

**TOWN OF OCONOMOWOC BOARD OF SUPERVISORS
MEETING MINUTES
March 2, 2012**

Supervisor Husak called the meeting to order at 8:00 am. Supervisor Present included John Koepke, Brian Wiemer, and John Roelandts. Excused was Chairman Robert Hultquist. Also in attendance were Administrator/Planner Jeff Herrmann, Attorney Bill Chapman, and Clerk/Treasurer Jo Ann Lesser. Please see attached sign-in sheet for a listing of other attendees.

Those present stood to recite the Pledge of Allegiance.

Comments from the Floor on Agenda items or any other items: Cheryl Lindquist of W383N8647 Blue River Pass read a letter from Robert Lindquist with regards to the sediment that will result downstream once the dam is replaced. Ms. Lindquist then commented that she votes and votes for people who take all issues into consideration before making a decision. Ms. Lindquist stated that she does not begrudge the residents who live on the lake, but has real concern about those who will have to deal with the sediment, wonders where it will go? Ms. Lindquist stated that she was hopeful that each board member read the SEWRPC report completely and did not forget the people downstream,.

Attorney Chapman responded that these same issues are being dealt with in the Town of Merton with the Monches Dam and the DNR reserves the right to review the issues of sediment downstream.

Rick Parra of N7336778 South Shore Drive stated that when the Town asked the Ashippun Lake Management to get involved, he was the one who called both Ayres & Associates and Kunkel Engineering. Mr. Parra stated that he sat through each meeting on the dam and one company has been involved since the beginning and the other company only two weeks. Mr. Parra stated that he figures that Kunkel Engineering has roughly \$15,000 invested in the project since February 8th. Mr. Parra stated that he feels that Michelle Schneider of the DNR is not involved with the design of the dam and shouldn't be counted on for an opinion and that Kunkel Engineering has been working with Bill Sturtevant at the DNR. Parra stated that switching engineers in a fast paced project is risky and is afraid to lose the Federal funding and feels that maybe the DNR has lost patience with the town due to the delays in the project. At the February 8th MOU meeting he felt that when the discussion was done that it was Kunkel Engineering would be the one on board and didn't think that it was right that another firm was contacted for a bid. Mr. Parra stated that he called many firms about this project and one company in particular, Lunda Construction, gave a recommendation of Kunkel Engineering for this project.

NEW/OLD BUSINESS:

- 1. Consider and Act on Proposals for Engineering Design and Construction Management for Monterey Dam Replacement:** Supervisor Husak turned the meeting over to Administrator/Planner Herrmann. Herrmann stated that he talked with Michelle Schneider about the work that Ayres & Associates does and she felt comfortable with

them completing the design and Bill Sturtevant reiterated that comment. Herrmann stated that Ayres is a company with this considerable experience; they are currently working with the city on the Lac La Belle dam, and currently building a labyrinth style dam in Monches. There is a substantial difference, and the Town has a fiscal responsibility. Herrmann stated that Kunkel Engineering was involved from the beginning so two days to come up with the bid should not have been a problem.

Supervisor Koepke was concerned about the procedure of obtaining the second bid. Koepke read an email from Administrator Herrmann to Craig Kunkel in it Jeff states that the town reserves the right to seek other bids, and then there was a response from Craig Kunkel and also a second response from Craig to Jeff on February 10th. Supervisor Koepke stated that he has concerns about bringing in another firm so late is the right thing to do and is concerned about the reputation of the town with this type of practice.

Supervisor Husak stated that as Supervisor's we owe it to the town and the residents to get a second bid, it's called doing business.

Supervisor Wiemer acknowledged that Kunkel Engineering did complete a lot of work and attended many meetings, but the difference in costs are too big to ignore.

Supervisor Roelandts stated that it's a 57.3% difference in the costs and he understands it's peanuts in the overall scheme of the project but it's still a big difference and he too has concerns as to how this second bid came about, but both contracts have a "not to exceed" clause and feels that maybe Ayres & Associates bid is too low. He agrees that the board members have to be fiscally responsible.

Supervisor Husak asked if the representatives from the firms would like to speak.

Don Neitzel of Kunkel Engineering gave an update on the project and also stated that they have invested a lot of time on this project already and figures that the cost is roughly \$10,500 to \$11,000 since February 10th.

Chris Goodwin of Ayres & Associates stated that he has worked with Bill Sturtevant and Michelle Schneider on many other dam projects, and that he has seven people in the water resources department and dams is all that they do. Mr. Goodwin stated that they have completed many projects of labyrinth style dams and numerous projects that had bridges over the top of the dam also. He also noted that projects get bogged down during the design portion of the project due to discussions with the DNR. Mr. Goodwin stated that contractors are an unknown part of the project due to the bidding process and that their bid does take that into consideration and felt comfortable with the amount of hours built into the bid that it will cover those unforeseen issues.

Supervisor Roelandts asked if either firm took into consideration the sediment that would end up downstream of the dam. Both gentlemen agreed that their plans are prepared and then approved by the DNR and that they won't let that issue not get addressed.

Attorney Chapman stated that he is involved with the Monches dam and knows that the DNR and Ayres & Associates are currently involved in discussions over the sediment issue, and that he has concerns that there was not enough time allotted in the contract for meetings and public hearings.

Chris Goodwin stated that his company Ayres & Associates does not have a reputation for change orders, and that as long as the scope stays the same there is no reason for a change order.

Supervisor Wiemer made a motion that the Town approves Ayres & Associates bid for the Monterey Dam design for the amount of \$42,700.00. Supervisor Roelandts seconded the motion.

Supervisor Husak asked if there were anymore comments from the Board before a roll call vote was to take place. Supervisor Wiemer stated that the Board has a fiscal responsibility and that when they approved to take the cap off the entire project that didn't sit well with him. Supervisor Koepke stated that experience issues were being mentioned a lot during this meeting, Kunkel Engineering has done a lot of re-builds and repairs he believes that they have more experience than they are giving them credit for, but yes they do not have as much experience as Ayres & Associates. He would like to see this project stay on track, he has always stood by the idea that you dance with the person who brings you to the dance, but nothing would make him happier than coming in under budget.

Supervisor Husak asked Clerk/Treasurer Lesser to complete the motion with a roll call vote:

- Supervisor Koepke; nay
- Supervisor Wiemer; aye
- Supervisor Husak; aye
- Supervisor Roelandts; aye

Motion carried with a 3 to 1 vote.

- 2. Adjourn:** Supervisor Roelandts made a motion to adjourn at 9:49 am. Supervisor Koepke seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted,

Jo Ann Lesser, WCMC
Clerk/Treasurer