

**HAYDEN LAKE RECREATIONAL WATER AND SEWER DISTRICT
MINUTES OF REGULAR MEETING
JANUARY 23, 2008**

CALL TO ORDER

Chairman House called the regular meeting of the Hayden Lake Recreational Water and Sewer District to order at 5:00 p.m. Board members present were Tom DePew, Dave Weinstein, Ken Sewell and George Anderl. Attorney Paul Harrington sat in for Mike Schmidt in representing the Board. Dustin Jacobson, Larry Comer, Ken Thompson and John Austin were also present representing the Board. Administrator Lynn Hagman recorded the minutes of the meeting.

Visitors present were Robert Tate of Tate Engineering and Mr. Stephens and Chris Cheeley.

AGENDA

Board member Ken Sewell requested an addition to the agenda; he would like to report on the City of Hayden meeting. Board member DePew also requested an addition to the agenda; he would like to discuss the program of the upcoming week. **With no further additions, Board member Weinstein moved to approve the agenda with additions, seconded by Board member Anderl. The motion carried.**

HAYDEN RIDGE PRELIMINARY

Mr. Tate from Tate Engineering, representing the Hayden Ridge project addressed the Board with the preliminary plat application which is pending at the County. Mr. Tate informed the Board that he has been working with Larry Comer and North Kootenai Water District on will serve letters that are needed for the preliminary plat. Larry Comer informed the Board that he has developed a long list for a conditional will serve letter if the Board were to consider it.

Larry Comer also stated that Mr. Chris Cheeley was present at the meeting and wants the same type of will serve letter. Mr. Comer stated that sewer capacity, site disturbance and how far they can go without a will serve letter is a concern for them.

Chairman House stated that the plans have to satisfy the County regarding the site disturbance ordinance. If requirements are met, the Sewer Dist. will move forward with it. Larry Comer informed the Board that the group wants a conditional will serve letter before the study is done. Mr. Comer feels more work needs to be done on the site disturbance first. He would like to see a demonstration of feasibility for lots of this type and this project is short of demonstrating that. There are soils information needed as well.

Board member Anderl questioned if the capacity issue had been looked at yet. Larry Comer replied that the study analysis will be done and the capacity issue is a mechanical issue. The existing main is 8" gravity line.

Larry Comer will draft a conditional will serve letter once Mr. Tate shows feasibility for the Board to review.

REPORT ON HAYDEN MEETING

Board member Ken Sewell reported on the City of Hayden Council meeting stating that there are 130 new ER's coming into Hayden via R. Rosenberger's Rocking R development. Chairman House discussed the plant and the amount of discharge into the Spokane River.

CITIZEN CONCERN

Mr. Stephens of 9247 N. Hart Lane addressed the Board with a sewer billing he had received. Mr. Stephens informed the Board that he bought his home in 1995 and there was a septic tank at that time so he hooked up to the sewer system. In November 2007 he had a conversation with Dustin Jacobson about being hooked up to the sewer and that he had not been charged. Mr. Stephens received a letter and a bill for the prior 4 years in the amount of \$1,440.00. Mr. Stephens did not feel this was a fair amount and offered to pay one half the amounts.

Board member Weinstein questioned Mr. Stephens on the sale of his home and if he was informed by the seller about the sewer. Mr. Stephens stated that the sellers are the ones who had the sewer hooked up and wanted to know whose fault it was as to why he has not received a bill until now.

Chairman House explained the staff issues over the years and explained to Mr. Stephens that now that the mistake has been rectified, he needed to pay the bill. Board member DePew felt that Mr. Stephens should be treated the same as others who have been back billed. Chairman House informed Mr. Stephens that the Board's offer was to pay for the 4 years. The charge is consistent with similar situations and based on established Board policy. Board member Anderl informed Mr. Stephens that he is getting off cheap due to the fact that he has used the sewer since 1995.

MINUTES

Following review of the minutes of November 28, 2007 and December 19, 2007, **Board member DePew moved to approve, seconded by Board member Sewell. The motion carried.**

FINANCIAL REPORT

Ken Thompson reviewed the invoices for payment. Mr. Thompson informed the Board that the sewer and water rates need to be reviewed and suggested the Engineer, Larry Comer look at the rates. Chairman House noted current depreciation reflected in amount was much less than predicted direction. The Board directed Mr. Comer to look at this for an analysis. Board member Sewell suggested sending a letter to the constituents informing them of an increase and makes the increase no larger than 5% which will require no public hearing. Chairman House was more in favor of a letter and inviting the public to discuss a rate increase.

