

# FLATHEAD COUNTY WATER DISTRICT #101

POB 1141, Columbia Falls, MT 59912

---

\*\*\* Meeting Minutes May 5, 2020 \*\*\*

## **General Meeting – Held Via Conference Call:**

### **I. Call to Order. 7:02pm**

Directors present include Harold Herman, President, Russ Barnet, Vice President, Brian Rohletter, Linda Bosworth and Patricia Martinez.

Also present: Shane Pierson, Certified Water Operator / General Manager; Matt Nerdig, Engineer; Tina Bondy, Board Secretary; John Toftum, Construction Contractor.

### **II. Minutes – Secretary reviewed the Minutes from the March 3, 2020 meeting. Following brief discussion, Linda Bosworth made a Motion to accept the Minutes as presented to the Board. Harold seconded the Motion and all voted in favor.**

### **III. Time for Public Comment and Discussions**

### **IV. New Business**

#### **a. System Improvement Project**

##### **i. Status of Project**

Matt Nerdig – John and T5 has been progressing well through the project. In the last month has installed 3400 feet of 8" main - chlorinating and pressure testing along the way. Setting progress goal to be able to activate most of Gordon down to the corner in the next 2 weeks.

Tank liner material should be in tomorrow – that part of project had been on hold due to shipping issues; will try to put that in within the next week, as soon as that's in, they will redo the pumps / controls inside the water storage tank house.

Matt has collected the invoices for the month this morning - but hadn't yet processed; will send a copy of the status of funds sheet, which will show percentages of completion on each item.

One small change order will be processing probably in the next month. Likely be around 7-8k, there are some clean up items, and some of the

meters are located in people's driveway, so will require some additional protection for drive-overs. There is also some boring that needs to be added (estimate \$3800), under the wellhouse with 8" pipe and create a tap into the wellhouse. This will alter a bit from the existing design, but will create only one water entry point into the system, so will be a savings in the long run.

Clarence Tabor had a few things to say the past few weeks, but between Matt and Shane, should have resolved those issues. There was a discussion about where the hydrant at the end of Gordon was to be located. He has acquired the old burned out property and wants 2 meters connected to that property. He was informed that he would have to buy the meters through John and T5. He was also unhappy about having to install 2 service lines, as had previously been discussed. One for his rental and one to Russel's property. Not a real solution there, if he wants water, will have to drag a service line to the meters.

Mr. Tabor also threatened to call OSHA on John / T5, in an attempt to report violations. John was able to diffuse this. The issues raised have been resolved.

Mr. Tabor called Harold this past month as well and claimed that the hydrants are 1 foot onto his property, but that he's going to let it go. He did some measurements on his own, and it's his opinion. Robb and Matt referred to the surveyor. The hydrants are on the right of way. John and Clarence discussed that if Clarence wanted to get a surveyor out there to check again, and Clarence was wrong, he would pay for the service.

Clarence also raised that he is concerned that snow plows will hit the hydrant. Harold advised the Board that it would have to be a big snow year for that to be a concern, but that he would be willing to put up some pole or flags.

Harold had a customer in the district ask whether there will be enough money left to pave the roads up there. Not a bad idea, but chances are really slim unless the government decides to give the District a blank check.

John told Shane today - 2-3 weeks until he's on the other side of the highway; RD asked this week, how we were feeling about schedule with the July 15 completion date - if we thought that was going to be hard to hit. Robb and Matt responded that it was hard to say. Doesn't appear that the project has had any huge delays, other than the shipping issue, so not worried about the completion date yet. If we get closer to the end, and not there - we can revisit. Don't want to rush John/T5 - want it done right; and it wouldn't be a big deal - given everything else, we would get no pushback from RD whatsoever, if we need to extend slightly. Want to be sure though, that the project is still progressing. John had to pull off for a few days recently to catch up on a few other things, although drillers

were still there drilling; the boring along the highway is done on the other side of the road – all the way to Phygg's Deli. Another boring spot, the one under the Gordon well house, was prepped last week and should be drilled this week.

John Toftum arrived at the meeting at 7:55pm, having just completed the fix on the latest outage.

Russ asked Matt, whether there had been any concerns with people along the highway getting service lines hooked up. Per Shane – everyone has installed a new service line other than Phygg's and the house next door. Shane hasn't been able to elicit any response from either property. Those last 2 would be the easiest ones probably, but no communication.

