



FORT SMITH WATER & SEWER DISTRICT
Board Meeting Minutes-Friday, January 17, 2025

-OPENING – ROLL CALL- Alan Shaw called the meeting to order @ 9:00 AM on January 17, 2025, the meeting was held in person and via phone conference; call in number was 1-646-749-3122, Access Code: 569-385-557; Board members attending: Alan Shaw, Katie Steele, Jim Hyde, and attending via phone: Steve Saville; Employees attending: Josh McCraw, John Mangan and attending via phone: Sandy Kust; public attending: Chris Hayes (RPA Engineering), Bruce Earwood, Bonnie Evans and Eric Anderson, public attending via phone: Jeff Buzmann.

-APPROVAL OF NOVEMBER 22, 2024, MEETING MINUTES- Motion by Ms. Steele to approve the meeting minutes from November 22, 2024 as printed, 2nd by Dr. Shaw. Discussion: Ms. Steele asked if the \$30,000 to restore Bozeman Trail was actually approved or only discussed and Chris Hayes, RPA Engineering, stated this is part of the construction and would be put in as a change order; motion carried unanimously.

-FINANCIALS/BILLS- Mr. Saville presented the treasurers report for January 2025. Expenses: \$41,268.76. Mr. Saville stated the expenses are higher this month due to the semiannual payment in the amount of \$23,362.00 to USDA RD was made, income: \$43,481.70; checking account balance: \$127,820.52 + CDARS \$29,976.00; total: \$157,796.52. Motion by Mr. Saville to pay the bills, 2nd by Ms. Steele, motion carried unanimously.

-DELINQUENT REPORT- Currently there are 8 accounts that are past due, totaling \$2,182.61; the water is turned off on 3 accounts and 5 have been sent turn off letters if not paid by January 25, 2025.

-WASTEWATER PROJECT

1. **WASTEWATER CONSTRUCTION PROJECT UPDATE:** Chris Hayes, RPA Engineering, stated pictures of the roads were taken during the survey and before construction started and the contractors feel they put the roads back to the same condition except for Bozeman Trail which will be fixed by construction crew for \$30,000. Josh McCraw stated the contractor put piles of dirt in road during construction and left a lot of dirt which is causing the mud. Mr. Hyde stated the roads had pot holes but they were not muddy. Chris stated he will look at the roads again this spring and compare to pre-construction to ensure roads were restored back to pre-construction. Chris stated he could have included restoration in the bid documents but did not, as wanted to save money, so restoration of roads will need to be bid by a contractor and can be paid for by a change order using construction funds. Chris stated he does not think the roads ever had enough gravel to begin with as there were lots of potholes and roads were not in good condition to begin with.

Jim Hyde will go along with Chris Hayes while he is conducting the final walk through. Chris will let the board know when he is ready to schedule the final walk through.

Currently the aerators are running 24 hours a day, 7 days a week as they cannot be regulated. Chris is looking into getting the aerators fixed and will check with MTDEQ on run times to see if aerators can be run intermittently in the winter months and still provide treatment.

2. **COMPLETION OF FILLING IN RAIL CARS:** Dr. Shaw stated 8 of the rail cars are filled in and the 9th one needs to be pumped out, however MT Septic does not have enough hose or enough vacuum to pull to get it pumped out. Josh will check with Tru Pipe and Cotters Sewers to see if they are able to get this rail car pumped out.
2. **RECLAMATION OF OLD LAGOON:** Chris stated the lagoon has been dredged and the sludge is in piles and he anticipates a month or so before reclamation is completed as contractor is waiting to get an answer from the Hardin Landfill about taking the sludge there. Chris will keep in contact with the contractor on this issue.
3. **SEWER BACKUP/BILL FROM CONTRACTOR:** The District received a bill from Western Municipal for excavation of a sewer line clog thought to be right around the coupler where the service line tied into the main sewer line and the District is asking contractor to reconsider the cost on the invoice as \$6,709.01 seems high. Chris stated he had contractor jump on this immediately as thought it was contractors' problem, however during excavation the clog was further up the service line on the homeowner's property. Chris stated contractor had to charge for mobilization to the property site, dig up, investigate, cover back up, and mobilization back. Chris also stated an estimate would not have been an accurate one as did not know how long contractor would be digging. Chris stated this invoice may be submitted as a change order to the funding agency for reimbursement, but he will visit with contractor first about costs on invoice.

