

MINUTES OF THE SPECIAL MEETING OF THE SARGENT COUNTY WATER RESOURCE BOARD HELD ON THURSDAY, SEPTEMBER 29, 2011 AT 9:00 A.M. IN THE COMMISSIONERS ROOM, SARGENT COUNTY COURTHOUSE, FORMAN ND.

Managers present: Jim Bosse, Chris McFarland, Richard Engst and Mark Breker. Absent: Roger White. Also present: Mark Bopp, Mayor, David L Jacobson, Council member and Trish Pearson, Auditor for Forman City. Sean Fredricks, Attorney, Onstad Twichell and Mike Opat, Moore Engineering. Inc.

The bid opening for the Forman City Floodwater Outlet project was held on Tuesday, September 27 at 11:00 a.m. Jim Bosse, Water Board member; David L Jacobson and Jason Rockswold, Forman City Council members; Kurt Lysne and Matt Walsvik, Moore Engineering, Inc. and five contractors were present at the bid opening. Five bids were received and one non-complying bid was not opened.

Mike Opat opened today's special meeting by reviewing the bids received for the Floodwater Outlet Improvement District. This project begins on the far west edge of Forman and ends at the lagoons. The base bid included reinforced concrete pipe and there were two addendums to the project, one for spiral rib metal and the other for Duramax poly pipe. There were also two completion dates - March 15, 2012 and September 15, 2012 but there were no differences in the bid prices for these alternate dates. The bid sheets were tabulated for each of the types of pipe and the low bids were for the reinforced concrete pipe. Bids were received from Ryan Development, Inc. Elko, MN - \$578,115; Kvamsdal Construction, Willmar, MN - \$783,888.50 and Park Construction Co. - Minneapolis, MN - \$1,469,226. The cost of the project with engineering, legal and administrative fees and contingencies is \$780,000. Of this amount the State Water Commission has approved funding of \$348,070 and the balance will be SRF financing through Forman City.

Mike Opat explained the base bid and alternate bids and that Moore Engineering recommends that the low bid from Ryan Development Inc. be approved and awarded the contract.

At this point it was also noted that the bid opening on the Drain No. 4 Reconstruction was delayed due to issues with right of way. A bid opening date is tentatively planned for the spring of 2012.

Sean Fredricks discussed a Resolution of Necessity stating that the Water District and the City of Forman both agree that the projects are necessary to provide flood protection and drainage improvement for the City, residents and properties within the City, surrounding areas and residents and properties outside the City's municipal boundaries.

Discussion followed on funding and resources that Forman City will utilize including possibly adding a 1/2 cent sales tax which would generate \$15,000 per year and a storm sewer utility fee of \$2.07 per month for all Forman City households.

A Joint Powers Agreement was prepared and reviewed by Attorney Fredricks. A statement will be added to the joint powers agreement giving consideration to Forman City after the bonds are retired or not being assessed a maintenance levy for Drain No. 4 for a total of ten years.

Motion to approve the Resolution of Necessity Regarding Flood Outlet and Drainage Improvements to Sargent County Drain No. 4. (Engst/McFarland. Roll call: Aye: Engst, McFarland, Bosse, Breker. Nay: None. Absent and not voting: White. Resolution was duly adopted.) A copy of the Resolution shall be filed in the Office of the Sargent County Water Resource District Secretary.

Motion to approve the Joint Powers Agreement by the Sargent County Water Resource District and the City of Forman. (Engst/Breker. Roll call: Aye: Engst, Breker, Bosse, McFarland. Nay: None. Absent and not voting: White. Resolution was duly adopted.) A copy of the Joint Powers Agreement shall be filed in the Office of the Sargent County Water Resource District Secretary.

Motion to award the contract for the Forman City Floodwater Outlet to Ryan Development, Inc., Elko, MN in the amount of \$578,115. (Engst/Breker. Roll call: Aye: Engst, Breker, McFarland, Bosse. Nay: None. Absent and not voting: White. Motion carried) A contract will be prepared and delivered to Ryan Development, Inc. by Moore Engineering, Inc. and a copy filed in the Office of the Sargent County Water Resource District Secretary.

Meeting adjourned at 10:05 a.m.

JIM BOSSE - CHAIRMAN

ATTEST:

SHERRY HOSFORD - SECRETARY