

OFFICIAL IBSD MINUTES

FEBRUARY 23, 2011
IONA-BONNEVILLE SEWER DISTRICT (IBSD)
MONTHLY BOARD MEETING

Meeting called to order by Board Member Jason Blundell at: 7:00 p.m.

Board Members Present: Mike Klingler
Jason Blundell
Glen Clark
Kelly Howell

John Price (Chairman) - absent

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

Attorney: Tony Sasser, Sasser Law Office

Public: Nancy Long, patron
Richard Clayton, Clayton Real Estate
Chris Schmalz, patron
Robert Esplin, patron
Kurt Roland, Eagle Rock Engineering
Paul Snarr, Eagle Rock Engineering
Kevin Harris, Forsgren Engineering
Bill Manwill, Forsgren Engineering

Agenda Items:

1. IBSD 2486, Discussion regarding sewer bill for preschool, Nancy Long
2. IBSD 2463, Discussion regarding sewer bill for vacant building, Chris Schmalz
3. Petition for Annexation, Dick Clayton for Catherine Linderman
4. Sewer service for new subdivision on Hitt Road: Eagle Rock Engineering
5. Possible participation in aerial photography project with the City of Idaho Falls
6. Mainline connections – Inspections by qualified person: Sasser Law Office
7. Bonneville County hardship cases: Review and possibly change IBSD current policy.
8. Discussion: March newsletter
9. Review and possibly change existing policies for IBSD late charges.
10. Status of Pheasant Grove acceptance of lines
11. Panorama offsite sewer line
12. Revised IBSD Investment Policy: Sasser Law Office
13. Building Update: Rain gutters
14. Laptop and 64 Bit compatible software requirements
15. Scheduling of work meeting
16. Possible refund of sewer connection fees: Taft Dire (addition to agenda)
17. Payment of bills
18. Approval of Minutes: 1/26/2011
19. Executive Session: Idaho Code 67-2345 (c) To acquire an interest in real property which is not owned by a public agency, (f) Pending litigation
20. Adjournment

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

Ms. Wellman stated there is an addition to the agenda for a refund for overpayment of sewer connections charges.

MOTION: Mr. Howell made a motion to add to the agenda a discussion on sewer connection fee refund to Taft Dire. **MOTION SECONDED:** Mr. Klingler seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)

00:01:50

00:01:50 **IBSD 2486, DISCUSSION REGARDING SEWER BILL FOR PRESCHOOL, NANCY LONG**

Nancy Long runs a preschool out of her home for nine months of the year. She is asking that the second account that was set up for this business be waived for the three month of the year the daycare is not in session. The Board discussed that there is not currently a policy for home-based businesses in place.

MOTION: Mr. Howell made a motion to suspend charges on the second account until such time that a policy and rate has been established that addresses daycares. **MOTION SECONDED:** Mr. Clark seconds. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)

00:11:00

00:11:00 **IBSD 2463, DISCUSSION REGARDING SEWER BILL FOR VACANT BUILDING, CHRIS SCHMALZ**

Chris Schmalz asked the Board to abate charges on the car wash on Main Street in Iona. The car wash has not been in use for numerous years. He believes the water is disconnected. Mr. Blundell stated this would fall under the water disconnect policy.

MOTION: Mr. Clark made a motion to waive the H2O disconnect/reconnect fee for Mr. Schmalz, account 2463. **MOTION SECONDED:** Mr. Klingler second. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)

00:17:25

00:17:25 **PETITION FOR ANNEXATION, DICK CLAYTON FOR CATHERINE LINDERMAN**

Richard Clayton presented a petition for annexation for a property that is within the jurisdictional area of the District, northwest of the Ammon Road and Yellowstone Hwy. intersection. Catherine Linderman is in the process of selling this land but the potential buyer wants to make sure sewer service will be available in the future. He is asking to annex the jurisdictional area with the hope of trading annexed area for area outside jurisdictional area at a later date.

After discussion the Board asked to table this discussion until the City of Idaho Falls could be contacted. Mr. Clayton stated he does not know the intended use for this property; he is just

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trying to get it annexed for possible future connection. He understands that engineering drawings will be required for permitting but at this time the buyer is purchasing for a long term investment.

00:34:00

00:34:00 **SEWER SERVICE FOR NEW SUBDIVISION ON HITT ROAD: EAGLE ROCK ENGINEERING**

Paul Snarr, Eagle Rock Engineering, is working on a proposed subdivision on Hitt Road, north of Lincoln Road. This area is within the IBSD jurisdictional area but there is not sewer service available. Mr. Snarr stated that the nearest line is on Lincoln Road but the City of Idaho Falls has indicated additional connections will not be allowed on this line per agreement with IBSD.

This subdivision is Division 2 of Yellowstone Industrial Park; Division 1 is served by individual septic systems. Mr. Snarr is requesting a letter stating that IBSD cannot serve this area.

