

OFFICIAL IBSD MINUTES

JANUARY 8, 2018
IONA-BONNEVILLE SEWER DISTRICT (IBSD)
SPECIAL BOARD MEETING

Board Members Present: Brady Belliston (Chairman); Robert Esplin; Jeff Miner; Kurt Nelson; Michael Cousin (absent)

IBSD Staff: Marina Meier, Manager; Donna Bridges, Field Coordinator

Attorney: Tony Sasser, Sasser Law Office

Public: Kevin Harris, Forsgren & Associates; Dave Noel, Forsgren & Associates

Agenda Items:

1. IBSD Lincoln Road Sewer Main Replacement

Meeting minutes: For additional information, please reference the meeting recording.

Meeting called to order by Chairman Brady Belliston at: 12:05 p.m.

00:00:00 **IBSD LINCOLN ROAD SEWER MAIN REPLACEMENT**

Mr. Belliston stated that IBSD received a Utility Construction Agreement from Bonneville County. A meeting on January 2nd was held at the Commissioner's office regarding the contract and IBSDs liability in the project. There are a several issues in the agreement and due to a very short timeframe it was important to hold a special meeting. Mr. Belliston stated that there are disagreements on the nature of the contract. It is agreed that the contract is not as good as preferred but there is not time to redraft the agreement

Mr. Sasser stated that the agreement, which was prepared by JUB, had a lot of contradictory statements. He does not like the agreement but he acknowledges that there is an economic reason to enter into the agreement. The agreement gives Bonneville County ultimate authority and there are no definitions to the terms used. He added a couple things regarding how any conflict and mediation would be handled. He would prefer to revamp it and develop an entire new agreement but there is not time. Bonneville County needs the agreement by close of business today.

Mr. Sasser continued that the economic reason to enter into the contract is that there are sections of the line that do need to be replaced and a separate construction project would be ultimately costlier.

Mr. Noel stated that he and Mr. Harris met with JUB Engineers and made some edits to the contract that was initially presented. He also suggested a change of material that would make

the construction conditions more favorable such as flowable fill. Mr. Harris discussed the County's fill material requirement and detail choices. There are always risk of sags in the road but there are several things that can reduce the risk. The contractor would be subject to a one-year warranty period if there are problems in the road. The depth of fill that IBSD is responsible for varies between 8 to 17 feet.

Mr. Belliston noted that the issues that are being discussed will be a problem whether IBSD participates in the construction now or whether the project is done in five years. The biggest problem is that Bonneville County has ultimate authority. But they are also administering the construction. The County is tearing up the entire road to widen it to five lanes. Per County policy there is a five year no cut policy for the road.

Mr. Noel stated that the real economic consequence of replacing the sewer main without participating in the project could be more than double the cost. Construction in the intersection and roundabout of Ammon and Lincoln Road will be very difficult. The Board discussed which would be the better fill to use in the trench. A testing plan will be provided to the County.

The main reason driving the project schedule is that work has to be done before irrigation water is in the canal. Advertising for the project starts on January 9th. The contract and the changes that have been made were discussed by Mr. Sasser and the Board. From a legal standpoint this is a poorly written contract but it was acknowledged that the economic consequences are a good reason to proceed. The Board reviewed the portions of the contract covering pay applications and timeframes.

MOTION: Mr. Esplin made a motion to sign the contract as amended due to the fact that it is important to participate in this project. **MOTION SECONDED:** Mr. Nelson seconded.

MOTION PASSED: 4-0 (Yay: Mr. Belliston, Mr. Esplin, Mr. Miner, and Mr. Nelson)

01:05:10

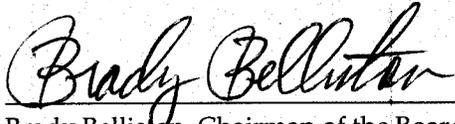
Mr. Noel stated that one of the changes to the design is the electrical system that feeds the flow meter. The need to redesign this has been escalated since a car slid into the power pole over the weekend. Mr. Noel proposed a couple option to replace the power source. It was decided that a solar panel would be best. The City will use an estimate for billing until the power is restored. Forsgren mentioned that they will use ES2 for the electrical portion. Mr. Esplin disclosed that he works for this company but is not an Electrical Engineer. Mr. Sasser will deal with the insurance companies regarding the accident.

01:13:40

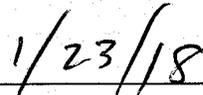
01:13:40 **ADJOURNMENT**

The meeting adjourned at 1:18 p.m.

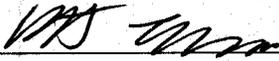
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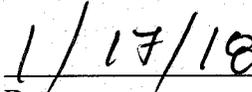
Brady Belliston, Chairman of the Board of Directors



Date



Robert Esplin, Secretary/Treasurer



Date