

# OFFICIAL IBSD MINUTES

## IBSD MEETING MINUTES – April 9, 2009

A special board meeting of the Board of Directors of the Iona Bonneville Sewer District, a political subdivision of the State of Idaho, was held at the District Office, 1555 E. Lincoln Road, Idaho Falls, Idaho on April 09, 2009 at 7:00 p.m.

Called to order by Chairman John Price at 5:08 p.m.

### Board Members Present:

John Price  
Glen Clark  
Mike Klingler  
Susan Ring  
Jason Blundell

### Public Attendees:

Cherese McLain  
Cindy Wellman – IBSD Manager  
Donna Bridges – IBSD Field Coordinator

1. Call for additional agenda items.
  - A. Change was made to the agenda to place the executive session agenda item first..
2. Executive Session, Idaho Code 67-2345, (f) To further discuss Beeches Corner recent developments.

MOTION: Mike moved, Susan seconded motion to move to executive session, Idaho Code 67-2345, (f) To further discuss Beeches Corner recent developments.

Susan – Aye, Mike – Aye, Glen – Aye, John – Aye, Jason – Aye (5-0) Aye

### **MOTION PASSED**

3. Return from Executive Session

MOTION: Glen moved, Jason seconded motion to return from executive session.

Susan – Aye, Mike – Aye, Glen – Aye, John – Aye, (5-0) Aye

### **MOTION PASSED**

4. Disconnections for non-payment of sewer bills.
  - A. Cherese discussed the problem of people not paying their sewer bill. IBSD is required by Idaho Code Chapter 42 to implement procedures for connection and disconnection. Cherese contacted DEQ to verify that IBSD is in compliance. DEQ advised Cherese that IBSD is outside of the requirements of the public utilities commission. DEQ regulations do not apply to IBSD, which means that IBSD can technically disconnect services.
  - B. Cherese suggested that the board implement procedures and to follow the Idaho Administrative Procedures Act. It allows for notice and hearings and provides for due process.
  - C. There is not a requirement for disconnection.
  - D. Since water is still coming into the building, an MOA or MOU would need to be done with the water supplier to disconnect their services.

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- E. Cindy addressed the problem that as of right now, many people in the District were told that the only way they can pay their bill is through a lien, as well as many people have been told that it is an option to pay their bill through a lien. She also stated that many people in the District are still unaware that they even have a sewer bill. Chereese said that formal legal process would be done to deliver the bill to the people which could include certified mail. Cindy explained that many homes in the District have the wrong names of people living there, or wrong addresses of owners not living at the property, so the certified mail will come back. Donna also brought up the wrong addresses when building permits are initially taken out for a corner lot which can turn out different.
- F. Glen and Susan both talked about the patrons who prefer to let the bill go to lien because the patron can then write the bill off on their taxes.
- G. Susan would like to have a process for disconnecting, even if we don't use it.
- H. Donna brought up the fact that if the patron pays, there is a timeline in how long we have to reconnect their service.
- I. Chereese will draw up the procedures and contact the various cities on the agreements.

MOTION: Susan moved, Jason seconded a motion to have Chereese start drafting draft procedures for disconnections of sewer lines

4-0, Aye, John abstains

## MOTION PASSED

Added agenda item by Chereese McLain – Separation of Ammon and IBSD patrons

- A. Chereese addressed the previous question from the Board about switching patrons between Ammon and IBSD. Chereese called Mick Ohman to question him and Mick said that Joel Tingey was involved with this in 1996 during the Ammon/IBSD lawsuit. Mick will contact Joel Tingey to ask him and then Mick will contact Chereese.
- B. Chereese researched the code and there are processes for annexation and to be removed for the board and patrons but they are subject to when IBSD is trying to put a levy. Chereese's conclusion is that there is nothing on the books.
- C. Mike felt that what IBSD would need to do is to notify the patrons who are in our area but flowing into Ammon's line, that due to the separation between IBSD and Ammon IBSD can no longer service the patrons and they must go with Ammon. Chereese felt that a joint letter from Ammon and IBSD would be appropriate.
- D. Glen is concerned about telling the patrons that they now must go with Ammon who is \$15+ more per month. Mike added that by keeping those patrons with IBSD, it would be exorbitantly high due to having to add lines and pressure mains.
- E. Donna did verify the counts and forward them to Forsgren. Donna and Cindy found a difference in 12 ERUs which will need to be verified with our current "below the meter" bill to Ammon.
- F. John and Glen expressed concern that Forsgren is working with Ammon on the current separation and that it might be best to have another engineer represent IBSD for gathering the options for separation. Susan, Cindy, Donna and Mike reminded the others that Forsgren was already approved in a previous meeting to gather the options.
- G. The Board talked about whether there was any conflict with Forsgren doing this, but felt that it was fine for them to be doing it, but that for the actual separation, another engineering firm should be brought in to work with IBSD. Donna stated that having a different engineering reviewing the work that Forsgren did for proposed separations was an option.

5. Added agenda item: Benefits

- A. Cindy asked for volunteers from the Board to be on the Benefits Task Force. Susan, Mike and Jason volunteered. Cindy will arrange times.

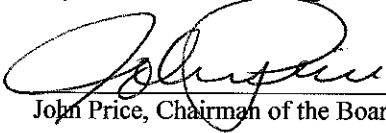
6. Executive Session results:

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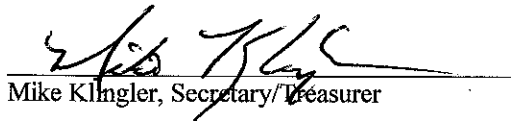
MOTION: Glen moved, Mike second motion that contingent on a final report from Forsgren that has the same substance in its conclusion as it was in its preliminary, in that the pipes aren't damaged to the effect prior, that the District would enter into a stipulated dismissal with the County with prejudice, everyone bears their own costs, and the reservation of rights to go after these past Engineers for their reports. (4-0) Aye, John abstains

**MOTION PASSED**

Adjournment: The meeting was adjourned at 6:33 pm

  
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John Price, Chairman of the Board of Directors

11-10-09  
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Date

  
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Mike Klingler, Secretary/Treasurer

11-11-09  
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Date