

Hayden Lake Irrigation District
2160 W. Dakota Avenue
Hayden, ID 83835-5122

March 3, 2020
Regular Meeting

The following are minutes of the regular meeting of the Hayden Lake Irrigation District Board of Directors, held at 2160 W. Dakota Avenue, Hayden, Idaho, at 5:00 PM on March 3, 2020.

- A. **CALL TO ORDER:** Meeting was called to order at 5:00 p.m. by Chairman Fleming.
- B. **ROLL CALL TO ESTABLISH QUORUM:** Present were Chairman Fleming, Director Holton and Director Alexander.
- C. **DECLARATION OF A QUORUM:** A quorum was declared.
- D. **APPROVAL OF AGENDA:** (*Action Item*) Director Holton made a motion to approve the March 3, 2020 agenda, seconded by Director Alexander, motion passed.
- E. **CONFLICTS OF INTEREST ON AGENDA:** (*Action Item*) None.
- F. **APPROVAL OF MINUTES & FINANCIALS:** (*Action Item*) There are 35 checks (13644-13678) and three auto pays, totaling \$98,451.53. An itemized list may be found in the minutes book. Director Holton made a motion to approve the February 4, 2020 regular minutes and the March 3, 2020 financials as presented, seconded by Director Alexander, motion passed.
- G. **PUBLIC COMMENT:**
- 8025 Chateaux: Customer appeared and requested late fees be waived. Customer has never been late before. The Board waived the late fees on a one-time only basis.
 - 2442 Halleberry: Customer failed to appear. Board denied the request to waive late fees based on their failure to appear.
 - 9716 Reed: Customer failed to appear. Board denied the request to waive late fees based on their failure to appear.
 - 10602 Seaside: Customer appeared and requested late fees be waived. Customer's request was denied because their late fees were waived in the past. Board has a policy to waive late fees once in the lifetime of the account.
 - 1700 Boyles: Customer failed to appear. Board denied the request to waive late fees based on their failure to appear.
 - 10915 Seaside: Customer failed to appear. Board denied the request to waive late fees based on their failure to appear.

- 8672 Boysenberry: Customer failed to appear. Board denied the request to forgive a portion of their excess water fees based on their failure to appear.
- 149 Wyoming: Customer was unable to appear based on a serious medical condition requiring treatment out of state. The Board waived the late fees since the customer was physically unable to appear but could not waive the door tag fee since that required a technician to physically hang the door tag.

H. **OLD BUSINESS:**

1. **Bureau of Reclamation:** The District has received the MOU from the Bureau. The MOU is being reviewed by the District attorney. The topic will be tabled until the April Board meeting.
2. **Tank 2 / 375 Lacey / Bond:** (*Action Item*) The Emergency Operations Plan was approved. The District received loan documents from DEQ. The loan is conditional on certain standards being met. The District attorney is reviewing the State of Idaho Department of Environmental Quality Loan Offer.
3. **HLID Facebook Page:** JUB intends to utilize the Facebook page, once created, to obtain public involvement, both before and after the building of the tank. The District Administrator will meet with the JUB's public experts to discuss the formalities of the Facebook page development.
4. **Mini Excavator – Bids:** The District was able to obtain eight bids for various mini excavators, including name brands such as Kubota, Yanmer, John Deere and more. The District has concerns about the size of the equipment, given the size of the District's trailer. A large excavator will not fit on the trailer. The District has been testing different excavators to get a feel for the type and size needed. The topic will be tabled until the April Board meeting to provide the District Administrator ample time to get an idea on what machine would best fit the District's needs, at a reasonable cost.
5. **Personnel Handbook – Holidays:** Per the Personnel Handbook amendments, the District staff will exchange Martin Luther King Day and President's Day for Christmas Eve and New Year's Eve. The District did recognize Martin Luther King Day this year but not President's Day. The District staff will also be required to use their holiday, if the actual holiday lands on their day off, either directly before or after the holiday. The Board agreed to and signed the revised Personnel Handbook.

I. **NEW BUSINESS:**

1. **Developer Agreement:** (*Action Item*) None at this time.
2. **Will Serve for Carrington Apartments:** (*Action Item*) Viking Construction requested a Will Serve for the future Carrington Apartments and paid the Will Serve fee. A motion was made by Director Holton to grant Viking Construction a Will Serve for Carrington Apartments, including 7.68 acres for six apartments, with 2" connections on each, and one 1" connection as a domestic only and fire protection, seconded by Director Alexander, motion passed.
3. **10727 Seaside Easement:** (*Action Item*) At the time of purchase, the District provided an easement as part of the District documents for the property located 10727 Seaside to the title company. A plat was also provided to the title company to identify the easement and waterline located on the property.

