

**KREBS UTILITIES AUTHORITY
BOARD MEETING MINUTES
APRIL 15, 2025**

1. MEETING CALLED TO ORDER by Chairman Tommy Ray Walker

2. ROLL CALL by Cindy J. Cooper, City Clerk Chairman Tommy Ray Walker

Larry Coxsey- present

Chuck Nelms- present

Sherri DeFrange- present

Dan Heathcock- present

3. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE MINUTES OF THE MARCH 18, 2025 KUA BOARD MEETING

Larry Coxsey makes a motion to approve the March 18, 2025 minutes. Chuck Nelms seconds. Chairman Walker calls for a vote. Dan Heathcock- yes, Sherri DeFrange- yes, Chuck Nelms- yes, Larry Coxsey- yes. **Motion passed.**

4. DISCUSS AND ACT TO APPROVE/DISAPPROVE THE CLAIMS

Dan Heathcock made a motion to approve the claims. Larry Coxsey seconds. Chairman Walker calls for a vote. Dan Heathcock- yes, Sherri DeFrange- yes, Chuck Nelms- yes, Larry Coxsey- yes. **Motion passed.**

5. FINANCIAL REVIEW WITH MIKE KERN

Mike Kern Does everybody have their principal work authority finding issues? First, thing I want do is on page two, that is the liabilities and equity and I want to bring your attention to the third item down there, note payable, current RD \$17,010.39. I've been updating you all in meetings. We currently are making payments of \$6,900 so we have two payments left on that rural development note. Whenever the engineers are talking about rebuilding the water plant and all that, one of the things they're definitely going to look at is how much debt you all have. And within two months, there's not going to be any debt at all because those will be paid off. Okay? Okay. Now if we'll turn over to page three. We're looking at information from the nine months ending on March 31st. Our total revenues in the Krebs Public Works Authority at \$998,937.54. Our operating expenses, total expenses \$917,389.08. So operating income is \$81,548.49. We have transferred \$30,980.78 cents over to the city. With that, I don't see any irregularities. We're real close to budgets on all of that. In the past, as you council, people that have been on here, the new council people for years, we've had a lot of issues with a lot of repairs and supplies over at the KUA. This year things haven't been quite so bad. So, we are showing a profit at this time of \$50,567.68, But one of the other issues that we always talk about when we do have the budget, we will look at proposed water and sewer increases. And that's going to be another issue that they will look at whenever they build a new water plant. They want to know if you're going to have enough monthly income to pay back the

notes. So, they will look at those water and sewer rates and they may ask you to increase it, but every year we upgraded three to five percent, and I worked those numbers out. Everybody's got to contribute to paying for the water plant. That's the short answer. But anyway, any questions or comments?

Chairman Walker, how much more does the KUA owe the city of Krebs?

Mike Kern, how much do they owe? They still owe \$183,152.09. See right there (page 2).

