

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

August 6, 2019
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 August 6, 2019.

- 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 and Director Holton and Director Timmins.
- C. DECLARATION OF A QUORUM:** A quorum was declared.
- D. APPROVAL OF AGENDA:** (*Action Item*) Director Timmins made a motion to approve the August 6, 2019 agenda, seconded by Director Holton, motion passed.
- E. CONFLICTS OF INTEREST ON AGENDA:** (*Action Item*) None.
- F. APPROVAL OF MINUTES & FINANCIALS:** (*Action Item*) There are 35 checks (13361 – 13397, checks 13378 and 13396 were void), and three auto pays, totaling \$165,248.17. An itemized list may be found in the minutes book. Director Timmins made a motion to approve the July 2nd, 2019 regular minutes and the August 6th, 2019 financials as presented, seconded by Director Holton, motion passed.
- G. PUBLIC COMMENT:** Kath Clark, Bonnie Hulstrand and Dawn Crabb appeared to discuss the easements on Seaside properties. Their properties have a 25” waterline easement in the back. Kathy Clark and Bonnie Hulstrand reside at 10791 Seaside and Dawn Crabb resides at 10769 Seaside. The District is concerned about the easements on the properties as the owners have built sheds on top of the waterline in their backyards.
Ms. Clark and Ms. Hulstrand understand the need to move the shed if a problem occurs but do not believe they should have to move the shed until there is a problem. Ms. Clark and Ms. Hulstrand admit they signed an acknowledgement at the time of their closing. They agree to keep all trees trimmed and under a certain height but request the shed remain with the condition that if something should occur and the waterline needs to be repaired or replaced, they would remove the shed within two hours from the time of notification. Ms. Clark and Ms. Hulstrand did state they are willing work with the District and provided a signed letter to the District. They admit they did not contact the District or call 811 for a locate prior to installing a shed but state they did not know that was a requirement.
The District Administrator explained to the Board that the shed would be a safety hazard to the District’s technicians if the waterline required repairs and the shed

remained on the easement. Director Timmins felt the District was on a witch hunt by targeting Seaside. Chairman Fleming believed Director Timmins had a conflict of interest regarding the subdivision. The District Administrator stated the District had to start somewhere. The District Administrator stated this is a huge project and it must be addressed slowly. We do not have the staff to complete the entire project simultaneously.

Dawn Crabb is the owner of 10769 Seaside. She has a shed in her backyard. Ms. Crabb informed the Board the shed is on skids and can be moved. Ms. Crabb stated she was aware there was an easement on the property when the property was purchased. Mr. and Ms. Crabb recently rented a forklift. They were able to move the shed with the forklift. Ms. Crabb stated if the waterline needed to be repaired, she would remove the shed within a two-hour period. The Crabbs did not permanently move the shed with the forklift when they had the opportunity to do so because the new location was unappealing.

The District Administrator stated an encroachment permit could be signed, provided the Seaside property owners were willing to take full responsibility for moving their sheds within a 2-hour period as they volunteered to do. The encroachment permit could be prepared and recorded at a fee of \$75.00. The encroachment permit would not be transferrable if the properties were sold. The encroachment permit would require the homeowners to move their sheds within two hours' notice, at their cost. The homeowners would be solely responsible, financially and otherwise, to move the shed within the two-hour period. The property owners agreed to the terms of the encroachment permits.

Also, under Public Comment, the District Administrator presented bill dispute for 1756 Marigold. The Marigold resident requested a door tag and lock off fee from 3rd quarter 2018 be waived. The owner did not appear before the Board. The request was denied by the Board.

- H. PUBLIC MEETING FOR COMMENT FOR WATER SYSTEM FACILITY PLAN:**
(Action Item) Present for the Public Hearing was Katy Baker-Casile representing DEQ, Jon Baun and Michelle Johnson representing JUB, and Bond Attorney Danielle Quade. The representatives for JUB presented the JUB's Facility Plan Presentation – Public Meeting. The Plan depicts the timeframe for present and future rate increases. The Plan takes into consideration Hayden's annual growth rate of 3.8%. The 6 year Projected Domestic and Irrigation Rates can be found on the District website at www.haydenirrigation.com. Connections in the District are expected to double over the next 20 years. The elevated storage tank is a requirement. Water distribution is a priority, but water storage is a necessity. Fire flow and equalization storage is necessary. The District's growth rate is expected to increase 50%, meaning it will double in size, in an anticipated 20-year period. The Facility Plan presented by JUB cover the District's alternatives, including the alternative the Board chose. Just to maintain the District's present growth, three more Wells would need to be installed and growth would cease. The Board opted for alternative number 3, which would require the District to obtain a new elevated storage tank, rehabilitate to the existing tank and, over the next 20 years, obtain

two additional Wells. The growth requires three additional Wells, but the District has just completed Carrington Well, leaving only two Wells needed, in addition to the elevated tank, to complete the 20-year plan.

The Public Comment period will be complete August 13, 2019. The District's next step is to present the Final Facility Plan which will be presented at the September 3, 2019 Board meeting. Bond Attorney Danielle Quade explained the Bond election process and time frame, including publication requirements. The Bond election will be held November 5, 2019 from 11:00 a.m. to 7:00 p.m. For the Bond to pass, the District must receive a 50+ 1 vote. Bond Resolution 19-011 will be presented to the Board on September 3, 2019.

