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Regular Meeting
August 17, 2022

Members Present: Jack Fallon, B.J. Lupton, Bob Balding, Butch Clark, Dennis Falcon, Bill Matthew, and General Manager, Cindy Murray

Members Absent: T.J. Wendt

Also, Present: Andy Hyde (Carver Engineering), Jeff Walla (IMEG Engineering), Rob Collier, and Joe Musialowski

Jack Fallon, President, called the meeting to order at 7:18 a.m. and welcomed the public and staff in attendance.

Dennis Falcon moved to adopt the Agenda. Bill Matthew seconded the motion. The Board passed the motion by unanimous vote.

Dennis Falcon moved to approve the minutes of the June 15, 2022, as corrected, which was seconded by B.J. Lupton. The Board approved the minutes by unanimous vote.

Cindy Murray presented the Manager's Report with support from Joe Musialowski. The Staff provided PowerPoint updates on the June Flooding and Tank Renovation Project, which are attached to these minutes. B.J. Lupton moved to accept the Manager's Report, which was seconded by Bob Balding. After discussion, the Board passed the motion by unanimous vote.

Since Mark James was on vacation, there was no update on the Capital Plan and FY23 Capital Expenditures.

Rob Collier presented a brief update on the ARPA Projects.

Cindy Murray informed the Board that the District had published notice of the Board's intent to consider the required approvals for the Water & Sewer SCADA Project, Bypass and Critical Lift Station 19 Renovation Project, Bypass and Critical Lift Stations 2 & 15 Renovation Project, and Sewer I&I Project and take public comment on those actions. The notices were in the form of an Agenda item posted on the District's website, at the District office, along with a notice of the meeting in the Community Notices section of The Daily Interlake. The Board then invited Public Comment on the projects that are being submitted for ARPA funding.

Cindy Murray explained that Jack Fallon, as President, will be certifying that the Projects are approved by the Board, that the ARPA applications are correct and complete, that the District is committed to able to fund 25% of the ARPA-approved project budget for the Water and Sewer SCADA Project and 50% of the ARPA-approved project budget for the remaining projects and any cost overruns over the ARPA funding package, and that the District's health regulations are no more stringent than the State's regulations per the requirements of state law pertaining to ARPA funding.

Other than the Staff receiving verbal support from several neighbors in the area of Lift Station 19 prior to the meeting and comments from Andy Hyde and Jeff Walla, engineers providing services on these projects the District, there were no other verbal or written public comments provided to the Board prior to or during the meeting. Butch Clark moved to receive public comments, ratify those representations as listed above, and authorize Jack Fallon to sign on behalf of the Board to meet applicable ARPA requirements for the projects. B.J. Lupton seconded the motion. After discussion, the Board approved the motion by unanimous vote."

The Board then considered Resolution 2022-07 to conditionally approve plans for the West Evergreen Estates-Phase 2 Subdivision. Jeff Walla and Joe Musialowski discussed the project and recommended approval. Butch Clark moved to adopt Resolution 2022-07, which was seconded by Dennis Falcon. After discussion, the Board approved the motion by unanimous vote.

Cindy Murray and Jack Fallon provided an update on the District's 457(b) Plan, which is under review by an ERISA attorney. Cindy Murray will provide counsel's assessment and Staff recommendations when they are complete. She advised the Board that she will recommend a reserve of approximately \$91,000.00 as a reasonably probable exposure for the FICA taxes that are owed on the employer contributions to the 457(b) plan.

The Board then considered recommendations for the creation of a new District Staff Engineer position to be filled as soon as possible. Butch Clark moved to adopt the recommendation as presented with a salary, including possible rental of the District house as part of the compensation. Bill Matthew seconded the motion. After discussion, the Board approved the motion by majority vote with B.J. Lupton abstaining.

Bob Balding informed the Board that he has approved the Oversight Reports for June and July. Bob recommended that the District move at least 1 million dollars from the First Interstate Bank checking account to Whitefish Credit Union. Cindy Murray informed the Board that the current balance of the Whitefish Credit Union exceeds the insured limits of the account, but that the financial institution has the highest rate on demand accounts of all the accounts currently maintained by the District. Jack Fallon stated he was in agreement that the additional funds should be placed into the Whitefish Credit Union account consistent with the current Board Investment Policy.

Dennis Falcon moved to approve the checks and credit card charges and accept the financial statements for the month of June and July, which was seconded by Bill Matthew. After discussion, the Board passed the motion by unanimous vote.

The meeting was adjourned by acclamation at 9:26 a.m. The next regular meeting will be on September 21, 2022.

Submitted by 
Cynthia Murray, Secretary

Signed by 
Jack Fallon, President