

# OFFICIAL IBSD MINUTES

## IBSD MEETING MINUTES – April 22, 2009

A special meeting of the Board of Directors of the Iona Bonneville Sewer District (IBSD), a political subdivision of the State of Idaho, was held at the District Office, 1555 E. Lincoln Road, Idaho Falls, Idaho on April 22, 2009 at 5:00 p.m.

### IBSD Board Present:

John Price  
Mike Klingler  
Susan Ring

### Board Absent:

Glen Clark  
Jason Blundell

### Also in attendance:

Cindy Wellman, Manager IBSD  
Donna Bridges, Field Coordinator, IBSD  
Cherese McLain, Attorney, EchoHawk Law Office

Meeting was called to order by John Price at 5:08 pm

1. Call for additional agenda items.
2. Additional item: Recall election for Susan Ring (added by John Price)
  - A. Discussion was had regarding a potential recall of board member, Susan Ring. As of 4/22/09 Susan was not aware of the recall and had not yet picked up her mail to receive the notification of the recall. After she picks it up, she has 5 days to either resign or not resign. If she chooses not to resign, a recall election will be held on August 4, 2009.
  - B. Susan made note that this would be spending the money of the patrons in the district to have this election. John clarified that by saying that IBSD was legally obligated to have the election should Susan choose not to resign. He further stated that IBSD was not behind the recall. Cindy told Susan that there would be information on her certified letter as to whom the person was who had initiated this recall election.
3. Discussion: Ammon Park – Easements
  - A. Donna briefed the board about Ammon Park and the potential problems with the current sewer line that extends our line into a parking lot in the new Ammon Park development. She questioned the board whether IBSD would want to take ownership of the line or leave it to be maintained and owned by the developer.
  - B. Donna showed the board where the area was and pointed out the various proposed lines and buildings including a proposed dental office, existing vet clinic, existing Ace Hardware, existing Walgreens and proposed vision clinic. IBSD has a development agreement for the Walgreens and Ace Hardware, but not for the other buildings. There would have to be easements if IBSD did accept the line so that maintenance could be performed.
  - C. John suggested that one option might be to put a metering station at the point where this development went to our main line. Susan stated that she understood that a continuous flow metering station is a problem to maintain. Mike said that there are other options for metering stations that are different than the ones in the past. Susan wondered who would maintain that metering station. Cindy felt concerned that we wouldn't know what was in the lines, unless a development agreement was in place.
  - D. John feels that IBSD needs engineering questions answered for this area as well as a plan for the entire area. Donna informed the board that she had spoken with Dallin Mortimer and that

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his dad, Dean Mortimer, would be in the area shortly and that as the owner, he should come in and speak to the IBSD board about this area.

- E. Cindy stated that Mike Ralphs from the City of Idaho Falls let IBSD know that the city is more than willing to maintain the lines in this area, as long as there are easements.
- F. Susan stated that she feels that IBSD does not have an engineer who is looking out for our best interests at heart. Forsgren works for both Ammon and IBSD. Mike suggested that we might need to put out an RFP for engineer work. Benton Engineering was the original engineer for this project, but now Schiess is the current engineer.

MOTION, Mike, Susan second that we go with an RFP to seek general engineering services for the District. 2-0 Aye (Mike, Susan) John abstains.

## MOTION PASSED

- G. Donna mentioned that she has a manhole report from the City of Idaho Falls that shows the manholes that need to be fixed. She said that we could send out an RFP for the repair of those items. Mike stated that we need a maintenance plan.
- H. Susan asked the board what we are currently doing with regards to the View Pipe reports. She said that there is infiltration into the pipes that needs to be fixed.
- I. The DEQ grant left IBSD as number 13 out of 12 who received funding. IBSD had requested money for a maintenance plan and an evaluation (not just a valuation) of IBSD's system from DEQ. This study would also address the infiltration issue and where it is located as well as providing a means to determine what our rates should be.
- J. Cindy mentioned that she was not aware of the infiltration, but that she would like to address it. The lines were videoed last year through View Pipe and done on a specific schedule. John said that some lines were found to be damaged, but they were fixed. Cindy asked if Marian was aware of the remaining lines that have infiltration. John felt that it is a problem that we don't have Mike Lund's plan that addresses these issues. Mike reminded the board that so far Forsgren was only tasked with submitting a letter to DEQ requesting funding for a maintenance plan, they were not tasked to do anything else with the maintenance plan.
- K. Cheresse advised the board that they should hold off doing anything with the maintenance plan until the board was certain that no funding would be available or that the grant language allowed for doing the maintenance plan first and being reimbursed for it.
- L. Cindy and Donna advised the board that the office has started to put together a visual plan that shows what videos we currently have and comparing it to a map of the district.
- M. Cheresse felt that the RFP was appropriate for lack of conflict of the engineering firms.
- N. Donna will go back to all the parties involved with Ammon Park to gather the information so that everyone understands what is going on with this project.

