

MINUTES OF THE REGULAR MEETING OF THE
EMERY COUNTY SPECIAL SERVICE DISTRICT #1
September 15, 2015

Attendees at the meeting:

Chairman Kent Petersen

Board Members, Bevan Wilson, Richard Jensen, Merrill Swasey and Dean King

Howard Tuttle and Merrial Johansen, Johansen and Tuttle Engineering

Wayde Nielsen, Emery County Road Department

Paul Cowley, Emery County Commissioners

Leslie Bolinder, Secretary for District

**1. PUBLIC HEARING - TO RECEIVE PUBLIC COMMENTS REGARDING
TENTATIVE AMENDMENTS TO FY 2015 BUDGET.**

A motion was made by Merrill Swasey to open the public hearing for comments regarding the amendments to FY 2015 budget. His motion was seconded by Bevan Wilson and approved by all members present.

The amendments to the FY 2015 budget include: Revenue from Secure Rural Schools, Pacificorp for partnering on road repairs for Blue Hills Drive Road, and transfer of funding for payment of existing CIB loan for Lila Canyon Road Improvement. Expenditures include engineering and construction of Blue Hills Drive Road, engineering for Deer Creek Road Repair Evaluation, CIB Loan payment, and telephone budget increase.

There were no public comments.

A motion to close the public hearing and return to the regular meeting was made by Bevan Wilson. The motion was seconded by Dean King and approved by all members present.

**2. CONSIDERATION AND APPROVAL OF RESOLUTION APPROVING
AMENDMENTS TO FY 2105 BUDGET.**

A motion to approve Resolution 09 15 2015, as advertised, to amend the FY 2015 budget

was made by Bevan Wilson. The motion was seconded by Richard Jensen.

The motion was approved by all members present. Copies of the Amended Budget will be available in the Emery County Clerk/Auditor's office. The Clerk/Auditor will forward documents to the state.

3. REVIEW OF AMENDMENTS TO THE EMERY COUNTY ENCROACHMENT PERMIT AND MAKE RECOMMENDATIONS.

Copies of the amended Emery County Encroachment Permit were not available to the board members by meeting time. A motion to table this item was made by Merrill Swasey. The motion was seconded by Richard Jensen. The motion was approved by all members present.

A motion was made by Bevan Wilson to suspend the agenda, as posted, and move to item #9. This motion was seconded by Merrill Swasey. The motion was approved by all members present.

9. CONSIDERATION AND APPROVAL OF AGREEMENT WITH EMERY COUNTY AUTHORIZING ECSSD#1 TO TAKE THE LEAD AND COORDINATE REPAIRS TO CR 221 - BLUE HILLS DRIVE

A motion to approve the agreement between Emery County and ECSSD#1 authorizing the district to be the lead on the repairs to the Blue Hills CR 221 was made by Bevan Wilson. His motion was seconded by Dean King and approved by all members present.

The Road Department will issued an encroachment permit to the district.

4. CONSIDERATION AND APPROVAL OF AGREEMENT BETWEEN ECSSD#1 AND INTERWEST MINING COMPANY (PACIFICORP) FOR FINANCIAL PAYMENT OF REPAIRS ON CR221 BLUE HILLS DRIVE

A motion was made by Bevan Wilson to approve the agreement between ECSSD#1 and Pacificorp d.b.a. Interwest Mining for up to \$80,000 for financial payment of repairs on CR 221 Blue Hills Drive. This motion was seconded by Dean King and approved by all members present.

Leslie will send copies of the signed agreement to Scott Childs Pacificorp.

5. REVIEW BIDS FOR REPAIRS TO CR221 BLUE HILLS DRIVE. CONSIDERATION AND APPROVAL OF BID AWARD AND ASSOCIATED PAPERWORK

The project was advertised in the Emery County Progress. There were two contractors that bid on the project as follows:

Engineer's Estimate	\$69,400.00
Nielson Construction	\$63,177.50
Nelco	\$78,501.50

Nielson Construction was the apparent low bidder and was awarded the bid and authorize the chairman to sign the necessary paperwork on a motion by Merrill Swasey and a second by Dean King. The motion was approved by all members present.

