



COUNTY WATER DISTRICT OF BILLINGS HEIGHTS

Board of Directors Special Meeting Minutes

February 2, 2022 at 6:00 PM

Board Room, County Water District of Billings Heights 1540 Popelka Dr.

The meeting is open to any interested member of the public. Agendas are prepared for the meetings and are available at <https://www.yellowstonecountynews.com/county-water-district-of-billings-heights/> and <https://heightswaterdistrict.com/agendas-and-minutes/>.

CALL MEETING TO ORDER: President Ming Cabrera

WELCOME AND INTRODUCTIONS

BOARD MEMBERS PRESENT: IN PERSON Ming Cabrera, Laura Drager, Pam Ellis, David Graves, ON ZOOM Dennis Cook, Jeff Engel, Brandon Hurst

STAFF PRESENT: Larry Brewster, Josh Simpson and Dianne Crees

GUESTS: Frank Ewalt, Tom Zurbuchen, ON ZOOM Benjamin Magaña

PRESIDENT'S REMARKS: Ming Cabrera

During the course of the meeting the Public may be heard before a vote is cast by the Board. The President will acknowledge the Public once the motion has been made and discussed by Board for their input. The President will recognize speakers who raise their hand. Once recognized, the speaker should move to the side of the board table so comments can be heard, identify themselves by name, and limit their comments to two minutes. Each speaker will have one opportunity to speak on any agenda item.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items

- A. Any member of the Public may be heard on any subject that is not on the Agenda.
- B. The board will not take action on these items at this time but may choose to add an item to the next meeting's Agenda for discussion.

NEW BUSINESS: Hire the General Manager (contingent upon verification of educational certifications and official education transcripts, pass medical exam including a drug and alcohol screen, a complete background check prior to beginning work, and negotiated contract).

Public Comment: The public may comment provide feedback to the Board based on the interviews of the four candidates for General Manager who were interviewed on Saturday, January 29, 2022. The resumes were included in the agenda.

- Casey Hruby
- Benjamin Magaña
- Chad Christopherson
- Peyton Brookshire
- Matt Brock
- General Manager Job Post
- General Manager Job Description (pp 17-20)

David Graves made a motion having conducted a public hearing, considered written and spoken public testimony, I move to hire Peyton Brookshire contingent upon verification of educational certifications and official education transcripts, pass medical exam including a drug and alcohol screen, a complete background check prior to beginning work, and negotiated contract. SECONDED by Laura Drager.

David Graves, Ming Cabrera and Laura Drager provided their reasons for supporting Peyton Brookshire. Pam Ellis expressed her concerns for not supporting his appointment. David Graves called the question which was supported by all board members except Pam Ellis.

VOTING YES: Ming Cabrera, Dennis Cook, Laura Drager, Jeff Engel, David Graves, Brandon Hurst

VOTING NO: Pam Ellis

OLD BUSINESS: Contract for building Chlorination Plant for Ox Bow Reservoir

DOCUMENTS INCLUDED WITH THE AGENDA (letter from Interstate Engineering, pp 22-23); Resolution 004-22 (p 24); abbreviated ARPA Grant application, pp 25-30)

DOCUMENT PROVIDED TO THE BOARD PRESENT AT THE MEETING ON FEBURARY 2, 2022 Construction Agreement Western Municipal Construction, Y21-00-18 (Copies available on request from the District Office)

DISCUSSION The District considered subcontracting directly given that the low big was about \$125,000 over the engineer’s increased estimate. The project needs to be completed in the summer months because the chlorination sometimes drops below recommended levels in the winter when ratepayers use less water and it sits in the tanks.

Tom Zurbuchen raised questions about the contract and the penalties for not completing on time. Laura Drager thought the liquidated damages are too low; she recommended a minimum of \$1000 per day for each day the project was not completed on schedule. Josh Simpson said Western Municipal was responsible for building the structure, conduit; all the equipment is the responsibility of the company from which it was purchased

MOTION Laura Drager made the motion to delay approving the contract until the District can negotiate the amount of liquidated damages. Ming Cabrera seconded.

