

**Lowell Stormwater Mgmt. Board Minutes**  
**Regular Meeting**  
**Tuesday July 23rd, 2024**

Phil Kuiper called the meeting to order on Tuesday, July 9<sup>th</sup>, 2024, at 4pm. The Pledge of Allegiance was recited. Recording Secretary Dianna Cade called the roll. Members present were Rich Oman, Phil Kuiper and Courtney Anderson. Staff Present was Stormwater and GIS Director Greory White, Town Manager Craig Hendrix. Town Attorney Nichole Bennet was present via Zoom connection.

**Approval of Minutes:**

Mr. Oman made a motion to approve the minutes from July 9<sup>th</sup>, 2024, seconded by Ms. Anderson and carried with a voice vote of all ayes.

**New Business:**

SW #24-001 – Mr. Hendrix stated in our previous meetings there is a stormwater pipe on the northside of the Beverly Estates Subdivision that is crushed. He discussed the background on the conversations that took place when the preliminary plat was engineered, and an agreement was made that the developer would pay for half and the town would pay for the other half. The developer is getting ready to plat phase 2 and will also include a phase 3 in the future. The pipe extends across both phases. The developer can only pay for his half of phase 2 at this time. The pipe has not worked for some time, and it needs to get repaired asap. He discussed the particulars of the arrangement with the developer paying half of phase 2 and the town paying for the entire pipe at this time and getting reimbursed for the developer portion of phase 3 when he starts that phase. Discussion on the payment agreement and lien on property clause in said agreement. Attorney Bennett discussed the legal requirements procedurally since the project is using public funds. She stated the first step is a resolution. Discussion on public hearing. Discussion on action past the public hearing. Discussion on agreement with the split cost of project. Attorney Benett stated the resolution makes note of the fact that there was no bid process since the project is a reimbursement with the developer. Discussion. She discussed exhibit 1 that is attached to the resolution. She discussed the conditions with the developer and the costs of the project. She discussed if change orders are needed. The contract would need to be approved at the next meeting. Attorney Bennett stated at this meeting if the Board wishes to move forward with the resolution they would need to motion as such, including the findings. A public hearing meeting date would also need to be set for the resolution. Discussion.

Mr. Oman made a motion to authorize the resolution for an agreement to replace the stormwater pipe in Beverly Estates Subdivision, phase 2 and 3, seconded by Ms. Anderson and carried with a voice vote of all ayes.

A date of August 20<sup>th</sup>, 2024, at 4pm was set for the public hearing on the resolution for the infrastructure project.

**Discussion:** None

**Announcements:** The next meeting was scheduled for August 20<sup>th</sup>, 2024

**Public Comment:** None was heard online or in person.

**Adjournment:** Mr. Oman, made a motion to adjourn at 4:25pm, seconded by Ms. Anderson and carried with voice vote of all ayes.

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Chairman

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Secretary