The project is approximately 610' in length and is scheduled to begin by September 28, 2015 by contract.

6. CONSIDERATION AND APPROVAL OF ENGINEERING CONTRACT BETWEEN ECSSD#1 AND JOHANSEN AND TUTTLE ENGINEERING FOR SERVICES

ASSOCIATED WITH CR221 BLUE HILLS DRIVE PROJECT

The engineering contract with Johansen and Tuttle Engineering for the Blue Hills Drive project was approved on a motion by Bevan Wilson. The contract was seconded by Dean King and approved by all members present. The cost of the contract is \$10,350.

7. APPOINTMENT OF PROJECT MANAGER FOR CR 221 BLUE HILLS DRIVE PROJECT

A motion was made by Dean King to appoint Richard Jensen as Project Manager for the project on CR 221 Blue Hills Drive. The motion was seconded by Bevan Wilson. The motion was approved by all members present.

8. CONSIDERATION AND APPROVAL OF ENGINEERING CONTRACT BETWEEN ECSSD#1 AND JOHANSEN AND TUTTLE ENGINEERING FOR SERVICES ASSOCIATED WITH DEER CREEK ROAD EVALUATION

A motion was made by Merrill Swasey to approve the engineering contract for the Deer Creek Road Evaluation. The motion was seconded by Bevan Wilson. The motion was approved by all members present. The contract is "not to exceed" \$2,500.00.

10. JOHANSEN AND TUTTLE ENGINEERING - UPDATE ON PROJECTS

South Moore Phase 10 - County Road 803

The South Moore Phase 10 project has begun. Pictures were presented to the board to review. The material for this project is coming from a UDOT pit and it is of good quality. The project is in two sections of about 2,000-3,000 feet. There has been a two (2) day rain delay. The project will run into liquidated damages for approximately 13 days. When the contractor bid the project, they indicated that they could finish the project in 80 days and qualify for incentive pay. Therefore, the incentive pay could balance out the liquidated

damages. UDOT holds the contract.

Purchase of ROW Easements on County Class B Roads Across SITLA land

Mike Olsen told the secretary that he will have the paperwork for this project complete in a timely manner to be submitted to the CIB for reimbursement. The grant expires September 30, 2015.

Cleveland South Flat Bus Loop #201-15-01

This project is moving along. There have been approximately \$13,600 in change orders so far. The engineer discussed an overrun of \$12,800.00 due to an additional overlay. The contractor will absorb \$6,400.00 of the cost and the district will pay for the remainder. This is necessary because of the road being so uneven.

The contractor has breached the county encroachment permit and has caused damage to a county road. There was a communication breakdown because the county roads to be used during construction were discussed in the recorded pre-construction meeting. Bevan Wilson suggested in the future, the contractor who is awarded a bid, get the county encroachment permit before the pre-construction meeting so hauling roads to the project can be discussed at that meeting. The cost of the road damage is estimated at \$3200.00. The intent of the \$20,000 county road damage line item, included in the contract, was for damage incurred on roads approved to travel per the county encroachment permit. Hauling routes to future contracts may have to be outlined in the project documents.

Bevan Wilson discussed adding guard rail to the first curve. The engineer estimates the cost of the guard rail at \$16,000.00. Merrill Swasey made a motion to add the guard rail to the curve. Richard Jensen seconded the motion and it was approved by all members present.

It was suggested that the engineer and road supervisor begin to acquire rights-of-way for the remainder of the project.

Deer Creek Road Repairs

Pacificorp d.b.a. Interwest Mining has hired a 3rd party to do an analysis of the needed road repairs. There was discussion of making improvement to the intersection of SR 31 to include a turn lane. The type of product for the overlay was discussed. The engineer proposes SMA. The estimated cost is \$250,000 from the highway to the big shed.

