



Board Meeting Agenda for Tuesday, August 15, 2023 @ 6:30 pm

At The

Four Corners Water & Sewer District Office, 495 Quail Run Road,

Bozeman, MT, 59718

Regular Monthly Meeting

- 1) Call to Order
- 2) Approval of Draft Meeting Minutes from June 20, 2023
- 3) Public Comment: Non-Agenda Items- Time Limit on public comment 5 minutes

I. General Business

- 1) Gallatin Gateway Discussion
- 2) Ordinance 2023-04- Second Reading Morgan
- 3) Ordinance 2023-05- Second Reading Darr
- 4) Ordinance 2023-06- Second Reading Nolheimer Condo Master
- 5) Ordinance 2023-07- Second Reading Shepherd
- 6) Ordinance 2023-08- First Reading Hubert
- 7) Resolution 2023- 04- Special Assessment
- 8) Monthly Operation & Maintenance Report
- 9) Monthly Financial Report
- 10) General Manager Topics
- 11) Board Member Topics

II. Next Meeting Date – Tuesday- September 19, 2023

III. Adjourn Meeting

**FOUR CORNERS WATER AND SEWER DISTRICT MINUTES DRAFT
REGULAR MEETING, June 20, 2023**

Call to Order

Member Brad Early called the regular meeting of the Four Corners Water and Sewer District (FCWSD) to order at 6:32 pm on Tuesday, June 20, 2023, at the office of the Four Corners Water & Sewer District at 495 Quail Run Road, Bozeman, Montana.

Board Members present: President Nancy Flikkema, member Brad Early and member Jeff Sipes

Staff/Public present: Phil George, General Manager (GM) from FCWSD; Amy Ellingson, District Administrator (DA) from FCWSD and Libby Kueneke, Secretary

Approval of Minutes

May 16, 2023 Board Meeting

Motion: Member Jeff Sipes moved to approve the minutes as written. Member Brad Early seconded. No public comment. The minutes were approved 3-0.

Public Comment on Non-Agenda Items:

No public comment was made.

GENERAL BUSINESS

Ordinance 2023-03 2nd Reading

Ordinance 2023-03: An Ordinance Accepting the Annexation Petition of John Salcedo, 81481 Gallatin Road, Bozeman MT 59718 for annexation into the Four Corners Water and Sewer District

The property is located in Rainbow Subdivision. The petition is for 1 sewer EDU. Phil recommends approval.

Motion: Member Brad Early moved to pass the 2nd reading of Ordinance 2023-03; member Jeff Sipes seconded. No public comment. Motion passed 3-0.

Ordinance 2023-04 1st Reading

Ordinance 2023-04: An Ordinance Accepting the Annexation Petition of Oak Capital Lands in Parcels I, II, III, and V of COS3112 in Section 24, Township 2 South, Range 4 East for annexation into the Four Corners Water and Sewer District

The property is located adjacent to Elk Grove. The petition is for 120 EDUs. They have begun arrangements to put in a needed pipeline and easement. Phil recommends approval.

Motion: Member Jeff Sipes moved to pass the 1st reading of Ordinance 2023-04; member Brad Early seconded. No public comment. Motion passed 3-0.

Ordinance 2023-05 1st Reading

Ordinance 2023-05: An Ordinance Accepting the Annexation Petition of Wade Darr, Lots 131 & 132 of Rainbow Subdivision for annexation into the Four Corners Water and Sewer District

The property is located in the Rainbow Subdivision. The petition is for 3 water and sewer EDUs. Phil recommends approval.

Motion: Member Jeff Sipes moved to pass the 1st reading of Ordinance 2023-05; member Brad Early seconded. No public comment. Motion passed 3-0.

Ordinance 2023-06 1st Reading

Ordinance 2023-06: An Ordinance Accepting the Annexation Petition of Nolheimer Condominiums for annexation into the Four Corners Water and Sewer District

The property is located in the Kennedy Subdivision. The petition is for 2 water and sewer EDUs to hook up to 2 buildings. Phil recommends approval.

Motion: Member Jeff Sipes moved to pass the 1st reading of Ordinance 2023-06; member Brad Early seconded. No public comment. Motion passed 3-0.