Customer claims she was unaware of the signing of the easement since she used a trustee to purchase the property. The trustee was based out of Seattle and signed the house easement as the trustee for the Lynda Brown Payseur trust. The easement prohibits the customer from erecting or constructing buildings, structures or improvements in the easement without the written consent of the District. Since the owner purchased the home, she constructed a shed and planted a tree in the easement. Customer claims her trustee did not inform her of the easement. However, the District Administrator and a District clerk informed the customer and her realtor prior to the purchase of the property about the easement and that building a shed or planting a tree was strictly prohibited. Customer presented an acknowledgment from the previous homeowner. The acknowledgment permits the previous owner to retain an existing water feature, but it is not transferable. The previous owner was under the assumption the water feature could remain since an encroachment acknowledgment was signed and he questioned why he was required to spend \$500.00 to secure the electrical system prior to the sale. Customer claims she would not have purchased the property had she known the water feature could not stay. She further states her neighbors have encroachments in their easements so she should be permitted to do the same. Customer states she has measured her property and believes she has found a position in her backyard that she can move the shed to without it being in the easement. The Board stated everything must be removed from the easement, including but not limited the water feature and tree. Nothing can be in the easement. However, the Board has 30 days to provide their decision in writing to the customer.

4. **Coeur d'Alene MOU / 2521 Timberlake:** (*Action Item*) The issue was resolved prior to the Board meeting.

5. **Hacienda Water District:** (*Action Item*) Hacienda Hills Water District has an urgent situation. Due to an unfavorable ruling resulting from a lawsuit, the District will lose use of their Well. Hacienda customers are exploring options to find alternative water sources. Some customers are considering private Wells but many are seeking Hayden Lake Irrigation District services. The customers appeared before the Board to discuss their options with the District. The District informed the Hacienda customers they could provide water but there would be costs involved. They would be required to tie into the District mains on Hayden and Honeysuckle with two 2" meters loops, obtain a backflow assembly and pay bulk water rates of \$1.62 per thousand gallons, until property is developed or the District loops their system. Water rights would need to be transferred and dry land conversion fees would need to be paid in the amount of \$550.00 per acre. A Memorandum of Understanding (MOU) will be created with all the specifics and provided to Hacienda Hills members. Until that time, water will continue to be provided from the existing Hacienda Hills Well.

6. **Resolution 20-03 for CAP Fees:** (*Action Item*) A motion was made by Director Alexander to approve Resolution 20-03 requiring CAP Fees be paid concurrently with the signing of a Building Permit for new connections, seconded by Director Holton, motion passed.

7. Master Meter Upgrades: (*Action Item*) The District intends to upgrade their Master Meters. The District received a discount in the cost of the upgrade because two other districts intend to upgrade their software and HD Fowler can group the districts together to complete the training and upgrades. The software will simplify the meter reading process and eventually the District will be set up to allow customers to check their water usage from the comfort of their own homes. Director Alexander made a motion to approve the new meters and the Master Meter updates, seconded by Director Holton, motion passed.

K. STAFF REPORT:

Administrator Report: Administrator's report was given orally. He provided a review of upcoming schedules.

A motion was made by Director Holton to transfer \$126,000.00 from the MWB EFT account (4313) to the MWB Checking account (2557), seconded by Director Alexander, motion passed.

SETTING DATE FOR NEXT MEETING: April 7, 2020

L. EXECUTIVE SESSIONS:

Chairman Fleming made a motion at 7:10 PM to hold an Executive Session under Idaho Code 74-206(b): To consider the evaluation, dismissal or discipling of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

Roll call vote:

Chairman Fleming	Yes
Director Holton:	Yes
Director Alexander:	Yes

A motion was made by Director Holton to end executive session at 8:22 PM and return to the regular board meeting, seconded by Director Alexander, motion passed.

A motion was made by Director Alexander to direct the District Administrator to make the necessary changes affecting the District personnel and Board as discussed, seconded by Director Holton, motion passed. All Board members were in agreement, none opposed.

With no further business, a motion to adjourn was made by Director Holton and seconded by Director Alexander. The meeting adjourned at 8:24 p.m.

Respectfully submitted:
Dawn Chidester
District Clerk

Approved by:
Branden Rose
District Administrator