

**HAYDEN LAKE RECREATIONAL WATER AND SEWER DISTRICT
MINUTES OF REGULAR MEETING
AUGUST 26, 2009**

CALL TO ORDER

The regular meeting of the Sewer District was called to order by Chairman House at 5:00 p.m. Present were Board members Weinstein, DePew, Sewell and Anderl. Also present as representatives of the Board were Larry Comer, Mike Schmidt and Dustin Jacobson. Administrator Lynn Hagman recorded the minutes of the meeting.

Visitors at the meeting were Irv Kaplan, Sandy Young, Randy Mikels and Simone Savage.

AMENDED AGENDA

The Board reviewed the amended agenda and was provided with notice of the items by the District Engineer with less than 48 hours to the regular meeting. **Board member DePew moved to approve the amended agenda, seconded by Board member Anderl. The motion carried.**

MINUTES

The Board reviewed the minutes of August 12, 2009 and corrections to typos were made. **Board member DePew moved to approve the minutes with corrections. Board member Sewell seconded the motion. The motion carried.**

BUDGET HEARING

At 5:06 p.m. Chairman House opened the public hearing on the budget for FY 2009-2010. Ken Thompson reviewed the upcoming budget with the Board. Chairman House informed Mr. Thompson that HARSB has adjusted their budget by \$90,000 and asked if it was too late to adjust the District's budget. Mr. Thompson informed the Board that if there is a need to adjust the budget in the future it is possible to do so by opening the budget with a public hearing.

With no further comments on the budget, Chairman House closed the public hearing at 5:15 p.m. **Board member DePew moved to adopt the budget for FY 2009-2010 by reading of Title only and under suspension of the rules requiring three readings. Board member Sewell seconded the motion. A roll call vote was taken; Board member Weinstein, "aye", Board member DePew, "aye", Board member Sewell, "aye" and Board member Anderl, "aye". The motion carried.**

Board member Weinstein moved to adopt the Budget for FY 2009-2010 as presented. Board member DePew seconded the motion. The motion carried.

IRV KAPLAN

Mr. Kaplan addressed the Board with his concerns about his neighbor, Mr. Steve Wright not being hooked up to the sewer system. Mr. Kaplan owns three lots in Starling Meadows and Mr. Wright has his drain field in the middle of one of his lots and he would like to see it moved. Mr. Kaplan informed the Board that the sewer line was put in up to Mr. Wright's lot, which is lot 4 of Starling Meadows. Mr. Kaplan has requested the Board to review this and find out if Mr. Wright should be hooked up to the sewer system.

Chairman House stated that if Mr. Wright is within 200' of the line, it is the District's policy that he should hook up. Dustin Jacobson informed the Board that Mr. Wright's home is less than 180' from the line. Larry Comer also reminded the Board that the Idaho Code states that if you are within 200' from the sewer line, you will hook up.

Board member Weinstein informed Mr. Kaplan that the Board's actions are not to enhance Mr. Kaplan's property but to enforce the law and suggested a letter be sent to Mr. Wright regarding this. Larry Comer stated that if the line isn't within the 200', the Sewer District will extend the line so it will meet the 200'. **Board member Weinstein moved to direct Attorney Schmidt to send a demand letter to Mr. Wright to hook up to the sewer system with in a stated amount of time. Chairman House suggested sending the letter with an invitation to the next Board meeting. Board member Weinstein amended his motion to add an invitation to the Board meeting if he has any problems with the order to hook up. Board member Sewell seconded the motion. The motion carried.**

SANDY YOUNG – FALLS AT HAYDEN

Sandy Young addressed the Board with two requests. Ms. Young's first request was to buy an additional ER for the Falls at Hayden subdivision. Ms. Young explained that there are 46 lots to build on and the initial purchase was for 47 ER's. They now have plans for two public restroom facilities and need one more ER. Dustin Jacobson voiced his concern with the public restrooms and who would actually be using them. Ms. Young stated that the restrooms are for the people who live there only. Chairman House informed Ms. Young that the ER would be purchased from HARSB through the LID 6.