Larry Comer suggested the Board have a more scientific approach to raising the rates. Hold a public hearing and increase the necessary amount. Board member Anderl would like Ken Thompson to look at the financial aspect of an increase and suggested Mr. Thompson and Larry Comer meet to discuss it. **Board member Weinstein moved to direct Larry Comer and Ken Thompson to begin the study needed to raise the rates for water and sewer. Board member Sewell seconded the motion. The motion carried.**

With no further discussion on the financial report, **Board member DePew moved to approve the invoices for payment and the financial report as presented. Board member Sewell seconded the motion. The motion carried.**

GEM SHORES/ HAYDEN HAVEN

Dustin Jacobson informed the Board that he has received a call from Tony Davis from DEQ who wants to know how many year around residents live in Gem Shores / Hayden Haven. Mr. Jacobson suggested sending out a survey to find out. Ken Thompson also informed the Board that the election for the water system take over by NKWD will be held on February 5, 2008.

IDEQ ENFORCEMENT / PLANNING

Chairman House discussed a letter he had sent to Mike Denney in October and has received no response. Mr. Denney feels that a public hearing is needed on the issue. Chairman House informed the Board a violation is occurring in the 25 foot set back. Permits have been issued by IDL to build a wall on land regulated by the County site disturbance ordinance.

Chairman House questioned the District's Attorney if he and Pat Braden, Kootenai County Attorney, if he could talk with Idaho Attorney General's office. Mr. Schmidt said he could look into this. Larry Comer felt that if a public hearing was held by IDL, this would trigger IDEQ to come to it. The Board will request a hearing with IDL. Chairman House will contact Mr. Denney.

Board member Weinstein moved to direct Chairman House to request the meeting rather than a public hearing with DEQ, IDL and the Sewer Board. Board member Anderl seconded the motion. The motion carried.

VOTING REQUIREMENTS

The voting requirements for a Recreational District were discussed. A qualified voter needs to be an Idaho resident and own property within the District.

LID EXPENSES

Certain bills have been sent to Mike Ornsby for reimbursement by Rimrock LLC. Ken Thompson felt that the 2.2 million dollars may not be enough if the Attorney's accept a lot of bills from the consortium. Board member Weinstein feels the Board should take the advice of Ken Thompson rather than the Attorney for who approves these bills. Larry Comer informed the Board that the bill for Attorney Mike Ornsby will be paid. Allwest, Smetana and Janet Robnett are bills that need approved. The Board felt that a bill from Janet Robnett is questionable, only if it is in the scope of work should it be paid.

CEDAR HILLS

Larry Spencer has filed an appeal on February 7, 2008 with the County regarding a subdivision within District boundaries. Previous letters sent out on this subject will be submitted at the appeal hearing. Board member Weinstein will deliver them.

S. HAYDEN LAKE RD.

Larry Comer informed the Board that the sewer analysis has been given to the applicants, Mr. Chris Cheeley.

GENERATOR UPDATE

Dustin Jacobson informed the Board that as soon as weather permits, they will start on the Thames Ct. generator. Mr. Comer stated that Avondale is on notice that the District will put the generator in the right of way.

SMA AMENDMENT

Board member DePew moved to direct Larry Comer to draft and send a letter to Dick Martindale at Panhandle Heath District regarding the Sewer District SMA. Board member Weinstein seconded the motion. The motion carried.

YELLOW BANKS STUDY

Larry Comer informed the Board that he had received a proposal from Dale Peck regarding the back bay study with a fee of \$8,400 for the research and inspection of the bay. Chairman House recommends PHD do the study. Board member Anderl felt that the summer months is when it should be done. Larry Comer will schedule the work after July 4, 2008. **Board member DePew moved to go forward with the study, seconded by Board member Weinstein. The motion carried.**

ADJOURN

With no further business before the Board, at 7:30 p.m. Board member Weinstein moved to adjourn, seconded by Board member Anderl. Motion carried.

Ken Sewell, SECRETARY

Lynn M. Hagman, ADMINISTRATOR