

# **EAGLE SEWER DISTRICT**

**December 11, 2006**

## **Regular Monthly Meeting**

**6:30 p.m.**

### **Minutes**

#### **Roll Call**

Vice-Chairman Jim Brooks called the meeting to order at 6:30 p.m. Board members present: Chuck Ferguson and Erv Ballou. Michael Gifford and Ed Hendershot are absent. A quorum is present.

Consultants present: Phil Johnson, P.E., MWH; and Evan Robertson, legal counsel.

Staff present: Lynn Moser, General Manager; RJ Lake, Plant Superintendent; and Lynne Sedlacek, Office Manager.

#### **Approval of Minutes**

Ferguson moved, Ballou seconded, to approve the minutes of the November 13, 2006 Regular Meeting and Executive Session. Motion passes unanimously.

#### **Public Hearings**

Moser requested the order of the public hearings be reversed to accommodate persons in the audience.

**Annexation Request/Donald and Tricia Flynn** – Donald and Tricia Flynn are requesting a public hearing to consider the annexation petition of 13.6 acres located north of State Highway 44 and west of Linder Road. The proposed use for this property is a 23-lot, single-family residential subdivision.

Brooks opened the public hearing. Shawn Nickel, SLN Planning, 148 N. 2<sup>nd</sup> Street, Suite 101, Eagle, represented the project. There was no other public testimony and Brooks closed the public hearing. Ferguson moved, Ballou seconded, to approve the annexation petition subject to final approval by legal counsel and the general manager. Motion carried unanimously.

Hendershot arrived at 6:35 p.m.

**Annexation Request/Orchards at Eagle, LLC** – Orchards at Eagle, LLC is requesting annexation of 24.87 acres located south of Old Valley Road and west of Linder Road.

The proposed use of the property is for 74 condominium units. This annexation request was tabled from the November 13 Board Meeting. This property is adjacent to the District's Old Valley liftstation. The District needs additional property to accommodate the expansion of the liftstation site. Brooks opened the public hearing.

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Justin Dunsmuir of the Land Group represented the project and gave a brief overview of the plat. Dunsmuir stated that there should be room to accommodate the additional easement needed by the District. Moser reported that the easement issue has been resolved by the special easement agreement that will be attached as a condition of annexation. There was no other public testimony and Brooks closed the public hearing.

Ferguson moved, Ballou seconded, to approve the annexation request with the special condition of approval subject to final approval by legal counsel and the general manager. Motion carried unanimously.

### **Reports**

**Eagle City Council/Scott Nordstrom** - Nordstrom was unable to attend tonight's meeting.

**Wastewater Plant/RJ Lake** – Lake reported the total plant flow for November 2006 was 42.13 million gallons, for an average of 1.40 million gallons per day. A failed pump in one of the liftstations is being repaired. The District has accepted a bid to repair a leak detected in the Eagle Road line near the intersection of the Alternate Route. The fix will be done using “no-dig” technology and will be scheduled for repair when the ground is thawed. Operations staff has identified a suspected leak on Eagle Island; this area will be reviewed next week, during a demonstration of a line-camera rig.

### **Unfinished Business**

**MWH Report on the Facility Plan Progress** – Progress Report No. 10 was included in the Director's packet. Cyndy Bratz is out of town and Phil Johnson summarized the report. NPDES Permit – Moser reported on the follow-up letter that was sent to EPA.

The letter thanked EPA for the meeting and listed the action items that were discussed at last month's Seattle meeting. The letter included the water quality model as an attachment.

**Progress of Negotiations with Stillwater Developer** - Moser reported on his negotiations with the developer of the proposed Stillwater Subdivision. This property is adjacent to the treatment plant's west property line. The developer needs to acquire District property to build an entrance road from West State Street, across ESD property, to his proposed subdivision. It is estimated the developer will need to acquire approximately 3.5 acres. The ESD has completed the required appraisal and the value has been set at \$420,000. The District has also requested the Stillwater developer share the cost of the landscape berm that needs to be built between the two properties. The berm is a City of Eagle requirement. The estimated cost of the landscaped berm is \$91,105. The ESD has requested the developer contribute \$45,500.

