

**IONA-BONNEVILLE SEWER DISTRICT  
MINUTES OF DIRECTORS  
September 18, 2008  
7:00 p.m.**

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A regular meeting of the Board of Directors of the Iona-Bonneville Sewer District ("District"), a political subdivision of the State of Idaho, was held at the Iona City Building, 3548 N. Main, Iona, Bonneville County, Idaho, on September 18, 2008, at 7:00 p.m. Notice of Meeting with the agenda thereon was posted. The office manager certified that such notice had been posted as required.

**CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by John Price, Acting Chairman of the Board, in the absence of Scott Criddle, Chairman

**ROLL CALL**

The following were present:

**DIRECTORS:**

John Price  
Susan Ring  
Mike Klingler  
Glen Clark

**ALSO PRESENT:**

Mike Lund, Engineer  
John M. Ohman, Esq., Legal Counsel  
Dorothy McCarty, Manager

**PUBLIC ATTENDEES:**

Various patrons of the District were present, as more particularly identified in a sign-in sheet which was circulated.

**SPECIAL COUNSEL IN ATTENDANCE:**

Cherise McClain, Esq.  
Tony Sasser, Esq.

## **PRIOR MINUTES**

Following review of the Board Minutes from the meeting of August 13, 2008, the Board approved same. However, the Board first discussed omissions relative to Open Meeting Law and the need for an Executive Session, specifically asking that the agenda for the next meeting include a notice of an executive session being called pursuant to §67-2345(a) (b) ( c) & (f)

## **MEETING FACILITY**

John Price reported his activities to date to identify alternate locations for IBSD meetings. His determination is that the District will be better off leasing, than building. He will further his efforts, and upon a later recommendation, call for a public hearing to discuss his recommendation.

## **ASHWOOD ACRES**

Mr. Price recognized Cherise McLain, Esq. and Tony Sasser, Esq., of Echohawk Law Offices, as special counsel to IBSD. Ms. Ring questioned whether Echohawk Law Offices had a conflict of interest because of Mr. Sasser's prior association with the law firm of Cooper and Larsen which represents the City of Ammon. Mr. Sasser disclaimed any conflict, but assured the Board he (and Ms. McLain) would fully examine the issue and disclose any conflict, if one becomes known.

Otherwise, discussion ensued regarding Ashwood Acres Home Owners Association and resolution of its concerns. A motion for Executive Session failed upon voice vote. Ms. McLain advised the Board that because of legal implications to IBSD, she would prefer an Executive Session, rather than an open meeting, to apprise the Board of findings to date.

An Executive Session of the Board, with Echohawk Law Offices, was then scheduled for Monday, September 22, 2008.

## **MARK MIKESELL - COUNTRY CORNER CARWASH**

Following remarks by Mr. Mikesell's attorney and engineer (Al Stephens, Esq., of Thomsen Stephens Law Offices, and Jared Bragg of Harper Leavitt Engineering), and contrary to the advice of engineer Mike Lund and manager Dorothy McCarty, Mike Klingler moved, and Glenn Clark seconded, that an immediate connection be allowed, and fees waived. That motion passed.

Mr. Lund and Ms. McCarty, as responsible charge operators, asked that their objections be noted.

Mr. Stephens acknowledged that any damage to IBSD's system by reason of operations

of the carwash would be his client's responsibility.


### PUBLIC PRESENTATION

Jeff Ring expressed concerns over actions by the Board and the direction of the District. Responsive comments were made by others, to include Mike Armstrong. David Benton, when denied an opportunity to speak for the reason that his remarks would be "off point" asked that the minutes reflect such denial.

### ADJOURNMENT

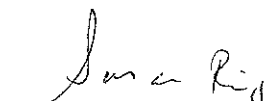
Acting Chairman John Price adjourned the meeting at 9:17 p.m.

Dated this \_\_\_\_ day of October, 2008.



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John Price, Acting Chairman



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Susan Ring, Secretary