

Gallatin Gateway County Water & Sewer District

MINUTES OF THE

BOARD OF DIRECTORS

A regular meeting of the Board of Directors of the Gallatin Gateway County Water & Sewer District was held at the Gallatin Gateway School, 100 Mill St., Gallatin Gateway, MT, on February 10, 2020. Present at the meeting were board members Eric Amend, Ted Border and David Sullivan. General Manager Matt Donnelly and Secretary Maralee Parsons Sullivan were present. Members of the public included Dick Shockley.

President Border called the meeting to order at 6:30 p.m. Secretary Maralee Parsons Sullivan recorded the minutes of the meeting.

PUBLIC PARTICIPATION OF NON-AGENDA ITEMS

President Border asked for public comment on non-agenda items. Dick Shockley, a resident at 627 Gateway South Road, Gallatin Gateway, presented a letter to the Board, attached to these minutes. His letter urges the Board to oppose the construction of under-river utilities lines for transmission of the proposed Riverbend Glamping Getaway wastewater effluent under the west Gallatin River to the GGWSD wastewater system. Mr. Shockley noted that a letter has also been submitted to DEQ and NorthWestern Energy. The Board thanked Mr. Shockley for his letter and comments.

CONFLICT OF INTEREST DISCLOSURE

President Border asked if there were any items of conflict of interest, or potential conflict of interest, to be raised. None were raised.

APPROVAL OF MINUTES

After confirming that all directors had a draft copy of the January 13, 2020 meeting minutes, President Border asked whether there were any corrections. None were noted. Director Amend made the motion to approve the minutes as written, Director Sullivan seconded the motion and the minutes were approved unanimously.

REGULAR BUSINESS

Third Reading and Decision on Ordinance 19-02 to Annex the Parcel Described as Peakview Sub2, S02, T03S, R04E, block1, Lot3 Into the District

Ordinance 19-02

AN ORDINANCE ACCEPTING THE ANNEXATION PETITION OF DIAMOND K DEVELOPMENT LLC AT PEAKVIEW SUB 2, S02, T03 S, R04E, BLOCK 1, LOT 3, ACRES 1.78 FOR ANNEXATION INTO THE GALLATIN GATEWAY COUNTY WATER AND SEWER DISTRICT

WHEREAS, Diamond K Development LLC submitted a petition for annexation of a parcel of land described as PEAKVIEW SUB 2, S02, T03 S, R04E, BLOCK 1, LOT 3, ACRES 1.78 situated in Gallatin County, Montana, hereinafter also referred to as "Property", requesting that the Property be

annexed into the Gallatin Gateway County Water and Sewer District; and WHEREAS, the property is contiguous to the District boundary; and
WHEREAS, on November 11, 2019 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 system will have sufficient future capacity to provide service to the Property; and
WHEREAS, Diamond K Development LLC has filed application for 2.5 Volume Ratio Units (VRU) of wastewater treatment capacity and agreed to pay the applicable capacity charge and monthly fees associated with the application;
NOW THEREFORE BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE GALLATIN GATEWAY COUNTY WATER AND SEWER DISTRICT AS FOLLOWS:
The Board by passage of this ordinance does agree to annex the property described as PEAKVIEW SUB 2, S02, T03 S, R04E, BLOCK 1, LOT 3, ACRES 1.78 situated in Section 2, Township 03 South, Range 04 East, Gallatin County, Montana into the District.

Following the reading of the Ordinance there was no public comment and no Board discussion. Director Amend moved to approve the 3rd reading of Ordinance 19-02; Director Sullivan seconded. The motion carried 3-0.

