

FOUR CORNERS COUNTY WATER AND SEWER DISTRICT MINUTES  
Board Meeting December 6, 2006

1. Call to Order: A quorum being present, the meeting was called to order at 6:30 p.m. in the library of the Monforton Elementary School, 6001 Monforton School Road, Bozeman, Montana

Present: John Hulme, Richard Smith, Ben Zavora, and Mike Pearson

Also present: Susan Swimley, attorney for the District, Ron Edwards, District Consultant

Public: John Close from Utility Solutions.

2. Approval of Minutes: Ben Zavora moved approval of minutes from the November 1, 2006 meeting minutes. Richard Smith seconded the motion. Motion passed unanimously.

3. Old Business:

- a. Amendments to Rules and Regulations (rates and charges) Utility Solutions Contract for various service areas and report of ad hoc finance committee. –

No report

- b. Annual Report – Five (5) requests for proposals were sent out to various accounting firms. Two responses were received from AZ and Company and Holmes and Turner. The Board requested that Richard and Ron interview both companies and return to the Board with a recommendation for contracting for audit services to meet the annual report requirements.

- c. Petitions for Annexation:

- a. Gallatin Heights
- b. APK (Buckland Siding)
- c. Black Bull Run
- d. Middle Creek Parklands (Flikkema)

No report.

- d. Litigation Update: provided by Susan Swimley

Faust and McManus v. Four Corners County Water and Sewer District and Utility Solutions, has been appealed to the Montana Supreme Court.

The board has a special meeting noticed to discuss issues in Lohmeier v. Four Corners County Water and Sewer District. That meeting will be Thursday, December 7, 2006 at 5:30 p.m.

e. Engineering review of US (service areas and annexations) / HDR

Ron provided the Board with a draft scope of work and estimated cost. Ron believes that once the HDR engineer speaks with Morrison-Maierle, the estimate may be reduced. The Board discussed the goal of being able to evaluate the US system for more than the pending annexations so as to be able to review capacity for additional services areas without paying for more engineering studies.

Ron suggested the Board consider a fee associated with annexation that covers the costs of engineering to evaluate capacity of the system.

The Board authorized Ron to allow for payment of travel and time for HDR to come to Bozeman, if necessary, to meet with Morrison-Maierle to complete the scope of work.

4. New Business

a. Discussion of allowing irrigation wells within the District (Service Area 2). The Board discussed this for purposes of providing irrigation only to the various multi-family lots and commercial lots. The Board directed staff to review the contract with US to determine if such an action is allowed or requires a contract amendment.


b. Other matters to be placed on future agendas. None

5. Public Participation: None

6. Board Issues: Ron provided to the Board the final spread sheets for tax levied together with maps and the District's budget. The Board questioned difference between the resolution attachment and the final tax levy. An increase in the District's budget, which was necessary due to the cases filed against the District in June 2006, and the County's inclusion of tax from the open space lots makes up the majority of the variation. The Board discussed possible actions to be taken, should the need arise. Additionally, the Board discussed other sources of revenue such as monthly assessments, which has a different tax issue for consumers.

7. Adjourn Meeting Meeting adjourned at 7:42 p.m.

Respectfully Submitted

  
Susan B. Swimley  
acting secretary and legal counsel