

# OFFICIAL IBSD MINUTES

## AUGUST 19, 2009 IONA-BONNEVILLE SEWER DISTRICT (IBSD) REGULAR BOARD MEETING

Meeting called to order by Chairman John Price at: 7:00 p.m.

**Board Members Present:** John Price (Chairman); Mike Klingler; Jason Blundell; Glen Clark and newly appointed Kelly Howell

**IBSD Staff:** Cindy Wellman, Manager; Donna Bridges, Field Coordinator

**Attorney:** Tony Sasser, Echohawk Law Office

**Public:** Kevin Harris, Aaron Swenson, Allen Beazer, Blake Murray, Kelly Howell, Cindy Howell, Susan Farnsworth, Brenda Klingler, Sally Price, Paul Decker, Sarkis Boyadjian, Jared Bragg,

### Agenda Items:

1. Paul Decker – IBSD 4798 Patron request for decision from Board for removal of previous monthly sewer charges due to being unaware of sewer charges.
2. Sarkis Boyadjian – IBSD 811 – Patron request for decision from Board for sewer to be turned off due his home being vacant.
3. Blake Jolley – Harper-Leavitt Engineering, discussion and possible decision by Board for Riverbend Manor Sanitary Sewer.
4. Discussion of applicants and possible appointment of Director for seat #4 on the Iona Bonneville Sewer District.
5. Sunrise Engineering/GIS discussion and possible decision to proceed with obtaining the data from Sunrise for the software.
6. Policy: Discussion and possible decision regarding sewer lines with existing homes near lines, but not connected to them.
7. Discussion, review and possible decision regarding repairs needed for Centennial #1 Lift Station. Presentation of quote from Electrical Equipment Co.
8. Discussion and possible decision regarding seal coating the asphalt on patch repair at Free Ave.
9. Discussion: Ashwood Lane and Denning Ave update.
10. Update: LDS Church – Iona 10<sup>th</sup> Ward: Decision by Board regarding connection fee of \$13,100 charged on 08/13/2008. The amount is different (more) than what we charge for connections. Request for refund.
11. Discussion and decision regarding how to proceed with Panorama Hills, including existing lift station.
12. Status of RFP for engineers, banking and accounting consultation.
13. Ammon/Lincoln Park development – Discussion on how to proceed with development agreement.
14. Report to Patrons – Discussion and decision by Board to send out Report with September invoices
15. Discussion and possible decision regarding current public records request policies.
16. Review: Status of District survey
17. Decision by Board regarding maturing CD at Wells Fargo.
18. Discussion and possible decision regarding purchase of color printer for office.
19. Discussion: Tony Sasser, sub-districts
20. Scheduling of meeting for Employee Benefits/PERSI.
21. Discussion and decision by board regarding lease extension for District office.
22. Discussion and decisions related to status of lot and next steps for construction.
23. Payment of bills including any transferring of funds to pay the bills.
24. Approval of Minutes, plus discussion and decision of future taking of minutes – 2/11/09, 4/9/09, 5/7/09, 5/20/09, 6/1/09, 7/7/09
25. Executive Session: Idaho Code: 67-2345 – (f) Potential litigation

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## 26. Adjournment

**Meeting minutes:** For additional information, please reference the meeting recording.

### 00:00:30 PATRON REQUEST: REFUND OF SEWER CHARGES

Paul Decker stated he phoned the office at the end of 2008 to ask for service to be disconnected for vacant office building he rents out. He says he did not get a phone call but assumed everything okay. Last month he received a delinquent notice for the account making him aware of past due balance; all previous invoices had been returned as undeliverable. He is requesting the bill be forgiven and disconnected since his office is not used.

Mr. Blundell asked if Mr. Decker had noticed the lien on his property taxes when he received the bill from Bonneville County and he had not. The service fees were \$63.97 for filing and late fee. Chairman Price said that the service fees could be reversed and credited to account as well as not incurring additional late fees until balance is paid off.

00:17:15

### 00:17:15 RECORDING OF MEETINGS (NON-AGENDA ITEM)

**MOTION:** Mr. Clark made a motion that the recorder be turned off and that we return to doing minutes the old way. Motion failed due to no second.

00:17:55

### 00:18:00 PATRON REQUEST: SEWER DISCONNECT IN VACANT HOME

Sarkis Boyadjian requested sewer be turned off in the home he is vacating. Chairman Price stated the line must be dug and concreted at his expense in order to be considered disconnected. Mr. Boyadjian does not want to pay sewer bill while the house is vacant and listed for sale. Ms. Wellman suggested the title company could pay the bill with proceeds from sale of home.

