

**FOUR CORNERS WATER AND SEWER DISTRICT MINUTES
REGULAR MEETING, September 19, 2023**

Call to Order

President Nancy Flikkema called the regular meeting of the Four Corners Water and Sewer District (FCWSD) to order at 6:30 pm on Tuesday, September 19, 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, member Jonathan Claunch and member Justin Hart.

Staff/Public present: Phil George, General Manager (GM) from FCWSD; Amy Ellingson, District Administrator (DA) from FCWSD; Susan Swimley, Attorney for FCWSD; Alison Garab and Kellie Sironi, Attorneys for FCWSD, via zoom; Paula and Eric Neilsen; and Libby Kueneke, Secretary

Approval of Minutes

August 15, 2023 Board Meeting

Motion: Member Joanthan Claunch moved to approve the minutes as written. Member Brad Early seconded. No public comment. The minutes were approved 4-0.

Public Comment on Non-Agenda Items:

No public comment was made.

New Board Member

Justin Hart, resident of Northstar since 2009, is joining as a Board Member of FCWSD.

GENERAL BUSINESS

Ordinance 2023-08 2nd Reading

Ordinance 2023-08: An Ordinance Accepting the Annexation Petition of Lots 76, 77 and 78 of Rainbow Subdivision for annexation into the Four Corners Water and Sewer District

The property is located in Rainbow Subdivision. The petition is for 3 EDUs. The GM recommends approval.

Motion: Member Jonathan Claunch moved to pass the 2nd reading of Ordinance 2023-08; member Brad Early seconded. No public comment. Motion passed 4-0.

81555 Gallatin Road- Neilsen

Owners of 81555 Gallatin Road requested a meeting with the Board of Directors (BOD) about capacity charges and requirements. The BOD and owners discussed the issue. The BOD informed the owners a letter would be forthcoming on the District's position.

191 Commercial Condos

The owner representative of 191 Commercial Condos requested a meeting with the BOD. The Condos require additional capacity. A representative of the owners did not attend the meeting.

Monthly Financial Report

Amy Ellingson provided the report.

- The budget vs. actual amounts for the shared, sewer, and water expenses were presented to the Board. There were no questions.

General Manager Topics

Phil George offered the report.

- SCADA work is ongoing
- The Northstar Lift Station is in DEQ review.
- FCWSD received DEQ approval for the Effluent Filtration system.
- A work order is in place to study the possibility of treated wastewater direct injection.
- FCWSD has reestablished odor control and the odor control is working well. Final installation is upcoming.
- SBR 3-5 should be completed within 3 weeks.

Board Member Topics

No board member topics arose.

Public Comment:

No public comment occurred.

General Business - 8 Closed meeting Shober v. Four Corners lawsuit

Attorney Susan Swimley informed the Board that the attorneys representing the District in this case were present to discuss the claims, the defense and the settlement discussions to date. Ms. Swimley suggested that it would not be in the District's interest to keep this portion of the meeting open to the public as the discussions would include litigation strategy. Member Brad Early moved to closing the meeting pursuant to 2-3-203(4), finding that discussion of the claims, defenses and litigation strategy in open public would have a detrimental effect on the litigation position of the District. Justin Hart seconded the motion. Minutes from the closed session were taken and retained by attorney Susan Swimley.

Next Meeting Date: Tuesday, October 17, 2023

Adjourn

There being no further business before the Board, the Four Corners Water & Sewer District meeting of September 19, 2023 adjourned at 7:13 p.m.



Libby Kueneke, Secretary