



Evergreen
Water & Sewer
DISTRICT 1[®]

130 Nicholson Drive
Kalispell, MT 59901
Phone: 406-257-5861
Email: info@evergreenwaterdistrict.com

Regular Meeting
December 16, 2020

Members Present: Jack Fallon, B.J. Lupton, Butch Clark, Bill Matthews, T.J. Wendt, and General Manager, Cindy Murray

Also, Present: Andy Hyde, Jeff Walla, Mark James, Rob Collier, and Joe Musialowski

Members Absent: Bob Balding and Dennis Falcon

Jack Fallon, President, called the meeting to order at 7:15 a.m. and welcomed the public in attendance.

B.J. Lupton moved to adopt the Agenda, which was seconded by Bill Matthews. The Board passed the motion by unanimous vote.

The Board examined the minutes of the regular meeting of October 21, 2020. Butch Clark moved to approve the minutes, which was seconded by Bill Matthews. After discussion, the Board approved the motion by unanimous vote.

Next the Board examined the Manager's Report for November/December. B.J. Lupton moved to accept the Manager's Report, which was seconded by T.J. Wendt. After discussion, the Board passed the motion by unanimous vote.

Mark James presented the capital budget report for discussion. There was no formal action taken on any projects in the report.

Cindy Murray and Rebecca Chertudi presented the Board with the Petitions signed by all of the property owners in Camelot Estates Subdivision requesting annexation into the District. Butch Clark moved to approve the proposed Ordinance of Annexation 2020-04, which was seconded by T.J. Wendt. After discussion, the Board passed the motion by unanimous vote.

Regular Board Meeting
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Cindy Murray and the Staff then presented updates on key projects, including the Lift Station 24 Pump Upgrades, the Water Tanks renovation project, and the Lift Station 19 Project.

Jeff Walla and the Staff presented the results of their review of Plans submitted by Carver Engineering, on behalf of Michael Seaman, for the West Evergreen Estates Phase 1. The Staff and Mr. Walla recommended approval of the Plans with conditions as contained in proposed resolution. Butch Clark moved to approve Resolution 2020-05. The motion was seconded by Bill Matthews. After discussion, the motion to adopt Resolution 2020-05 was approved by Bill Matthews and Butch Clark. Two members, B.J. Lupton and T.J. Wendt abstained from the vote. Consequently, the motion failed. Based on the ensuing discussion, B.J. Lupton made a motion to reconsider Resolution 2020-05 and approve the Resolution as presented. The motion was seconded by Butch Clark. After further discussion, the Board approved the motion by unanimous vote.

Cindy Murray and Jeff Walla provided an update on the draft PER that the District Staff is reviewing. The document will be presented to the Board in the first quarter of 2021. Jeff Walla also provided an update of the Site Plan for the District office.

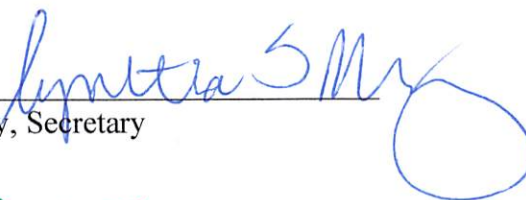
Cindy Murray provided an update of ongoing issues with the City, including the potential of expansion of the Trumble Creek development to an area outside the current boundaries of the Sanitary Sewer Treatment Agreement with the City.

Cindy Murray presented a request to award \$500.00 to each Staff member for a Christmas/calendar year-end bonus. T.J. Wendt moved to approve the request, which was seconded by Bill Matthews. After discussion, the Board approved the motion by unanimous vote.

Jack Fallon informed the Board that he had received an email from Bob Balding confirming Mr. Balding's review and approval of the Oversight materials for the months of October and November.

Bill Matthews moved to accept the checks, credit card charges, and financial statements for October and November. The motion was seconded by T.J. Wendt. After discussion, the Board passed the motion by unanimous vote.

The meeting was adjourned by acclamation at 9:08 a.m. The next regular meeting will be on February 17, at 7:00 a.m.