Ordinance 2023-07 1st Reading

Ordinance 2023-07: An Ordinance Accepting the Annexation Petition of Michael Shepherd Tract 486 of Rainbow Subdivision to Bozeman Hot Springs Tract for annexation into the Four Corners Water and Sewer District

The property is located in Rainbow Subdivision. The petition is for 8 sewer EDUs. Phil recommends approval.

Motion: Member Brad Early moved to pass the 1st reading of Ordinance 2023-07; member Jeff Sipes seconded. No public comment. Motion passed 3-0.

Monthly Operations and Maintenance Report

Phil George offered the report.

- FCWSD continues building the foundation pier and frost wall at the WRF Expansion. Lining of the SBR walls is in progress but is experiencing weather delays.
- EGWWTP upgrade work continues. Additional steel work was required for blower mounts. Painting, final assembly of equipment and electrical installation will be scheduled next.
- Phase 2 of Outfall 003 is complete.
- WRF odor control improvements are expected to begin soon upon arrival of additional materials and equipment this month.

Monthly Financial Report

Amy Ellingson provided the report.

- The DA reviewed upcoming annexations. FCWSD continues to reach out to parties with more property than EDUs to maintain open communication of remaining EDUs and deadlines.
- The GM contacted Gallatin County Health & Gallatin County Planning about remaining capacity without a response. He will follow up with a courtesy papertrail-style communication.
- FCWSD is searching to fill a current job opening.
- The Stip Bond water status is at \$4,025,237 and sewer status is at \$2,122,706
- The DA reviewed the May budget vs. actual for the shared, sewer, and water expenses. The year end of the budget will occur in June and FCWSD will remain under budget in all categories with the exception of a surplus in revenues.
- There was a request for the finance committee to receive footnotes on extra money moved to Stip to prepare for any needed questions.

Resolution 2023- 04: 2023-2024 Budget

Resolution 2023- 04: A Resolution of the Four Corners County Water and Sewer to approve the 2023-2024 Budget.

This resolution approves the 2023-2024 budget. The GM reviewed updates in the revised 2023-2024 budget. The board requested no changes.

Motion: Member Brad Early moved to approve Resolution 2023- 04; Member Jeff Sipes seconded. No public comment. Motion passed 3-0.

General Manager Topics

Phil George offered the report.

- SCADA work is ongoing.
- The GM met with engineering about the Northstar Lift Station Capacity. He hopes to get the work to contractors in late Fall.
- The Effluent Filtration remains in DEQ review.
- FCWSD continues to review customer accounts for contract compliance and reach out to noncompliant clients to seek remediation. FCWSD has entered remediation with some clients and continues to communicate with others.
- No July Board meeting will occur.
- The FCWSD continues to pursue a new board member. For strong representation across the district, FCWSD is targeting a business person or a Northstar resident.

Board Member Topics

No board member topics were discussed.

Public Comment:

No public comment was made.

Next Meeting Date: Tuesday, August 15, 2023

Adjourn

There being no further business before the Board, the Four Corners Water & Sewer District meeting of June 20, 2023 adjourned at 7:14 p.m.

Libby Kueneke, Secretary

Ordinance 2023-04

ORDINANCE ACCEPTING THE ANNEXATION PETITION OF OAK CAPITAL LANDS IN Parcels I, II, III and V of COS 3112 in SECTION 24, TOWNSHIP 2 SOUTH, RANGE 4 EAST. ANNEXATION INTO THE FOUR CORNERS WATER & SEWER DISTRICT

WHEREAS, Oak Capital VI, LLC a California limited liability company with address of 555 Capital Mall, Ste 995, Sacramento CA and Pac West Diversified LP, a Delaware limited partnership with address of 555 Capitol Mall, Ste. 900, Sacramento CA as owners of submitted a petition for annexation of Parcels I, II, III and V of Certificate of Survey 3112 (total of 298.5 acres) with full legal description attached hereto as Exhibit A, being located in Section 24, Township 2 South, Range 4 East, Gallatin County, Montana ("Properties") requesting that the Properties be annexed into the Four Corners County Water and Sewer District to connect to water and wastewater services; and

WHEREAS, the Properties is contiguous to the District boundary; and

WHEREAS, on June 20, 2023 at a duly noticed meeting of the Board of Directors, the Board considered the Petition to annex the Property as contiguous property and determined that the systems has capacity to provide service to the new proposed residence to be located on the Property; and

WHEREAS, the Property will need to provide its own irrigation water.

