

EAGLE SEWER DISTRICT

May 14, 2007

Regular Monthly Meeting

6:30 p.m.

Minutes

Roll Call

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

Consultants present: Cyndy Bratz, P.E., MWH and Evan Robertson, legal counsel.

Staff present: Lynn Moser, General Manager; RJ Lake, Plant Superintendent; and Laura Markham, Administrative Assistant.

Approval of Minutes

Ferguson moved, Brooks seconded, to approve the minutes of the April 9, 2007 Regular Meeting. The motion passes unanimously.

Public Hearings

Annexation Request/Eagle Commons, LLC – *Eagle Commons, LLC is requesting annexation of 51.60 acres located west of Linder Road and south of State Highway 44. The intended use is for a 45-lot single-family residential subdivision. Due to a publication error, the hearing held on March 12 needs to be redone.*

Gifford opened the public hearing. There was no public testimony. Gifford closed the public hearing. Ferguson moved, Hendershot seconded, to approve the annexation request subject to the conditions of approval attached to the annexation petition. The motion passes unanimously.

Reports

Eagle City Council/Scott Nordstrom – Nordstrom reported that the draft North Foothills Plan, an addition to Eagle's Comprehensive Plan, has been completed and is going through the hearing process with Eagle's Planning and Zoning Commission.

The Eagle Chamber of Commerce has presented new plans for the downtown Eagle core; and Nordstrom stated he expects the downtown area to be one of the next Comprehensive Plan amendments that will need to be reviewed. The Chamber proposal calls for an amendment to the 35-foot height limitation. There were also recommendations made regarding tree preservation and reductions in parking requirements. Nordstrom stated that are other larger issues--such as downtown traffic flows--that still need to be considered.

Wastewater Plant/RJ Lake – Lake reported the total plant flow for April 2007 was 41.39 million gallons, for an average of 1.38 million gallons per day. They are continuing to gather survey data for the flow modeling. A replacement pump has been ordered for the Old Valley Liftstation. Rainey Day Water was contacted to repair a tear in the liner. Four other precautionary patches were also put into place. The replacement of the lagoon liners will be discussed later in tonight's meeting.

Unfinished Business

MWH Report on the Facility Plan Progress – Progress Report No. 15 was included in the Directors' meeting packets. Bratz summarized the report. A technical memorandum is being prepared for the funding options. Bratz stated that prior to finalizing the financial planning, MWH will review the costs associated with the new liner recommendations.

WWTP Liner Replacement Project – Moser expanded on Lake's report given earlier in the meeting. The tear in the liner is on the primary lagoon's north side. The tear was above the water line. While the repair crew was onsite, it was decided that four other areas of the liner should also be repaired. This incident has raised the level of concern regarding the integrity of the liner. Rather than replace the liner as part of the new Facility Plan proposal, Moser has directed MWH to prepare a plan for immediate replacement of the lagoon liner system.

MWH has prepared a memorandum outlining a phased plan of action for replacing the liner system. The memorandum was included in the Directors' meeting packets. Phase 1 consists of "a desktop evaluation of viable treatment options," and "conduct a site visit to inspect the failed lagoon liner, and to discuss options with the liner manufacturer." Phase 1 was broken down into three scenarios. Bratz explained how the evaluation process and cost determination of each scenario would be conducted.

Moser stated that he feels Boise Public Works (BPW) will work with ESD to resolve treatment issues while the lagoons are out of operation. He has a meeting with BPW scheduled for later this week. There was discussion regarding how the newly lined lagoons would work into the new facility plan. MWH will continue to move forward with Phase 1 as proposed. The Board set a special meeting for Wednesday, May 30th, at 4:00 p.m. The Board asked Robertson to review the possibility of funding the liner replacement by having the court determine the cost to be "ordinary and necessary."

WWTP Landscape Buffer Project - Bratz distributed the latest draft of the Site Use Plan. This draft illustrates the landscape modifications needed to accommodate the access point for the Stillwater development and the relocation of the main irrigation lateral to the south of the internal roadway. Bratz also distributed a construction schedule and estimate of probably costs for the buffer berm. Plan changes have increased the original cost estimate; but the sale of the corner property to Stillwater, and Stillwater's participation in the cost of the west berm, have more than offset the additional costs.

Moser stated that this project was funded for completion in the current fiscal year. The Board agreed that MWH should proceed with the project as shown on the construction schedule. Gifford stated that to accelerate the program, a special meeting could be held immediately after the bid opening and review are completed, rather than wait for the Board's next regular meeting to award the bid.

Progress of Negotiations with Stillwater Developer – Moser reported that he and Robertson had met with the developer last Thursday and the District should have a contract soon. Moser said the District should have the contract before the Special Meeting scheduled for May 30th.