As Moser reported last month, the Developer now wishes to acquire additional property from the District to accommodate three more building lots on the south side of the new public entrance road. The developer feels the addition of the three extra lots will help defray the road construction costs for his project.

Stillwater was a no-show at a meeting set with Moser and Robertson. Moser called the Stillwater representatives and was informed that a purchase agreement has been sent to the District. Robertson felt that a purchase agreement will not be adequate and a meeting is still needed. An addendum to the original appraisal will be done to include the valuation of the additional property requested by Stillwater.

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**Progress on ITD Property Transfer** – *The Idaho Transportation Department owns approximately 11 acres located between the Eagle Alternate Route and the Boise River's north channel. The property is adjacent to the east boundary of the ESD plant property. The ground was secured by ITD as part of the Eagle Alternate Route construction and wetlands mitigation process. ITD would like ESD to take ownership of the property.*

*The Idaho Transportation Department has received approval to dispose of the property from both the Federal Highway Administration and the Army Corps of Engineers. All conditions applicable to wetlands must be adhered to and the property must remain in public ownership. The existing survey is still on record, so no new survey will need to be done. ITD must declare the property surplus to their needs and have it appraised.*

Moser presented an Exhibit showing the two contiguous ITD properties, the amount of

acreage on each parcel and the property layout in relation to the ESD property, Alternate Route and river. Brooks reported that the ESD and ITD have been discussing this issue for 5 months. He has conveyed to ITD that the District needs to finalize this issue so that ESD can design and build the berm required by our Conditional Use Permit.

**Linder Trunk Sewer and Force Main Project** – Lake reported that the casing for the pressure line is in and the purple conveyance pipe has been delivered.

**Miscellaneous** – None

### **New Business**

#### **Annexation Resolutions for Public Hearing Request:**

**Resolution 06-45/David and Moira Elcox and Scott and Nancy Reeser** – The applicants are requesting a public hearing to consider the annexation petition for 11.4 acres located north of State Highway 44 and west of Linder Road. The proposed use for this property is as an extension of the Eaglefield Subdivision. An existing residence on the property will remain and will also need to be annexed in order to be eligible for connection to the central sewer. Hendershot moved, Ferguson seconded, to approve Resolution 06-45 to hold a public hearing on January 8, 2007 at 6:30 p.m. Motion carried unanimously.

**Annexation Resolution Orders:** *Upon approval of the following Resolutions/Order of Annexation, the Board Chairman is authorized to execute and record the Orders in the records of Ada County ten (10) days after the date signed, unless the Petitioner(s) formally notify the District, in writing, within said ten-day period, that the Petition is being withdrawn pursuant to Idaho Code 42-3218.*

**There were no Annexation Resolution Orders presented at the December 11, 2006 meeting.**

**Palmer Road Regional Lift Station** – Phil Johnson, MWH, gave a presentation regarding the proposed lift station and the conveyance system improvements needed for the Western Service Area. Johnson explained the need for the Palmer Road liftstation and why this location was selected. The Western Service Area encompasses approximately 11 square miles and is bordered by State Highway44., Highway 16, Homer Road, and Linder Road. Eagle’s Comprehensive Plan was used to estimate the Equivalent Residential Units.

There was substantial discussion regarding the projected timeline for the construction of the new liftstation and how the District could recoup the capital construction costs. Moser recommended the Board direct MWH to put together a scope of service to design the Palmer Road liftstation. Brooks directed Johnson to put together a presentation for the Board’s next meeting.

**Miscellaneous** – None

**Ratification of Claims Paid Against the District**

Ferguson moved, Hendershot seconded, to ratify the claims paid against the District. Brooks referenced the payment made to Treasure Valley Auto Glass for the two windshield replacements. Brooks requested staff investigate whether or not the District’s auto insurance would help cover some of the cost to replace the two windshields. Sedlacek will investigate. There were no other questions. Motion passes unanimously.

**Adjournment**

Ferguson moved, Hendershot seconded, to adjourn the meeting. The Regular Meeting adjourned at 7:55 p.m.

Respectfully submitted:

Lynne Sedlacek