6. BUSINESS PREVIOUSLY DISCUSSED - None

7. BUSINESS NOT PREVIOUSLY DISCUSSED

A. DISCUSSION ABOUT STORM WATER IN THE SEWER SYSTEM CONCERNS WITH RESIDENT LYNNETTE SMITH

Lynette Smith What I wanted to talk about, I live at 395 SE Choctaw. I've lived there for about 22 years, and in the last year, my house, flooded once, potentially two more times that I've alleviated, when we get heavy rains. I'm going to make this assumption because I never had any issues before these Choctaw homes were built. I don't know if a survey or study was done where that storm water was going to go for those homes and the concrete streets, but it comes rushing down the sewer lines. So, April 28th of last year, we had some heavy rains and about two o'clock in the morning I could hear some gurgling and I got up, went in my bathroom, and black sewage was coming up in my bathtub. I went in my half bath to get my phone to call somebody and the floor was wet. When I turned the lights on, I called a friend of mine because I couldn't get the cap off of the cleanout. Asked them if they could come help. When he turned down the street, down Choctaw, the manhole cover in the street, there was water shooting out of that keyhole about this high (indicates 3-5'). That's how much storm water was in the sewer. When he got that cap off of my cleanout, the water just went up like a geyser. It finally started receding in my house after it flooded my bathrooms, it boiled out of that cleanout for five hours. I came to city hall. I called Danny. I've talked to him numerous times about it. First, I was told it wasn't sewage, but there were tampons and toilet paper in my backyard that don't belong to me. I think a couple guys from the sewer department came out, said it wasn't the city's responsibility for sewage backup. That's on me. I need to put it in a backflow preventer. I already have a backflow preventer. There was so much pressure in that line. When I went into my half bathroom, the floor was wet, the toilet was still, the water wasn't moving in the bowl. The water was shooting from the bolts that hold the toilet in the floor. That's how much pressure was in those lines. So that sewer then runs through my backyard out to the ditch across the road and down into the creek. So now what I have to do is just leave that cap sitting on my cleanout and when we get heavy rains, here comes the storm water and it bubbles over through my yard into the ditch. It did it last year in April. Then it did it again in June, and then it did it like a week or so ago when we had rain. I've spent \$18,000 remodeling my bathrooms because the city is not responsible. I've had to increase my insurance coverage in case it happens again. I'm trying to

figure out what do I have to do or why is it my responsibility, I guess, to protect myself from the city of Krebs. There's an issue over here. I also called ODEQ. They've been out a couple times. The manhole cover in the alley behind me has been busted for over a year. The lid isn't even on it, so water goes in there. I'm just looking for some, I don't know, assistance, answers some solution to stop this because I don't want sewage running through my yard and I can't have my house flood every time it rains.

Chairman Walker What did DEQ say?

Lynette Smith, the first time they came down, I'm waiting on them again. I called a couple of days ago, so they're supposed to send him back out. But the first time he said he was going to come down here to City Hall, he said, I can't force them to do anything, but I'm going to recommend that they fix the manhole cover, and at least fixed that. But nothing has been done. Now, last week when I called and talked to Danny while it was happening during the day, he said he would call, and get someone over there. He called me back, only one guy on and he's working somewhere else. It'll be Monday before they can come. I said, well, it won't be happening on Monday. But no one ever came. No one's ever knocked on my door. I've called many times and no one's ever even come to look at it.

Chairman Walker, I don't know anything about that. I do now. I appreciate it.

Lynett Smith, you've never mentioned it to him. Danny?

Dan Heathcock, I called you Mayor when you said you were with Billy out looking at many problems around the city of Krebs and that you wouldn't be able to call anybody else out to look because of the lightening.

Chairman Walker Is that right? You got that recorded?

Dan Heathcock, that's what you said.

Chairman Walker, you got that recorded

Dan Heathcock, up here (points to head)

Chairman Walker, I ain't going by that brain. I'm asking you. You got that recorded.

Danny Heathcock, I said that it's up here.

Chairman Walker, if it's not, don't accuse me of something. You don't know what you're saying.

Dan Heathcock, I'm telling you what you told me on the phone.

Chairman Walker, well, show me that. Show me proof of that because I damn sure didn't.

Larry Coxsey, watch your ethics.

Lynette Smith, do we know, was a study or survey ever done before those homes were built, for the stormwater?

Chairman Walker, it was supposed to have been done. It was supposed to be done.

Lynette Smith, and then the second thing is what cost is the city incurring processing all that storm water at the sewer plant? Because I'm telling you, when it happens that water is for hours.

Chairman Walker all these big rains we've had, what, four or five inches?

Lynette Smith, but I lived there 22 years. It's never happened before, Tommy. It's happened three times in the last year.

Chairman Walker, well, as I've said while ago, I didn't know anything about that. But we will look at it and go back to the whole thing.