The water company is Falls Water. Mr. Klingler stated that a policy had been suggested before to set up an arrangement with water companies to verify that water service is shut off/reconnected and discontinue billing when there is not water service.

**MOTION:** Mr. Klinger made a motion to allow for disconnects contingent on working out a relationship with water companies notifying us of disconnect and reconnect notices. **MOTION SECOND:** Mr. Blundell.

**MOTION PASSED:** (Yay: Mr. Blundell, Mr. Klinger, Mr. Clark; Chairman abstains)

Chairman Price stated that this situation would apply to Paul Decker and asked Ms. Wellman to contact him regarding the policy change.

00:27:20

### 00:27:25 HARPER-LEAVITT ENGINEERING: DE-ANNEXATION REQUEST FOR RIVER BEND MANOR AREA

Jared Bragg with Harper-Leavitt Engineering, the Engineer for River Bend Manor subdivision, presented design problems with this project. The design had been done with City of Ammon approval but not realizing the project was within district boundaries. There are three options to solve the sewer problems since the

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manhole (on John Adams Parkway) depth does not allow gravity feed for the entire project. Five lots can be gravity fed but the remaining six, on the east side, cannot.

The first option is to lift the elevation by adding fill material. Estimated cost would be over \$200,000. Another option would be a lift station to serve six lots which would be \$40,000-\$50,000. The preferred option is to let the problem lots feed into the City of Ammon system which requires a district boundary change.

It was decided that a meeting with City of Ammon should be scheduled to discuss this further. Harper-Leavitt will investigate further what is involved in this process. Mr. Klingler stated he would like to establish a reciprocal agreement between the City of Ammon and the IBSD identifying what to do in situations like this. Mr. Tony Sasser was asked to research the legalities of this as well.

00:38:30

## 00:38:50 BEECHES CORNER (NON-AGENDA ITEM)

Ms. Wellman brought up a possible agenda item that would have to be voted on regarding the status of Beeches Corner. Chairman Price and Mr. Clark did not think this subject needed to be discussed. Chairman Price continued saying the situation was that the line connecting the dump station is broken. Bonneville County has had a couple blockages and was looking at adding a larger line but due to the expense decided to just repair the line. IBSD and City of Idaho Falls will remain informed on the situation.

00:40:30

## 00:40:30 APPLICANTS FOR SEAT #4 DIRECTOR

Seat #4 is vacant due to the recall election. Five applications have been received; Kelly Howell, Blake Murray, Allen Beazer, Keith Morse, and Todd Simon. Chairman Price noted the Board had 30 days to fill the seat, or until September 4<sup>th</sup>, and asked to hear from the three applicants in attendance.

A discussion was had regarding how the selection should take place, either open meeting or executive session. After review, it was decided that there was not a statute for executive session and that the decision should be made in open meeting.

00:54:40

01:27:30

After checking with his office, Mr. Sasser recommended that the decision be made during an open meeting.

**MOTION:** Mr. Klingler made a motion to recommend Kelly Howell for Seat #4. **MOTION SECONDED:** Mr. Clark seconded motion based on review of applications. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Clark; Nay: Mr. Blundell asked for additional time for consideration; Chairman abstains)

Newly appointed Mr. Howell took his seat.

01:35:10

## 00:54:45 SUNRISE ENGINEERING/GIS DATA

Sunrise Engineering has the data files for the district GIS, replacing the missing files that have not been received from previous management, dating back to 2006. Mr. Klingler stated this topic should be tabled for another meeting since there are legal issues involved. Chairman Price concurred and tabled the discussion for another meeting.

00:56:30

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## 00:56:30 EXISTING HOMES NOT CONNECTED

Chairman Price stated the board is aware of unconnected homes on Iona Road where a new line was installed to serve a subdivision and that there is the possibility residence may want to connect to the line.

During the survey there have been a number of houses with lines running parallel to properties but we do not have accounts for them. Chairman Price asked that property owners be contacted and investigate and verify if there is a connection.

01:02:45

## 01:02:50 REPAIRS FOR CENTENNIAL #1 LIFT STATION

The Board reviewed the recommendations from the City of Idaho Falls regarding the Centennial #1 lift station. An approximately \$4,000 repair is needed to upgrade per an Electrical Equipment quote. Ms. Wellman has requested additional quotes.

**MOTION:** Mr. Klingler made motion to go ahead with repairs based on recommendations made by City of Idaho Falls after additional bids are received and have low bidder perform the work. **MOTION SECOND:** Mr. Clark. **MOTION PASSED:** (Yay; Mr. Klingler, Mr. Clark, Mr. Blundell; Chairman abstained)

01:05:25

## 01:05:25 SEAL COATING ASPHALT PATCH REPAIR ON FREE AVE.

Mr. Klingler stated seal coat repair needs to be done for the section of line IBSD replaced on Free Avenue. The City of Iona requires we bring the asphalt back to preexisting condition therefore seal coating is required.

