

**Administrative Control Board Meeting
Box Elder and Perry Flood Control Special Service District
Perry City Offices 3005 South 1200 West
5:30 PM Wednesday, April 19, 2017**

Members Present: Chairman Greg Hansen, Board Member Boyd Hirschi, Board Member Maurice Roche, Board Member Kevin Pebley (arrived at 5:40 pm), and Board Member Bryce Thurgood

Others Present: Susan K. Obray, Board Clerk, and Kent Nebeker

1. Welcome & Call to Order

Chairman Hansen welcomed and called to order the April 19, 2017 Box Elder and Perry Flood Control Meeting.

2. Approve March 15, 2017 Minutes

MOTION: Board Member Pebley moved to approve the minutes of March 15, 2017 with corrections. Board Member Roche seconded the motion. All in favor.

MOTION: Board Member Roche moved to open the public comment portion of the meeting. Board Member Pebley seconded the motion. All in favor.

3. Public Comments

Kent Nebeker stated that he lives in Willard but has ground in Perry. He said he has talked to a couple of the board members about the easement going down on the south side of Cherry Ridge. He said someone has put posts out in the property lane. Mr. Nebeker said he understands that some of it has been taken care of. He would like a follow up on what is going on. Mr. Nebeker reported that one post is gone and you can get around but he has really pushed the property line. He said the Flood Board has contractors that go down there to clean and he also goes down there with bailers and swathers. Mr. Nebeker said another issue he has is that he owns some property just below there and he has a railroad crossing there and about 6 or 7 years ago Perry had a City Manager and he quit, since the Flood Control put the pond down there just below the railroad tracks. He stated that he has a low spot that subs his ground and so that when the water is high he cannot farm that ground because of the water

table. Mr. Nebeker stated the previous City Manager stated that he could see that was an issue and said maybe we can do something about it someday. Mr. Nebeker stated he does not know what the solution is. He said you could put a drain through his field and gave other suggestions on how to solve this issue. Chairman Hansen stated that there is a great big grate and on the west of that there is another one down lower that takes the small flow and drops into the same pipe system. He said there are two outlets, one is the small flow and it is actually lower for the spill it builds up and that is when it builds up that is when it is subbing on your property. Chairman Hansen stated the problem is we are not getting the maintenance done on that grate to let that water go through the lower spill. Chairman Hansen stated he is going to write a letters to Alton Tolson, Frank Fife, and Kevin Dailey. He said he would talk with the City and see if the City Attorney needs to write the letters or if he can write them as the Chairman of the Flood Board. He said he will make them aware of prescriptive rights. He reported that the lane has been there for 100 years, and the homes have been there for 15 years. He said Mr. Dailey and his two neighbors bought additional land from Butters and these little parcels actually go across the creek. Chairman Hansen said they bought that property on the other side of their lot and one of these property owners has taken it further, and is sure he hasn't had it surveyed. Chairman Hansen will follow through with finding out if he can send a letter to these property owners. Chairman Hansen stated that he will get with Greg Braegger, Perry Public Works Director and have him clean out that lower box.

MOTION: Board Member Thurgood moved to close the public comment portion of the meeting. Board Member Hirschi seconded the motion. All in favor.

4. Accept and open bid for the Cleaning of the Detention Basins

Chairman Hansen stated that we had three contractors that Submitted bids for the cleaning of the detention basins.

KR Dickamore:

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| Perry Canyon Debris Basin \$3,300 | Evans Canyon Basin \$3,300 |
| Cherry Ridge Debris Basin \$3,600 | Total: \$10,200 |

KELCON:

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|-----------------------------------|----------------------------|
| Perry Canyon Debris Basin \$2,000 | Evans Canyon Basin \$4,190 |
| Cherry Ridge Debris Basin \$1,940 | Total: \$9,100 |

Ormond Construction:

Perry Canyon Debris Basin \$4,189 Evans Canyon Basin \$3,925
Cherry Ridge Debris Basin \$5,175 Total: \$13,289

Chairman Hansen stated that the apparent low bidder is KELCON Construction at \$9,100. He said that Cherry Ridge is the biggest and KELCON has the least amount on Cherry Ridge. Chairman Hansen stated that Jim with KELCON has \$1,940 on Cherry Ridge which is the biggest he wondered if he reversed Evans Canyon Debris Basin and Cherry Ridge Basin. Board Member Roche stated on Evans there is sediment that needs to be removed and on the other two there is not. He said we look at the total bid and award it accordingly. Chairman Hansen reported that KELCON would be first, KR Dickamore would be second, and Ormond Construction would be third. The next item would be to award the bid of the cleaning of the detention basins. Board Member Roche asked if they award it as a total or individually. Board Member Thurgood stated that the contractors have submitted them to be as a total. Board Member Pebley agreed. Chairman Hansen stated that he told the contractors to wait until it dries out to start. Board Member Pebley suggested that they Board set a starting date and an ending date. Board Member Thurgood stated that it would be hard to say a starting date. Chairman Hansen stated that he would hope they could start the end of June first of July. He suggested giving them 60 days to complete it. Chairman Hansen stated to give them until August 31st.

Board Member Thurgood asked if 30 to 45 days was too much to ask. Chairman Hansen we have the option to extend if the ending date is shorter. Board Member Pebley suggested 30 days. Board Member Roche stated that the lower pond in Perry Canyon has a lot of brush and is not included in the bid. What we have included is the top of the spillway. Chairman Hansen stated with the contractor that the Board chooses we could ask them to give us another price to do the lower area also. Chairman Hansen stated that the motion should include the ending date and the additional price for cleaning the lower basin in Perry Canyon.

5. Award the bid for the Cleaning of the Detention Basin

MOTION: Board Member Thurgood moved to award the Detention Basin bid to KELCON for \$9,100 with the completion date of July 31st and include an option to give a price on the cleaning of the lower basin on Perry

Canyon. Board Member Roche seconded the motion. All board members in favor.

Susan Obray stated that inadvertently forgot to put on the agenda to pay the invoices. She said she would talk with Brett Jones with Jones & Associates and let them know that their payment will be approved in June.

6. Report of Cleaning Maddox Lane Ditch

Chairman Hansen stated that KELCON Construction meet with Boyd Montgomery and got Mr. Montgomery's yard cleaned up to his satisfaction. He said that the only issue that is outstanding is the damage on the road, and we are waiting to see what the city says.

7. Agenda Items for next Month

Chairman Hansen suggested that the cancel the meeting for May because there is no agenda items.

- (1)** Update with Matt Robertson regarding the GEO Tech
- (2)** Progress on Detention ponds clean up
- (3)** Authorize have Kelcon give a price to Clean Mathias Debris Basin

Amend Item #5 motion:

MOTION: Board Member Thurgood moved to amend the motion to award the Detention Basin bid to KELCON for \$9,100 with the completion date of July 31st and include an option to give a price on the cleaning of the lower basin on Perry including KELCON Construction **to include a price to clean out Mathias basin, and Evans Basin.** Board Member Roche seconded the motion. All board members in favor.

Susan Obray stated she felt that with the additional bids added tonight that the other bidders did not have the opportunity to bid on those items. Board Member Roche stated that it would be considered an amendment to the contract. Chairman Hansen felt that they were ok to proceed.

8. Adjournment (next regular meeting May 17, 2017 at 5:30 p.m.)

MOTION: Board Member Pebley moved to adjourn. Board Member Thurgood seconded the motion. All in favor.