Larry Coxsey, I went and looked at her situation the other day and looked at the way the sewer lines run. And it definitely needs to be checked into because where the water's coming from to

get in that sewer to go past her place and into her place. There's one direction that's coming from.

Lynette Smith, so it's like on Choctaw, that sewer line comes just west of my house is the manhole cover in the street and then that's like the end of the line and then it catty corners through my backyard to the manhole cover in the alley. So, when all that water's rushing that way, it is just falling off into my line and then trying to flood my house. But I mean we took the lid off of that manhole and that sewer line is a good six to eight feet down there. That's a lot of water in there for it to be shooting that keyhole. That's a lot of water. And we're not talking backup. We're talking like a torrential river coming to my house.

Chairman Walker, I can believe that. I can believe that.

Larry Coxsey, I went to talk to them and brought it to their attention. But yeah, Jonathan's got a plan. I think.

Chairman Walker, Hey Jonathan, come up here so we can hear you.

Jonathan Clifton, there's two ways that we're going to try to investigate this, address this. Right now, we're in the wet season. We can get liquid tracers down and we can put it in any of the storm system and see if it's coming into the sewer system. It's showing up. They can go out into the branches, pull the manhole lids, see where most of the flow is coming from, which branches it's coming from, and give some point to where we can investigate that. Next thing that we can do is smoke testing. Get a machine that forces smoke down into the system and if there's any breaks or cross connections that smoke will show where it's at. We'll have to wait until we have a good month, about a month of dry weather. Then we can start with sending out notifications, and we can start that process. But that'll be the most thorough and it'll be showing breaks or anything we have in the system there.

Chairman Walker, we done that smoke testing, what, three or four years ago.

Chuck Nelms, they smoke tested this town like four or five times and it looks like the towns on fire when you do it. We never do anything after. We do the smoke test and say, yep, it's on fire. Then we just blow it off.

Chairman Walker, we need this investigation on there, Indian housing, if it's all coming from that way, they've got one retention pond up there, don't they Chuck?

Chuck Nelms, yeah. But all their site plan is they're just going to do elevations of theirs. They're not responsible when they do their study, they don't go into the city's distribution from that point on. That's not part of theirs, they just got to do theirs to get it to the point of stormwater, it's not supposed to be going into sewer system. That's leaks. It's causing that. And the problem is we're not addressing where it's infiltrating, and stopping it.

Larry Coxsey, that line runs right by that big retention pond, runs right up to it and goes alongside of it. So very well could have a break in that line there because that's all the load spots and when that pond gets full, it could be running over. If you can't find any breaks, then I'd suggest looking to see if they tied their storm drains into sewer.

Dan Heathcock, where's their sewer tied into the city sewer? On the Indian homes.

Larry Coxsey, it goes north across in front of next to the last row of houses. It goes north. And then when it gets over behind that retention pond, it turns and goes straight east down. Choctaw back to where she's going.

Jonathan Clifton when we do the smoke testing. It is going to show probably like a million breaks. Some of them are going to be on the city side, which the city's going to be responsible for fixing, but a lot of them are going to be on the customer side, last time I think we gave them like 30 days to fix it. Then we started issuing fines at \$50 a month. I think is what it was, but

probably going to have breaks where maybe Dawson fiber boarded through the sewer system where it got cut into in the bar ditch or on the customer side where they tore down the house and didn't plug up the service line or somebody left the cap off draining their yard. That kind of stuff.

Chuck Nelms, that's probably a real good possibility there because as many water breaks as they had, you're not seeing all the sewer that they plowed through.

Chairman Walker, we got a lift station right there too, don't we?

Jonathan Clifton, we have a small one that services that street. Fourth Street.

Chuck Nelms, the dye you're talking about, is that just going to address her area?

Jonathan Clifton, I mean we can fit it. I mean it is a suspicion that made the storm system and that a house condition has been tied into the sewer system. We can put that dye into that storm system, which it is safer for wildlife and what have you, but we can put that in there and if it shows up in the sewer system downstream from that, then we can know that there's a cross connection.

