

Meeting Minute:

December 9, 2024

The December meeting of the L.I.D. was held at the Lockwood Water and Sewer District office, at 1644 Old Hardin RD. The board members present were Terry Seiffert, Brent Kober, Bob Riehl, Manager Carl Peters and Secretary/Treasurer, Angela Watson. Richard Hoke, Taylor Kasperick, and Rodney Stoddard were also present.

The meeting was called to order at 7:00 PM by Terry Seiffert. The November 20, 2024, meeting minutes were reviewed, a motion was made by Bob Riehl, seconded by Brent Kober to approve the November 20th minutes, motion carried.

Public Comment: Rod Stoddard asked what the LID-LWSD sale of water rights? Terry Seiffert said that they would get into that topic, but that Lockwood Water and Sewer District is interested in coming up with an agreement to somehow share the water rights through a joint venture.

New Business

- Bond Resolution/Closing Documents:** The Manager received all the documents in the mail today and they require board action. Bond Resolution # 120924, resolution relating to the \$1,739,000.00 special assessment bond series 2024 authorizing the issuance and fixing the terms and conditions there of creating the Lockwood Irrigation District Bond Fund, prescribing continuance of the Irrigation District for Security of the Holders of the Bond. Bob Riehl made a motion to adopt the resolution, and Brent Kober seconded the motion, motion carried. Two copies of Resolution 120924, One blue-backed series 2024 bond, three copies of the Officers' Certificate, three copies of the Certificate and Receipt of County Treasurer, three copies of Certificate of as to Organization and Financial Condition, were signed by the board President and Secretary-Treasurer. The County Treasurer will need to sign the blue-backed Series 2024 Bond, the Officers' Certificate and the Certificate and Receipt of County Treasurer. The last document was IRS form 8038-G prepared by Bond Counsel and signed by the Board President. Also enclosed is a form of our taxpayer's copy for the district's files. Taylor Kasperick asked if there was anything in the documents regarding the Certificate of Consulting Engineer. The Manager said that it isn't on the list from the Bond Counsel letter but thinks it should be included. The other board members agreed. This Document was signed by Consulting Engineer Taylor Kasperick. The bond resolution that was passed tonight was for \$1,381,578.08. The vendor invoice for the DNRC that the board president signed will be submitted to DNRC with the information the Manager obtained from the County Finance Department.
- PH Rehab Project:** Taylor Kasperick is presenting the board with the project update. Taylor met with Askin last Wednesday to talk through the project schedule and confirming the omitted items which are, removal of the existing pumps, relocation of the security system, and swapping out the alternate power delivery, to ensure that they were on the same page as what was described in the contract. Askin will be starting sometime in February, potentially working through to April 30th with the site ready for the season to begin. The existing electrical, and the discharge pipeline will be completed sometime in the fall with substantial completion by November 30 2025. When speaking with Bond Counsel Dan Semmens, this is defined as the wet well constructed, pump station and pumps set, electrical completed, and the discharge pipe installed. The final completion date will be May 1, 2026. Bob Riehl asked what is the risk of not meeting the substantial completion date? Taylor explained that by November 30th the members of the district would be assessed for an uncompleted project. Askin said that as long as Watertronics delivers the skid by October 1, 2025, that they would have enough time in the front end and the back end to reach substantial completion date. Askin has been getting the contract ready and making sure that the change order is accurately reflected in their contract. Taylor Kasperick has been working with BNSF land (JLL) to incorporate an amendment to our existing lease. The Manger sent an email to Mehgan with BNSF on Oct 15, 2024 with the a copy of the existing lease and exhibit A which includes the foot print of the lease. Numerous emails have been sent to get answers regarding the lease but there has still been no response. The Askin Construction change order will be signed between meetings electronically. The Manager asked if we

could shut down September 1, 2025 (as we did with the MDT siphon project) so that the intake has additional time to dry out and give Askin time to get the project substantially complete by November 30, 2025. The Manager reported that the pumps don't have much salvage value, but the motors may have used stock value. Phil from IPS said that they would be interested in having them as a backup on their shelf. On December 17th the bond amount will be posted to 7285, then the district through County Finance will pay Watertronics \$163,842.35, Performance Engineering \$51,896.00, and bond counsel \$25,000.00.