DISCUSSION: Jeff Engel said the district has to be careful—the contractor is not going to dilly dally on this and the company will have to order materials. Frank Ewalt noted that the city council tried to not approve contracts that were presented by city staff without deadlines or corrections.

VOTING YES 6 members of the Board; Ming Cabrera voted No

ANNOUNCEMENTS

Wednesday, February 16 th , 6:00 pm	February Board meeting
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ADJOURN 6:35 pm

ATTACHMENTS:

- CWDBH Chlorination Water System Improvements
- January 19, 2022 Bid Opening Summary

Pam Ellis, Board Recording Secretary

David Graves, Vice President (on behalf of President Ming Cabrera)

CWDBH Chlorination Water System Improvements

Billings Montana
LE # Y21-00-018

Bid Opening: January 19th, 2022 at 3:00 PM

General Requirement Item No.	Item	Unit	Quantity	Engineer's Estimate		JR Civil		Western Municipal Construction	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
101	General Requirements	LS	1	\$14,986.47	\$14,986.47	\$8,138.00	\$8,138.00	\$15,000.00	\$15,000.00
102	Mobilization & Demobilization	LS	1	\$14,986.47	\$14,986.47	\$8,960.00	\$8,960.00	\$19,000.00	\$19,000.00
103	Taxes, Bonds & Insurance	LS	1	\$14,986.47	\$14,986.47	\$27,923.00	\$27,923.00	\$10,000.00	\$10,000.00
104	Hilltop Reservoir Site Improvements	LS	1	\$4,750.00	\$4,750.00	\$53,990.00	\$53,990.00	\$11,000.00	\$11,000.00
105	Lanier Reservoir Site Improvements	LS	1	\$6,250.00	\$6,250.00	\$55,458.00	\$55,458.00	\$11,000.00	\$11,000.00
106	Ox Bow Reservoir Site Improvements	LS	1	\$222,270.00	\$222,270.00	\$389,996.00	\$389,996.00	\$336,420.00	\$336,420.00
107	Exploratory Excavation	HR	4	\$375.00	\$1,500.00	\$768.00	\$3,072.00	\$190.00	\$760.00
108	Materials Testing	EA	5,000	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00
109	Miscellaneous Work	UNIT	15,000	\$1.00	\$15,000.00	\$1.00	\$15,000.00	\$1.00	\$15,000.00
TOTAL BASE BID					\$299,729.41		\$567,537.00		\$423,180.00
			(GR)		\$299,729.41		\$567,537.00		\$423,180.00
			(1)		\$0.00		\$0.00		\$0.00
			(2)		\$0.00		\$0.00		\$0.00
			(3)		\$0.00		\$0.00		\$0.00
			(4)		\$0.00		\$0.00		\$0.00
			TOTAL BID		(GR+1+2+3+4)		\$299,729.41		\$567,537.00
									\$423,180.00

I hereby Certify that the Tabulation of bids represents the actual bids received for the CWDBH Water System Improvements, received and opened by County Water District of Billings Heights, on January 19th 2022.


 Eric Lar, PE
 Interstate Engineering
 Date 1/26/2022



**County Water District of Billings Heights Water System Improvements
BILLINGS, MONTANA**

I.E. #Y21-00-018

BID OPENING: January 19th, 2022 @ 3:00 PM

CONTRACTOR	<input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Registration <input checked="" type="checkbox"/> Addenda <input checked="" type="checkbox"/> Acknowledgement of Liquidated Damages	Base Bid			TOTAL
WESTERN MUNICIPAL CONSTRUCTION		423,180.00			423,180.00
JR CIVIL	<input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Registration <input checked="" type="checkbox"/> Addenda <input checked="" type="checkbox"/> Acknowledgement of Liquidated Damages	567,537.00			567,537.00
Engineer's Estimate		\$299,729.41			\$299,729.41

I hereby Certify that the Bid Opening Result(s) shown above represent the actual bid(s) received for the County Water District of Billings Heights Water System Improvements Project, received and opened by the County Water District of Billings Heights on January 19th, 2022 at 3:00 pm.

Engineer's Signature _____

Date January 19th, 2022

Professionals you need, people you trust!

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