Larry Coxsey its either going to show up in the sewer system or show up into the creek where their storm drainage is supposed to be, targeted to go.

Lynette Smith or in my backyard, it might be in their backyard.

Jonathan Clifton, a lot of times the people tie the gutter system into the sewer system. That might happen there. But that shows up when we do the smoke test, it'll show up if you have smoke coming out of the gutter system.

Chairman Walker, this time we do the smoke testing. We need to do something with it.

Larry Coxsey, yeah, because like I said, she spent a bunch of money to fix her house. That shouldn't be on her to fix again if it does.

Chairman Walker, did you come file a tort claim?

Lynette Smith, no, because I called and checked on it and just everything, says not responsible for sewer backup, but it's not. I understand that if I have a clog and my sewer backs up, that's not what this was. So no, I haven't because that's, that's...

Chuck Nelms, you say you do have a backflow preventer on your

Lynette Smith, yes.

Chuck Nelms, why is it not stopping it?

Lynette Smith I'm going to tell you. I don't think a little piece of plastic in a backflow preventor would stop the pressure. That was, you just can't believe how much that we took that clean. I'm not kidding you; it went up like a geyser. There was so much pressure in that line.

Chuck Nelms, that's what it's designed to do.

Lynette Smith, I have, so for my house, I have a pop-off valve in case it got inside, and then I have a back well preventer, and then my cleanout.

Jonathan Clifton, it drains from her point is the housing addition and some on Main Street. It is not that big area, so it is getting some really major overflow.

Dan Heathcock, we getting really heavy rains, I know.

Larry Coxsey, that should not affect the sewer.

Lynette Smith, we've had heavy rains before. I mean the past two days, pasture across the road from me. We've had rains where I've seen the water up halfway in that pasture and it never tried to come in my house then, but it is now.

Larry Coxsey, your rain should not affect your sewer flow.

Lynette Smith Right? Rain shouldn't be coming through the sewer line into your house.

Larry Coxsey, you got a plan to, how long is it going to take before you start looking into this?

Jonathan Clifton, here tomorrow we can do, well, I guess we got to order some tracer dye, but as soon as we get the tracer dye in, we can get that in the storm drainage system, see where it's going, and next heavy rain we have, we're going to start pulling manholes, kind of seeing if we can identify which branch that's coming from. Except for the smoke testing, you'll need about a month of dry weather. You'll have to put door flyers out to let people know what's going on. And so that'd probably be a kind of late June, July.

Larry Coxsey, but to dye we can do pretty quickly.

Jonathan Clifton, right.

Chuck Nelms, I think we need to address where she's come from. Maybe with dye, but as far as smoke test and everything, we need to have a bigger plan where you're going to go dump all the money to do the smoke test going. That's a process. And you'd have a plan doing something with it instead of just like we do with a lot of things, get an engineering report and we have a piece of paper.

Jonathan Clifton we're planning to do the entire town having some issues and then some other places.

Chairman Walker, doesn't DEQ tell you anything how to fix it or that's not their job either.

Chuck Nelms, DEQ will find it, that's exactly what they'll do.

Sherri DeFrange, what about an engineer? Someone that know something about it. It sounds like it's a serious-*interrupted*

Chuck Nelms, well, if you find out, if he finds out that we've got a bunch of infiltration, that's when you're probably like to have an engineer to design to redo your sewer, your stormwater.

Jonathan Clifton, I mean we did last time. You can do the smoke testing, identify the breaks. I mean the city can, there's a lot of them they can fix. And there'd be a lot on the customer side. Like I said last time, we gave them I think 30, 60 days to fix it, and then fine until you got a plumber to fix it. But it's lots and lots of small breaks.

Larry Coxsey, we need to address this one differently. I mean three times really quick.

Lynette Smith, it'll probably be here in the next two or three days. I figure it'll be happening again this week.