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.

Brooks reported that the ITD appraisal has been completed, but ITD has not released the appraisal amount. Brooks stated that he told ITD that ESD is not willing to pay more than \$100. Brooks reported that he would contact ITD and inform them of the special meeting on May 30th. Brooks will encourage ITD to get the appraisal price to him prior to the May 30th meeting.

Miscellaneous – None

New Business

Annexation Request/Eagle Commons, LLC – Eagle Commons, LLC is requesting annexation of 51.60 acres located west of Linder Road and south of State Highway 44. The intended use is for a 45-lot single-family residential subdivision. Due to a publication error, the hearing held on March 12 needs to be redone. The Public Hearing was redone on May 14

Resolution 07-07/Annexation Request/Chad Moffat & Curtis and Sonna Betts – *The petitioners are requesting a public hearing to consider the annexation of 5.14 acres located north of Floating Feather Road and west of North Park Lane. The intended use for this property is an 8-lot, single-family residential subdivision. Moser reported the 5-acre parcel is adjacent to the recently approved Obsidian Subdivision. This property will be developed as an extension of Obsidian Subdivision. Ferguson moved, Hendershot seconded, to approve Resolution 07-07 to hold a public hearing on June 11, 2007 at 6:30 p.m. for the purpose of considering the annexation petition. The motion passes unanimously.*

Resolution 07-11/Annexation Request/William and Wanda Overton – *The petitioners are requesting a public hearing to consider the annexation of 4.83 acres located north of Chinden Boulevard and west of Locust Grove Road. The intended use for this property is a 3-lot, single-family residential subdivision. Moser reported the property has the ability to access the sewer line installed for the Castlebury West Subdivision. The property owners wish to split the property into 3 lots and the lot with the existing home wants to abandon the septic system and connect to central sewer. Brooks moved, Ferguson seconded, to approve Resolution 07-11 to hold a public hearing on June 11, 2007 at 6:30 p.m. for the purpose of considering the annexation petition. The motion passes unanimously.*

Resolution 07-09/Accepting MetroQuip Bid for Easement Machine – Eagle Sewer District has received two bids to acquire a self-propelled, all-terrain, track-mounted Easement Machine that will be used in conjunction with the District’s high-pressure hydraulic sewer cleaner. The apparent low bid from Maric Sales was deemed unresponsive to the bidding specifications. Resolution 07-09 addresses the unresponsive bid from Maric Sales, accepts the bid of \$38,650 from MetroQuip, and authorizes the General Manager to proceed to acquire the equipment. Moser and Lake reported on the safety equipment items left out of the Maric bid. Moser reported the auto level-wind is critical to the District’s operational needs. Ferguson moved, Ballou seconded, to approve Resolution 07-09. The motion passes unanimously.

Proposed New Road to WWTP Headwork’s Facility - Moser reported on the need for an alternative access road to the plant’s headworks. Brown and Caldwell engineering firm has submitted a written proposal to provide the engineering design for a secondary access road. The proposal was included in the Directors’ meeting packets. The design budget is not to exceed the cost of \$9,500. Dean Smith, P.E., of Brown and Caldwell, went over the proposal and delineated the proposed road alignment. Moser stated an additional access to the headworks is even more critical now that the District is moving forward to replace the lagoon liners. After brief discussion, Ferguson moved, Brooks seconded, to approve the proposal submitted by Brown and Caldwell with the design budget not to exceed \$9,500. Motion passes unanimously.

Resolution 07-10/Adopting Changes to the ESD Policy Manual – A copy of the revised ESD Policy Manual was included in the Directors’ meeting packets. Pending Board approval, Robertson has prepared Resolution 07-10 to adopt the new draft. After brief discussion, Brooks moved, Ferguson seconded, to adopt and accept the changes proposed in the revised ESD Policy Manual. Motion passes unanimously.

2007 Idaho Wastewater Reuse Conference – The agenda and registration form for the 2007 Idaho Wastewater Reuse Conference was included in the Directors’ meeting packets. Moser and Bratz are both part of the conference planning committee. Moser reported that this year’s conference would include public policy discussion rather than just showing the various types of treatment options available. Bratz reported on recent information suggesting that the Environmental Protection Agency will be making the phosphorus TMDL much more stringent. Bratz stated that anyone interested in how these reductions will be implemented should try to attend the conference.

Miscellaneous – None

Ratification of Claims Paid Against the District

Ferguson moved, Ballou seconded, to ratify the claims paid against the District. The motion passes unanimously.

Executive Session

Personnel – Ferguson moved, Ballou seconded, to take a 5-minute recess before moving into Executive Session. The motion passes unanimously. The Regular Meeting was recessed at 8:10 p.m.

Respectfully submitted:

Lynne Sedlacek