

EAGLE SEWER DISTRICT

May 30, 2007

Special Meeting

4:00 p.m.

Minutes

Roll Call

Chairman Michael Gifford called the meeting to order at 4:05 p.m. Board members present: Ed Hendershot, Jim Brooks, Michael Gifford, Chuck Ferguson, and Erv Ballou. A quorum is present.

Consultants present: Phil Johnson, P.E., Cyndy Bratz, P.E., Larry Bennett, P.E., MWH; and Evan Robertson, legal counsel.

Staff present: Lynn Moser, General Manager; RJ Lake, Plant Superintendent; and Lynne Sedlacek, Office Manager.

Unfinished Business

Proposed Agreement with Stillwater Developer – Robertson has prepared a Real Estate Purchase and Development Agreement. A copy of the Agreement was included in the Directors' meeting packets. At the meeting, the Board was given Resolution 07-12. The resolution identified the 4.239 acres of the Tomlinson property as surplus property in excess of the present and projected requirements for the District's needs, reported the property's appraised value of \$508,680, and authorized the District to enter into the Real Estate Purchase and Development Agreement for the sale of the Surplus Parcel to Tri Cedars Management Co., LLC. After brief discussion, Brooks moved, Ballou seconded, to approve Resolution 07-12 and authorizes the Chairman to sign the referenced Real Estate Purchase and Development Agreement. Motion passes unanimously.

MWH Proposed Approach to Liner Replacement – Larry Bennett gave a Power Point presentation that explained the status of the liner deterioration in both lagoons. Different alternatives have already been presented to the Board. Bennett explained the MWH recommendation to bypass pump raw wastewater to Boise Public Work's (BPW) West Boise Treatment plant while the biosolids were removed and the new liners were installed.

The details included the cost estimates for: the pump rental, an increase in BPW's O&M charge, the contractor that would remove the biosolids, and the new liner material and installation. Bennett stated that these costs would be slightly offset with reduced power costs for the plant aerators and effluent pump.

MWH has contacted qualified vendors regarding the biosolids removal. Three of the contractors are already scheduled to visit the plant and prepare quotes. A public works license is required. Bennett reported that to save the cost of removing the old liner and having it disposed as hazardous waste, it is common practice to have the biosolids removed, the old liner cleaned and dried, and the new liner installed over the old. There was discussion regarding the pros and cons of removing the old liner or leaving it in place.

MWH Proposed Approach to Liner Replacement – Continued

Soil dewatering will need to be done before the new liner is installed. If testing shows the water is clean, then a state permit will be required to discharge the water into the pond located south of the plant (or in any other location). If groundwater tests indicate any contamination, the water will be sent to BPW for disposal.

The total estimated cost for the liner replacement is \$1 million to \$1.6 million in capital costs, plus the increased in O&M costs to Boise Public Works. Bennett explained how the newly lined lagoons would fit into the District's long-term strategy. This work will be Phase 1 of an approximately 5-phased project.

The project schedule was discussed. MWH stated that there would need to be a contract for the pump rentals and a contract for the vendor selected to remove the biosolids. It will take 3 to 4 months to remove the biosolids. To expedite the process, MWH suggested the Board consider moving the process forward under an emergency declaration.

MWH stated that after the biosolids are removed, the ESD would need to drain the lagoons and then contract with the vendor selected to install the new liners. It will take 2 to 3 months to install the new liners. MWH suggested this phase of the project also move forward under an emergency declaration.

Bennett stated there is not enough time to go through the formal bid process. It will take too long to develop the bid specifications, advertise, open and award bids, and then mobilize the contractors. It is critical that the lagoon liners be replaced before wet weather sets in this fall. Bennett stated the specialized contractors have been identified and by declaring an emergency, the Board could select the vendors by reviewing their respective quotes. Robertson agreed that the situation meets emergency requirements and the Board could move the process along by securing quotes rather than going through the formal bid process.

Hendershot moved that the District declare an emergency situation, rent the needed pumps, get the biosolids removed, and install the new liners. After brief discussion, the motion died due to a lack of a second.

There was substantial discussion regarding Robertson's suggestion that he prepare a Resolution for the emergency declaration. The Resolution would document the findings as presented at this meeting. Some of the Board members felt there was enough information available to declare an emergency situation. Robertson prefers the Board review the written findings prior to their vote on the emergency declaration.

Brooks moved, Ferguson seconded, that based upon the May 30, 2007 report provided to the Board by MWH, the Board finds that the condition of the liners in both lagoons poses an imminent threat to public health, welfare, and safety; and based upon that finding, the Board declares an emergency and authorizes MWH and the District's General Manager--on the Board's behalf--with due regard to trying to retain as much of the competitive bidding process as possible, to immediately move forward on an emergency basis, waiving both 1)the competitive bidding as necessary (in their estimation) and 2)the requirement for written plans and specifications to proceed any contracts. Further, the General Manager and MWH shall come back to the Board with specific proposals for the components of the work explained to the Board at tonight's MWH presentation for the Board's authorization to proceed. Discussion: The MWH report and Power Point presentation shall be included in the minutes as part of the motion. (*Attached*) The motion passes unanimously.

Gifford requested that the Board be provided with the cost difference between removing the old liner and the overlay of the new liner over the old liner.

Update on WWTP Landscape Buffer Project

Gifford explained that he is not comfortable moving forward with the building of the berm now, when the actual construction of the new plant might not be underway for a couple of years. He has contacted Mayor Merrill to discuss this issue. The thought was then conveyed to Bill Vaughan, the City of Eagle Zoning Administrator and the District's General Manager, Lynn Moser.

Moser stated that Vaughan had verified that the ESD could ask the City for another extension on the Conditional Use Permit, but that the extension would be subject to another hearing.

Bennett explained the earthwork that would be done as part of the new plant's construction. Bennett did not feel that there would be enough excavation on the project to provide all the necessary berming material. After some discussion, Ferguson moved, Hendershot seconded, to move ahead with the berm construction. The motion passes unanimously.

Executive Session

Due to the length of the meeting, Gifford postponed the Executive Session to the next Regular Meeting.

Ferguson moved, Brooks seconded, to adjourn the meeting. The Special Meeting adjourned at 5:45 p.m.

Respectfully submitted:

Lynne Sedlacek