



**City of Broken Arrow**  
**Minutes**  
**Broken Arrow Municipal Authority**

City Hall  
220 S 1st Street  
Broken Arrow OK  
74012

*Chairperson Craig Thurmond*  
*Vice Chair Scott Eudey*  
*Trustee Mike Lester*  
*Trustee Johnnie Parks*  
*Trustee Debra Wimpee*

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**Tuesday, December 4, 2018**

**Council Chambers**

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**1. Call to Order**

Chairman Craig Thurmond called the meeting to order at approximately 6:43 p.m.

**2. Roll Call**

**Present: 5 -** Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

**3. Consideration of Consent Agenda**

Chairman Thurmond asked if there were any items to be removed from the Consent Agenda. There were none.

MOTION: A motion was made by Mike Lester, seconded by Johnnie Parks.

**Move to approve the Consent Agenda**

The motion carried by the following vote:

**Aye: 5 -** Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

- A. 18-1138 Approval of Broken Arrow Municipal Authority Meeting Minutes of November 20, 2018**
- B. 18-1393 Approval of and authorization to execute Fiscal Year 2018-19 Budget Amendment No. 4 for the funding of the Financial Assistance (FAP) Loan from the Oklahoma Water Resource Board (OWRB)**
- C. 18-1373 Acknowledgement of submittal of the Broken Arrow Municipal Authority's Wastewater Discharge Monitoring Report for the month of October 2018**
- D. 18-1376 Acknowledgement of submittal of the August to October 2018 Pretreatment Report to the Regional Metropolitan Utility Authority**
- E. 18-1386 Approval of and authorization to execute Change Order CO1 for Construction Contract 175436; Verdigris River Water Treatment Plant Pretreatment Basin Expansion**
- F. 18-71 Approval of the Broken Arrow Municipal Authority Claims List for December 04, 2018**

**4. Consideration of Items Removed from Consent Agenda**

There were no items removed from the Consent Agenda. No action was required or taken.

**5. Public Hearings, Appeals, Presentations, Recognitions, Awards**

There were no Public Hearings, Appeals, Presentations, Recognitions or Awards.

## 6. General Authority Business

- A. 18-1375 **Consideration, discussion, possible approval of and authorization to execute an amendment to the 2017 Consent Order with Blue Bell Creameries, LLC requiring construction of a pretreatment facility for compliance with Broken Arrow Wastewater Discharge Permit No. BA 007 and authorizing the City Manager to waive accumulated surcharges throughout the duration of the Order, upon satisfactory completion of tasks**
- Pretreatment Coordinator, Lauren Wilson, reported this was a request for an extension of the 2017 Consent Order with Blue Bell. She stated the City of Broken Arrow entered into a Consent Order in February 2017 which required Blue Bell to construct a pretreatment facility to ensure compliance with Broken Arrow municipal code and Wastewater permit. She reported the Consent Order required completion of the following tasks: hire of a licensed engineering consultant to perform a wastewater characterization study, submission of a preliminary engineering report to Broken Arrow, identification of a treatment process and submission of an engineering report with the wastewater characterization results, construction of the pretreatment facility to begin by January 8, 2018, construction completion and operation of the pretreatment facility to begin by January 7, 2019, and submission of an 180 day operational report detailing compliance status with Broken Arrow Permit requirements by September 2, 2019. She reported, to date, Blue Bell had completed the following tasks: hired Gresham, Smith and Partners to perform wastewater characterization study, submitted a preliminary engineering report which identified the proposed treatment process, performed a pilot study of the proposed process, submitted an engineering report with the pilot study results, awarded construction contract to Brasfield and Gorrie, General Contractors, and construction of the facility was begun. In addition, she stated, Broken Arrow Municipal Authority had authorized the City Manager to waive calculated surcharges for accumulated excessive organic wastewater discharge in the amount of \$341,605 dollars, as well as any additional surcharges accrued through the duration of the Consent Order. She reported Blue Bell was required to construct a pretreatment facility in an amount equal to or greater than the total. She stated the current construction amount for Blue Bell's facility was \$6,919,603 dollars and the waived surcharge total was \$883,243 dollars. She reported in a letter dated September 24, 2018, Marty Kilgore, General Manager for Blue Bell, formally requested an extension of the January 7, 2019 completion deadline to May 7, 2019 listing unexpected delays, including conduction of a two month pilot study instead of the originally planned one month study. She stated utility staff drafted an Amendment of Consent Order which was reviewed by the Broken Arrow Legal Department which struck Item 17E and 17F of page 7 of the Consent Order to be replaced by 17E "complete construction and begin operation of the Blue Bell facility upgrades by May 7, 2019, and document completion of the task by submitting a written notification" and 17F "submit to the City of Broken Arrow a compliance report of the first six months of operation following startup by January 2, 2020. The report should include documented spills, permit exceedances, and pH monitoring data." She indicated the Amendment of Consent Order was attached for consideration and approval. She stated staff recommended authorization and execution of the Amendment of Consent Order on behalf of Blue Bell and authorization of the City Manager to continue to waive accumulated surcharges throughout the duration of the Order, contingent upon satisfactory completion of all of the tasks. Ms. Wilson displayed and briefly described photographs which illustrated project progression to date.

Vice Mayor Eudey stated he appreciated the efforts of Blue Bell so far. He asked if extension until May 2019 was a realistic timeframe. He stated he would prefer to not have to amend this again in the future. Ms. Wilson responded in the affirmative. Council Member Parks stated he appreciated staff and Blue Bell working together to ensure the Broken Arrow sewer system was not negatively affected.

MOTION: A motion was made by Johnnie Parks, seconded by Scott Eudey.

**Move to approve and authorize execution of an amendment to the 2017 Consent Order with Blue Bell Creameries, LLC requiring construction of a pretreatment facility for compliance with Broken Arrow Wastewater Discharge Permit No. BA 007 and authorizing the City Manager to waive accumulated surcharges throughout the duration of the Order, upon satisfactory completion of tasks**

The motion carried by the following vote:

**Aye:**      **5 -**      Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

#### **7. Executive Session**

There was no Executive Session.

#### **8. Adjournment**

The meeting adjourned at approximately 6:53 p.m.

MOTION: A motion was made by Johnnie Parks, seconded by Debra Wimpee.

**Move to adjourn**

The motion carried by the following vote:

**Aye:**      **5 -**      Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

Attest:

s/Craig Thurmond \_\_\_\_\_  
Chairman

s/Curtis Green \_\_\_\_\_  
Secretary