RESOLUTION NO. 2017-15

RICE CREEK WATERSHED DISTRICT BOARD OF MANAGERS

ORDER ACCEPTING PLANS AND SPECIFICATIONS; DIRECTING THE SOLICITATION OF QUOTES AND ALLOWING COSTS FOR THE REPAIR OF THE HALLS MARSH OUTLET CONTROL STRUCTURE, A COMPONENT OF THE PRIEBE LAKE OUTFALL PROJECT (District Project #76-11-1)

Manager Bradley offered the following Resolution and moved its adoption, seconded by Manager Haller.

WHEREAS, the Rice Creek Watershed District (District) constructed the Halls Marsh outlet control structure in 1979-80 as a basic water management component to the Priebe Lake Outfall Project (District Project #76-11-1); and

WHEREAS, the District’s Board of Managers (Board) established the project by order dated May 30, 1979, and further modified the project by order dated November 20, 1980, to recognize the Halls Marsh outlet control structure and the overall Halls Marsh component of the project as a basic water management project of the District; and

WHEREAS, the District took action on the project pursuant to statues chapter 112, the predecessor to statues chapter 103D. The supplemental order acknowledged the benefits to the District from the basic water management project and directed that the costs for the Halls Marsh project component be paid from ad valorem taxes; and

WHEREAS, the District currently recognizes the Halls Marsh outlet control structure as a “District Facility”; and

WHEREAS, landowners adjacent to Halls Marsh have requested maintenance of the structure to relieve high water levels on Halls Marsh; and

WHEREAS, the engineer has investigated the conditions of the structure, filed a report, and concluded that the structure is failing or in a state of disrepair so that it does not perform the purpose for which it was constructed; and

WHEREAS, the engineer has provided and the Board has approved a recommendation to repair the structure; and

WHEREAS, the engineer has prepared plans and specifications for the repair and the plan for
repair of the structure is prepared for solicitation of quotes; and

WHEREAS, the Board has reviewed the plans and specifications as well as the engineer’s recommendation and finds them complete and suitable for the repair of the structure; and

WHEREAS, the Board finds that the repair of the Halls Marsh outlet control structure is necessary for the proper function of project #76-11-1, will promote the public health, safety and welfare, and is consistent with the District’s Watershed Management Plan; and

WHEREAS, the Board has reviewed the costs incurred to date for the repair and finds them to be reasonable and necessary in furtherance of project #76-11-1.

THEREFORE, the Rice Creek Watershed District Board of Managers makes the following:

ORDER

A. The Board of Managers accepts the plans and specifications for the repair the Halls Marsh outlet control structure, and directs the solicitation of quotes according to the Engineer’s recommendation for implementation of the repair and as required by law.

B. The Board of Managers directs its administrator to submit all quotes received to the Board along with a recommendation for award of a contract for the repair for approval by the Board.

C. The Board of Managers directs its administrator to coordinate and take all subsequent actions necessary for implementation of the repair in a manner consistent and compliant with existing law. The Board reserves to itself, however, all subsequent actions required by law to proceed upon Board approval.

D. The Board of Managers further authorizes expenditures for the repair of the Halls Marsh outlet control structure.

The question was on the adoption of the Resolution and there were 4 yeas and 0 nays as follows:

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Upon vote, the Chair declared Resolution 2017-15 passed.

Michael Bradley, Secretary

Dated: June 28, 2017

I, Michael Bradley, Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above Resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 28th day of June, 2017.

Michael Bradley, Secretary