

RESOLUTION NO. 23-033
Riley-Purgatory-Bluff Creek Watershed District
Board of Managers

**Authorizing Payment to Minger Contracting of Remaining Retainage for St Hubert's Water
Quality Improvement Project**

Manager Pedersen offered the following resolution and moved its adoption seconded by
Manager Ziegler:

WHEREAS Riley-Purgatory-Bluff Creek Watershed District developed and adopted a watershed management plan pursuant to Minnesota Statutes section 103B.251 which identifies potential projects including a water quality and stormwater abstraction project to improve water quality in Rice March Lake watershed;

WHEREAS at its October 2, 2019, meeting, the RPBCWD Board of Managers adopted a plan amendment to include water quality best management practices on the campus of St Hubert's Catholic School (the Project) in accordance Minnesota Statutes section 103B.314; and

WHEREAS at its February 2, 2020, meeting, the RPBCWD Board of Managers ordered the Project in accordance with Minnesota Statutes section 103B.251; and

WHEREAS at its May 10, 2021, meeting, the RPBCWD Board of Managers awarded the Project to Minger Construction; and

WHEREAS legal counsel for the RPBCWD Board of Managers drafted an agreement which was subsequently executed by the District Administrator; and

WHEREAS the work completed by Minger Construction indicated in pay application #1 was confirmed by the contractor, the design engineer SRF Consulting, and the District Administrator and was considered to have achieved substantial completion; and

WHEREAS the work completed by Minger Construction indicated in pay application #2 was confirmed by the contractor, the owner, and the district administrator; and

WHEREAS Minnesota Statute section 15.72 stipulates the conditions under which retainage may be held; and

WHEREAS RPBCWD has levied and budgeted adequate funds for this project.

NOW THEREFORE BE IT RESOLVED that the RPBCWD Board of Managers authorizes the Treasurer and accountant to submit payment to Minger Construction in the amount of \$14,426.78.

The question was on the adoption of the resolution and there were 5 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CRAFTON	X			
DUEVEL	X			
KOCH	X			
PEDERSEN	X			
ZEIGLER	X			

Upon vote, the president declared the resolution adopted.

Dated: April 12, 2023

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I, Dorothy Pedersen, secretary of the Riley-Purgatory-Bluff Creek Watershed District, hereby certifies that I have compared the above resolution with the original thereof as the same appears of record and on file with RPBCWD and find the same to be a true and correct transcription thereof, and further that the resolution is in full force and effect on this date, and Resolution 23-033 has not been modified, amended or rescinded since its adoption.

IN TESTIMONY WHEREOF, I set my hand this 15th day of April, 2023.



Dorothy Pedersen, Secretary