-OPERATOR REPORT- Josh stated everything is going well, but received a letter asking for forgiveness on the water/sewer usage, account # 191 stated a toilet was running and asked to have some of the water/sewer usage fee taken off bill. Josh stated normally he would have caught the leak sooner but was not available to read meters every 10 days as he normally does. The board will write a letter to this account stating due to good payment history and as a one-time courtesy they will take off \$238.00 of the water & sewer usage charges from the bill. Josh received another letter questioning the high usage on account # 175, as knows he does not have a leak. Josh stated the meter has not and showed a leak and is wondering if the register and meter need to be changed out. Josh will change out both the register and meter to monitor usage and the board will consider adjusting the bill once a few months of readings are available.

John Mangan is going to look at lift station to see if wires were properly put in conduit. Jim Hyde stated the electrical components for lift station were to be inspected by the electrical inspector and if it wasn't then they need to be called on this.

PROPERTY FOR SALE (OLD SERVICE STATION/N SIDE OF HWY 312): Josh stated the old service station is for sale and it has an office and 4 bays the property is listed for \$250,000. Josh stated the District owns a lot of equipment and currently does not have enough storage. Discussion took place as to whether or not the underground tanks were removed as this is a huge liability and currently the District does not have \$250,000 to purchase the property and perhaps the old lagoon site could be used and a pole barn put on it for storage and an office or even make the old office into a garage with storage space, or the 1 acre parcel the District owns could be subdivided and a pole barn could be put there. The County would work with the District to subdivide the 1 acre parcel if this spot were to be used. No decisions were made at this time until more information on costs for a building can be provided.

ELECTION OF BOARD MEMBERS: The District has 2 board positions that will be available for the May 6, 2025 election. Motion by Ms. Steele and 2nd by Dr. Shaw to pass Resolution 1-17-2025 calling for Big Horn County to run a mail ballot election for the District. Anyone wishing to be on the ballot must file with the Big Horn Election Department by February 10, 2025. Dr. Shaw will also write an informational letter to the users in the District informing them of the filing period.

FORMAL APPRAISAL FOR DISTRICT PROPERTY (BLOCK L LOT 2) AND (RECLAIMED LAGOON): Discussion took place regarding getting an appraisal conducted on the properties. Steve Saville will contact some appraisers, but stated District needs to wait until lagoon is reclaimed before getting an appraisal done.

NEW BUSINESS:

TRESPASSING ON DISTRICT PROPERTY: Ms. Steele stated vehicles are continually parking on District property by the pump house building, well site, and generator, they are trespassing on District property and have been told not to park there but continue to park there anyway. Dr. Shaw will write a letter to the owner of this property stating if vehicles continue to trespass on District property the sheriff's department will be called, vehicles may be towed, and suspension of water services may happen. The District will look into putting up signs and well as getting boulders to protect the well and generator.

UPDATE ON COMMUNITY MEETING AND RESORT TAX: The Fort Smith Water & Sewer District has nothing to do with the resort tax, but an update was provided at the meeting.

The Department of Commerce has approved the request to create a resort tax district, which will go to 13 mile. This would be a 3% tax rate plus an additional 1% to reduce the cost of a single project and funds will come right back to the Resort District. The resort area district will collect the taxes, a contractor will identify all businesses in resort tax area, and resort tax probably won't be implemented until 2026. This information will also be discussed at the community meeting which will start at 11:00am with updates to be given by Katie Steele.

FEBRUARY MEETING- Thursday, February 27, 2025 @ 9am.

-PUBLIC COMMENTS-

-ADJOURN MEETING- Meeting adjourned at 11.00AM