

NORTHEAST PUBLIC WATER AUTHORITY
BOARD OF DIRECTORS MEETING MINUTES

SPECIAL MEETING

July 1, 2026, at 3:00 PM

Call to Order:

Jay Sabella, President of the Board of Directors has called this meeting to order at 3:03 pm. Notice of this meeting was provided to the local media in accordance with FOIA. The purpose of this special meeting is to discuss a cease-and-desist letter received, via certified letter, from Mr. Gerry Lance's attorney, Mr. Kenneth Osborne.

Roll Call:

Jay Sabella, President, took roll call and members present were Linda McClellan, Brett Cox and Matt Bennett. Dylan Osmon and Sonia Boling were also present via the phone. Kim Jones, Office Manager and Paula Lambert, Water Clerk/Backflow Specialist, were also in attendance.

Jay Sabella turned time over to Kim Jones. Kim stated that she had emailed each board member individually a copy of the document from the attorney and the contents of it were reviewed by the board. Kim also shared that Mr. Lance had sent a total of two FOIA requests and everything had been sent to Mr. Lance within his request dates, most recently being the dates of 05/22/2026 – 06/10/2026. She also informed the board that she had consulted with legal representation regarding fulfillment of the FOIA requests. She has made everything that has been requested in both the FOIA requests available to Mr. Lance. She also contacted our insurance carrier and provided them with a copy of the cease and desist and will keep them updated should any further legal action be taken regarding Mr. Gerry Lance and his business, Gerry's Backflow Preventer Testing & Repair.

Sonia Boling stated that as far as this letter is concerned, it is not a lawsuit at this point and the Board does not intend to meet the demands of the letter, as everything they have done is with just cause and Northeast Water's actions are not in the wrong. Kim Jones said that her and Paula Lambert compiled the formal complaint timeline and evidence and did turn it into the Arkansas Department of Health as instructed by Jay Sabella and Sonia Boling. Sonia then asked Paula Lambert regarding the letter Mr. Lance sent to the Arkansas State Plumbing Inspector, Ralph McClanahan. Paula explained that the wording of Mr. Lance's email was misleading and that as the plumbing inspector for Northeast Public Water Authority at the time, it was his job to enforce plumbing code and as the licensed backflow tester license that he used for his own business and charged NPWA for his services, it was also his job to fail backflows that are not installed properly. She explained that the process is that a licensed plumber would be hired by the owner to install the backflow assembly, a backflow tester is then hired by the owner to test the newly installed assembly and if it is not installed properly and does not follow the requirements, such as the proper distance from the ground or the orientation of the assembly being wrong, the backflow tester should then fail the assembly. It is then the job of the owner to get the backflow repaired and retested in an amount of time determined by the water department. Kim Jones added that it was Mr. Lance's responsibility, as a licensed plumbing inspector and the general manager of NPWA, to enforce that the backflow assembly be fixed and receive a passing test. Therefore, in these three assemblies, he was responsible from both sides. Paula Lambert followed up with stating that is how these three assemblies came to fail, be repaired and subsequently passed is by following that correct process.

Jay Sabella made a motion to go into executive session to further discuss some details as this ultimately involves the safety of the water system. The Board went into executive session at 3:18 pm and came back into regular session at 3:33 pm.

Jay Sabella stated that during the executive session they discussed options. He then stated that he felt the best thing to do was to seek further legal counsel at some point in the future. He then made a motion to adjourn, Matt Bennett provided a second, and with all in favor, the meeting was adjourned at 3:35 pm.

Respectfully Submitted,

Brett Cox – Board Secretary

Prepared by – Kim Jones, Office Manager

Board Approved – 08/20/2026