Chairman Walker, big rain, Saturday and Sunday.

Mark Moy, I think it happened to her neighbor across the street years ago.

Lynette Smith, but they're actually on a pump now.

Mark Moy, I know, but years ago, if you want me to address it, we put a new sewer line at the bottom of the hill right there by Patrons and went down the alleyway because it was too small a sewer pipe to handle all that. Your whole sewer system here is eight inch. You put in how many houses over here and you went to dumping it in an eight inch. You are going to have to update your system.

Lynette Smith, when you drive through, there, all their storm drains are at the end. It just all goes down. And then they've got a few storm drains at the bottom that all falls in. And then here it comes.

Larry Coxsey, I think Jayme said that the houses across the street from her flooded, got sewer backed up again just the other day.

Mark Moy, Barbara Crow's is who it was. It blew the stools plumb off the bolts.

Lynette Smith, yeah. I mean the water was shooting out from the bolts. I mean that's a lot of pressure.

Larry Coxsey, so you got a plan.

Jonathan Clifton, yes right.

Chairman Walker, need to get started as soon as possible.

Chairman Walker, so sorry about all that, but we're going to try to do something different this time. Hopefully. Hopefully. Yeah.

Lynette Smith, maybe I need to talk to Mr. May about that tort claim.

Ronnie May, I was looking at the tort claim act you have a certain amount of time to talk to a lawyer. They're not easy cases. City has a lot of defenses available to them. Let's say you've given them so sometimes it's hard to prove.

Lynette Smith, I say what's done is done, just fix it so it doesn't continue, because it's very stressful every time it rains me sitting there. Am I going to get flooded this time? And it's not enjoyable.

Chairman Walker, supposedly got a plan here. See something new will work out.

Lynette Smith, I appreciate it.

B. DISCUSS AND ACT TO APPROVE/DISAPPROVE MAKING THE NEW VICE MAYOR AN AUTHORIZED SIGNER ON THE (amended to add) ***FIRST NATIONAL BANK, MCALESTER, OKLAHOMA* KUA BANK ACCOUNTS AS FOLLOWS:**

207-Surcharge

8592- Public Works

9238- Water Tower

8606- Customer Deposits

Dan Heathcock makes a motion to approve adding Larry Coxsey as authorized signer on above mentioned First National Bank, McAlester, Oklahoma KUA accounts. Sherri

DeFrangé seconds. Chairman Walker calls for a vote. Dan Heathcock- yes, Sherri

DeFrangé- yes, Chuck Nelms- yes, Larry Coxsey- yes. **Motion passed.**

C. DISCUSS AND ACT TO APPROVE/DISAPPROVE REMOVING DAVID BAILEY AS AN AUTHORIZED SIGNER ON THE (amended to add) ***FIRST NATIONAL BANK, MCALESTER, OKLAHOMA* KUA BANK ACCOUNTS**

Dan Heathcock makes a motion to approve. Sherri DeFrangé seconds. Chairman Walker calls for a vote. Dan Heathcock- yes, Sherri DeFrangé- yes, Chuck Nelms- yes, Larry Coxsey- yes. **Motion passed.**

D. DISCUSS AND ACT TO APPROVE/DISAPPROVE REMOVING CONNIE POOLE AS AN AUTHORIZED SIGNER ON THE (amended to add) ***FIRST NATIONAL BANK, MCALESTER, OKLAHOMA* KUA BANK ACCOUNTS**

Dan Heathcock makes a motion to approve. Larry Coxsey seconds. Chairman Walker calls for a vote. Dan Heathcock- yes, Sherri DeFrangé- yes, Chuck Nelms- yes, Larry Coxsey- yes. **Motion passed.**

8. COMMENTS FROM THE CHAIRMAN AND THE BOARD

Chuck Nelms, Yeah, I got a comment you had asked me last month to provide you with the policy and procedures for the water leak adjustment. This is the policy that's in place that you voted on to approve, which says 20%. There's also a copy of the adjustment that you made on

that water leak. It does not meet the policy, so I would recommend you rebill that less than 20% unless you bring it to the council. The difference.

