

SEELEY LAKE SEWER DISTRICT
REGULAR BOARD MEETING
January 16, 2020

Pat Goodover	President	PRESENT*	Walt Hill	Vice President	PRESENT
Mike Boltz	Director	PRESENT**	Davy Good	Director	PRESENT
Beth Hutchinson	Director	PRESENT	Felicity Derry	Secretary	PRESENT
Jean Curtiss	Manager	PRESENT	Kim Myre	Missoula Co	PRESENT

*Via Telephone

**Arrived at 5:19pm

Public Attendance - Appendix A

CALL TO ORDER:

The meeting was called to order by Walt Hill at 5:17pm at The County Satellite Office, located at 3360 Highway 83 N, Seeley Lake.

APPROVAL OF AGENDA:

Davy Good moved to approve the agenda as presented. Beth Hutchinson seconded the motion. There was no further discussion. The motion was carried.

Pat Goodover	Aye
Walt Hill	Aye
Mike Boltz	Absent
Davy Good	Aye
Beth Hutchinson	Aye

PRESIDENT'S COMMENTS:

None.

PUBLIC COMMENT:

Nathan Bourne noted that his questions were for items that would be covered later in the meeting.

CORRESPONDENCE:

John Richards

These were the letters that had been received at previous meetings.

Loren Rose

The Board discussed forming a committee to address the mill's complaint regarding the fee assessment. Pat Goodover appointed a committee of Walt Hill and Jean Curtiss to review the options. Discussion followed on the how the assessment methodologies could be used.

MINUTES:

November 17, 2019

Davy Good moved to accept the minutes for the November 17, 2019 meeting as presented. Beth Hutchinson seconded the motion. There was no discussion. The motion was carried.

Pat Goodover	Aye
Walt Hill	Aye
Mike Boltz	Aye
Davy Good	Aye
Beth Hutchinson	Aye

December 19, 2019

The minutes for the December 19, 2019 meeting were adopted as presented.

FINANCIAL REPORTS:

Invoices – December 2019

Felicity Derry reviewed the invoices for the Board. The Board discussed the Great West Engineering invoice and requested that a summary of work be included in the future. Discussion followed on the bid documents and who would receive them.

Davy Good moved to approve the invoices for payment as presented. Mike Boltz seconded the motion. There was no further discussion. The motion was carried.

Pat Goodover	Aye
Walt Hill	Aye
Mike Boltz	Aye
Davy Good	Aye
Beth Hutchinson	Aye

June 2019

Felicity Derry noted that Missoula County had closed out their financial year, so there were three months of financial reports. The June financial reports were reviewed for the Board.

July 2019

Felicity Derry reviewed the July financial reports for the Board and the District's reserve.

August 2019

Felicity Derry reviewed the August financial reports for the Board.

Davy Good moved to approve the financial reports for June, July & August 2019. Mike Boltz seconded the motion. There was no discussion. The motion was carried.

Pat Goodover	Aye
Walt Hill	Aye
Mike Boltz	Aye
Davy Good	Aye
Beth Hutchinson	Aye

MANAGER’S REPORT:

Jean Curtiss thanked the Pathfinder for helping to get the notice published in the paper for tonight’s public hearing. Jean Curtiss reviewed the information from Vince Chappell regarding the cost of drilling a well and testing for formaldehyde.

Jean Curtiss outlined the number of properties that would be connected in Phase I and the number of temporary right of entry forms that had been returned. The Board discussed how to ensure that people received the mailings if they were out of state.

Nathan Bourne and Jean Curtiss discussed if Rural Development (RD) would allow the District to go to bid without receiving 146 signed forms since the resolution to require connection had been passed.

In response to the correspondence from Frank Paxton and other landowners, Jean Curtiss noted that DEQ would require monitoring the groundwater in that area.

In response to John Richards’ concern regarding his properties, Jean Curtiss had been researching with the Midwest Assistance Program (MAP) sample policies for the Board to consider regarding latecomers and annexation.

Jean Curtiss was working through the remaining items to meet RD’s requirements to enable the District to go to bid.

The Board discussed developing a policy manual for the District.

Jean Curtiss outlined the status of the high school and Pine Street easements for the Board. The Board discussed the Pine Street easement.

Jean Curtiss had been researching some new grant money available from the US Economic Development Authority, which the District could apply for.

Walt Hill recessed the regular meeting at 6:04pm.

SEELEY LAKE SEWER DISTRICT **PUBLIC HEARING**

The public hearing was called to order by Walt Hill at 6:04pm at The County Satellite Office, located at 3360 Highway 83 N, Seeley Lake.

PUBLIC COMMENT:

None.

OLD BUSINESS:

Consideration of Requests to Amend Resolution#09072016A to Adjust the Boundaries of Sub-Districts 2, 3 & 4

Jean Curtiss noted that the Board was considering moving the boundary lines for Phase II (sub-district 2) to include Scott Smith's properties that were located north of sub-district 2, and Mike Lindemer's property, which included the RV dump & Lindey's, that was also adjacent to sub-district 2. Jean Curtiss outlined the pros and cons for moving the properties into sub-district 2.

Beth Hutchinson recused herself from the Board during this discussion. She was a property owner in Phase IV (sub-district 4) and wanted to voice public comment.

