer
Randolph Polk, City Liaison
George Glenn, City Liaison

Call to order/roll call

Commissioner Peyton called the meeting to order at 4:38 p.m. with Commissioners' Peyton and Kearney in attendance. Commissioner Kaufman arrived at 5:45 p.m.

Review/Approval of Minutes

There being no changes to the Minutes of the previous meeting, Commissioner Kearney motioned to approve the Minutes as written. Commissioner Peyton seconded the motion and motion passed.

Financial report

The Board then reviewed and discussed the financial report for the period ended December 31, 2008 with explanation of various items given by Mr. Thomason. Mr. Thomason stated that revenue is under budget by 3.5% and total expenses are over budget by 3%. Revenue loss is mostly due to the extremely wet weather this year. Mr. Thomason also stated that the new rates are in place and increased revenue should be seen soon.

Manager's report

Mr. Thomason updated the Board on the following items:

- No Catastrophic Insurance available for help in repairing the problem with the deterioration of the roof at the water treatment plant.
- Well Field update – Mr. Thomason reported that he had met with Rhett Burge of Layne of Arkansas about drilling test wells at the golf course area of the well field. Mr. Burge recommended that any new wells or, replacements of well 1 and well 2, be located at least 100 feet away from the existing well. Mr. Thomason then explained that, because of this limitation, the best scenario for this area of the field would be to replace another well between 1 and 2 and another between 2 and 3. Mr. Thomason said he had plans to meet with Charles Henson of Bottomline Development to better explore his development intentions. Mr. Hankins informed the Commissioners that his understanding was that the District has blanketed water easement rights but not blanket rights to drill test wells. Mr. Thomason said he would hold off on the test wells until there was a resolve to the rights issue or permission was granted from the Country Club or Bottomline, whoever the owner may be at the time of drilling.
- Mr. Crook is visiting a wastewater treatment plant in Texas to observe their sludge problem and how they are dealing with it. Mr. Crook will report his findings when he returns.

Old Business

Easement to Future Tank Site

Mr. Hankins stated that the title search did not show an easement. Mr. Hankins stated there was a deed recorded in 1992, and again in 1994. Mr. Hankins has a copy of the legal descriptions that were attached to these documents. The first recordation had five pages of legal descriptions attached, and the second recordation had only two pages of legal descriptions attached. Mr. Hankins stated that the first recordation should have included the easement. Mr. Hankins will obtain copies of both filings and review them.

After in depth discussion, the following directives were given; Mr. Hankins will review the two recorded easement documents; Mr. Hankins will notify the City concerning the City Planning Commission's erroneous approval of the developer's plat that did not show the District's property ownership; Mr. Thomason will take pictures and have signs placed on the property to show the District's intention of possibly placing a water tower on the property sometime in the future; Mr. Thomason and Mr. Oswald will verify the elevations of the property. The Board then stated that it would be up to the developer to come to the Board with a recommendation on how to best settle this issue.

Donation Request (Chairman Kaufman arrived at this time)

Upon motion by Commissioner Kearney, seconded by Commissioner Kaufman, the Board unanimously approved a \$500 dollar donation request by Special Olympics.

Engineering Report

Mr. Oswald had nothing to report at this time.

Attorney's Report

Mr. Hankins report was discussed under the tank site easement section.

Adjournment

There being no further business, the Chairman adjourned the meeting at 5:51 p.m.

Approved this 10th day February, 2009.

Respectfully submitted

Approved

Tina Richardson

Dave Kaufman, Chairman

Mary Peyton, Commissioner

Ralph Kearney, Commissioner