WHEREAS, Oak Capital and PAC West will provide evidence of purchased of water rights to serve the Property need to be provided for 120 EDU (19,200 gpd total) and have agreed to pay the water and wastewater fee per EDU to the District.

NOW THEREFORE, be it ordained by the board of directors of the Four Corners County Water and Sewer District Board, by passage of this ordinance, the District does agree to annex the Properties, described above, into the District after transfer of water rights & payment of fees water and sewer service for 120 EDUs (19,200 gpd total).

Landowners/petitioners acknowledge prior to the second reading that should additional structures which utilized water or sewer on the property, the District makes no representation that the District will have sufficient water or sewer capacity to service future structures.

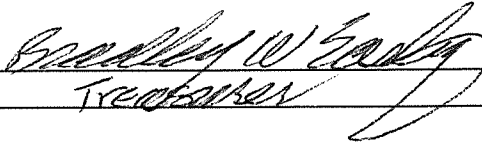
ADOPTED by the Board of Directors of the Four Corners County Water and Sewer District after first reading on June 20, 2023 with a vote of 3 in favor and 0 against and second reading on _____, 2023 with

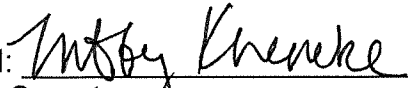
a vote of _ in favor and_ against.

This Ordinance shall be in effect 30 days after the date of the second reading.

1st Read and approved: Four Corner's County Water and Sewer District

Dated: June 20, 2023

Its: 
Treasurer

Attested: 
Secretary

2nd Read and approved: Four Corner's County Water and Sewer District

Dated: _____, 2023

Its: _____

Attested: _____
Secretary

Ordinance 2023-05

ORDINANCE ACCEPTING THE ANNEXATION PETITION OF WADE DARR,
LOTS 131 & 132 of RAINBOW ANNEXATION INTO THE FOUR CORNERS
WATER & SEWER DISTRICT

WHEREAS, Wade Darr submitted a petition for annexation of Lots 131 & 132 (total of .22 acres) of Rainbow Subdivision to Bozeman Hot Springs Tract, in , being located in Section 14, Township 2 South, Range 4 East, Gallatin County, Montana [plat reference: D-43]("Properties") requesting that the Properties be annexed into the Four Corners County Water and Sewer District to connect to water and wastewater services; and

WHEREAS, the Properties is contiguous to the District boundary; and

WHEREAS, on June 20, 2023 at a duly noticed meeting of the Board of Directors, the Board considered the Petition to annex the Property as contiguous property via public right of way and determined that the systems has capacity to provide service to the new proposed residence to be located on the Property; and

WHEREAS, the Property will need to provide its own irrigation water.

WHEREAS, Wade Darr will provide evidence of purchased of water rights to serve the Property need to be provided for 3 EDU (480 gpd total) and have agreed to pay the water and wastewater fee per EDU to the District.

NOW THEREFORE, be it ordained by the board of directors of the Four Corners County Water and Sewer District Board, by passage of this ordinance, the District does agree to annex the Property being Lots 131 & 132 (total of .22 acres) of Rainbow Subdivision to Bozeman Hot Springs Tract, into the District after transfer of water rights & payment of fees water and sewer service for 3 EDUs (480 gpd total).

Landowner/petitioner acknowledges that District makes no representation that the District will have sufficient water or sewer capacity to service future structures or additional structures which utilized water or sewer on the Property.

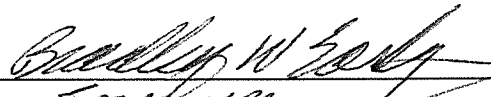
ADOPTED by the Board of Directors of the Four Corners County Water and Sewer District after first reading on June 20, 2023 with a vote of 3 in favor and 0 against and second reading on _____, 2023 with a vote of _ in favor and _ against.

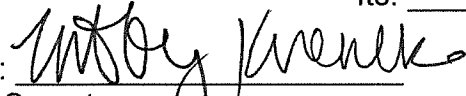
This Ordinance shall be in effect 30 days after the date of the second reading.

