

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

May 1, 2018
Regular Meeting

The following are minutes of a regular meeting of Hayden Lake Irrigation District held at 2160 W. Dakota Avenue, Hayden, Idaho at 6:00 PM on May 1, 2018

1. **CALL TO ORDER:** Meeting was called to order at 6:00 PM by Chairman Doris Fleming.
2. **ROLL CALL TO ESTABLISH QUORUM:** Present were Chairman Fleming, Director Holton and Director Timmins; a quorum was declared.
3. **READING AND CORRECTION OF MINUTES FOR APPROVAL:** Director Timmins made a motion to approve the April 3, 2018 minutes and financials as presented, seconded by Director Eifler, minutes passed.
4. **PUBLIC COMMENT:** There was no public comment.
5. **STAFF PRESENT:** Branden Rose, Dawn Chidester, Jon Baune
6. **VISTORS PRESENT:** Greg and Alison Hagman, Doug and Michelle Albert, Cal and Brandy Whitfield, Tim Lawton, Ed Morse, Ken Nelson, Ron McIntire, Jim and Karen Taigen, Mick Blakely, Tom Magee
7. **CONFLICT OF INTEREST:** None declared
8. **NEW BUSINESS:**

WILL SERVE HIDDEN MEADOWS: An agreement was reached with Chateaux Water District. Hayden Lake Irrigation District provided a contingent Will Serve for the Hidden Meadows subdivision. Director Timmins made a motion to approve a contingent Will Serve to Hidden Meadows subdivision, seconded by Director Holton, motion passed.

WILL SERVE LARAMIE ESTATES: Laramie Estates is located off of Wyoming. The watermain is located in the back corner. There is a meter located on the property. The waterline will need to be moved to the front. The 10-foot easement in the back of the property should be abandoned. The property will need to be tied in on Cheyenne and looped to Wyoming. Director Timmins made a motion to approve the Will Serve provided the back waterline is abandoned, the line is moved to the front of the property and tied into Cheyenne, seconded by Director Holton, motion passed.

WILL SERVE VISTA MEADOWS: Vista Meadows will be done in two phases. The property consists of 4.74 acres. The back waterline will be abandoned. The property will be tied into Pyreneese Loop. The first stage will be duplexes. Director Timmins made a motion to approve the Will Serve for the Vista Meadows subdivision, seconded by Director Holton, motion passed.

PARENTS PASTURE PAYMENT PLAN: The property is located at 805 Wyoming and was recently purchased by the owners of an adjoining property. The new property owners requested the debt against the property be paid in payments. The new owners made a good faith payment of \$200.00 towards the existing debt. Director Timmins made a motion to accept the payment plan, with the debt being paid by the end of the irrigation season, October 1st, 2018, seconded by Director Holton, motion passed.

RESOLUTIONS 18-04, 18-05, 18-06, 18-07: Director Timmins made a motion to approve resolutions 18-04, 18-05 and 18-06, seconded by Director Holton, motion passed. Resolution 18-07 was not ready for presentation.

EXISTING BUREAU TOWER CLEANING/INSPECTION BIDS: The District has received two bids for cleaning the Lacey reservoir. The first, Aquadrone Marine Services, bid \$2,900.00. Aquadrone will provide a 75,000 gallon, 160' tower reservoir cleaning, for 1" of sediment, with additional sediment being billed per .25 square foot. The job would be done using a remote operated vehicle. The remote operated vehicle is said to be able to provide a thorough tank interior inspection. The second is Liqui Vision Technology with a bid of \$3,000.00. Liqui Vision Technology can clean a depth of 159' and clean up to 4" of sediment. Liqui Vision Technology will provide a DVD of the final inspection and deep cleaning. Director Holton recommended a robot (Aquadrone) versus the manual cleaning done by Liqui Vision Technology. Director Holton made a motion to accept the bid from Aquadrone for \$2,900.00, seconded by Director Timmins, motion passed.