**MOTION:** Mr. Clark moved that the repair be made contingent upon low bidder. **MOTION SECOND:** Mr. Klingler. **MOTION PASSED:** (Yay: Mr. Clark, Mr. Klingler, Mr. Blundell; Chairman abstained)

01:08:00

## 01:08:00 ASHWOOD LANE AND DENNING AVE UPDATE

### **Denning Avenue:**

Mr. Clark stated Lyndon Kunde spent three days making the repair on Denning Avenue. The pipe had significant amounts of concrete in low spot/dip area in the pipe. Aaron Swenson with Forsgren Engineers stated the repair done meets the flow requirements although the slope requirement could not be met unless the entire line was replace. He is satisfied with the repair.

### **Ashwood Lane:**

Ms. Bridges reported on the repair done on Ashwood Lane for the recurring sinkhole near the intersection of Iona Road. It was determined that the culvert did not have a leak as evidenced by a lack of moisture in the soil and the compaction was not done correctly for a previous repair. Landon Excavation made the repair and will pave in early October.

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It was also noted at the site that the problem area was the low spot in the road and there was not proper drainage for runoff. Mr. Klingler has spoken with Zech Prouse who agreed the drainage was a City of Iona issue.

01:17:30

## 01:17:30 UPDATE: LDS CHURCH – IONA 10<sup>TH</sup> WARD REFUND

The Board had asked for research on previous decisions regarding connection fees for churches. Ms. Bridges, having reviewed meeting minutes to 2004, laserfische records and resolutions, presented her findings. The only reference to connection fees is dated to a meeting held in March, 2005 read by Chairman Price. He believes there was additional discussion on the topic that was not included in subsequent minutes. This issue will be considered again after additional information is gathered.

01:27:20

## 01:35:10 PANORAMA HILLS LIFT STATION STATUS

Chairman Price has spoken to Brady Belliston, one of the partners for this development, who is paying for power to lift stations. He requested that the developer put documentation together and present it for official acceptance of system by the IBSD.

Chairman Price asked the staff to research the status for the line on Iona Road. This is for the area near Blacktail Ridge and Lincoln Road. There are people who may want to connect to the line in this area but IBSD must take ownership before this can happen.

01:40:00

## 01:40:00 RFP FOR ENGINEERS, BANKING AND ACCOUNTING CONSULTATION

Request for proposals for engineering, banking and accounting services need to be prepared. The engineer RFP is for general engineering services. The engineer is selected based on qualifications and the scope is defined after selection. Echohawk will review the draft and prepare the accounting and banking requests. Chairman Price would like to have the RFP's prepared and advertised in the next couple weeks.

01:48:55

## 01:48:55 AMMON PARK DEVELOPMENT AGREEMENT

Currently there is not a development agreement in place for the Ammon Park Development. The new owners are platting the properties individually in a piecemeal fashion. Chairman Price requested a comprehensive plan be submitted by the developer with roads and sewer lines; changes and amendments can be made later.

01:52:30

## 01:52:30 REPORT TO PATRONS WITH SEPTEMBER INVOICES

A report has been prepared to be sent with September invoices.

**MOTION:** Mr. Blundell moved that the newsletter be sent with suggested changes in the next invoice.

**MOTION SECOND:** Mr. Klingler seconded. **MOTION PASSED:** (Yay: Mr. Clark, Mr. Klingler, Mr. Blundell; Chairman abstained)

02:05:40

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## 02:08:15 PUBLIC RECORDS REQUEST POLICY

Public records request policy is set by state statutes. There have been a couple requests for standing requests for future records.

Mr. Klingler stated there has been discussion on placing the meeting minutes on the website so they are available online. There is a website, [www.sewerdistrict.com](http://www.sewerdistrict.com), but it has not been developed. He will pursue this and see if perhaps there are other public entities doing this so we don't have to "reinvent the wheel."

**MOTION:** Mr. Klingler made a motion to have the website developed so that meeting minutes and recordings can be posted. **MOTION SECOND:** Mr. Blundell seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Clark, Mr. Blundell; Chairman abstained).

02:13:15

## 02:05:40 MATURING CD AT WELLS FARGO

A Certificate of Deposit for \$200,000 is maturing on September 1<sup>st</sup>. The board discussed the possibility of moving it from Wells Fargo to another bank as well as moving it into something more liquid. The board concurred this certificate is not critical and that they would let it roll over for another one year period.

