

## MINUTES OF THE MEETING OF THE BOARD OF PUBLIC WORKS

A regular meeting of the Board of Public Works was held at the North Denver Station on Thursday, July 3, 2008, at 8:00 a.m. This meeting was preceded by notice duly published in the Hastings Tribune on Tuesday, July 1, 2008, and by notices duly posted in the lobby of the Power Plant Building, 1228 North Denver Avenue, and the City Hall, 220 N. Hastings Avenue, and was therefore open to the public.

Present: Anderson, Hunt, Shoemaker, Poppe, Schlachter

Also Present: Schultes, Sanders, Stange, Cogley, Scherr, Goebel, Kully, and Guests Clark Haberman, Charles Richardson, and Mike and Becky Carey

Chairman Anderson stated that the Board of Public Works is subject to the Open Meetings Laws and acknowledged that the Open Meetings Law poster has been posted in the room.

During customer comments, Clark Haberman handed out information to the Board.

Mike and Becky Carey spoke in protest of the procedures leading up to the creation of a water district in March 2005 and the need for them to connect to city water. They would like the October 2005 fully executed water connection agreement between Hastings Utilities and them to be cancelled.

Charles Richardson asked if the PPGA meetings are public meeting. Board Chairman Anderson said they were public meetings.

Moved by Poppe, seconded by Schlachter, that the following items on the Consent Agenda be approved:

- a. Review, correction or approval of minutes of June 12, 2008, meeting
- b. Review and approval of checks issued June 30, 2008, with the exception of claim number 02160 to Westland Building Co., Inc.
- c. Approval of the following claims:
  - General Operating Fund against the Electric Fund – \$2,156,034.64
  - General Operating Fund against the Combined Fund - \$2,797,702.37
- d. Review of payroll for period ending June 21, 2008
- e. Approval of the following work orders:

EL-96	Installation of a three-phase underground electric line and padmount transformer to serve a new chiller addition to the Platte Building at CCC.	Estimated Cost: \$ 19,877
EL-97	Rebuild existing single-phase overhead line to three-phase and install new three-phase transformer bank to serve a shop building at 2150 North 2 <sup>nd</sup> Ave.	Estimated Cost: \$ 17,423
EL-98	Relocation of poles along South Shore Dr. for the paving replacement project.	Estimated Cost: \$ 19,907
EL-99	Installation of a three-phase overhead electric service to a new out building at 5680 North 1 <sup>st</sup> Ave.	Estimated Cost: \$ 2,109
GA-233	New 2" PE gas main on South Shore Dr., Burlington Ave. to Osborne Dr. West	Estimated Cost: \$ 146,070
GA-235	Lowering of 8" steel wrapped gas main on Baltimore Ave. at Madden Rd.	Estimated Cost: \$ 11,202
SW-258	New 27" KHAS Outfall Sewer on the Old UPRR ROW from 42 <sup>nd</sup> St. to KHAS-TV (Hwy. 281)	Estimated Cost; \$1,113,896
SW-263	New 8" PVC sanitary sewer main to serve Lochland Meadows No. 7; Fox Run St. to the north 580 ft. on Quail Ridge Ave.	Estimated Cost: \$ 0

SW-265 New 8" PVC sanitary sewer main to serve Emerson Ave., A St. to B St.

Estimated Cost: \$ 27,561

WA-238 New 8" water main to serve Lochland Meadows No. 7, from Fox Run St. to the north 580 ft. on Quail Ridge Ave. Estimated Cost: \$ 0

f. Approval of the following Real Estate Improvement Contracts:

SDS-2 2008-2 with Johnson Imperial Home Co. of Hastings

WDS-2 2008-3 with Johnson Imperial Home Co. of Hastings

Roll Call: Ayes; Poppe, Schlachter, Shoemaker, Hunt, Anderson. Nays; None. Motion carried.

Moved by Schlachter, seconded by Shoemaker, to approve claim number 02160 to Westland Building Co., Inc. in the amount of \$40,798.59. Roll Call: Ayes; Schlachter, Shoemaker, Poppe, Anderson. Nays; None. Hunt abstained. Motion carried.

Moved by Hunt, seconded by Poppe, to write off uncollectible accounts for accounting purposes only in the amount of \$23,571.93, and that staff be instructed to continue collection efforts on these accounts. Roll Call: Ayes; Hunt, Poppe, Anderson, Shoemaker, Schlachter. Nays; None. Motion carried.

Moved by Hunt, seconded by Schlachter, that upon the recommendation from staff, to award a contract to Van Kirk Brothers Contracting, Sutton, Nebraska, for 2008 Water and Sewer Main Improvement Contract (HU 2008-05 IC-21), in the amount of \$977,723.87, and that the Chairman of the Board be authorized to sign the contract. Roll Call: Ayes; Hunt, Schlachter, Shoemaker, Anderson, Poppe. Nays; None. Motion carried.

Moved by Shoemaker, seconded by Schlachter, to approve an Amendment 13 with HDR Engineering for Proposed NPDES Permit Compliance Evaluation for an amount not to exceed \$34,310.00. Roll Call: Ayes; Shoemaker, Schlachter, Hunt, Poppe, Anderson. Nays; None. Motion carried.

The Board discussed the events leading up to the signing of a Water Connection Agreement with Michael J. and Rebecca L. Carey. Also discussed was the language in Section 2E stating the consequences of non-payment of the agreement, which can include shut off of utilities.

Moved by Anderson, seconded by Hunt, to decline action on the request to cancel the water connection agreement with Mike and Rebecca Carey and to initiate action on Item 2E of the agreement on August 1, 2008. Roll Call: Ayes; Anderson, Hunt, Shoemaker, Schlachter, Poppe. Nays; None. Motion carried.

Discussion was held on the usage of utility properties. The revenue from the rent versus revenue for CRP grassland was discussed, along with the hold harmless clause in the lease. The airport property in the wellfield area is one area that may be eligible for CRP and may make sense to plant grass and alleviate the need for fertilizer, which will help protect the groundwater. Liaisons will check with the council to find out if the city property abutting this property could be put into grassland also. Staff was also asked to compile more information on the CRP Program.

Steve Scherr gave an update on the forest land purchase. The environmental assessment has not been completed at this time.

Discussion of Hastings Utilities' Marketing Process will be postponed to the next meeting.

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The Board discussed the fluoridation issue. Chuck Shoemaker would like to make public the plan for implementation of the fluoridation, so that the health issue can be considered as well as the economic issue while deciding whether to vote for or against fluoridation. The Board will discuss this item at their next meeting.

Poppe and Hunt left the meeting at 10:30 a.m.

The April 2008 Monthly Report was presented and discussed.

Keith Leonhardt gave an update of PPGA Activities and the minutes were reviewed.

There were no items to discuss under Miscellaneous and Future Agenda Items.

Moved by Schlachter, seconded by Shoemaker, that this Board of Public Works go into Closed Session, which Closed Session is clearly necessary for the protection of the public interest in that said Closed Session will consist of a strategy session relative to energy supply negotiations. Roll Call: Ayes; Schlachter, Shoemaker, Anderson. Nays; None. Motion carried.

The meeting closed to the public at 11:18 a.m. The Executive Session included Board members Anderson, Schlachter, Shoemaker, Council Liaison Goebel, Board's Legal Counsel and the Manager.

Moved by Shoemaker, seconded by Schlachter, that the meeting be reopened to the public at 11:35 a.m. and that no decisions were made nor official actions taken during said Closed Session. Roll Call: Ayes; Schlachter, Schlachter, Anderson. Nays; None. Motion carried.

The meeting adjourned at 11:35 a.m.

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Secretary