9. UNFINISHED BUSINESS:

WELL LARIX #4 & CARRINGTON #5: The Larix pump and shaft have been ordered. The Well was operating under pump level. The pump and motor should be installed by June 1, 2018. The project is ahead of schedule. All preliminary tests are showing positive results. The Well will be up and ready in time for the irrigation season. A second camera will be scheduled for the end of May.

CARRINGTON 16" WATERLINE VIKING/DAUGHTARY: The FAA has approved the tower plans and gave the OK to proceed with the project. The Administrator suggested the District delay the Carrington Well project to concentrate on the tower. If the District can obtain approval from the City of Hayden, the tower would be more useful to the District than the new Well. Carrington Meadows could be serviced by the existing Wells. Presently, the Well

site plans are being reviewed by DEQ but they are behind schedule. The tower will provide a 1,000,000 gallon reservoir. If the tower project is unsuccessful, the Carrington Well project will go out for bid. The Administrator requested, and the Board agreed, to have the District attorney involved with dealing with the City of Hayden. The Board approved pursuing the tower and delaying the Well until September 2018 to provide the District and counsel time to negotiate with the City of Hayden.

The 16" waterline is at a standstill. Big Sky is busy with new development and the City of Hayden is running behind. The project cannot cut across Hayden until the sewer line is put in. The sewer is going to be 20" deep. Viking was hoping to receive an update on sewer line development schedule within the week. Big Sky will receive a stay of construction since they are unable to complete the project pending the City of Hayden's schedule. The District will require a change order to extend the days for the project completion.

WATER MASTER PLAN: There are no new updates for the plan. However, eventually, a workshop will be necessary. A day for the workshop will be determined at a later date.

EMPLOYEE HANDBOOK: The Board has scheduled a workshop for May 15, 2018 to discuss the handbook revisions. An Agenda for the workshop will be posted on the District website.

BUREAU OF RECLAMATION TITLE TRANSFER: The District has a meeting with the Bureau on June 11, 2018. The Bureau will be arriving in Coeur d'Alene on the June 11, 2018. The order of business is to abandon the site by Hayden Lake. The Administrator will take the Bureau on a tour of the District's assets while they are in town.

COMMERCIAL RATE DISPUTE, HAYDEN AVENUE SELF-STORAGE: On January 2, 2018, the Board passed a motion to proceed with the commercial fire hydrant/flow fee of \$150.00 per quarter. The customers affected by the fee were notified in writing and, upon receiving the letter, responded.

At the April 3, 2018, various customers appeared and provided an opportunity to express their opinions regarding the commercial fire hydrant/flow fee. However, numerous customers were unable to attend the April board meeting. The issue was carried over and the customers who were unable to speak at the April 3, 2018 meeting were provided 2 minutes each to speak at the May 1, 2018 meeting. The customers who attended the Board meeting and expressed their opinions are as follows:

Present for the May 1, 2018 Board meeting was Ron McIntire, owner of the property located at 240 Hayden. Mr. McIntire stated his biggest objection to fire flow fee was the amount. He believes \$600.00 is quite heavy. Mr. McIntire

believes that is more than the District is spending to take care of the hydrants, unless they are hit by a truck. Mr. McIntire stated hydrants last for a long time, some 40 to 50 years. Mr. McIntire stated \$600.00 for a hydrant is excessive. He wanted to know what the fire department does to take care of the and how many hydrants the District had in the subdivisions.

Tim Lawton, owner of the property located 1338 Biztown, stated Biztown benefits 56 businesses. He was concerned about who he should charge the fee. Mr. Lawton suggested the hydrant maintenance be subcontracted out if it costs the District so much. He stated the fire department already flushes the hydrants. Mr. Lawton believes the \$600.00 is too much money for the small businesses.

Ken Nelson, owner of 2755 Hayden, stated when he entered into an agreement with the District, he was informed the hydrant was not his and he was not to do anything it. If the fee was instated when Mr. Nelson went into business, he stated he would have already paid \$10,000.00. Mr. Nelson does not like how the fee was played out. Mr. Nelson feels a letter should have been sent so the customers had an opportunity to provide feedback prior to the fee being approved. Mr. Nelson said he spoke to other water districts and no one else is charging a fee. Mr. Nelson stated if the fee is implemented, he would join resources with the others to obtain an attorney.

