

MINUTES OF THE CITY COUNCIL OF LAUREL

August 24, 2012

A special meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Mayor Ken Olson at 5:30 p.m. on August 24, 2012.

COUNCIL MEMBERS PRESENT:

Bruce McGee	Doug Poehls
	Mark Mace
	Chuck Dickerson
Tom Nelson	Bill Mountsier

COUNCIL MEMBERS ABSENT:

Emelie Eaton
Scot Stokes

OTHER STAFF PRESENT:

Heidi Jensen	Chad Hanson
Tim Reiter	

SCHEDULED MATTER:

- **Resolution No. R12-61: Resolution authorizing the Mayor to declare a state of emergency and to enter into a contract for emergency work/repairs in the Yellowstone River to ensure the City's ability to provide safe drinking water to all users of the City's water system.**

CAO Heidi Jensen stated that the resolution is to declare a state of emergency for the City of Laurel and to authorize a contract for emergency work repairs in the Yellowstone River to ensure the City's ability to provide safe drinking water to all users of the City's water system. Heidi asked Chad Hanson, Great West Engineering, to explain the information to the council.

Chad Hanson stated that on Tuesday, Public Works Director Kurt Markegard sent him a picture of the water intake, which was very low with only a couple inches of water. Chad met with city staff at the water treatment plant that afternoon. The staff at the plant uses a gauge to measure the level of the river consistently, and they have recorded it going down one to two inches every week since July 1st. As of this morning, the river level had actually gone down .2 of a foot since Tuesday.

Chad stated that, according to the data Great West gathered for the PER at the riverbank, historical trends on the river show that the last week in August and the first two weeks in September are the worst and the river continues to go down in flow until the middle of September when they start turning irrigation water back. Based on data and looking at the plans for the intake and where the river levels might drop down to by the middle of September, the river most likely will be low or below design low flow. At that point, things might work great and they might not. The plant could lose capacity and have to shut off a pump and not be able to pull the full draw through the intake or there could be a complete loss of it. At one time, an ice jam caused low flows during low demand in the winter and the pumps cavitated. Chad stated that this situation constitutes an emergency. The city recently experienced an emergency with the waterline break on South First Avenue. If the plant could not produce at full capacity and the tank was empty, the city would be in a bind to provide service to residents and fire protection.

Chad spoke regarding the information Great West has for the permanent bank project at the river. The first proposal is to put in two temporary dikes to pinch the river and center it over the intake. By their calculations, this should bring the river up about a foot in elevation, which should get the city through September. The engineers calculated that the optimum river width is about 70 to 80 feet. If they keep pinching it, it gets real fast and then the river elevation drops between the weir and the bank. On the north side, they need to pull some of the material back on the berm in order to keep flow around both sides of the intake. If all the flow is on one side, the other side might create an eddy or a still spot and pull sediment in. If a bunch of rocks and sediment are pulled inside the intake, it would be a mess to get it cleaned out.

Chad explained that Donnes Inc. looked at the site today. Donnes is a heavy excavating company that previously excavated the city's sedimentation ponds at the treatment plant, does a lot of work for the Big Ditch Association, recently completed the entire riverbank repair project in Huntley, and

is highly recommended. Donnes has the material available and could be onsite Monday morning to start the work. The quote from Donnes Inc. is \$29,500 for the project.

Council Member McGee asked how this would affect flow down the river.

Chad stated that it would pinch the river to a point but would not affect the river downstream. This will have minimal effect on the flow down the river. The Army Corps, DEQ, DNRC and Fish Wildlife and Parks have been notified that the city is considering this emergency measure in the river. Fish and Wildlife suggested putting up warning signs for boaters on the river, and the signs are being made.

If this plan does not work, Chad stated that plan B would be to install pumps, which would be a huge expense and an O&M nightmare. However, Great West, the Public Works Department and the contractors think the emergency plan will work.

Council Member Mace asked how the open exposed lines would be affected.

Chad stated that a ramp would have to be built over the exposed line in order to do the work. The ramp was included in the bid Donnes submitted.

Council Member Nelson asked why the resolution said the cost should not exceed \$100,000.

Chad explained that the engineer's original estimate was \$45,000 and the actual quote was \$29,500. The higher amount was to ensure that a second special emergency council meeting would not need to be called.