MOTION: Mr. Klingler made a motion to deny the connection since service is not available and direct the staff to prepare a letter stating that IBSD cannot serve this area.

MOTION SECONDED: Mr. Howell seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)

00:44:45

00:44:45 **POSSIBLE PARTICIPATION IN AERIAL PHOTOGRAPHY PROJECT WITH THE CITY OF IDAHO FALLS**

Ms. Wellman stated that she has had conversations with the City of Idaho Falls in regards to an aerial photography project that is being proposed. The City of Idaho Falls indicated that they are hoping to have it budgeted this year with the hopes of starting the project next year. If IBSD, or other participants, joins this effort the costs can be reduced.

The Board discussed participating stating they would like additional information when it is available.

00:49:25

00:49:25 **MAINLINE CONNECTIONS – INSPECTIONS BY QUALIFIED PERSON: SASSER LAW OFFICE**

Mr. Sasser review the proposed policy change for mainline connections discussed at the previous meeting (January 26, 2011) and asked Ms. Bridges to review the existing policy.

Ms. Bridges stated that the current policy for a mainline connection requires an inspection with a \$200.00 fee. Prior to connection it is requested that 48-hours advance notice be given to arrange an inspection and upon completion a report with photos is provided to IBSD.

Mr. Sasser believes that if a list of inspectors is provided with the option of letting contractors choose there could be problems in controlling inspections and believes the current procedure is safer with less liability for IBSD. He recommended leaving the policy "as is."

00:53:15

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00:53:15 **BONNEVILLE COUNTY HARDSHIP CASES: REVIEW AND POSSIBLY CHANGE IBSD CURRENT POLICY.**

Mr. Blundell asked Ms. Wellman to state the current IBSD policy. She read the policy below:

“RESOLVED, that the Board determine at this time to not grant a waiver of exemption of the assessment which had been certified to the County Tax Assessor to be placed upon the County tax rolls, and that the Board adopt a policy that such assessments be retained upon the rolls, but be deferred as far as collection is concerned, and that such properties do not be placed upon the rolls for a tax deed to be issued solely upon the taxes caused by the delinquency assessments of the District.” (09/12/1990)

Ms. Wellman stated there is a patron requesting a “hardship” from Bonneville County. She asked the Board to readdress this issue since it is a rare circumstance.

Mr. Klingler stated he would like to see a fund established that would allow patrons to contribute voluntarily and be used to assist patrons who are struggling with their bill. An application with criteria could be created so that hardship could be determined.

The Board discussed several ways of funding including using a portion of late fees and allowing patrons to donate to a fund as well as the process of applying and advertising this policy. The Board will review this further and make a decision later.

01:09:15

01:09:15 **DISCUSSION: MARCH NEWSLETTER**

Mr. Klingler stated that sending a March newsletter with more information on the IBSD decision regarding the East Idaho Regional Wastewater Authority project was discussed at the previous meeting (January 26, 2011) but upon further consideration he thinks sending another newsletter may confuse the issue. He believes the City of Idaho Falls should provide additional information and as this information is provided, it will be passed along to patrons.

01:10:55

01:10:55 **REVIEW AND POSSIBLY CHANGE EXISTING POLICIES FOR IBSD LATE CHARGES.**

Mr. Klingler stated that currently if there are late fees on an account then late fees can be charged on the late fee. He would like to see a minimum amount before a late fee is charged. He would also like the period of time extended before a late fee is charged.

Ms. Wellman stated her concern is giving balances when title companies call for assessments. The Board discussed how this would work and suggested delaying the late fee billing by fifteen days. The staff was directed to move forward with this and bring any administrative issues back to the Board.

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Mr. Esplin stated that setting a minimum amount would correct the problems without pushing the billing forward to another date.

MOTION: Mr. Klingler made a motion to set a minimum amount greater than the monthly fee (\$28.00) before late fees are assessed on the first day of the following month after billing. **MOTION SECONDED:** Mr. Howell seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)

01:26:00

01:26:00 STATUS OF PHEASANT GROVE ACCEPTANCE OF LINES

Ms. Bridges reported that the Pheasant Grove subdivision has gone beyond the one year warranty period without submitting the final video report. She has spoken to the developer who has indicated he will have this done but there is not anything in place to compel the cameraing to be done. Until IBSD accepts the lines the developer is responsible for the line if there are problems.

The Board discussed various ways to compel the developer to camera the lines including requesting the City of Idaho Falls to camera the line a second time or by stop issuing permits beyond the one year warranty until this requirement is meet. It was also discussed that a fee be assessed during the development agreement to be held for this purpose.

