

**HAYDEN LAKE RECREATIONAL WATER AND SEWER DISTRICT
MINUTES OF REGULAR MEETING
MAY 12, 2010**

CALL TO ORDER

Chairman House called the regular meeting to order at 9:00 a.m. Board members present were Ken Sewell, Dave Weinstein and Tom DePew. Board member George Anderl was absent. Dustin Jacobson, Larry Comer and J.D. Hallin from Lukins and Annis law firm were present as representatives of the Board. Lynn Hagman recorded the minutes of the meeting. Sandy Young was present as a visitor.

AGENDA

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

SANDY YOUNG

Sandy Young, representing Mark Graham of Toblers Marina, has requested the Board to recalculate the number of ER's being assessed to the restaurant since it is used only in the summer months. Mrs. Young referenced the District Ordinance 89-2 which has a chart to determine number of ER's. The ordinance allows the District to also calculate ER's by the estimated water usage over a period of time.

Mrs. Young informed the Board that she feels there is a problem with the estimated water usage she received from North Kootenai Water because it is unusually high and there may be a leak. There isn't 2 years worth of data for the water usage to estimate from. Mrs. Young asked the Board, under special circumstances, Section 2, 3.2 in the ordinance, the Board has the authority to adjust under special circumstances and would they do this.

Chairman House stated that the Board is not interested in changing the policy on seasonal use, which the ordinance does not allow for. Chairman House felt that the charges should continue as they are until more data can be received. The ER count may be too low because there has been more seating added since the original ER count was made. Chairman House suggested the seating be checked and more data collected.

MINUTES

The minutes of April 26th and April 28, 2010 were reviewed. **Board member DePew moved to approve the minutes as presented, seconded by Board member Sewell. The motion carried.**

AVONDALE GENERATOR

Dustin Jacobson informed the Board that he has received the engineering estimate for the installation of the Avondale generator. The installation will be approximately \$10,900 this will include putting it in. To relocate the panel will be approximately \$8,700 for electrical and the retro fit for the multi-smart will be approximately \$17,900. This would bring the total to approximately \$36,000.

Larry Comer added that there may be more site work needed and Lakes Highway District may require a barrier of some kind. If the multi-smart is not used it would cost \$17,900 less, which would bring the total cost down to about \$20,000. Dustin Jacobson stated that it will be cheaper to do this now rather than later.

Board member Weinstein moved to approve the entire estimate of \$36,000 plus an additional maximum of \$5,000 for the extra unforeseen costs, contingent upon the District receiving the funds from LID 6 and being in the bank by May 14, 2010. Board member Sewell seconded the motion. The motion carried.

LID 6 PAY OFF

The bank payment to close the loan on LID 6 was discussed. The payoff amount was for Friday, May 14, 2010 in the amount of \$1,804,333.70. **Board member Weinstein moved to direct District Administrator Lynn Hagman to pay this amount to Idaho Independent Bank on Friday, May 14, 2010 with Ken Thompson's approval. Board member DePew seconded the motion. The motion carried.**

KOOTENAI COUNTY IMPACT FEE RESPONSE

Board member Weinstein questioned the Board whether or not they wanted to respond to the County regarding their builder's impact fee. Board member Weinstein suggested the District give a response. Chairman House felt that an official statement in letter form should be hand delivered to each Commissioner. Board was in favor of this. **Board member Sewell moved to direct Board member Weinstein to draft a letter of support on the builder impact fees for Chairman House to sign. Board member DePew seconded the motion. The motion carried.**

Chairman House discussed the draft regarding HARSB anticipated NPDES compliance schedule. This draft has been sent to Mr. Brian Nickel, US EPA, Region 10.

EXECUTIVE SESSION

At 10:00 a.m. Board member Sewell moved to recess to executive session per ID Code 67-2345 (f) legal and (b) personnel. Board member Weinstein seconded the motion. A roll call vote was taken; Board member Weinstein, “aye”, Board member DePew, “aye” and Board member Sewell, “aye”. The motion carried.

Present in executive session were Chairman House, Board members DePew, Sewell, and Weinstein. Lynn Hagman, Larry Comer, Attorney J.D. Hallin and Dustin Jacobson.

At 11:30 a.m. the meeting was reconvened to regular session.

Chairman House rescheduled the regular morning meeting from June 9th at 9:00 a.m. to June 10th at 9:00 a.m.

Mr. Hallin was directed by the Board to draft a letter for Chairman House to sign, inviting Mr. Skala and Mr. Chmura to the June 10, 2010, 9:00 a.m. meeting to discuss their individual assisted living homes.

Dustin Jacobson was directed by the Board to meet with Ken Windram from HARSB to discuss duties between the District and HARSB.

An amendment to ordinance 89-2 will be drafted to add a definition of assisted living units.

ADJOURN

With no further business before the Board, at 11:40 a.m. **Board member DePew moved to adjourn, seconded by Board member Weinstein. The motion carried.**

Kenneth Sewell, SECRETARY

Lynn M. Hagman, ADMINISTRATOR