1st Read and approved:

Four Corner's County Water and Sewer District

Dated: June 20, 2023

Its: 
Treasurer

Attested: 
Secretary

2nd Read and approved:

Four Corner's County Water and Sewer District

Dated: _____, 2023

Its: _____

Attested: _____
Secretary

Ordinance 2023-06

ORDINANCE ACCEPTING THE ANNEXATION PETITION OF NOLHEIMER CONDOMINIUMS INTO THE FOUR CORNERS WATER & SEWER DISTRICT

WHEREAS, Nullus Desiderium, LLC as owner of Units 1 and 2 and KKC Rentals, LLC as owners of Units 3 and 4 of 100% of Units owners and limited common elements of Nolheimer Condominiums, located on Lot 3 of Block 1 of Kennedy Subdivision (total of 2.0 acres) being located in Section 35, Township 1 South, Range 4 East, Kennedy Subdivision, Gallatin County, Montana ("Property") petitioned for annexation of the Nolheimer Condominiums, including all units, common elements and limited common elements requesting that the Property be annexed into the Four Corners County Water and Sewer District to connect to water and wastewater services; and

WHEREAS, the Property is contiguous to the District boundary; and

WHEREAS, on June 20, 2023 at a duly noticed meeting of the Board of Directors, the Board considered the Petition to annex the Property and determined that the systems has capacity to provide service to the new proposed development to be located on the Property; and

WHEREAS, the Property will need to provide its own irrigation water.

WHEREAS, Nolheimer Condominiums will provide evidence of purchased of water rights to serve the Property need to be provided for 2 EDU (320 gpd total) and have agreed to pay the water and wastewater fee per EDU to the District; and

NOW THEREFORE, be it ordained by the board of directors of the Four Corners County Water and Sewer District Board, by passage of this ordinance, the District does agree to annex the Property, described above, into the District after transfer of water rights & payment of fees water and sewer service for 2 EDUs (320 gpd total).

Landowners/petitioners acknowledge prior to the second reading that should additional structures which utilized water or sewer on the Property, the District makes no representation that the District will have sufficient water or sewer capacity to service future structures or more uses.

ADOPTED by the Board of Directors of the Four Corners County Water and Sewer District after first reading on June 20, 2023 with a vote of 3 in favor and 0 against and second reading on _____, 2023 with a vote of in favor and against.

This Ordinance shall be in effect 30 days after the date of the second reading.

1st Read and approved: Four Corner's County Water and Sewer District

Dated: June 20, 2023

Brenda W. Brady
Its: Treasurer

Attested: *Mary Keneke*
Secretary

2nd Read and approved: Four Corner's County Water and Sewer District

Dated: 6¹, 2023

Its: _____

Attested: _____
Secretary

Ordinance 2023-07

ORDINANCE ACCEPTING THE ANNEXATION PETITION OF MICHAEL SHEPHERD TRACT 486 of RAINBOW SUBDIVISION TO BOZEMAN HOT SPRINGS TRACT FOR ANNEXATION **SEWER ONLY**

WHEREAS, Michael Shepherd, as owner of the Property submitted a petition for annexation land described in Rainbow Subdivision Lot 486, located in Section 23, Township 2 South, Range 4 East, Gallatin County, Montana P.M.M. hereinafter also referred to as "Property" requesting that the Property be annexed into the Four Corners County Water and Sewer District to connect to *sewer service only*; and

WHEREAS, the property is contiguous to the District boundary; and

WHEREAS, on June 20, 2023 at a duly noticed meeting of the Board of Directors, the Board considered the Petition to annex the Property as contiguous property and determined that the sewer system will have sufficient future capacity to provide service to the Property.

WHEREAS, the Michael Shepherd agrees to pay the sewer capacity fee for eight (8) Equivalent Dwelling Units ("EDUs"), with 8 EDU'S equal to a maximum daily flow of 1,280 gallons a day and average daily flow of 160 gallons per day per EDU for the Property. The District shall not provide sewer service in excess of the capacity provided herein.

NOW THEREFORE, the Board by passage of this ordinance does agree to annex the Property described as Rainbow Subdivision Lot 486, located in Section 23, Township 2 South, Range 4 East P.M.M Gallatin County Montana into the District to provide sewer service to the Property not to exceed for eight (8) Equivalent Dwelling Units ("EDUs"), with 8 EDU'S equal to a maximum daily flow of 1,280 gallons a day equal to a maximum daily flow of 160 gallons a day and average daily flow of 160 gallons per day per EDU.

