

South Dakota Ellsworth Development Authority

Meeting of the Board of Directors

December 4, 2012

9:00 AM MT

University Center - Rapid City

4300 Cheyenne Blvd.

Rapid City, SD

Room 127

1. Call to Order: Chairman Burchill called the meeting to order at 9:01 AM MST

Board members present were: Michael Bender, Pat Burchill, Kenny McNenny, Stanley Porch, Mark Roby, Bob Sutton and Kent Mundon. Members Sutton, Roby, Bender, and Porch were present via teleconference.

2. Approval of the Agenda

MOTION: Kent Mundon made a motion to approve the agenda. Kenny McNenny seconded the motion. The agenda was unanimously approved.

3. Approval of the minutes from the April 24, 2012 board meeting

The minutes were discussed and the board wanted to add who was present in person and who via teleconference.

MOTION: Michael Bender made a motion to approve the minutes from the August 13, 2012 Board meeting with the change of how people attended. Stanley Porch seconded the motion. The minutes were unanimously approved.

4. Comments by the Executive Director and Chairman

Executive Director Landguth gave an update on the Freedom Estates development. He reported that the preliminary inspection of three homes was completed last week and are anticipating the final inspection within a week or so. The homes are ready to market and we have involved a realtor to assist in the sale.

5. Public Comment Period

There was one individual that made a public comment.

6. Old Business – None

7. New Business -

a. Resolution to approve Purchase of Easement on Ellefson Property

Chairman Burchill introduced the resolution and asked Executive Director Landguth to update the board. Landguth indicated that the property in question was within APZ1 and has been a home that was also providing day care.

MOTION: Kent Mundon made a motion to approve the resolution to purchase the easement contingent upon there being no material changes to the purchase agreement. Kenny McNenny seconded the motion. The motion was unanimously approved by a roll call vote.

b. Resolution to approve SRF Bonds

Chairman Burchill introduced the resolution and asked Executive Director Landguth to give an update. Landguth gave a little background and that the bonds were being used to fund the construction of the Regional Wastewater Treatment Plant. He then asked Todd Meierhenry, bond council from Meierhenry Sargent LLP, to review the details of the resolution. Mr. Meierhenry proceeded to go through each section of the resolution. The board discussed the resolution and asked questions of Mr. Meierhenry and Mr. Landguth.

MOTION: Bob Sutton made a motion to approve the resolution concerning SRF Bonds. Michael Bender seconded the motion. The motion was unanimously approved by a roll call vote.

c. Resolution to approve Utility Services Contract with the City of Box Elder

Chairman Burchill introduced the resolution and Executive Director Landguth gave an update about the history of the discussions with Box Elder. Landguth indicated that the Box Elder City Council had approved the contract at its November 20, 2012 council meeting. Greg Erlandson, legal counsel, indicated that he had reviewed the contract and did not have any issues. The Board discussed the resolution.

MOTION: Mark Roby made a motion to approve the resolution to execute the Utility Services contract with the city of Box Elder. Kent Mundon seconded the motion. The motion was unanimously approved by a roll call vote.

d. Resolution to approve Construction Contract for the Regional Wastewater Treatment Plant

Chairman Burchill introduced the resolution and Executive Director Landguth gave an update about the construction bids and PKG Contracting, the lowest bidder on the project. Mr. Landguth indicated that PKG Contracting has a good reputation in the industry and has built wastewater plants in Pierre, Aberdeen, and Sioux Falls. The board discussed the resolutions.

MOTION: Stanley Porch made a motion to approve the construction contract with PKG Contracting. Kenny McNenny seconded the motion. The motion was unanimously approved by a roll call vote.

e. Resolution to Approve Regional Wastewater Treatment Plant Construction Administration Contracts.

Chairman Burchill introduced the resolution and Executive Director Landguth gave an update concerning the bid from Scott Elliot Hendrickson for project construction management and administration. Landguth indicated that the Authority was trying to be more efficient and use local contractors in addition to SEH to lower the overall cost. The board discussed the resolution and determined that the contracts needed to be further negotiated before final approval.

MOTION: Kent Mundon made a motion to table the resolution until final negotiations were completed. Bob Sutton seconded the motion. The motion was unanimously approved by a roll call vote.

8. Adjournment (10:20 AM MST)

Kenny McNenny made a motion to adjourn the meeting. Kent Mundon seconded the motion. The motion was approved unanimously.

Minutes Approved:

Chairman Burchill:

