

**HAYDEN LAKE RECREATIONAL WATER AND SEWER DISTRICT  
MINUTES OF SPECIAL MEETING  
JULY 8, 2008**

CALL TO ORDER

Chairman House called the special meeting to order at 9:15.a.m. Board members present were George Anderl, Ken Sewell, Tom DePew and Dave Weinstein. Visitors present were Rod Twete, LHD, Monty Montgomery, LHD, Joe Wuest, LHD, Marv Lekstrum, LHD and Ryder Irvine, SI Construction, Dennis O'Hagan, SI Construction.

Chairman House asked for introductions and then informed all present that the topic of this meeting was to discuss the EPA fine and the portion that each entity would pay. Chairman House stated that all parties have a responsibility in the \$14,950 fine imposed by EPA. Chairman House reviewed the reasons for the permit and why the fine was imposed. Chairman House felt that the Hayden Lake Sewer District's responsibility was for not having the Sewer District's name on the permit which amounts to \$2,500 of the fine.

Joe Wuest from Lakes Highway District informed the group that Lakes Highway District expended a lot of money on erosion control and feels that SI Construction has an obligation. SI Construction did not have the necessary man power when it was needed. Mr. Wuest felt that Lakes Highway District is responsible for the project and with the long winter and bad weather; erosion control could have been handled better.

Dennis O'Hagen, SI Construction, stated that there was activity during the period the road was closed; they just could not be seen. Mr. O'Hagen feels they met the erosion control standards on E. Rimrock Rd. Mr. O'Hagen informed the Board that JUB Engineering inspected the site and directed SI to put certain measures in place regarding the erosion control. All measures were in place for winter in Sept. and LHD was to take over the maintenance of it.

Board member DePew stated that most of the runoff came from private property. Mr. O'Hagen felt that JUB should be partially responsible for the fine as well. Mr. Wuest stated that the paperwork was one problem and the contamination is the other problem listed on the fine and suggested the fine be split up that way. Mr. Wuest felt that LHD should deal with JUB separately.

Mr. Irvine stated that SI would bare a portion of the fine but feels strongly that because they were given a clean bill by JUB Engineering to close down for the winter; he doesn't feel obligated to pay any portion of the paperwork side of the fine.

Mr. Wuest felt that the majority of the fine is Lakes Highway District and JUB Engineering responsibility. Mr. Wuest stated that the project should have been shut down sooner due to bad weather. Mr. Wuest informed the Sewer District Board that he felt their portion was the \$2,500 and a small portion for east of Rimrock Rd. Mr. O'Hagen informed the Sewer District Board that LHD spent \$12,000 on erosion control in that area. Mr. Irvine stated that east of Rimrock Rd. equates to approximately one third of the project. Mr. Wuest felt that the Sewer District would pay one third of the fine.

Board member Dave Weinstein feels that SI Construction is not responsible for any of the paperwork issues. The portion that the Sewer District would pay should equate to the \$2,500 for no name on the permit, \$2,000 for erosion control and felt that going to \$5,000 would be ok. Lakes Highway District would deal with JUB and SI Construction separately. Sewer District Board members agreed with Board member Weinstein's breakdown of the District's portion of the fine. **Board member WEINSTEIN moved to pay \$5,000 to Lakes Highway District for their portion of the EPA fine. Board member ANDERL seconded the motion. The motion carried.**

ADJOURN

With no further business to discuss, **Board member Weinstein moved to adjourn at 10:00 a.m. Board member DePew seconded the motion. The motion carried.**

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Ken Sewell, SECRETARY

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Lynn M. Hagman, ADMINISTRATOR