ADOPTED by the Board of Directors of the Four Corners County Water and Sewer District after first reading on June 20, 2023 with a vote of 3 in favor and 0 against and second reading on ~~June~~ August, 2023 with a vote of in favor and against. This Ordinance shall be in effect 30 days after the date of the second reading.

1st Read and approved:
Dated: June 20, 2023

Four Corner's County Water and Sewer District

Its: Bradley W. Early
Treasurer

Attested: Moby Krenche
Secretary

2nd Read and approved:
Dated: 6/20/23, 2023

Four Corner's County Water and Sewer District

Its: _____

Attested: _____
Secretary

Ordinance 2023-08

ORDINANCE ACCEPTING THE ANNEXATION PETITION FOR LOTS 76, 77,
and 78 of RAINBOW SUBDIVISION with common address of 4240 3RD ROAD
or 10, 16 and 24 of Kolnik Lane, BOZEMAN, MT 59715 INTO THE FOUR
CORNERS WATER & SEWER DISTRICT

WHEREAS, LYNNE HUBERT, submitted a petition for annexation of Lots 76,77 and 78 of Rainbow Subdivision (being approximately total of .33 acres) with more complete legal description attached hereto as Exhibit A, all located in Section 14, Township 2 South, Range 4 East, Gallatin County, Montana ("Properties") requesting that the Properties be annexed into the Four Corners County Water and Sewer District to connect to water and wastewater services; and

WHEREAS, the Properties is contiguous to the District boundary; and

WHEREAS, on June 20, 2023 at a duly noticed meeting of the Board of Directors, the Board considered the Petition to annex the Properties as contiguous to the District boundaries and determined that the systems has capacity to provide service to the new proposed residence to be located on the Property; and

WHEREAS, the Properties will need to provide its own irrigation water.

WHEREAS, Petitioner LYNNE HUBERT will provide evidence of purchased of water rights to serve the Property need to be provided for 3 EDU (480 gpd total), provide the same to the District and to pay sthe water and wastewater fee per EDU to the District prior to service being provided.

NOW THEREFORE, be it ordained by the board of directors of the Four Corners County Water and Sewer District Board, by passage of this ordinance, the District does agree to annex the Properties, described above, into the District after transfer of water rights & payment of fees water and sewer service for 3 EDUs (480 gpd total).

The recitals are incorporated herein as if fully set forth.

Landowner/petitioner acknowledges prior to the second reading that should additional structures which utilized water or sewer on the property, the District makes no representation that the District will have sufficient water or sewer capacity to service future structures.

ADOPTED by the Board of Directors of the Four Corners County Water and Sewer District after first reading on _____, 2023 with a vote of ___ in favor and ___ against and second reading on _____, 2023 with

a vote of _ in favor and_ against.

This Ordinance shall be in effect 30 days after the date of the second reading.

1st Read and approved: Four Corner's County Water and Sewer District

Dated: _____, 2023

Its: _____

Attested: _____

Secretary

2nd Read and approved: Four Corner's County Water and Sewer District

Dated: _____, 2023

Its: _____

Attested: _____

Secretary

RESOLUTION 2023-04

A Resolution of the Four Corner County Water and Sewer District Special Assessment

RECITALS

WHEREAS, the Four Corners County Water and Sewer District (“District”) is a county water and sewer district duly established in 2003; and

WHEREAS, the District, after notice and pursuant to the laws of the State of Montana, annually establishes the special assessment amount to fund the obligations to the District; and

WHEREAS, the District, on the date of the public meeting set forth below, the Board, considered the special assessment amounts as well as public comment, if any.

NOW THEREFORE, the Four Corners County Water and Sewer District resolves to adopt the special assessments as set forth below. The District acknowledges on the date of passage there are 2714 lots, parcels, tracts and units within the District which will be assessed.

Payment Date	Bond Payments	Tax Levy (Payment /2714)
SRF- Wastewater Special Assessment Bond, Series 2021A		
1/1/2024	\$211,625.00	\$77.98
7/1/2024	\$591,625.00	\$217.99
Total	\$803,250.00	\$295.97
SRF- Wastewater Special Assessment Bond, Series 2019 (\$11.3M)		
1/1/2023	\$268,925.00	\$99.09
7/1/2023	\$269,162.50	\$99.17
Total	\$538,087.50	\$198.26
Summary		
Total Payments:		\$1,341,337.50
Total Assessed Parcels:		2714
Total Tax Levy Per Parcel:		\$494.23

Dated this ____ day of August, 2023.