(PHYGGS only one left now)

## **ii. Hitting pipes and water service outages:**

The old mains have been hit a few times so far in the project, which was to be expected since we didn't have a clear map of where they were located. Each time T5 has coordinated with Shane and none of the outages have extended overnight, usually 30-60 minutes. Today there was an outage, which is the longest so far. John was delayed coming to the meeting because he was working on resolving it. The outage affected 4 or 5 houses on the end of Gordon.

\*\*\*\*\* Per message from Shane 5/6/2020 – request that the Minutes reflect that those properties on 5/5 were only without water for approx. 4 hours. T5 made a temporary fix earlier in the day and then a few hours later made the permanent fix on the main.

The District has not been running off the storage tank for the last 2-3 weeks. Things are working pretty well, but won't be back on the storage tank until liner and new plumbing is installed.

## **b. Martin City Contract**

Board discussion about the contract with Martin City for using their radio-reader for the meters.

Terms: \$100 a month, payable on the 1<sup>st</sup>.

After reviewing the contract, the FCWD Board would like the following changes:

1. District would like to change the payment date to the 10<sup>th</sup> of the month;

2. Scope and Matter of Services should include “and updating software as released”;
3. Payments owing should cease on termination of the contract, and
4. Termination should add “unless earlier terminated.”

Shane will bring these changes to Martin City and then get the contract ready. Provided Martin City agrees, the Board would like to approve the contract for execution.

Linda made a Motion to accept the contract for services rendered with Martin City as amended. Patty seconded the Motion and all voted in favor.

Shane will get this started in June.

#### **c. Rural Water Discussion**

Harold received a call from Mike Kramer, from Ronan. He proposed FCWD #101 become a Montana Rural Water System member.

Shane explained that MRWS is an organization that does a lot for small water districts. In the past, the District was a member. They would be good to work with for borrowing expensive equipment and they can help come up with financing and grants, etc. A good, fairly affordable organization. Their website shows a lot of information (MRWS.org)

Essentially, it's a co-op where every water district pays in a little bit. With 50-149 service connections, the annual dues would be \$200.

Harold asked Shane to get some more info and we can discuss at the next meeting.

### **V. Old Business**

- a. Upcoming Board Election – 3 seats up for election during 2020.  
Harold received the election notice, Brian and Patty and Linda were the three candidates that filed and would be elected.
- b. DEQ Water Test Requirements  
Hold off until project over other than the regular monthly testing.

### **VI. Operator's report**

Shane will wait to update until system is operating normally; won't have total gallons used until project is over

Monthly electric bill was 318.37.

## **VII. Financial report**

*Secretary provided financial reports as of May 4, 2020 as follows:*

Revenue to date this fiscal year: \$ 42,504.78

Expenses to date this fiscal year: \$ 14,222.63

Checking account balance: \$ 21,829.85

Reserve bank balance: \$ 27,304.79

*Checks written / Payments Issued During March/April, 2020 from Glacier Checking Acct:*

Check #401 to Pierson Services for monthly service: \$385.00

Check #402 to Eclipse Tax & Accounting - monthly accounts and billing: \$381.90

Check #403 to Tina Bondy for monthly service: \$375.95

Check #404 to Shane Pierson: \$1767.50\*

Check #405 to Pierson Services for monthly service: \$350.00

Check #406 to Eclipse Tax & Accounting - monthly accounts and billing: \$381.90

Check #407 to Shane Pierson: \$980.00\*

Check #408 to Tina Bondy for monthly service: \$81.25

*\* note for these checks, these are for time spent beyond the monthly/routine. For these invoices, we may be able to get a refund at end of project.*

## **VIII. Correspondence**

**Kenneth O'Brien owner – Tom Allabah did the digging – Ken did not know.**

decided to dig own water line in, but hit the existing one and tore it apart; did dig a brand-new line over to the 5<sup>th</sup> wheel that hasn't yet been hooked up. Per DEQ requirements, nothing to do until they hook up, but once that happens, they have to be shut off immediately. They should be putting a meter in.

Board discussion, if they put in 2 or 3 more trailers under the same circumstances, hooked up to sewer, and skirted, would consider it an RV park. Not the same circumstance with someone who is staying only temporarily. There's a 30 day grace period. Can hook up and call it temporary. Not intended to be permanent and is handled differently than a RV that is skirted and hooked up to the sewer.

Shane has talked with the property owners (Ken O'Brien, who lives in WA) and told him that we would install another meter pit that went to the renters. A meter pit needs to be installed or the trailer needs to be moved.

