

Western Area Water Supply Authority

Board of Directors Meeting
Williston Community Library
Tuesday, January 22, 2013 at 1:00pm

Attendees

Members Present: Ben Clarys, Ward Heidbreder, Gary Rust, Gene Veeder, Denton Zubke, Monte Meiers (Delegate for Ward Koeser), Richard Liesener (Alternate for R & T), Jeffery Mattern (via phone) and Mark Owan.

Members Absent: Brent Bogar, Ward Koeser, Bert Anderson

Others Present: Jaret Wirtz (WAWSA), Kim Schilke(WAWSA), Sherrie Patten (WAWSA),Tami Norgard (Vogel Law Firm), Mike Forman (IWP), C J Hoogland (JSD Properties), Jack Matzsosly (Appro), Pat S. (Appro), Dave Johnson (AE2S), Steve Burian (AE2S), Cory Chorne(AE2S), Dustin Schultz (AE2S) and Cal Thelen (AE2S).

Meeting called to order

Chairman Denton Zubke called the meeting to order at 1:00 pm.

Approval of the Agenda

The agenda was approved with the following changes: First item of business is to reorganize the board for the coming year; under Executive Director's report Item 2A, Steve Burian will be present and update on the Business Plan that was presented to the Legislative, add an Item 2C – Senate Bill 2233 and under Item 4 – there will be discussion on the R & T Depot. Executive Session will be at 3:15pm to discuss Right of Way Acquisition. **Ward Heidbreder moved to approve the changes in the agenda, Gary Rust seconded.**

MOTION CARRIED UNANIMOUSLY BY VOICE VOTE

Election of Officers

Denton Zubke opened the floor for nominations for Chairman. Ward Heidbreder nominated Denton Zubke. The board was asked for any other nominations. **Gene Veeder made a motion that nominations cease and a unanimous ballot be cast for Denton Zubke. Gary Rust seconded.**

AYES: Clarys, Zubke, Veeder, Heidbreder, Rust, Mattern, Leisener, Meiers

NAY: 0

CARRIED: 8-0

Denton Zubke opened the floor for nominations for Vice-Chairman. Gene Veeder nominated Ward Heidbreder. The board was asked for any other nominations. **Gary Rust made a motion that nominations cease and a unanimous ballot be cast for Ward Heidbreder. Ben Clarys seconded.**

AYES: Clarys, Zubke, Veeder, Heidbreder, Rust, Mattern, Leisener, Meiers

NAY: 0

CARRIED: 8-0

Denton Zubke opened the floor for nominations for Secretary/Treasurer. Gary Rust nominated Kim Schilke. The board was asked for any other nominations. **Ward Heidbreder made a motion that nominations cease and a unanimous ballot be cast for Kim Schilke. Richard Leisener seconded.**

AYES: Clarys, Zubke, Veeder, Heidbreder, Rust, Mattern, Leisener, Meiers
NAY: 0
CARRIED: 8-0

Approval of the Minutes

Minutes for the December 19, 2012 board meeting were presented for approval. A spelling correction on page 4 was pointed out. **Gene Veeder made a motion to approve the minutes as corrected. Ben Clarys seconded.**

MOTION CARRIED UNANIMOUSLY BY VOICE VOTE

Financial Report

The financial report was presented for consideration and discussion. **Gary Rust moves to approve financial report, Gene Veeder seconded.**

AYES: Clarys, Rust, Veeder, Zubke, Leisener, Heidbreder, Meiers, Mattern
NAY: 0
CARRIED: 8-0

Payment Voucher

O & M payment requests for \$2,016,013.13 and the Bank of North Dakota Payment Voucher 03-012213 for \$1,965,773.93 were presented for approval. **Ward Heidbreder moved to approve the payment requests. Gene Veeder seconded.**

AYES: Clarys, Rust, Veeder, Zubke, Leisener, Heidbreder, Meiers, Mattern
NAY: 0
CARRIED: 8-0

Executive Director's Report

Membership Agreement's

Jaret Wirtz gave an update on sub-member agreements. Wildrose, Columbus and Noonan have not signed their sub-member agreements.

1:30 pm Mark Owan joined the board meeting.

Legislative Update

A copy of House Bill 1140 requesting the additional \$40 million was given to the board. Steve Burian presented a summary of the Business Plan that was given to the legislature.

1:45pm Michelle Klose joined the board meeting via phone.

A copy of Senate Bill 2233 was given to the board for their review. There was discussion concerning Senate Bill 2233.

Mark Owan made a motion that the Board adopts a formal position opposing anything that restricts or curtails the WAWSA's ability to protect its interest or its member entities. Gary Rust seconded.

AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers

NAY: 0

ABSTAINED: Mattern – Conflict of Interest

CARRIED: 8-0-1

Industrial Sales

Industrial Sales are remaining strong. A location for the R& T depot was discussed.

ASI Invoice

Jaret Wirtz presented WAWSA's cost share for expenses to the North Williston Depot site. A change order will be generated for the site development cost share. **Gene Veeder made a motion to approve the change order for \$330,939.02. Mark Owan seconded.**

AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers, Mattern

NAY: 0

CARRIED: 9-0

AE2S Task Orders #8 and #16

AE2S presented Task Order #8 Amendment #3 for Administrative Support Services in the amount of \$334,880. **Gary Rust made a motion to approve Task Order #8 Amendment #3, Ward Heidbreder seconded.**

AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers, Mattern

NAY: 0

CARRIED: 9-0

AE2S presented Task Order #16 Amendment #2 for Right of Way Services in the amount of \$480,000. **Gene Veeder made a motion to approve Task Order #16 Amendment #2, Ben Clarys seconded.**

AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers, Mattern

NAY: 0

CARRIED: 9-0

Project Updates

Capital Accounting

Steve Burian presented the Capital Accounting report.

Regional Water Service to Crosby

Cory Chorne presented Change Order #4 for Wagner Construction in the amount of \$7,824.00, for relocating the telemetry panel. **Gary Rust made a motion to approve change order #4, Ben Clarys seconded.**

AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers, Mattern

NAY: 0

CARRIED: 9-0

Regional Water Service Phase II Transmission Main (Ray)

SJ Louis has been told that they will need landowners to sign off that their land was restored to the landowner's satisfaction before receiving final payment.

Regional Water Service Phase II Transmission Main (Watford City) Contract 1

Cory Chorne presented Change Order #3 for Merryman Excavation, Inc. in the amount of \$41,493.50 for construction on Basin Electric site and balancing change order. **Ben Clarys made a motion to approve change order #3, Richard Leisener seconded.**

AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers, Mattern

NAY: 0

CARRIED: 9-0

Regional Water Service Phase II Transmission Main (Watford City) Contract 2

Cory Chorne presented Change Order #3 for Ryan Construction, Inc. in the amount of \$76,327.76. **Gene Veeder made a motion to approve change order #3, Ward Heidbreder seconded.**

AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers, Mattern

NAY: 0

CARRIED: 9-0

Regional Water Service Phase II Reservoir

Cory Chorne presented Change Order #1 for Engineering America, Inc. in the amount of \$17,020.00 for insulating blankets for 13 Mile Reservoir. **Gene Veeder made a motion to approve change order #1, Ward Heidbreder seconded.**

AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers, Mattern

NAY: 0

CARRIED: 9-0

Alexander, 13 Mile, Indian Hills, Watford City and R & T Bulk Fill Stations

Cory Chorne presented Change Order #4 for PKG Contracting, Inc. in the amount of \$377,050.00 for telemetry. **Ward Heidbreder made a motion to approve change order #4, Gary Rust seconded.**

AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers, Mattern

NAY: 0

CARRIED: 9-0

Williams Rural Water Phase 1 West

Cory Chorne presented a balancing Change Order #2 for Niebur Development, Inc. in the amount of \$10,867.64. **Mark Owan made a motion to approve change order #2, Gene Veeder seconded.**

AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers, Mattern

NAY: 0

CARRIED: 9-0

Board Entered Executive Session

The purpose of the Executive Session was to discuss Right of Way Acquisitions. **A motion was made by Gene Veeder and seconded by Gary Rust to enter into executive session for the purposes of Right of Way Acquisitions.**

AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers, Mattern

NAY: 0

CARRIED: 9-0

The board entered executive session at 3:15 PM.

A motion was made by Gene Veeder and seconded by Ward Heidbreder to move out of executive session at 3:40pm.

AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers, Mattern

NAY: 0

CARRIED: 9-0

Condemnation

A motion was made by Ben Clarys and seconded by Gene Veeder to begin the condemnation process on Tim Langwald, Clint Filler, Rod Prewitt and Mary Iszley.

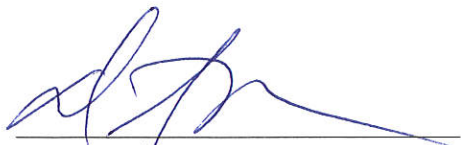
AYES: Clarys, Rust, Veeder, Zubke, Owan, Leisener, Heidbreder, Meiers, Mattern

NAY: 0

CARRIED: 9-0

Motion to adjourn was made by Gary Rust at 4:00pm, seconded by Ward Heidbreder.

MOTION CARRIED UNANIMOUSLY BY VOICE VOTE



Denton Zubke
Chairman



Kim Schilke
Secretary