Chairman Walker, isn't there 20% that's on the water and the sewer, Jayme? Is that what we...

Jayme Busby, yes 20% of the water, 20% of the sewer.

Chairman Walker, but if it's so much money or something.

Cindy Cooper, so many gallons.

Jayme Busby 20,000 gallons you can give them an additional 30% on sewer only.

Chuck Nelms that addition there doesn't reflect that. Not by the math I'm looking at.

Chairman Walker this is 2023 (referring to copy of procedure given to him by Chuck Nelms) I'll have to look this over then. Appreciate it, Chuck. Somebody needs to keep me in line.

Chairman Walker, anybody make a motion to-*interrupted*

Attendee? I would like to say something.

Chairman Walker, all right. Come on up here and tell us your name.

Brooke Mason, oh I would love to. I'm Brooke Mason and I live at 25 NW second, and I talked to Ms. DeFrangé last night. I called you last night, left a text message with you. But this is the first full meeting that I've been to, and I just would like to just address something. It's just a comment. You do what you want with it. But I'm also a taxpayer here in Krebs. First off, I want to tell you thank you guys for coming and serving your city. I also serve on a board, but I'm really, really a little frustrated by lack of professionalism of you being able to sit here and cuss towards another representative from the city council. Because I look at this as a business, and if I represented my business that way, I probably would not have a job. So, I just feel as though since you represent our city and you are the city mayor, out of respect of everybody here as well as the audience, that you should be able to not be able to talk to them like that, and that that should be addressed as the city in general. I just don't feel like that there's any reason for you to put anybody down or demean them or cuss towards them at a city council meeting.

Chairman Walker, I don't think I've done that.

Brooke Mason, yes, you did, sir. And it's on camera as well.

Cindy Cooper muttered, do not respond.

Brooke Mason And ma'am, I'm not addressing you.

Cindy Cooper, I'm addressing him.

Brooke Mason, Well, that's fine. But I'm speaking so out of respect that I've given you. So, I would like the same.

Chairman Walker, well, now wait a minute. Out of respect, I'm letting you sit there. Are you going to talk or let me talk? Out of respect I'm letting you stand there and tell me what all I'm doing wrong. That's fine. I'll take it all every day. But after a while, you get tired of somebody just over and over and over.

Brooke Mason, at the end of the day, business is business and you still have to show respect to everybody. For the record, that is the position.

Chairman Walker, this is not a business.

Brooke Mason, you have to show leadership. Well, you represent a business. And just to let you know that I also serve on a board, and I'm the president as this board and have been for years. And I never show disrespect to any of my people that are there as a board member. And I can assure you, and our superintendent can tell you that there have been many conversations that we agree to disagree, and you still have to show professionalism. So, at the end of the day, I'm asking you as well as the city council, that from now on, out of respect for

everybody in this room, that everybody should have to show respect for each other. And there's no need to show cussing towards anybody at all. That is verbal abuse regardless of if you see that as that. If there were children sitting in this room, I'd be very upset with the behavior that you just had. So that's all I have to say.

Chairman Walker, Okay, fine. That's great.

Brooke Mason, and I don't need a comment back. I didn't ask for a comment back, so thank you.

Chairman Walker, well, I'll comment anytime I want to.

Brooke Mason, well, that's part of the problem.

Chairman Walker, that's part of the problem? Yeah, you might be part of the problem Anyway. Anybody make a motion to adjourn? Anybody make a motion to adjourn?

9. ADJOURN

Larry Coxsey makes a motion to adjourn. Chuck Nelms seconds. Chairman Walker calls for a vote. Dan Heathcock- yes, Sherri DeFrange- yes, Chuck Nelms- yes, Larry Coxsey- yes.

Motion passed.