Michelle Albert is the owner of the property located at 2795 Hayden. Ms. Albert stated she spoke to the fire marshal, who informed her the fire department flushes once a year. Ms. Albert does not believe Hayden Lake Irrigation District flushes twice per year. She has a gated property and stated she has never let Hayden Lake Irrigation District in. According to Ms. Albert, the District Administrator told her the District had to buy a new truck, hire a new employee and was building a tower and the commercial fire flow fee was how the District was going to pay for it. Ms. Albert believes this is discrimination. The fee has to be fair, needs to be reasonable and needs to be shared.

Cal Whitfield is a co-owner of the property located at 7972 Atlas. Mr. Whitfield stated no one has explained to him why the fee is necessary. He doesn't understand the need for the fee. He requested the District help him understand. Mr. Whitfield believes his hydrant is on top of a waterline and he thought it was a dead-end but it's not. Mr. Whitfield would just like to understand what the fee is for.

Ed Morse is the owner of 10149 Ramsey. At the April 3, 2018, a letter written by Mr. Morse was presented to the Board. The letter contained a records request. Although Mr. Morse was not present at the April Board meeting, his position was heard as it was outlined and read aloud to the Board in the presented letter. Mr. Morse requested repeatedly to speak at the May 1, 2018. The Board Chairman asked Mr. Morse if he had new information, above and beyond that provided in his detailed letter, to provide to the Board. Mr. Morse stated he did. Mr. Morse

stated he believes the fee was clearly a revenue endeavor aimed at commercial properties. He requested the Board republish the legal notice and allow the commercial property owners to respond. Mr. Morse stated he would like a public hearing.

Brandy Whitfield is a co-owner of the property located at 7972 Atlas. Ms. Whitfield stated Hutchinson Auto is a neighborhood business. She stated she had a letter from the fire department saying the fire department maintains the hydrants. What was presented to the Board was a newsletter article written by Fire Chief Pat Riley. Ms. Whitfield stated \$600.00 may not be a lot of money to others but it is an extra expense for them and they are just trying to maintain a business that has existed for 30 years.

At the conclusion of the last customer's statement, the Chairman announced the Board would give their decision regarding the commercial fire flow fee dispute at the Board meeting on June 5, 2018.

10. STAFF REPORTS:

Administrator Report: Report may be found in the minutes book.

Financial Report: There are 34 checks (12722-12756, 12737 was voided) totaling \$103,930.80. An itemized list may be found in the minutes book.

Director Timmins made a motion to approve the payment of the checks in the amount of \$103,930.80 and authorizing the administrator to transfer funds from the Mountain West ICS-Capital Improvement account, to the ICS Business Checking account, and from the Mountain West ICS-Capital Replacement account to the Business Checking account, seconded by Director Holton, motion passed.

11. SETTING DATE FOR NEXT MEETING: - June 5, 2018

12. EXECUTIVE SESSION:

Chairman Fleming made a motion at 7:49 PM to hold an Executive Session under Idaho Code 74-206(1)(b): consider evaluation, dismissal, or disciplining of or to hear complaints or charges brought against, a public officer, employee, staff member, seconded by Director Timmins, motion passed.

Roll call vote:

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| Chairman Fleming | Yes |
| Director Holton: | Yes |
| Director Timmins: | Yes |

A motion was made by Director Timmins to end executive session at 8:23 PM and return to the regular board meeting seconded by Director Holton, motion passed.

The Board granted the District Administrator the authority to implement a personal pay increase and made a decision regarding granting retro vacation time for an employee rehire.

With no further business, a motion to adjourn was made by Director Holton and seconded by Director Timmins. The meeting adjourned at 8:40 PM.

Respectfully submitted,

Branden Rose
Administrator