Submitted by 
Cynthia Murray, Secretary

Signed by 
John T. Fallon, President

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2020-04

ORDINANCE OF ANNEXATION
TO INCLUDE
ALL LOTS WITHIN CAMELOT ESTATES SUBDIVISION

WHEREAS, Pursuant to Section 7-13-2341 (5) MCA entitled “Addition of Land to District,” the Flathead County Water District #1 – Evergreen Board of Directors has reviewed the Petitions presented to annex land described in the Petitions attached hereto and incorporated herein; and

WHEREAS, said Petitions are on behalf of property owners contiguous to the current District boundaries, and represent the written consent to annexation of all property owners in the Camelot Estates Subdivision (“Subdivision”) to which service will be extended; and

WHEREAS, on April 19, 2017, the District had passed Ordinance 2017-01 annexing approximately the same area that is the subject of this Ordinance, except that the area did not include certain lots in the Subdivision due to refusal of those property owners to sign a petition to be included in the annexation that was the subject of Ordinance 2017-01; and

WHEREAS, Ordinance 2017-01 was not accepted by Flathead County due to the fact that certain property owners who had consented to the Petitions did not properly document their consent; and

WHEREAS, subsequently, all of the property owners in the Subdivision have now properly signed Petitions that are the subject of this Ordinance; and

WHEREAS, the Board has determined that the District has water capacity greater than required to meet the needs of the current District; and

WHEREAS, the District has been providing uninterrupted water service to portions of the proposed annexed area since 1994 and has determined that sufficient water capacity exists to meet the needs of the area to be annexed.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of Flathead County Water District #1 – Evergreen as follows: Ordinance 2017-01 is hereby superseded by

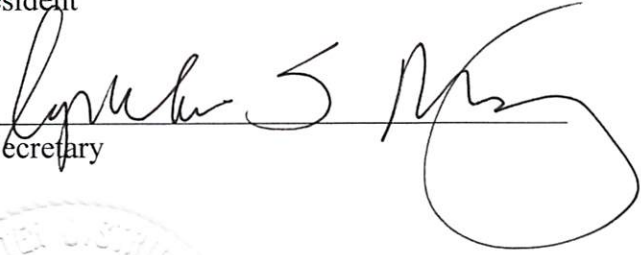
this Ordinance 2020-04 and the District is hereby expanded to include the area described in the Petitions.

Further, the President and Secretary of this District are directed to certify the fact of the adoption of this Ordinance of Annexation to the Secretary of State and to the Flathead County Clerk and Recorder.

Signed December 16, 2020

FLATHEAD COUNTY WATER DISTRICT #1 – EVERGREEN

By: 
President

Attest: 
Secretary





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RESOLUTION 2020-05
CONDITIONAL APPROVAL OF PLANS FOR WEST EVERGREEN ESTATES PHASE 1

Whereas, Michael V. Seaman, through its engineering firm, Carver Engineering, Inc., submitted proposed plans for review and approval by the District for the West Evergreen Estates-Phase 1 located at the southeast corner of West Evergreen Drive and River Road, described as Tracts 1E, 1G, 1I and 1J the Section 4, Township 28 North, Range 21 West, Flathead Co, MT, and

Whereas, after consultation and revisions of the West Evergreen Estates Phase 1 plans, the latest being a draft dated September 30, 2020, the District Staff in consultation with Jeff Walla, P.E. of IMEG, is prepared to recommend approval, subject to conditions, and

Whereas, after discussion, the Board of Directors is prepared to accept the plans subject to conditions as outlined in this Resolution.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF FLATHEAD COUNTY WATER DISTRICT NO.1 - EVERGREEN AS FOLLOWS:

Plans submitted by Carver Engineering, Inc., for the West Evergreen Estates Phase 1 Project dated September 30, 2020, are approved subject to the following conditions:

1. Review and written approval by the Staff and Jeff Walla of the required revisions to the Plans, which revisions will be provided by Carver Engineering.
2. Review and approval by the District of the easements required to be granted to the District, by the property owner.
3. A signed Water and Sewer Mainline Extension Agreement.
4. Review and written approval by the District of any changes to the Plans required by DEQ or otherwise requested by developer or its engineer that are made after the date of this Resolution.

AND FURTHER, BE IT RESOLVED,

That pursuant to District Policy, this Final Approval is effective for two (2) years from the date of this Resolution and the provision of services will be contingent upon compliance with all of the District's Policies, Specifications, and payment of associated Fees and Charges to the District as well as confirmation of payment to the City of Kalispell of any required fees and charges.

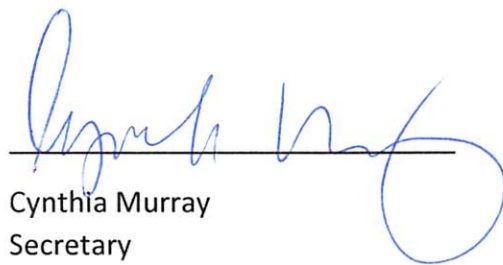
SIGNED: December 16, 2020



John T. Fallon

President, Flathead County Water District No. 1 – Evergreen

ATTEST:



Cynthia Murray
Secretary