Nancy Flikkema, President

ATTESTED:

Libby Kueneke, Secretary



Operation & Maintenance Report. August 7, 2023

1. Foundation work, backfill, under slab drain piping and electrical installation are complete at the WRF Expansion. Floor slab placement scheduled the week of August 14, followed by assembly of the steel building.
2. Steel installation is complete at the EGWWTP project. Touch up painting and electrical/controls scheduled next.
3. WRF Odor Control improvements are underway. The main structure and one of the IPS structures are cleaned out, concrete modifications are taking place. Temporary odor abatement techniques are being employed. Lining of the concrete structures is scheduled for next week. Installation of the new flooring and engineered biofilter media to follow. System will be operational but final completion won't happen till additional components arrive in 3 to 4 months.
4. Valley Center Lift Station experienced a pump failure, temporary repairs have been made with parts on order for proper repair.



August 2023

General Administration Actives and Issues:

- **Upcoming Annexations**
- **Audit- Underway**
- **Employee Search**
- **Tax Issues**

Current Stip

Bond \$793,892

Water \$ 4,059,113

Sewer \$ 2,132,441



Month End YTD Budget vs. Actual

July 2023

Shared Expenses

	<u>July 2023</u>	<u>Budget</u>
Income/Expense		
Expense		
500-Shared General Admin Expenses		
510- Board Members	0	333
520- Personnel Expenses	61,737	118,750
530- Office Expenses	1,973	4,716
540- Vehicle Expenses	272	4,583
550- Professional Services (Shared)	0	12,500
560- Other Expenses (Shared)	1,238	15,000
Total	65,220	158,583



Month End YTD Budget vs. Actual

July 2023

Water

	<u>July 2023</u>	<u>Budget</u>
Income/Expense		
Income		
400- Operating Revenues		
410- Water Revenues	194,302	179,166
450- H2O Meter	4,800	
Expense		
600- Water O&M Expenses		
*610- System Operating Exp (Water)	9,077	16,500
620- Repairs/ Maintenance Expenses	307	13,333
630- Professional Services (Water)	0	416
Total 600- Water O&M Expenses	9,384	30,250
Half of Shared Expenses	32,610	79,291
Series B Loan	12,176	12,176
Total Expenses	54,170	121,717

- ***610- \$0.00 is H2O Meter Cost**



Month End YTD Budget vs. Actual

July 2023

Sewer

	<u>July 2023</u>	<u>Budget</u>
Income/Expense		
Income		
400- Operating Revenues		
420- Sewer Revenues	167,067	175,000
Expense		
700- Sewer O&M Expenses		
710- System Operating Exp (Sewer)	10,236	35,416
720- Repairs/ Maintenance Expenses	261	16,666
730- Professional Services (Sewer)	0	1,000
Total 700- Sewer O&M Expenses	10,497	53,083
Half of Shared Expenses	32,610	79,291
Series B Loan	22,611	22,611
Total Expenses	65,718	154,985



Capital Projects

July 2023- Cost to date

Project	Budget	YTD
Elk Grove Water Booster	\$1,000,000	\$549,272
Elk Grove WW Life Extension	\$2,000,000	\$1,496,674
Scada	\$1,200,000	\$430,292
SBR 3 & 4 WRF and 5	\$12,000,000	\$8,365,383
Odor Control	\$1,000,000	\$124,917
Total	\$17,200,000	\$10,966,538

Future Project FY 2023-2024

WRF Filter System	\$1,100,000
NS Lift Station Replacement	\$900,000

Future Projects:

- Water Loops
- Water Storage
- Grit Removal System



General Manager Topics- August 2023

- SCADA- ongoing
- Northstar Lift Station- Engineering in progress
- Effluent Filtration- DEQ review in progress
- Capital Status
- Capacity Status
- Zero Scaping
- Letter Sent to Gallatin County Commissioner- Capacity
- Signed Agreement with Garden Center
- Work order to study possibility of treated wastewater direct injection