



FORT SMITH WATER & SEWER DISTRICT
Meeting Minutes-Friday, March 15, 2024 @ 9:00 AM

-OPENING – ROLL CALL- Alan Shaw called the meeting to order @ 9am on March 15, 2024. The meeting was via phone conference; call in number was 1-872-240-3412, Access Code: 393-616-981 ; Board members attending: Alan Shaw, Katie Steele, Jim Hyde, Bryen Venema and Board member attending via phone: Steve Saville; Employees attending: Sandy Kust; public attending: Trig Johnson and Dave Johnson and attending via phone: Jeff Buszmann;

-APPROVAL FEBRUARY 16, 2024 MEETING MINUTES- Motion by Mr. Hyde to accept the meeting minutes from February 16, 2024 as printed, 2nd by Dr. Shaw; motion carried unanimously;

-FINANCIALS/BILLS- Mr. Saville presented the treasurers report for March 2024. Total expenses: \$8,029.61; income: \$15,916.48; checking account balance: \$86,785.85 + CDARS \$29,976.00; total: \$116,761.85.

Motion by Ms. Steele to pay the bills, 2nd by Mr. Venema, motion carried unanimously;

-DELINQUENT REPORT- Currently there are 13 accounts that are past due, totaling \$6,719.29; the water is turned off on 7 accounts and 6 accounts have been sent delinquency letters for turn off of services on March 29, 2024 if not paid by this date;

-PUBLIC COMMENT: Dave Johnson stated he had 2 services and 1 dwelling which is a 5 wheel, as he was building a home and paid the additional fee for the extra meter & pit as he was not living in the house he was building and even though these were on separate lots, the previous board stated he was not yet living in the home he was building and therefore had to pay for the extra service. Due to having an extra service he was billed monthly for this extra service, even though he did not ever use the service. His curb stop on both properties was locked due to non payment and was eventually put on the taxes for delinquency, water was turned off for a 3 year period, until accounts were no longer delinquent. He is asking for a reimbursement or a credit of \$1,148.00 as he said he never received a bill as stated the postmaster was returning the bill to sender, however the District did not ever receive any bills back. Mr. Earwood, previous board member, would hand deliver his bills and ask for payment, however there was not a response and that is why the water was turned off.

-WASTEWATER PROJECT

1. WASTEWATER CONSTRUCTION PROJECT UPDATE: Trig Johnson, RPA Engineering Inspector, stated Prospect Construction will resume construction in April to start grading and install the lining at the lagoons. Western Municipal Construction has completed another 2,300 feet of sewer line, put in another manhole, starting on the gravel sections, vacuum testing of manholes, compaction testing, installed bypass pump, installed a clean out that was missed. There are approximately 900 feet of sewer pipe left to install as well as another 210 feet of sewer pipe to the rail cars. Travel gravel will also be put down until the rail cars are completed, then they will finish alleys with gravel so not muddy. A water line was found on the Yellowtail side that was not 18 inches from the sewer line, Western Municipal did a vertical water adjustment with DI45 and now the sewer line is 21 inches from the water line.

Dr. Shaw asked Trig Johnson to find out if solar can be used for the aerators or any other places solar could be used to lower electrical costs.

2. WASTEWATER PROJECT REIMBURSEMENT REQUEST: Sandy presented the reimbursement request in the amount:

Western Municipal Construction Pay App #5 – Total - \$443,807.93

SRF Loan - \$443,807.93

Sandy stated these drawdowns were presented to the funding agencies and approved and will be presented for reimbursement. Motion by Mr. Hyde to accept the drawdown requests as printed, 2nd by Ms. Steele, motion carried unanimously;

Dr. Shaw stated he has sent out 50 applications asking for donations to help with the sewer project, to help pay the loan and lower the payments for all the customers in the District. Dr. Shaw has reached out to the businesses, fishing guides, Airbnb, motels, and will also be reaching out to the Refugee regarding a donation.

MT COAL BOARD GRANT: Dr. Shaw has contacted Paul Greene, Department of Commerce, regarding the application for the MT Coal Board Grant which could potentially be used towards the Wastewater Project. Dr. Shaw and Ms. Steele met with the Big Horn County Commissioners, and they encouraged the board to apply for the MT Coal Board Grant.

-SYSTEM DEVELOPMENT FEES: Mr. Hyde met with the County Attorney regarding 3 board members being on a committee and whether or not this constitutes as a quorum and Mr. Hyde has received confirmation that 3 board members does indeed constitute a quorum and the District needs to follow the open meeting law if 3 or more board members are in a work session or meeting.

Mr. Hyde also discussed the possibility of having to put together a Capital Improvement Plan, listing each asset, useful life, and replacement costs, this will be brought up with the county attorney to see if it must be part of the service area report. Mr. Hyde has been going through the PER and documenting information needed for the service area report. Mr. Hyde stated every item needs to be followed on the MCA code for impact fees. Jim, Steve, Josh, and Sandy will work on getting the assets completed. Bryen Venema is taking over the report that Roy Bellew put together to track the gallons pumped versus gallons billed and this information will then be used to help determine the amount of capacity available in the system. Katie Steele will put together a mission statement. Mr. Saville stated there is a lot of information that goes into impact fees and the service area report, but if we do it right the first time, it will not have to be reinvented, only updated. Mr. Saville stated once the service area report is completed, the District will have the County Attorney review the report.

-OPERATOR REPORT- Sandy took and dropped off the monthly bacti sample, turned in the monthly report to DEQ and did deposits while Josh was out of town.

APRIL MEETING- April 27, 2024 @ 9am

Dr. Shaw will schedule a zoom meeting for the public on the review of the sewer system, RPA will conduct this meeting. Dr. Shaw will also invite the Big Horn County Commissioners. This zoom informational meeting will be held on April 26, 2024 @ 5pm.

-PUBLIC COMMENTS- Starting the process for a resort tax was discussed and now has a website: fortsmithresorttax.com, the resort tax would be a benefit to the Fort Smith Community, the committee, will continue to work on getting this tax implemented. The Fort Smith Community Foundation is a non profit organization also applying for money to benefit the community. Ms. Steele stated these are all separate entities of each other.

-ADJOURN MEETING- Meeting adjourned at 10:29AM