

Western Area Water Supply Authority

Board of Directors Meeting

Williston City Hall

Wednesday, August 15, 2012

Attendees

Members Present: Ben Clarys, Ward Heidbreder, Mark Owan, Bert Anderson, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke and Jeffery Mattern (via conference call).

Members Absent: Michelle Klose

Others Present: Jaret Wirtz (WAWSA), Kim Schilke(WAWSA), Tami Norgard (Vogel Law Firm), Sherrie Patten (WAWSA) Mike Forman (IWP), Bob Harms (IWP), Gary Dix & Lynette Maleski (Nordak Property), Dave Johnson (AE2S), Larry Hanson (SWC), Steve Burian (AE2S), Cory Chorne(AE2S), Dustin Schultz and Cal Thelen. (AE2S).

Meeting called to order

Chairman Denton Zubke called the meeting to order at 1:30 pm.

Approval of the Agenda

The agenda was approved with the following changes: Item 8 Project update to add an 8b for recommendation for award of bid, also @ 3:45 Right of away acquisitions are to be moved into executive session. Gary Rust moved to approve the changes in the agenda, Bert Anderson seconded. Motion carried unanimously.

Approval of the Minutes

Minutes for the July 18, 2012 board meeting, July 18, 2012 IWP meeting and August 3, 2012 conference call board meeting were presented for approval. There were no corrections or additions. Ward Heidbreder moved to approve minutes, Brent Bogar seconded. Motion carried unanimously.

Financial Report

The financial report was presented for consideration and discussion. Bert Anderson moves to approve financial report, Ward Koeser seconded. Motion carried unanimously.

Payment Voucher

Payment Voucher 03-81512 for \$10,553,890.14 was presented for approval. Gene Veeder moved to approve the payment voucher. Kent Bickler seconded. Roll call vote: AYE: Ben Clarys, Ward Heidbreder, Mark Owan, Bert Anderson, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, and Denton Zubke.
NAY: 0

July O & M Statement was presented for approval. Ben Clarys moved to approve the O & M Statement, Ward Heidbreder seconded. Roll call vote:

AYE: Ben Clarys, Ward Heidbreder, Mark Owan, Bert Anderson, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, and Denton Zubke.

NAY: 0

Executive Director's Report

Jaret Wirtz stated WAWSA has moved to the new office, an Administrative assistant was hired and he is currently looking to fill the maintenance position for the depots.

1:45 PM Jeffrey Mattern joined the meeting via conference call.

Discussion on the Operations Policy Handbook, approval for classification of the changes would be put in place to honor existing contracts.

Ward Koeser moved to approve classification 3:18 changes and Grandfather clause, Gary Rust seconded. Motion carried unanimously. Roll call vote:

AYE: Ben Clarys, Ward Heidbreder, Mark Owan, Bert Anderson, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke and Jeffrey Mattern.

NAY: 0

Wirtz presented the new hook up requests for McKenzie County System 4. Gene Veeder made a motion for approval, Brent Bogar seconded. Roll call vote:

AYE: Ben Clarys, Ward Heidbreder, Mark Owan, Bert Anderson, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke and Jeffrey Mattern.

NAY: 0

A motion was made by Gary Rust and seconded by Ward Heidbreder, to approve the change order for the turn out on the WAWSA Pipeline for the Nodak Properties; the cost will be paid by the developer before the water will be supplied. Roll call vote:

AYE: Ben Clarys, Ward Heidbreder, Mark Owan, Bert Anderson, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke and Jeffrey Mattern.

NAY: 0

Membership Agreement's

Jaret Wirtz gave an update on the member and sub-member agreements.

Granite Peak Cost Allocations

A motion was made by Bert Anderson and seconded by Brent Bogar to approve WAWSA portion for the construction an improvements of the North Williston site. Roll call vote:

AYE: Ben Clarys, Ward Heidbreder, Mark Owan, Bert Anderson, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke and Jeffrey Mattern.

NAY: 0

A motion was made by Gary Rust and seconded by Ward Koeser to amend the pay voucher for the added cost of \$1,893,187.00 to cover the Granit Peak allocation for the North Williston site. Roll call vote:

AYE: Ben Clarys, Ward Heidbreder, Mark Owan, Bert Anderson, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke and Jeffrey Mattern.

NAY: 0

Task Order NO. 10

Cory Chorne presented Task order # 10 for engineering services for the Williston Water Treatment plant expansion. Jeffrey Mattern recommended that we go to an hourly rate for this project instead of the lump sum billing. A motion was made by Jeffrey Mattern and seconded by Ward Koeser to approve the amendment to Task order #10 based on an hourly rate not to exceed a lump sum \$296,000. Roll call vote:

AYE: Ward Heidbreder, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke and Jeffrey Mattern.