Discussion and Decision on Setting the Form of District Elections to be by Mail Ballot – Resolution 20-01

GM Matt Donnelly advised that District council Susan Swimely had become aware of a section of the Montana State Statute which states that if a special District wants its election to be by mail ballot, it must specify by Resolution that it is requesting its election be conducted by mail. He read aloud Resolution 20-01:

A RESOLUTION OF GALLATIN GATEWAY COUNTY WATER &
SEWER DISTRICT, MONTANA CALLING FOR ELECTION TO
BE CONDUCTED BY MAIL BALLOT

WHEREAS, the Gallatin Gateway County Water & Sewer District (the “District”) is a county water or sewer district, validly organized pursuant to Title 7, Chapter 13, Parts 21 and 22; and

WHEREAS, the District Board of Directors is subject to an election to be held on May 5, 2020 pursuant to Montana law; and

WHEREAS, pursuant to MCA 13-1-504(5), the District, by and through its Board, shall specify in a resolution calling for election whether the District desires the election to be conducted by mail ballot.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors (the “Board”) of the District as follows:

The Gallatin Gateway County Water & Sewer District resolves that the election to be held on May 5, 2020 shall be by mail ballot.

Board comment included noting that mailed ballots allow for ease of voting and may increase voter turn-out, and also is a cost-saving measure for the District. Director Sullivan moved to approve Resolution 20-01; Director Amend seconded. There was no further Board discussion and no public comment. The motion carried 3-0.

REPORT OF OFFICERS, STANDING COMMITTEES, AND SPECIAL COMMITTEES

General Manager Report, Treasurer Report, Approval of Expenditures

GM Matt Donnelly provided the report. He advised that Kurt Thomson is still trying to get a response from JR Civil on the status of the remaining items on the punchlist. He also advised that USDA Rural Development has authorized the District to use remaining grant funds on some items which would serve to reduce O&M costs or provide additional safety and environmental protections. There was some general discussion on a potential utility cable locator package, and the Board authorized the District Treasurer to purchase the Leica DD220 on-line for \$3,319, to be included in the next draw request to RD. Director Amend will look into fencing options.

Mr. Donnelly provided the O&M update, noting flows remain steady, and there were no issues to report for the lift station or collection system.

Treasurer Maralee Sullivan reviewed the current monthly financial package (P&L and Balance sheet) for FY starting July 1, 2019: Expenses for the month of January included \$5,500 for the final audit billing, which will be presented to RD for reimbursement. She noted that the District's "construction in progress" account has now been placed into service with a new asset category "Municipal Sewer System", and year-one depreciation of \$198K has been entered and is now on the District's balance sheet.

President Border then asked for unanimous consent to adjourn. Seeing no objection, the meeting was adjourned at 7:20 p.m.



Secretary

February 10, 2020

Dick Shockley
627 Gateway South Rd
Gallatin Gateway , MT 59730

GALLATIN GATEWAY WATER SEWER DISTRICT

P.O. Box 383
Gallatin Gateway, MT 59730

RE: Pfeil under-riverbed wastewater utility

Dear Sewer Board,

I strongly urge you to oppose the construction of under-river utilities lines for transmission of Pfeil ' s Riverbend Clamping Getaway wastewater effluent under the West Gallatin River to the Gallatin Gateway sewer system.

Please do not allow that mostly floodplain property to annex to the Gateway Sewer District without the construction of an alternative, less risky transmission method. Even if you are confident in the engineering and the assurances of no potential harm, instances such as two devastating pipeline ruptures under the Yellowstone River within a four year period and elsewhere have raised broad and intense concerns about under-river lines. The Yellowstone Poplar Pipeline was buried eight feet under the riverbed. It has been determined that the Yellowstone River can scour twice that depth in a single flood event. It would be reasonable to conclude the Gallatin River hydraulic dynamics are similar. Whether it is potential damages from floods , earthquakes , or other acts of nature, you cannot predict an infallible pipeline under the river. Montana people of all people know this and that is why the strong opposition to this plan.

Mark Twain wrote /spoke, "Whiskey is for drinking ... water is for fighting!" Montana's clean water and wonderful sparkling public waterway natural resources are a source of enormous pride and prosperity to this state. They are to be protected and stridently defended.

Please do not be a party associated with the first installation of a pipeline under the Gallatin River.

Respectfully,

R.H Shockley

Richard H. Shockley