I. OLD BUSINESS:

1. **Wells #5 Carrington:** The Well is in the testing stage. The District is in the process of integrating the Carrington Well to SCADA and therefore, the other Wells. Carrington Well is a hard water source, the hardest water of all the District Wells. It is not fully online, the District is getting all the bugs out, but it is on track. The Well is operational and can be used if needed. TML received payment #5, in the amount of \$66,242.36. Only one more payment is left to conclude the project.
2. **Water Master Plan:** The topic was covered under the Public Meeting.
3. **Bureau of Reclamation:** The District was recently contacted and informed the assigned project manager has been changed. The project has been turned over the District Attorney.
4. **Valley Way & Hayden Orchard Subdivisions:** North Kootenai Water District does not appear interested in supplying water to the two subdivisions. They may not have the water supply. The topic will be dismissed.
5. **Rate Study FCS Group:** The Rate Study rates seem to be on target. The District is making slight revisions to the connection rate structure previously suggested. The District believes the new rates will be much more reasonable.
6. **Resolution 19-10: (Action Item)** Resolution 19-10 was created to refine and replace Resolution 04-11. With the approval of Resolution 19-10, Resolution 04-11 will be rescinded. The Resolution is for the protection of the District Easements and Rights-of-Way.

J. NEW BUSINESS:

1. **Sale of Surplus Equipment: (Action Item)** The District Administrator proposed selling the old District backhoe. The backhoe needs new brakes and would be sold as is. The District Administrator would propose to use the proceeds from the sale to purchase a used skid-steer loader. A skid-steer would be beneficial as the going rate to rent one is \$900.00 per week. It would be very useful for District projects. A motion was made Director Holton to authorize the District Administrator to sell the old backhoe, seconded by Director Timmins, motion passed.
2. **Development Agreement: (Action Item)** The District has no Development Agreements to present at this time.
3. **Bond Resolution 19-011: (Action Item)** Bond Attorney Danielle Quade presented Resolution 19-011 but a few revisions are required. The Resolution will be presented at the Board meeting on September 3, 2019.

4. **Resolution 19-12, Domestic Only 1 Acre or Less:** (*Action Item*) A motion was made by Director Timmins to approve Resolution 19-12, seconded by Director Holton, motion passed.

5. **Opt. Out Irrigation Assessment:** (*Action Item*) An opt out form will be created by the District Attorney. It will allow customers who have one or more acres to opt out of paying the irrigation assessment. If a customer opts out of the irrigation assessment, their account would be the same as future customers with less than an acre. They would not pay the irrigation assessment, but they would also not receive an irrigation allotment. They would be considered domestic only customers and pay a base rate, plus whatever water is used. The District Attorney was unable to prepare the necessary form prior to the meeting so the issue will be addressed at the September Board meeting.

6. **Approval 2020 Budget & Rate Structure as Proposed by FCS for 6 Year Plan:** (*Action Item*) The budget was reviewed and approved by the Board. The District will advertise the budget for three consecutive weeks and it will be put on the District website. If not contested, the budget will be approved at the September 3, 2019 Board meeting. The rates and connection fees will be posted on the District's website and notice of the increase will be advertised as well. A motion was made by Director Timmins to approve the 2020 FY proposed budget and rate and connection fee increases as presented, seconded by Director Holton, motion passed.

7. **Approval to Extend 167 Miles to Street:** (*Action Item*) KWI Properties purchased property behind 167 Miles and to the east of the property. The property owners intend to do a lot adjustment. Multifamily homes or an apartment complex will be developed on the future lot. They intend to bring the waterline from the back of the property to the new buildings. The District would like the waterline brought to the street. The District Administrator requested the Board approve an 8" waterline to extend the watermain from the buildings to the front of 167 Miles. This would allow the District to abandon the line behind the property. A motion was made by Director Timmins to approve the waterline extension at 167 Miles at the cost of \$11,261.46, seconded by Director Holton, motion passed.

K. STAFF REPORT:

Administrator Report: Administrator's report was given orally. He provided a review of the upcoming months schedule. No transfers were necessary at this time.

SETTING DATE FOR NEXT MEETING: - September 3, 2019

L. EXECUTIVE SESSIONS:

Chairman Fleming made a motion at 7:02 PM to hold an Executive Session under Idaho Code 74-206(f): Advise legal representative or public awareness of probable litigation.

Roll call vote:

Chairman Fleming	Yes
Director Holton:	Yes
Director Timmins:	Yes

A motion was made by Director Holton to end the executive session at 7:10 PM and return to the regular board meeting, seconded by Director Timmins, motion passed.

District Administrator was directed to communicate with the District Attorney regarding the property located at 10895 N. Seaside St., Hayden, ID.

With no further business, a motion to adjourn was made by Director Timmins and seconded by Director Holton. The meeting was adjourned at 7:11 p.m.

Respectfully submitted:

Dawn Chidester
District Clerk

Approved by:

Branden Rose
District Administrator