Beth Hutchinson questioned if the Smith house could be connected into sub-district 2 while leaving the large property in sub-district 4. The large property could be developed in the future, which would then help paydown the debt of sub-district 4. Jean Curtiss noted that the house would be connected by a service line that would not support increased density. Also, if it were to subdivide in the future the Board could dictate the terms. The Board discussed possible future development of the Smith property. Russ Giese noted that the Smiths were only requesting one connection for the house, the second property would not be connected, so it could remain in sub-district 4. Discussion followed on the effect that the boundary change could have on sub-districts 2 & 4, and the Board's control over possible future increased density. The effect of reducing the number of properties in sub-district 4 and the possible subdivision of the Smith property were discussed. The logistics of moving one Smith property to sub-district 4 rather than two were discussed.

Mike Lindemer commented that it was unlikely the Smith property would be subdivided due to the high-water level, but if later on a developer did want to increase the density on the property, latecomer and increased density fees would be charged, if the Board agreed to allow it. Discussion followed on any increased density on the Smith property having to hook up to the larger collection pipe for sub-district 4.

Jim Erven suggested that it could be advantageous for the Board to move the boundary line to allow a large portion of the Smith property to remain in sub-district 4 and a smaller portion with the house to be in sub-district 2. Jean Curtiss noted that was not the method of boundary change that had been noticed and it would have to be noticed for a subsequent public hearing.

Nathan Bourne asked if the District would pay for the pretreatment on Lindey's RV dump. Jean Curtiss replied that the property owner would be responsible to pay for the pretreatment. Discussion followed on connecting the RV dump to the sewer and requiring pretreatment.

Jim Erven noted that the community needed a RV dump station and the Health Department would support the Lindemer property being moved to sub-district 2. However, he wondered what the chances of keeping the RV dump station running were. Possibly leaving it in sub-district 3 would allow the owners more time to plan for pretreatment. Davy Good felt that the pros of moving the Lindemer property to sub-district 2 outweighed the cons. The Board discussed adjusting subdistrict boundary lines.

Davy Good moved to amend Resolution #09072016A as published in the Pathfinder dated January 9 and 16, 2020 to move the two Smith properties and the Lindemer property into sub-district No. 2. Mike Boltz seconded the motion. There was no further discussion. The motion was carried.

Pat Goodover	Aye
Walt Hill	Aye
Mike Boltz	Aye
Davy Good	Aye
Beth Hutchinson	Recused

ADJOURNMENT OF PUBLIC HEARING:

Walt Hill adjourned the public hearing at 6:37pm

SEELEY LAKE SEWER DISTRICT **REGULAR BOARD MEETING**

The regular meeting was reopened by Walt Hill at 6:37pm at The County Satellite Office, located at 3360 Highway 83 N, Seeley Lake.

OLD BUSINESS:

Legal Update

Pat Goodover noted that there had been a court hearing the day before and the judge had given the two attorneys 30 days to work out a solution for the schedule, or the court would. Also, to narrow down the actual issues. The judge was very clear that she did not want to hold up the project. The Board discussed the likelihood of the attorneys agreeing.

Discussion followed on the schedules, what was being negotiated and when the judge wanted completion. Walt Hill was surprised that the previous judgement which had requested that the plaintiffs produce evidence that the District had not followed statute was not mentioned.

By-Laws

Section 14 – Duties was the only section that had not been approved. All of the versions for consideration by the Board had been noticed as required. The addition of the conflict of interest language would be addressed at the next meeting.

Beth Hutchinson reviewed the content that the committee had recommended. Pat Goodover noted that Jon Beal strongly recommended referencing the resolutions, in addition to the law, to protect the Board. Discussion followed on Jon Beal's recommendations for the duties section and what constituted a district. Beth Hutchinson was concerned that Jon Beal's recommendations were too focused on litigation and were not a holistic foundation. Discussion followed on the original by-laws.

Davy Good added the Jon Beal's recommendations were to protect the Board from future lawsuits. Pat Goodover and Walt Hill agreed with this. Discussion returned to the duties of the Board and what constituted a district.

Walt Hill moved that Jon Beal's recommendations were legally correct and was in favor of using that language instead of the first part of section 14, as well as a, b, c, d, e, and f. Not g. The rest of the language should be placed in section 2 at the front. Davy Good seconded the motion. Beth Hutchinson noted that it did not contain a direct reference to the public. Discussion followed on the definition of the District, the duties of the Board and the corresponding MCA. Mike Boltz felt the Board should be guided by the District's attorney. The motion was carried.

Pat Goodover	Aye
Walt Hill	Aye
Mike Boltz	Aye
Davy Good	Aye
Beth Hutchinson	Aye

Pine Street Easement

Previously covered.

NEW BUSINESS:

Jim Erven asked when the District would be putting the project out to bid. Jean Curtiss replied that the District hoped the bidding would be in February.

Davy Good moved to approve Walt Hill signing the Stevens & Co. letter of engagement. Mike Boltz seconded the motion. There was no discussion. The motion was carried.

Pat Goodover	Aye
Walt Hill	Aye
Mike Boltz	Aye
Davy Good	Aye
Beth Hutchinson	Aye

NEXT REGULARLY SCHEDULED MEETING: February 20, 2020

ADJOURNMENT OF MONTHLY BOARD MEETING:

Walt Hill adjourned the meeting at 7:18pm

Attest:

Walt Hill, Vice President

Felicity Derry, Secretary