NAY: Mark Owan, Bert Anderson and Ben Clarys

Task order NO.11 Phase II Transmission Mains

A change order was presented in the amount of \$13,274.00 for S.J. Louis Construction Co. to provide a turn out on 60th Street NW. A motion for approval was made by Gary Rust and seconded by Ward Koeser. Roll call vote:

AYE: Ward Heidbreder, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke, Jeffrey Mattern, Mark Owan, Bert Anderson and Ben Clarys.

NAY: 0

Phase II Transmission Main Watford City Segment

AE2S recommended that we take the low bid received from Merryman Excavation Inc. of \$2,988,803.50, the bid came in substantially lower than projected cost for the project. A motion was made by Gene Veeder and seconded by Mark Owan to accept the bid from Merryman Excavation Inc. Roll call vote:

AYE: Ward Heidbreder, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke, Jeffrey Mattern, Mark Owan, Bert Anderson and Ben Clarys

NAY: 0

Task order No. 15a-1 for Williams Rural Water District West Area Expansion

A motion has been made by Mark Owan and seconded by Brent Bogar to approve the task order for the professional engineering services associated with the construction and post- construction phase for the infrastructure improvements that serve the western portion of Williams County. Roll call vote:

AYE: Ward Heidbreder, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke, Jeffrey Mattern, Mark Owan, Bert Anderson and Ben Clarys
NAY: 0

Task Order No. 14 Bulk Water Filling Stations

A motion has been made by Bert Anderson and seconded by Ben Clarys to approve the task order No. 14 professional engineering fees associated with the infrastructure improvements for Fill Stations at Indian Hill, 13 Mile Corner and Alexander , this contract will be paid by Standard Hourly Rate. Roll call vote:

AYE: Ward Heidbreder, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke, Jeffrey Mattern, Mark Owan, Bert Anderson and Ben Clarys
NAY: 0

Board Entered Executive Session

The purpose of the Executive Session was to discuss IWP Mediation, Basin agreement, Watford City Bulk Fill land purchase and Right of Way Acquisitions.

A motion was made by Gary Rust and seconded by Ward Koeser to enter into executive session for the purposes of discussing the status of negotiations and consideration of initiating condemnation of right of way on various properties, to discuss offering a contract to WRWD for a cost share of the infrastructure needed to support a larger line for Basin Electric, and to discuss an offer to purchase land near Watford City for a water depot. Roll call vote:

AYE: Ward Heidbreder, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke, Jeffrey Mattern, Mark Owan, Bert Anderson and Ben Clarys
NAY: 0

The board entered executive session at 3:45 PM. A motion was made by Veeder Moved and seconded by Gary Rust to exit executive session. Motion carried unanimously. The board left executive session at 4:30 PM. Roll call vote:

AYE: Ward Heidbreder, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke, Jeffrey Mattern, Mark Owan, Bert Anderson and Ben Clarys
NAY: 0

Condemnation

A Motion was made by Bert Anderson and seconded by Ward Heidbreder that there is finding of public need to continue to build out a rural water line near Alexander, necessitating the condemnation of a rural water line easement on an identified pipeline corridor across the properties of the following property owners, as more specifically identified on the AE2S rural water line map: Jim Kuykendall, Bruce and Peter Helling, Ardean Skogen, Marvin Skogen and Tim Dwyer Jr. Roll call vote:

AYE: Ward Heidbreder, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke, Jeffrey Mattern, Mark Owan, Bert Anderson and Ben Clarys
NAY: 0

Williams Rural Water Contract

A motion was made by Gene Veeder and seconded by Brent Bogar to present Williams Rural Water District with the proposed contract for cost share of the Basin Electric infrastructure addition. Roll call vote:

AYE: Ward Heidbreder, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke, Jeffrey Mattern, Mark Owan, Bert Anderson and Ben Clarys.

NAY: 0


Land Purchase for Watford City Fill Station


A motion was made by Gene Veeder and seconded by Kent Bickler to approve an offer to purchase land for the Watford City Fill station from land owners Paul and Nancy Deutsch. Roll call vote:

AYE: Ward Heidbreder, Kent Bickler, Ward Koeser, Brent Bogar, Gary Rust, Gene Veeder, Denton Zubke, Jeffrey Mattern, Mark Owan, Bert Anderson and Ben Clarys.

NAY: 0

Motion to adjourn was made by Brent Bogar 5:00 PM, seconded by Gary Rust. Motion Carried Unanimously.


Denton Zubke
Chairman


Kim Schilke
Secretary