

**HAYDEN LAKE RECREATIONAL WATER AND SEWER DISTRICT
MINUTES OF REGULAR MEETING
AUGUST 14, 2013**

CALL TO ORDER

Chairman Walker called the meeting to order at 9:00 a.m. Board members present were Ed Short, Ed Burke, Ed Graves and Carole Stringer. Attorney Mike Schmidt, Engineers Ashley Williams and Steve Cordes, Ken Thompson and Stephanie Sherman were present as representatives of the Board. Ken Windram was present as a visitor.

AGENDA / MINUTES

Board member Burke moved to approve the agenda for this meeting, seconded by Board member Graves. The motion carried.

Board member Burke then moved to approve the minutes of July 24, 2013 with a minor correction from Attorney Schmidt. Board member Short seconded the motion. The motion carried.

ENGINEER

Ashley Williams discussed the status of Mr. Johnson's ER. Mr. Johnson does not have an ER on his non-buildable lot and with this information the Board discussed waiving the fee for preparing the non-buildable covenant. Attorney Schmidt explained that the covenant is usually done on non-buildable lots with an ER for a refund. Attorney Schmidt suggested having Mr. Johnson sign the non-buildable covenant and to waive the fee for preparing and recording the document. The Board concluded that those with no ER on their unbuildable lot will have the \$300.00 fee waived for preparation and recording of the covenant. **Board member Stringer moved to waive the \$300.00 fee for the preparation and recording of the covenant of non-build ability for those who have no ER on their non-buildable parcel. Board member Graves seconded the motion. The motion carried.**

Ms. Williams reviewed Mr. Greene's status and informed the Board that he has a non-buildable lot and is filing for the non-buildable covenant and the District can refund his ER.

Ms. Williams discussed the North Kootenai Water District and informed the Board that they have two lots that were consolidated into one. One of these lots had an ER associated with it. Chairman Walker felt that the District should not charge for the ER due to this being another utility. Chairman asked Ms. Williams to research this further.

Ms. Williams discussed two similar property owners, Mr. Simmons and Rimrock Forest Estates. They have both been sent non-buildable letters with the buy- back option.

CANTERBURY COVE LIFT STATION

Ms. Williams discussed the Canterbury Cove project and informed the Board that Superintendent Jacobson met with the adjacent property owners and they have agreed to an easement. One of the property owners voiced his agreement as long as the work on the section with his fence, between Friar Dr. and Lakeview Dr. is done in the fall.

The estimate for this project will be approximately \$220,000 and the estimate for the Canterbury Cove lift station replacement was \$310,000. Re-routing and going to the gravity line will eliminate the lift station.

Board member Burke moved to approve the section where the fence is, between Friar Dr. and Lakeview Dr. be done this fall. Board member Graves seconded the motion. The motion carried. Attorney Schmidt will draft the easement with an agreement.

Ms. Williams discussed the possibility of the Canterbury Cove project needing a SWPPP (Storm water pollution prevention plan). Following research on this it was found that the District will not need a SWPPP for any of the lift station projects (including Canterbury Cove) due to the project being less than one acre for disturbance.

Steve Cordes explained the process for reimbursements from DEQ. Board member Graves asked for clarification that the Board makes the decision on which lift station will be done and when. Mr. Cordes confirmed that the Board will make all decisions regarding the project. Superintendent Jacobson stated that they estimate three lift stations to be done at a time. Board member Graves questioned if the Board sets the schedule and would the Board see the contractor's schedule before they start. Mr. Cordes replied that the Board will see everything.

Setting up a line of credit through the District's bank was discussed as a form of interim financing for the District improvements. Chairman Walker volunteered to go with Ken Thompson and speak with the bank.

Ms. Williams presented a reimbursement request in the amount of \$216,378.64 for administration and \$251,919.88 for engineering and design. The entire reimbursement packet including all invoices will be available at the District office. **Board member Stringer moved to authorize Chairman Walker to sign the request with the corrected numbers filled in. Board member Burke seconded the motion. The motion carried.**

Ms. Williams presented a chart to keep track of where the District is in the LID 7A budget expenditures and contracts awarded. Ms. Williams reviewed the chart with the Board and let them know that changes can be made in the chart if necessary.

ATTORNEY

Attorney Schmidt discussed the issue of three property owners who have split one lot. Each lot is non-buildable according to the County records and there is one ER associated with one of the lots. Attorney Schmidt discussed some options with the Board to remedy this situation with one of the options being the District refund one third of the ER to each owner if they execute the covenant to consolidate with each of their adjacent properties. **Board member Stringer moved to refund each property owner one third of the original cost of the ER, less the cost of the consolidation covenant, if they execute the consolidation covenant. Board member Burke seconded the motion. The motion carried.**

Attorney Schmidt informed the Board that Mr. and Mrs. Chmura have been delinquent in making their monthly payments on their ER's. Attorney reviewed the litigation and the agreement made between the Chmura's and the District and suggested a demand for payment be sent to them. In the meantime, the Chmura's have sent a check for the regular monthly amount with no interest added. Board member Stringer explained the agreement and that their monthly payments are with no interest.

Attorney Schmidt recommended another letter for the interest payment be sent. The Board agreed and asked Attorney Schmidt to draft the letter for the interest payment.

Correction letters were discussed and Attorney Schmidt explained that some individuals received notice that they had more ER's than they actually had or that they had one ER when in fact they may have had two. These are errors that have been found by staff and the individual has not contacted the District. The Board approved the correction letters be sent out.

ACCOUNTANT

Ken Thompson discussed the tentative budget for FY 2013/2014 and pointed out the changes that were made at the request of the Board. Superintendent Jacobson questioned if the portion of the Canterbury Cove project that entails the section between Friar Dr. and Lakeview Dr. along the fence could be done in this year's budget without going through the LID 7A. The Board felt that this would not benefit the District. Ken Windram suggested getting three quotes with non- Davis Bacon wages and then decides if it could be a capital project. The Board agreed this would be a good idea. **Board member Stringer moved to publish the tentative budget for the public hearing on August 28, 2013. Board member Graves seconded the motion. The motion carried.**

BOARD DISCUSSION

Board member Grave presented the Idaho Statute Title 16, Chapter 23 regarding engineering fees and discussed the HARSB project engineering fees. Board member Graves questioned if HARSB negotiated their engineering fees on the plant upgrade project and did they follow the Idaho Code criteria.

Mr. Windram explained that JUB Engineering was contracted to do the Facility Plan Agreement with the option to do the design work. The fees were negotiated for the services fees and presented to the HARSB Board which was approved. Mr. Windram explained that the plant budget for the project is 31 million dollars and JUB's engineering budget is 2 million dollars, this is 6.4% of the total project.

Chairman Walker discussed needing a representative from the Board for the Joint Powers Agreement discussions. Chairman Walker informed the Board that the group will consist of one member from each entity and no attorneys. Chairman Walker volunteered to be the District representative since he has the most history with the District. Ken Windram explained that if the member is on the HARSB Board then this will be a quorum and will need to be posted as a public meeting. Board member Stringer felt that having a quorum should be no problem, the meeting can be posted. **Board member Short moved to appoint Chairman Walker to the committee, seconded by Board member Graves. The motion carried.**

ADJOURN

With no further business before the Board, the meeting was adjourned at 10:45 a.m.

Todd Walker, CHAIRMAN

Lynn Hagman, ADMINISTRATOR