02:07:45

## 02:13:20 STATUS OF DISTRICT SURVEY

Ms. Bridges presented the board with a map showing which areas of the district have been surveyed. To date she has identified several properties that do not have accounts and several that do have accounts but are vacant. She also stated she is trying to identify all commercial properties.

02:15:20

## 02:15:30 COLOR PRINTER FOR OFFICE.

Yost has brought a couple choices for a color printer to the office. First is a basic color printer for \$945.00 plus black & white \$0.015 per copy or \$0.075 for color for the maintenance. The second option is to trade in our current copier and get the color equivalent; this would cost \$7,602.00 plus B&W \$0.0093 or \$0.00055 for maintenance.

**MOTION:** Mr. Klinger made a motion to purchase basic color printer with maintenance for color and toner. **MOTION SECOND:** Mr. Clark. **MOTION PASSED:** (Yay; Mr. Klingler, Mr. Clark, Mr. Blundell; Chairman abstained).

02:24:00

## 02:24:00 STATUS OF SUB-DISTRICTS

Tony Sasser asked for this issue to be tabled until the next monthly meeting. Eileen McGovern, in his office, is working on this issue and has additional information.

02:24:20

## 02:24:20 SCHEDULING OF MEETING FOR EMPLOYEE BENEFITS/PERSI

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Ms. Wellman asked for a meeting to be scheduled to discuss benefits for employee retirement. Mr. Klingler asked if this could be an additional agenda item for the special meeting scheduled in early September.

02:28:30

## 02:28:30 LEASE EXTENSION FOR DISTRICT OFFICE

Ms. Wellman stated the lease can be extended with a 3% rate increase to go month-to-month. This is in the original lease agreement. The board concurred this is what will be done until the building is completed. No motion necessary.

02:29:10

## 02:29:10 STATUS OF LOT AND NEXT STEPS FOR BUILDING CONSTRUCTION

**MOTION:** Mr. Clark made motion to decide on a floor plan and have plans drafted so the bidding process could begin and also to form a committee of one or two to get bids out. **MOTION FAILED:** no second.

The Board reviewed and discussed the floor plan for the proposed building. Mr. Blundell will take care of the changes and have an architect draw the plans up. Ms. Wellman stated she had been contacted by Business Phone Specialist offering assistance. Mr. Clark asked for a special committee to be established for the purpose of proceeding with construction plans. He does not believe the building discussions need to take place during open meeting and does not want the process to take longer than necessary.

02:35:50

## 02:35:50 PAYMENT OF BILLS INCLUDING TRANSFERRING OF FUNDS

**MOTION:** Mr. Blundell made a motion to pay the bills. **MOTION SECONDED:** Mr. Klingler. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Blundell; Nay: Mr. Clark; Chairman abstained)

**MOTION:** Mr. Klingler made a motion to transfer 300,000.00 from Wells Fargo Bank to U.S. bank to pay bills. **MOTION SECONDED:** Mr. Blundell. **MOTION PASSED:** (Yay: Mr. Clark, Mr. Blundell, Mr. Klingler; Chairman abstained)

02:50:55

## 02:50:30 APPROVAL OF MINUTES – 2/11/09, 4/9/09, 5/7/09, 5/20/09, 6/1/09, 7/7/09

Mr. Blundell stated he wanted to make revisions to the 06/01/2009 where it stated he had referred to an accounting report as accurate.

**MOTION:** Mr. Blundell made motion to approve the minutes as changed. **MOTION SECONDED:** Mr. Klingler. **MOTION PASSED:** (Yay: Mr. Clark, Mr. Blundell, Mr. Clark; Abstain: Chairman Price)

02:56:35

## 02:56:35 EXECUTIVE SESSION: IDAHO CODE: 67-2345 – (f) Potential litigation

Chairman Price asked that the Board move to Executive Session pursuant to Idaho Code.

**MOTION:** Mr. Klingler made the motion to move to executive session. **MOTION SECONDED:** Mr. Clark. **MOTION PASSED:** (Yay: Mr. Clark, Mr. Blundell, Mr. Clark; Abstain: Chairman Price)

Returning from executive session to open meeting Chairman Price asked for a motion to adjourn.

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00:00:00 – TAPE 2

00:00:20 – TAPE 2      ADJOURNMENT

**MOTION:** Mr. Klingler moved to adjourn meeting. **MOTION SECOND:** Mr. Clark. **MOTION PASSED:**

(Yay: Mr. Klingler, Mr. Clark, Mr. Blundell; Chairman abstains)

The meeting Adjourned at 10:25 p.m.

  
\_\_\_\_\_  
John Price, Chairman of the Board of Directors

11-11-09  
Date

  
\_\_\_\_\_  
Mike Klingler, Secretary/Treasurer

11-11-09  
Date