APPROVAL OF PAYMENT OF BILLS AND FINANCIAL REPORT

The bills and the financial report were approved on a motion by Merrill Swasey and a second by Richard Jensen. The motion was approved by all members present.

12. CONSIDERATION AND APPROVAL TO SEND BOARD MEMBERS/STAFF TO UASD 27TH ANNUAL CONVENTION

A motion was made by Dean King authorizing Merrill Swasey and Leslie Bolinder to attend the 27th Utah Association of Special District annual convention in Provo, Utah, November 4-6, 2015. The motion was seconded by Bevan Wilson and approved by all members present.

13. APPROVAL OF AUGUST 10, 2015 MEETING MINUTES AND SEPTEMBER 4, 2015 SPECIAL MEETING MINUTES

The minutes for 8/10/2015 regular meeting and 9/4/2015 special meeting were approved on a motion by Merrill Swasey and a second by Richard Jensen. The motion was approved by all members present.

ADJOURNMENT

The meeting was adjourned as the agenda came to the end. The next meeting is scheduled for October 19, 2015.

Approved by:



Kent Petersen, Chairman

Date: 10/19/15

**BILLS APPROVED BY ECSSD#1
September 15, 2015**

Emery County - 98-4000-2800 - Telephone	\$30.00
Rocky Mountain Power - 98-4000-7503	\$318.47
Johansen & Tuttle Engineering, Inv. 91516 - Cleveland South Flat Bus Loop 98-4000-3031	\$19,700.00
Nielson Construction - Pay Est. #3 - Cleveland South Flat Bus Loop 98-4000-7653	\$266,413.50
Old Castle Precast, Invoice 210327064, 210327065, and 210327068 Cleveland South Flat Bus Loop - 98-4000-7653	\$26,778.90
UASD - Registration for annual conference for Merrill Swasey and Leslie Bolinder - 98-4000-2300	\$420.00
Emery County Progress - Legals - Budget Amendment, Meeting Reschedule, and Contractors for Blue Hill Drive - 98-4000-2200 \$126.00	
State of Utah School & Institutional Trust Lands Administration Easement No. 1570-98-4000-7651	\$85,430.00
Bevan K. Wilson - 98-4000-6210- Board Meeting Stipend/Project Mgr. \$300.00	
98-4000-2300 - Mileage	\$109.25
98-4000-2800 - Cell Phone	<u>\$50.00</u>
	\$459.25
Dean King - 98-4000-6210 - Board meeting Stipend/Project Mgr.	\$300.00
98-4000-2300 - Mileage	\$216.20
98-4000-2800 - Cell Phone	<u>\$ 50.00</u>
	\$566.20

Kent Petersen - 98-4000-6210 - Board meeting Stipend/Project Mgr.	\$300.00
98-4000-2300 -Mileage	\$ 32.20
98-4000-2800 - Cell Phone	<u>\$50.00</u>
	\$382.20
Merrill A. Swasey - 98-4000-2800 - Cell Phone	\$50.00
98-4000-2300 - Mileage/Expenses	\$ 5.75
98-4000-6210 - Board member Stipend/Project Mgr.	<u>\$300.00</u>
	\$355.75
Richard Jensen - 98-4000-2800- Cell Phone	\$50.00
98-4000-2300 - Mileage/Expenses	\$20.13
98-4000-6210 - Board member Stipend/Project Mgr.	<u>\$300.00</u>
	\$370.13

Total \$ 401,350.40

September 15, 2015

Steven Barton
Emery County Treasurer
Emery County Courthouse
Castle Dale, UT 84513

Dear Steve:

Please transfer sufficient funds from PTIF 1325 to ECSSD#1 checking account to cover bills approved in their regularly scheduled meeting on September 15, 2015 (attached). Hold retainage on Cleveland South Flat Bus Loop-Phase I Project - September \$14,021.76.

Thank you.

Sincerely,

Leslie Bolinder, Secretary for District

cc: Brenda Tuttle