

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAND BEACH
CONSERVANCY DISTRICT STATING ITS CONSENT AND REQUEST FOR THE
OTTAWA COUNTY COURT OF COMMON PLEAS FOR APPROVAL PURSUANT TO
REVISED CODE SECTION 6101.16 REGARDING A SUDDEN EMERGENCY

Upon motion made by Director Laura Schank and duly seconded by Larry Heintz, it was unanimously resolved at its meeting of December 15, 2011 that pursuant to the provisions of Revised Code Section 6101.16, the Board declares that a sudden emergency exists and to protect the District it is necessary to waive the advertising for contracts, seek the approval of the Ottawa County Court of Common Pleas for this action pursuant to said statute, and purchase a replacement pump, necessary accessories, have it installed, and connected once again to power.

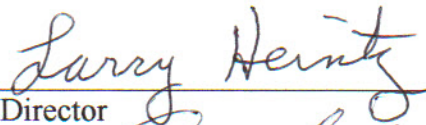
During the discussion of the motion the following points were made:

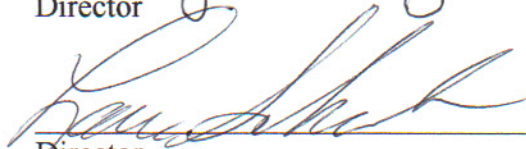
1. Marsh pumping has been limited to one pump since a pump formerly owned by Frank Harris and Green Cove Condominium Group malfunctioned and began leaking, to the effect that when the District pumps water from the marsh and it reaches a certain level, it seeps back into the marsh, at almost the same rate at which the District is pumping it out, through the Harris leaking pump;
2. The District has been in lengthy negotiations for the purchase of the Harris pump in order to repair or replace it to restore the pumping capacity needed by the District to maintain marsh levels and prevent flooding;
3. The District finalized the purchase of the Harris pump by signing the Agreement and Easement on December 12, 2011, recording it in the Ottawa County Recorder's Office, and the District is ready to replace the pump's works to re-establish a dual pumping system;
4. Due to excessive rainfall this year the marsh and Lake Erie have risen beyond average levels. Excessive rainfall in the last week of November 2011 and into December has resulted in the Lake Erie levels being 20 inches higher than they were at this time last year;
5. The difference in lake levels from long-term monthly averages of December in inches is currently +15;
6. While the lake and marsh levels may decline over the winter months, the spring historically brings increased marsh and lake levels as a result of snow melt and spring rains;
7. Generally, the District is able to turn off its pump in September and still maintain safe marsh levels. The District is still regularly pumping water from the marsh to maintain these levels at this time in December;
8. Further, the only structures holding the lake water from the marsh at this time, because of the malfunctioning pump is a temporary coffer dam, and a contractor made cap at the other end of the flow pipe;

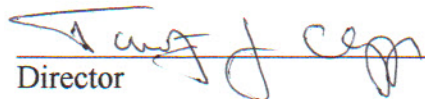
9. The Board's engineer/consultant recommends a new Lakecraft Pump, and a solid concrete vault, due the particular type of pumping required in the District and it's compatibly with the existing pumping equipment of the District;

10. There is not sufficient time before the winter weather will prevent the installation of the new pump and before the spring thaw and rains to allow for bidding, acceptance of bid, and ordering of the pump to have it arrive and be installed in time to meet the sudden emergency;

11. Therefore, the Board seeks and consents to a waiver of the advertising of contracts and the Court's approval of the no-bid contracts with Lakecraft, Spoeer, Geck Electric, and an excavator to be named to meet this emergency.


Director


Director


Director

ATTEST:


Secretary

Sand Beach Conservancy District
Engineer's Estimate of Probable Costs
Pump Station Replacement Project
December 15, 2011

| Item Description | Quantity | Unit | Unit Cost | Cost |
|------------------------------|----------|----------|------------|-------------|
| Remove existing pump station | 1 | Each | \$2,500.00 | \$2,500.00 |
| Remove existing pipes | 2 | Each | 250.00 | 500.00 |
| New 20" steel pipe | 12 | LF | 400.00 | 4,800.00 |
| Precast concrete tank | 1 | Each | 26,200.00 | 26,200.00 |
| Electric service | 1 | Each | 8,000.00 | 8,000.00 |
| 14" pump & controls | 1 | Each | 18,000.00 | 18,000.00 |
| Contingency | 1 | Lump sum | 6,000.00 | 6,000.00 |
| Total | | | | \$66,000.00 |
| Optional aluminum pump house | 1 | Each | \$1,000.00 | \$1,000.00 |
| Total Project Cost | | | | \$67,000.00 |

Prepared by: BEC Associates

 P.E.
Milton R. Pommeranz, P.E. No. 39476

December 13 2011

Attn: Tim Clapp

Work to be performed at: Sand Beach Pumps

ESTIMATE

\$5,760.00

This estimate includes the labor and materials to complete the following:

Build a rack from uni-strut supported by lag bolts into the concrete structure.

Mount a new 460 volt three phase meter box, and disconnect for pump control box.

Pump control box, and controls in it, are to be provided by company installing the pump.

Mount a 1 kva transformer to get 120 volts for GFCI and light.

Mount 120 volt, 20 amp breaker box, and disconnect for GFCI and light.

Mount a box for the GFCI, and switch.

Mount a pipe and box with a jelly jar light, with protective cover.

Run flex from pump control box to pumps.

All pipe and wire from meter box to control box and disconnects

Work will be done in a clean, workmanship like manner. All equipment will be weatherproof suitable for the outside weather. Any work added that is not on this estimate will be an extra charge of **\$60** per man hour, plus materials used. Customer is responsible for all permit and inspection fees. Customer is responsible for Ohio/Toledo Edison fees and hook-up. We are a licensed and insured electrical contractor.

Due to the large amount of material, a deposit of **½ down** will be required at least 10 days prior to starting the job. The remaining balance will be due after final inspection is passed.