MOTION: Mr. Klingler made a motion to amend the development agreement to include a fee for videoing the line after the first year to be assessed up front. **MOTION SECONDED:** Mr. Howell seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)

01:36:00

01:36:00 PANORAMA OFFSITE SEWER LINE

Mr. Sasser reviewed the state code that allows the Board to compel sewer connections based upon an inquiry from a property owner on North Iona Road. This area has a sewer line available which connects Panorama Hills to District lines but is not within the District boundaries. The Board can compel a connection if the property is included within the District.

Mr. Clark stated this has been discussed and the Board is not going to compel anyone to connect.

01:38:55

01:38:55 REVISED IBSD INVESTMENT POLICY: SASSER LAW OFFICE

Mr. Sasser has reviewed the brochure from Merrill Lynch regarding structured certificates of deposits. He has reviewed the code and believes this new investment is covered by state statute and the IBSD investment policy can be modified to include this investment.

MOTION: Mr. Howell made a motion to add Item p. Structured and/or Market Participation Certificates of Deposit (MPCD) to the investment policy. **MOTION SECONDED:** Mr. Klingler seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)

01:44:25

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01:44:25 BUILDING UPDATE: RAIN GUTTERS

Mr. Klingler reported there is an open conduit on the back wall of the building that allowed runoff to enter the building. The only damage was a ceiling tile in the basement. He would like to extend the rain gutter to the corner of the building to alleviate the runoff in this area.

MOTION: Mr. Klingler made a motion to have the manager obtain bids to extend the continuous metal rain gutters along the back of the building. **MOTION SECONDED:** Mr. Clark seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)
01:48:25

01:48:25 LAPTOP AND 64 BIT COMPATIBLE SOFTWARE REQUIREMENTS

Ms. Wellman stated the staff has encountered problems searching documents in Laserfiche. She has since found out that the upgraded version corrects some of the issues with scanning and searching. Mr. Klingler stated that the upgrade does not cost under the current agreement but the data conversion will be \$500.00. This will make a lot more documents searchable.

MOTION: Mr. Clark made a motion to spend \$500.00 to upgrade the Laserfiche software. **MOTION SECONDED:** Mr. Howell seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)
01:51:10

01:51:10 SCHEDULING OF WORK MEETING

Ms. Wellman stated there has not been a meeting rescheduled to discuss PERSI but she will work on getting that rescheduled. There also needs to be a meeting to discuss the policy manual. She will coordinate with the Board members as these meetings are scheduled.
01:53:10

01:53:10 REFUND OF CONNECTION FEE: TAFT DIRE FOR BIRCHWOOD

The Birchwood subdivision was indicated to be a Class II permit fee area per documents received from prior management. It has since been discovered that this developed area is not served by a lift station. Taft Dire purchased six permits at the Class II fee so the fee was overcharged by \$1,000.00 each.

MOTION: Mr. Klingler made a motion to refund Taft Dire \$6,000.00 for permit fee overcharges. **MOTION SECONDED:** Mr. Clark seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)
01:56:30

01:56:30 PAYMENT OF BILLS

The Board reviewed and discussed the itemization of bills. Mr. Klingler stated that he needed to review the electrical equipment for the Board room to make sure the difference from the contract

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price is correct. It was suggested that Electrical Support be paid half the amount until this review is done.

The Board also discussed the inventory of office equipment and how this will be maintained and accounted for.

MOTION: Mr. Klingler made a motion to approve the bill with the exception of only paying half of the Electrical Support Services bill. **MOTION SECONDED:** Mr. Clark seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)

02:21:35

02:21:35 **APPROVAL OF MINUTES: 1/26/2011**

MOTION: Mr. Clark made a motion to approve the minutes for January 26, 2011. **MOTION SECONDED:** Mr. Howell seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)

02:22:10

02:22:10 **EXECUTIVE SESSION: IDAHO CODE 67-2345 (C) TO ACQUIRE AN INTEREST IN REAL PROPERTY WHICH IS NOT OWNED BY A PUBLIC AGENCY, (F) PENDING LITIGATION**

MOTION: Mr. Klingler made a motion to move into executive session pursuant to Idaho Code 67-2345 (c) and (f). **MOTION SECONDED:** Mr. Clark seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)

02:22:30

(Time 9:23 p.m.)

Tape 2 00:00:00

(Time 10:10 p.m.)

MOTION: Mr. Clark made a motion to move out of executive session. **MOTION SECONDED:** Mr. Klingler seconded. **MOTION PASSED:** (Yay: Mr. Klingler, Mr. Howell, Mr. Clark; Mr. Blundell abstains)

ADJOURNMENT

The meeting Adjourned at 10:10 p.m.

Tape 2 00:00:30

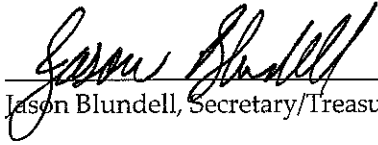
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John Price, Chairman of the Board of Directors

3-25-11

Date



Jason Blundell, Secretary/Treasurer

3/25/11

Date