## 4. Sub-district information: Cheresse McLain

- A. Susan wants to have mailing labels to send out a newsletter to the people in her sub-district.
- B. Cheresse feels that on a policy standpoint, it would be good to notify everyone in the district that on a specific date this occurred and that IBSD did divide into sub-districts as per a resolution. Cheresse suggested doing a map on a smaller piece of paper or somehow let the patrons know who belongs to what district and having contact information for that board member representing that district. This could be done during a regular mailing (perhaps next month) and the patrons could come in to see if they fell into a particular district.
- C. Mike felt that at this time it would be difficult how to determine who belonged to what district due to boundaries.
- D. John felt that the people who wanted to know what district they are in could call in to find out that information.
- E. Cindy advised the board that Donna had created a user defined field in Caselle which could be populated with the sub-district number for that patron.
- F. The board discussed sending out a general notice of the zones with a small map in the next billing, and if the patron is interested, they can call in to request that information.

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- G. Cherese mentioned that while IBSD has the bylaws in draft form (revised version) under the sub-district section, no one board member is authorized to use expenses in the office. Cherese feels that reasonably the board members could but that one thing that might want to be added to the by-laws would be the ability to have access to the office so that if they wanted to do a mailing once a year the board member could as a sub-district representative. Mike stated that this might open up the option for board members to campaigning with district funds. Cherese felt that was more of a code of ethics issue and that it could be taken care of quickly. Cherese also felt that adding a page to the website for each board member's sub-district would be a good idea.
- H. Susan didn't feel this was the way to do it, but that someone else should write it because it was too nebulous. Mike agreed that it was too nebulous.

NO MOTION

- 5. Meeting attendance by attorneys: Cherese McLain
  - A. Cherese addressed whether she would be needed at each meeting. She said she can come to every monthly meeting and special meetings or she can come when the board specifically requests her to attend. She would like to provide the best representation, but do it in the most efficient manner possible. Cherese asked for guidance on this issue. In the past Cherese would review the agenda for the meetings and check with John and Cindy informally to see if there were any legal issues that might come up at the meeting.
  - B. Cindy stated that although the agenda for the monthly meetings go out the Friday before the meeting, there are changes that happen right up to the meeting time. Cherese said that she can be available by phone if necessary, or another attorney at EchoHawk can be available if she isn't.
  - C. The board discussed that each board member can either contact Cindy, or Cherese directly, if they desire Cherese's attendance at the meeting. Cherese can also look at the agenda to see if there was something that warranted her attendance.
  - D. Cherese said that no motion was necessary for this.
  - E. Susan asked about the bylaws and when the board was going to get together for it. Cherese would like to meet with the board to discuss the proposed bylaws as well as Robert's Rules. Cherese said that the board would go over it line by line to make any changes and that it would then go back out to the public again for comment as an official public comment period for a designated amount of time. (30,60 or 90 days) Then the new version would be passed.
  - F. John commented that even when it is passed and adopted, the bylaws are a work in process that can be modified and added to. Cherese commented that IBSD does have bylaws in effect, but that the sub-districts need to be added to it. And that those need to be in the bylaws so that there are some authority and who represents each sub-district.
- 6. Executive Session, Idaho Code 67-2345, (f) To further discuss Beeches Corner recent developments.

MOTION, Susan moved, Mike seconded motion to go into executive sessions pursuant to Idaho Code 67-2345 (f) To further discuss Beeches Corner recent developments.

Roll call vote: Mike – Aye, Susan – Aye, John – Abstains

MOTION PASSED

- 7. Return from Executive Session

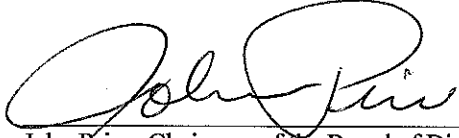
MOTION, Mike moved, Susan seconded motion that in light of the recent information brought to us, that he moves that we accept the new mutual agreement and release verbiage and the letter drafted to go under John Price's signature and Roger Christensen's signature, Dane Watkins and John Ohman's signatures and that this not be signed until we receive back from Forsgren the documentation stating basically what we heard previously that Beeches Corner does not appear to be the cause of damage in that line , an unreasonable or abnormal amount of damage in that line and that once we get that report

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if everything seems to be along the same lines as the report we received previously we agree to sign this document and move forward in absolving the conflict between us and Bonneville County.  
2-0 Aye (Mike Susan), John abstains.

MOTION PASSED

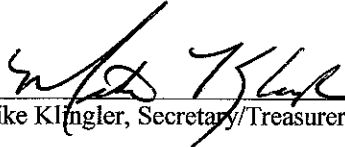
8. Adjournment – Meeting adjourned at 6:35 pm



John Price, Chairman of the Board of Directors

11-10-09

Date



Mike Klingler, Secretary/Treasurer

11-11-09

Date