Board member Anderl questioned if they would be installing a pump out station at the dock. Ms. Young stated that there are a proposed 46 slips and she had not seen any plans for a pump out station but would get some information on this for the next meeting.

Ms. Young's second request is to have the LID assessment segregated to each lot. Once final plat is approved and the LID closes, the Falls at Hayden will have 48 assessments. Larry Comer explained that when the plat is recorded, an ER will be allocated to each lot. If the LID closes first, the Falls at Hayden will pay to segregate.

Ms. Young then asked for permission to build a model home for the subdivision without hooking up to sewer. Board member DePew stated that the sewer system is unattached at this point. Chairman House informed Ms. Young that this has never been successful and the District has had problems with this type of situation. Dustin Jacobson voiced his concern and stated that no agreement can be controlled.

Board member Anderl stated that the sewer system would have to be in by the end of the construction of the home. Board member Weinstein questioned how much work was left to do on the sewer system. Mr. Jacobson replied that there are two lift stations and some line to be laid. Chairman House suggested an agreement to allow the District to dig up, at the developer's expense, if they hook up early and without permission. Mike Schmidt suggested North Kootenai Water Dist. and the County should be in on the agreement. Larry Comer agreed with Mr. Schmidt and Chairman House felt that Sandy Young should draft an agreement for review at the next meeting.

FENCE APPLICATION

Randy Mikels previously submitted an application to construct a fence and gate across the sewer easement on Northwood Dr. Dustin Jacobson felt that he should be treated like everyone else and if he meets all of the requirement for the size and material for the gate, he should be allowed to put it in. Board member DePew informed Mr. Mikels that the District does not replace landscaping of any kind if it is damaged in the process of the District or HARSB employees accessing the easement. **Board member Weinstein moved to approve the fence and gate, seconded by Board member Anderl. The motion was carried. The agreement for the fence and gate will be recorded at the County.**

FINANCIAL REPORT

Ken Thompson reviewed the financial reports for June and July, 2009 and suggested the Board start thinking about the rates again. Larry Comer asked Mr. Thompson when he would recommend a rate adjustment.

Mr. Thompson replied the first of the year. A hearing could be held after January 1, 2010. **Board member Anderl moved to approve the financial reports for June and July, 2009 and the invoices for payment. Board member Sewell seconded the motion. The motion carried.**

Mr. Thompson then reviewed the audit for FY ending 2006. **Board member DePew moved to approve the audit as presented, seconded by Board member Sewell. The motion carried.**

At 6:45 p.m. Board member Weinstein excused himself from the meeting.

PAY REQUEST #1 – LAWRENCE CONSTRUCTION

The first pay request from Lawrence Construction was submitted to the Board. **Board member Sewell moved to approve the pay request, seconded by Board member DePew. The motion carried.**

MEADOW WOOD

Larry Comer reported on the status of the Meadow Wood project and informed the Board that the force main has been installed and tested. There should be final completion by early September. The deed for the easement from Del Kerr needs to be recorded and Mr. Comer will take care of that.

WELL ABANDONMENT AGREEMENT

Mike Schmidt informed the Board that Mr. Parry has asked for an additional \$1,500.00. The agreement states that the Sewer District will pay the \$1,500.00 to run the service line and pay to abandon the well. **Board member Anderl moved to approve the agreement, seconded by Board member Sewell. The motion carried. A check for \$9,070.00 will be issued to Mr. Parry at the time he signs the agreement.**

BOARD DISCUSSION

Chairman House voiced his disapproval that the City of Hayden Lake gave its employee's a 3% wage increase this year after all other entities had put a freeze on wages.

Mike Schmidt had drafted a demand letter for the residents with fences on the Northwood Dr. easement informing them of work that will be done in September by the District. **Board member Sewell moved to approve the letter and send it out. Board member DePew seconded the motion. The motion carried.**

ADJOURN

At 7:05 Board member Anderl moved to adjourn, seconded by Board member DePew. The motion carried.

Kenneth Sewell, SECRETARY

Lynn M. Hagman, ADMINISTRATOR