Council Member Nelson asked if the money could be recouped from FEMA.

Chad stated that Heidi is working on that with FEMA. During the conference call on Tuesday, FEMA indicated that it would be covered as it is from the flood damage.

Council Member Nelson asked regarding the two (2) mills for declaring an emergency.

Heidi explained that the city has met the two (2) mill requirement. The two mills are based on the mill value of the year of the disaster, which was 2011. The first amount the city received from FEMA was \$21,400 for the water treatment plant side and FEMA took \$7,000 out of that. The city then received \$3,200 and FEMA took a couple hundred dollars out for that, and the city paid the rest of the \$5,000 out of the emergency work. The city has met the requirements, so anything received from FEMA now would be at 100 percent.

Chad stated that this would be considered as the same event so, like an insurance plan, there is one deductible.

Heidi stated that a lot of work has been done in the last three days. After explaining the situation to Charlie Baird, the regional FEMA contact, on Tuesday, he was hopeful he could cut an emergency project worksheet to reimburse the costs. Heidi will send documentation to FEMA on Monday to let them know the city did not have a choice.

Council Member Poehls stated that, in the past when work was done in the river, the city was required to remove it.

Chad stated that he guaranteed this would have to be removed.

Council Member Poehls stated that he is vehemently opposed to that. As with the weirs to the original intake, the city spends \$80,000 to put the weirs in and then is told to take them out at a cost of \$60,000 or \$70,000. If the Army Corps of Engineers demands that the city remove the structure or whatever was put in the river, he questioned why they do not demand that the Montana Department of Highways and the railroad remove their bridges, which cause the city's problems.

Chad could not answer those policy questions, but he is sure that the emergency non-permitted activity in the water will have to be removed. He understands the concerns about repeating costs. As part of the permanent bank repairs Great West is working on with FEMA now, they will make sure the material put in on the south side can be reused as part of the bank fill and the material will just be moved. It will be cheaper because the material will not be hauled in twice and will just be

moved a short distance. On the north side, the contractor will pull back the material and smooth it back down on the island and will not be hauling any material. The proposed permanent fix includes removal of 5,500 cubic yards of gravel matter that created a big berm underneath the railroad and MDT bridges directly upstream from the intake. Chad understands Council Member Poehls' concerns and stated that the engineers are doing everything possible not to pay twice for materials. The temporary fixes will not be removed until the permanent fix goes in.

Mayor Olson thanked Chad and Heidi for their work on this emergency situation.

Council Member Mace asked regarding water restrictions for the citizens.

Chad stated that Heidi and Kurt have a plan in place to restrict watering, but there are successive steps. Chad stated that his job is to keep the intake wet. If the plant starts losing capacity, the city has a plan. Kurt recently notified the refinery about the issues and encouraged them to get their 2.5 million gallon tank finished and filled, which they have done.

Mayor asked Heidi for a report on the work package that was presented by Great West today.

Heidi explained that Great West put together a quote package for the \$21,000 plus the \$5,000 mill levy, for a total of \$26,000 from FEMA. The quote package for the emergency work to cover the waterline in the bank will go out on Monday. Quotes need to be back by September 8th and construction will start as soon as possible. The emergency work will be done next week, more work will be done in three weeks, and FEMA is apparently expediting the review for the permanent fix. Heidi expects that the project should be done within the next six months while the water is still low.

Chad stated that the engineer's goal is to have the entire project done in November. The plans are essentially done, so as soon as FEMA gives approval, the design and construction should happen quickly.

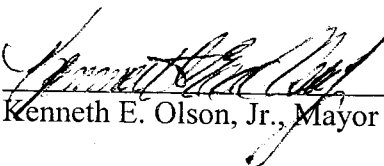
Motion by Council Member Poehls to approve Resolution No. R12-61, seconded by Council Member Mace. There was no public input or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

ADJOURNMENT:

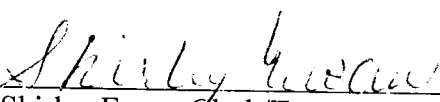
There being no further business to come before the council at this time, the meeting was adjourned at 5:47 p.m.


Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 4th day of September, 2012.


Kenneth E. Olson, Jr., Mayor

Attest:


Shirley Ewan, Clerk/Treasurer