

EAGLE SEWER DISTRICT

July 12, 2010

Regular Monthly Meeting

6:00 p.m.

Minutes

I. Roll Call

Chairman Jim Brooks called the meeting to order at 6:07 p.m. Board members present: Ed Hendershot, Jim Gruber, Jim Brooks, and Erv Ballou. Chuck Ferguson is absent. A quorum is present.

Consultants present: Phil Johnson, MWH Engineers and Evan Robertson, legal counsel.

Staff present: Lynn Moser, General Manager; RJ Lake, Operations Manager; and Lynne Sedlacek, Business Manager.

II. Approval of Minutes

Gruber moved, Hendershot seconded, to approve the minutes of the June 14, 2010 Regular Meeting. The motion passed unanimously.

III. Monthly Reports

A. Eagle City Council/Norm Semanko – Semanko reported that the council is still operating without a mayor; Michael Huffaker, as council president, is acting mayor. Discussion of an appointment of a mayor or council member will continue to be on every council agenda.

Ada County has ruled that the Eagle River Pavilion Concert Series can continue with all of the scheduled concerts. The Eagle council members voted unanimously to support the concert series and testified to that fact at the County's public hearing. Ada County attached an additional requirement that the applicant continue to have one public meeting per month on the Eagle Council agenda so that the council can continue to take public input on the concert series.

The Three Cities River crossing, an extension of State Highway 55 from State Street to Chinden Boulevard, is being considered by Ada County Highway District (ACHD). ACHD is seeking public input on whether or not to proceed with the project. The issue will be open to a public hearing at the July 13th Eagle council meeting.

Director Ferguson arrived at the meeting at 6:15 p.m.

Semanko reported on the other items to be discussed at the council's July 13 meeting. Semanko also stated that special budget meetings are being held as the council works through the fiscal year 2011 budget. The budget public hearing is scheduled for August 24.

B. ESD Board of Directors:

Ferguson and Ballou reported on their recent visit to the headworks project. Ballou asked for Board discussion regarding the certified letter each board member received from the local Carpenter's Union. The Union is asking the District to require Ewing to pay a higher wage scale. After discussion, the Board agreed that we are midway through the project and it would be difficult for Ewing to adjust the wage scale now without requesting a Change Order for additional money from the District. It is Robertson's recommendation that the Board not respond to the letter.

C. Operations Report/RJ Lake – Lake reported the total plant flow for June 2010 was 52.41 million gallons, for an average of 1.75 million gallons per day. The operations staff has been mowing weeds along State Highway 44 and in the fields behind the berm. The line cleaning and camera work in Island Woods is complete. The Edgewood trunk line and the 18-inch Riverside Drive line have also been cleaned.

The Palmer Lane liftstation was recently flooded by irrigation wastewater. The water has been removed from the facility. Work on the neighboring waste ditch, and additional grading done around the liftstation, should prevent the flooding from happening again.

IV. Unfinished Business

A. Wastewater Headworks Project – Johnson reported the contractor has finished the structural work and the roofing is complete. The contractor is now working on the mechanical and plumbing installation and the inside electrical work. The screens and washers are installed and the contractor is leak-testing the vaults. Johnson stated that within the next six to eight weeks, all the remaining equipment will be installed.

B. ESD FY2011 Budget Committee Recommendations – Gruber, Moser, Lake, and Sedlacek have met and prepared a proposed Fiscal Year 2011 budget. A copy of the proposed budget was included in the Directors' meeting packets. Moser and Gruber went over the projected revenue amounts. The District will be requesting \$75,000 from property tax. This is a 25% decrease from last year's budget. It is the Board's intent to keep the requested amount low enough to absorb this year's reduction in property values and hold the resulting property tax levy to last year's level. Gruber moved, Ferguson seconded, to accept the proposed budget and take it to public hearing at next month's meeting (August 9th). The motion passed unanimously.

V. New Business

A. Records Retention Manual/Proposed New Policy – A memorandum from Sedlacek and a copy of the draft manual was included in the Directors' meeting packets. Sedlacek reported that as a public agency, the District is required to have a records retention manual. The purpose of the manual is to provide guidance on which records to keep and for how long. This is to insure the availability of District records to the general public for review and/or copying. The draft manual has already been reviewed by Robertson, Moser, and Lake.

Robertson stated that the original draft had several instances where records were scheduled to be kept for only two years. Robertson does not feel that two years is long enough to cover most statutes of limitation. For this reason, Sedlacek changed references of two years to three years. Hendershot moved, Ballou seconded, to adopt the policy as presented. The motion passed unanimously.

B. Eagle Water Construction Invoices – Eagle Sewer District recently received an invoice from Eagle Water Company totaling \$42,162. After securing an itemized invoice, it was discovered the billed work dated back to 2005. Moser explained that Eagle Water Company had been proactive in putting in utility crossings during the construction of both the Alternate Route and also the developed Ballantyne Park and Ride facility. Part of this bill included costs for this work.

Johnson reported he had done an analysis of the charges and it is his opinion that the costs are not only fair and reasonable, but in each case, the amounts charged were less than Johnson's estimates. Moser reported the \$29,083 charged for the 2007 installation of a water main and hydrant to the landscape berm was originally included in the contractor's bid for the berm construction. This work was pulled from the berm construction contract at the insistence of Eagle Water's owner, Robert DeShazo. Mr. DeShazo was adamant that Eagle Water install the water line and hydrant. Moser explained that he allowed Eagle Water to do the work in an effort to keep the project on schedule. Moser stated he had no idea that the cost would exceed the \$25,000 no-bid limit.

After more discussion, Brooks moved, Gruber seconded, to approve the 2005 charges as it appears that Eagle Sewer District was the sole benefactor of the water line crossing; to approve only \$25,000 of the \$29,083 requested for the water line and hydrant as this is the maximum amount the District can approve without going out to bid on the work; and to pay the 2009 amount as billed (\$4461). Brooks then amended the motion to add: the District's payment is contingent on the fact that ESD's consulting engineer finds the amounts billed are consistent with the estimated value of the work, contingent upon receiving a full release from Eagle Water Company and that the payment be accompanied by a letter from Robertson informing Eagle Water Company that in the future, work done without written authorization from the District would not be paid. Gruber seconded the amendment to the motion. The amended motion passed unanimously.

VI. Ratification of Claims Paid Against the District

Ferguson moved, Ballou seconded, to pay the claims against the District. The motion passed unanimously.

VII. Executive Session

A. Personnel – Ferguson moved, Hendershot seconded to take a brief break and then move into Executive for the purpose of discussing personnel issues. Roll call vote: Hendershot, aye; Gruber, aye; Brooks, aye; Ferguson, aye; Ballou, aye. The motion carried unanimously. The Regular meeting went into recess at 7:15 p.m.

Respectfully submitted:

Lynne Sedlacek