EAGLE SEWER DISTRICT
April 14, 2003

Regular Monthly Meeting
6:30 p.m.

Minutes

Roll Call
Chair Chuck Ferguson called the meeting to order at 6:35 p.m. Board members present: Dan Friend, Doug Patterson, Michael Gifford and Jim Brooks. A quorum is present. Eagle Sewer District consultants present: Evan Robertson, legal counsel. Phil Krichbaum, P.E., JUB Engineers, Inc. Staff present: Lynn Moser-General Manager, Chuck Foster-Plant Superintendent, and Lynne Sedlacek-Office Manager.

Approval of Minutes
March 10, 2003 Regular Meeting – Gifford moved, Patterson seconded, to approve the March 10, 2003 Regular Meeting minutes. Motion carried. There was discussion regarding Senate Bill 1035, which allows sewer districts to raise director compensation up to $100 per meeting. Henry Kulczyk, our District 14 representative, was one of only two representatives that voted against the bill. Moser was instructed to write to Mr. Kulczyk and invite him to attend one of the Eagle Sewer District Board meetings.

Public Hearings
Annexation Request/Evans Acres Subdivision – A legal majority of the property owners in Evans Acres Subdivision is requesting annexation of approximately 11.91 acres, which has been subdivided into 28 residential lots. This property is located north of Hill Road between Harvey Street and State Highway 55. The annexation is the first step in forming a Local Improvement District for sewer. Ferguson opened the public hearing. Terry Loftus, 216 Rene Place, Eagle, and David and Barbara McDermott, 398 Rene Place, Eagle, testified in favor of the annexation. There was no other public testimony. Ferguson closed the public hearing. Gifford moved, Brooks seconded, to approve the annexation request as described in Exhibit “A” and subject to the standard and special conditions set forth in Exhibit “B” of the petition. Motion carried.

Annexation Request/Cavallo, LLC/North Star Charter School – At the November 2002 Board meeting this annexation request was approved; but the legal description read as “Lot 1, Block 1, of the Cavallo Estates Subdivision. It was later discovered that at the time of the annexation the subdivision plat had not been recorded, thereby invalidating the legal notice. The annexation request has now been published correctly. Ferguson opened the public hearing. There was no public testimony and Ferguson closed the hearing. Gifford moved, Brooks seconded, to approve the annexation of the property as described as Exhibit “A,” and subject to the standard and special conditions set forth in Exhibit “B.” Motion carried.
Unfinished Business
ACHD Public Right-of-Way Annual Permit under Policy Section 6000 – Moser had provided the Board with a copy of the proposed ACHD Annual Permit, a letter from ACHD’s staff attorney, and an email from Bart Harwood, the attorney for Bench Sewer District. Robertson reported he had met with ACHD representatives on March 26 and it is his understanding that ACHD staff will develop a draft contract to use for the sewer districts in lieu of the Annual Permit. Robertson recommends the District review this draft contract. If there continues to be an issue, then the Board may want to meet with the ACHD Commissioners.

Progress on Evans Acres Local Improvement District - Robertson stated that he had discussed the Annexation process and LID timeline with Mike Moore, LID Bond Counsel. The District needs to wait until the Evans Acres Annexation is completed through District Court before moving forward with the LID Resolutions. Sedlacek reported that another resolution is needed for the State Revolving Loan. Robertson had prepared Resolution 03-08, which authorizes the District to go into debt by accepting the State Revolving Loan, and that authorizes Chuck Ferguson, Lynn Moser and Lynne Sedlacek to sign the loan pay requests. Friend moved, Patterson seconded, to table Resolution 03-06, “Initiating the Formation of Local Improvement District No. 2003-1” and Resolution 03-07, “Creating Local Improvement District No. 2003-1,” until Robertson informs the District that the annexation process is complete; and that the Board approve Resolution 03-08, authorizing the District to incur the State Revolving Loan debt and authorizing Chuck Ferguson, Lynn Moser and/or Lynne Sedlacek to sign the loan pay requests. Motion carried.

Progress on Decommissioning of Land Application Facility – Moser reported on the letter he received from Richard Huddleston, Wastewater Program Manager for the Idaho Department of Environmental Quality (DEQ). Moser, Robertson, and Kirby Vickers, P.E. of JUB Engineers, met to discuss the letter. Vickers will address the first three points listed in Huddleston’s letter and Moser will draft a reply letter for Chairman Ferguson’s review and signature. There was discussion on whether the District should secure an appraisal on the property now, or after ESD receives closure approval from DEQ. Moser recommends the District wait until this next letter is sent to DEQ, and then decide if ESD should move forward with the appraisal.

Miscellaneous – There was brief discussion on the joint planning meeting held with the City of Eagle and the City of Star. The City of Eagle is beginning to receive annexation requests for property located long Linder Road. There was discussion on the status of the old pressure line on Linder Road, and whether or not it could accommodate gravity sewer. Moser and Krichbaum explained that the line itself probably could not be used for gravity sewer, but could possibly be used as a sleeve or conduit for a smaller line. Moser reported the District is preserving the pressure line until such time as we are sure we will not need it.
New Business
Annexation Order/Resolution 03-05/Eagle River LLC – The public annexation hearing for this request was held at the March 10, 2003 Board meeting. The property consists of approximately 10 acres that is contiguous to the east side of the present Eagle River LLC project. This property was under different ownership at the time of the Eagle River annexation. The property use is proposed to be an extension of the commercial development now being built in the Eagle River Project. Gifford moved, Patterson seconded, to approve Resolution 03-05, Eagle River, LLC, and authorize the attorney to take the annexation through District Court. Motion carried.

Purchase of an Administrative Office Vehicle – Moser presented the State of Idaho bid price of $21,107.28 for a 2003 Chevrolet Blazer 4WD SUV. The Administrative Staff would use the vehicle. There is $17,939.52 left in the budget after the purchase of the last pickup. This amount added to the $10,000 from the sale of the District’s 1997 F250 pickup to Eagle Water will cover the proposed purchase price of the Blazer. Patterson moved, Brooks seconded, the District purchase the vehicle as soon as possible. Motion carried.

Miscellaneous – None

City Council Report
Sedlacek reported that the City of Eagle and the City of Star have agreed to work on a master plan for the area between Linder Road and Plummer Road. Ada County will facilitate the planning process.

Ratification of Claims Paid Against the District
Gifford moved, Patterson seconded, to ratify the claims paid against the District. Motion carried.

Executive Session - Property Acquisition – Gifford moved, Patterson seconded, to go into Executive Session to discuss property acquisition. Motion carried. Ferguson stated the Board would take a break and then go into the Executive Session. The Regular Meeting adjourned at 8:00 p.m.

The Board moved into Executive Session at 8:05 p.m. The Board came out of Executive Session at 8:25 p.m. Gifford moved, Brooks seconded, that ESD disband the ESD Water Committee, and the District Board of Directors defers any further discussion on the purchase of Eagle Water Company until the District’s attorney receives requested information from Eagle Water Company’s legal counsel.

The meeting was adjourned at 8:35 p.m.

Lynne Sedlacek (Executive Meeting Notes provided by Lynn Moser)