The District needs to be consistent. Shane can only enforce DEQ regs or Board Decisions. Board has to make that decision and enforce.

Here there are two different lots according to the plat map, which makes it clearer. Need a meter pit for each plot. Shane will prepare a letter to the owner and send it. They have 30 days to install a meter pit, or the water service will be terminated. Shane will also send to John to get a price on a meter pit.

Russ made a Motion that the owner be notified that residence on a separate lot must have meter within 30 days or will be subject to having the water shut off.

Harold seconded the Motion. All voted in favor.

Judith Howell at the pottery shop doesn't believe she should be listed as commercial. Board discussion, there are 2 buildings. She is a commercial entity. The Board previously voted to put her on the commercial rates. She has a retail business and she breeds dogs there; clearly commercial use. She is being billed \$90 a month. Her argument – no restroom in the pottery shop. Could charge her theoretically for one residential and one commercial.

Again, District needs to be consistent. Following discussion, the Board acknowledged that she should be at least paying the commercial rate. If she is claiming a business for tax purposes. We are doing her a favor by not charging her the extra residential use. But if anyone occupies that front building, that would need to change.

Board discussion – all agree. Leave it as commercial.

Customer complaint by Casey Becker, requesting a rate reduction for the month because there was a pressure drop while his wife was in the shower. He has never been offline for more than a couple of hours. No customers get a reduced rate for this type of a reason. The District and John/T5 are doing everything in their power to keep this project going. Everyone who is reasonable understands this.

From time to time, the pressure does drop, and the District has a service that can call / text all customers to let them know that we are aware and working on the problem.

Discussion with Matt and John that the contract even allows for outages, which was accepted by RD as well. Board agrees that at no time will there be a reduction at someone's rate that they pay based on their feelings.

The Board then discussed the email that Mr. Becker sent to the entire district customer list and Board members. Following such a letter, the Board discussed asking Randy Snyder, the Board Attorney, to prepare and send a letter to Mr. Becker advising him that any more emails or any such phone calls, etc., will be considered harassment and will not be tolerated.

If you have a complaint, the protocol is NOT to first call Harold. Casey did call Shane, but Shane didn't have a chance to respond, he was right in front of Becker's house when it happened. Instead he personally attacked and then misrepresented Harold's wife.

Linda will contact Randy to draft the letter, and ask that it goes out quickly. Further, Harold and Arliss have a right to take action against his defamatory email.

Board has worked really hard to get to where we are – and should not be subject to harassment. Any complaints should come through Shane or through the mail and discuss at a board meeting.

Board discussion turned to the emails that are being sent just before the monthly meetings and whether we should be sending emails. It was started as a courtesy, but it gave this individual an opportunity to abuse it. Going forward – emails should go to the Board, Matt and Shane.

The meetings are publicly noticed on the website. Board suggested that we ensure the ECLIPSE invoices include the website address. Additionally, asked Secretary to change the website, to remove the individual Board's phone numbers, and make sure Shane's contact info is available.

Harold received a letter from a guy in Helena, who apparently didn't realize how small our system is and wants to inspect in the spring. The Board and Matt discussed that we don't want an inspection while things are torn apart. Not sure whether it's to readjust the insurance premium and requested all sorts of paperwork. Since it's a federal government project, if they want the info, it's all available, but prefer that they wait until we get the "as built" for the project which will show and provide certification for everything.

#### **IX. Additional items for discussion**

Shane received a phone call about the lot for sale between the pottery shop and gas station, which is owned by Serena Streeter. A buyer wants to put 6 residential rentals in, 1" meter services. Understands that the \$90 base charge per meter. Construction is tentatively scheduled for later in the summer. These are commercial because they want 1" meter / meter pit for each one. If this goes through, will be paying for 6 hook ups, and a \$90/month base charge each.

Income Taxes will be due by end of June. Board asked Secretary to check with Eclipse about the status, as the extensions due to COVID do not apply to non-profit.

Matt brought up to the Board that the next draw will likely close out the interim loan and will draw partially into the grant money. As soon as it happens - will kick start to the Bond Attorney to close the loan and move to RD. Bunch more paperwork to sign in the next month or month and a half. First payment made a month AFTER we sign the contracts / close.

#### **X. Adjournment at 8:53pm**

-- President to announce the next General Meeting of the Board is \*currently\* scheduled on June 2, 2020, 7pm, at the Badrock Fire Department.