3. **Intake Flood Damage ARPA:** The last thing that was required was the tracking spreadsheet needed warrant numbers included. The total ARPA grant received was \$420,357.75 and the total intake rehab project cost was \$474,299.48. The District ended up paying about \$54,000.00 out of pocket because the engineering firm put the wrong amount on the vendor invoice, but this money was replaced by the \$72,956.00 balance of the original intake flood repair ARPA grant to help fund the pump station replacement project.
4. **FEMA:** The Manager re-sent his hours to Justin Staley of DES for reimbursement of administrative costs. The manager came up with \$1,460.00 but we are eligible for up to \$2,235.00 which includes fringe benefits: Social Security, Medicare, and Worker's Compensation.
5. **MDT Johnson Lane Project:** Nothing new.
6. **OHR Sidewalk Project:** The Manager received an email from Nate Perius, PE with Dowl Engineering regarding the design for an extension of the pedestrian safety sidewalk along Old Hardin RD between Greenwood and just east of Rykken Circle. The Manager noticed a note on one of the drawings to remove one of the head gates on the 60' canal. The Manager notified them that the head gate had to remain in place. They also asked about an easement and the manager went with a 40-foot easement since the development of the McIntosh subdivision in 1977.

Old Business:

1. **LID-LWSD Water Rights:** nothing new
 2. **LID Audit:** nothing new
 3. **2014 LID Rate Update 2019:** On Hold
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Manager's Report:

Preston Thorpe called on November 21, 2024 from 1920 Canary Ave saying that he has been overcharged for his Lockwood Irrigation assessment and requested to be reimbursed. The Manager contacted the County Treasurer to correct the current assessment. The property was originally 8 lots and in 2020 was forever merged into four lots. This means that the County did not assess the lots appropriately and Preston paid the other lots portion of the taxes. The board agreed that he would need to collect this overpayment from the other conjoined lots and that the District does not refund Property taxes that are correct just not individually. Melle's Tree Service got back to us on a price to remove the tree across the 60' canal at 2535 Rockwood and the tree across the 100' canal at 1727 Canary that Steve Nave mentioned, for \$2,200; and \$5,500.00 to remove the two large cottonwoods on the 100' canal on the Manager's property at 1548 Rosebud Lane. The Manager is requesting board approval of these bids with an offer to pay a portion of the cost for the \$5,500.00 estimate. A motion was made by Brent Kober to accept these estimates, subtracting what Carl Peters contributes and seconded by Bob Riehl. The manager received an email from the County Elections Office Kirstie Bromenshenk wanting a copy of our bylaws and how much the commissioners are paid per month. Stephanie Seymanski, PE of Morrison-Maierle wanted to know if we have encroachment fees for the phase three sewer project. They plan to bore under our canal. The Manager informed Stephanie that our encroachment fee is now \$500.00 for any utility that crosses our main canal easements and that it must be 10 feet below the canal. The audit through Montana State Fund produced an issue with Cambell Blasting. Richard Campbell submitted Montana and Wyoming blasting certifications, Certificate of Liability Insurance, Montana Source Procurement Certification, and the Wyoming workers Compensation Certificate. The Manager also received an email from a surveying company out of Red Lodge, they are surveying between Pomp's Tire and Schwan's because it is for sale. They wanted to know about the ditch easement through there and they cannot fill it in, but they

can put it in pipe. The \$826.42 dividend check from the Montana State Fund to be divided equally between Richard, Matt, and Carl. Bob Riehl made a motion, Brent Kober seconded, motion carried. The current Northwestern Energy Rebate Program for pump motor VFD's of \$65.00 per HP ends June 30, 2025, so if this program continues, the district will need to apply after substantial completion of the Pump Station Replacement Project. The district's insurance coverage will be checked for the new construction on our railroad lease and will need to be updated for the new pumps.

Secretary's Report:

The November financial reports will be reviewed for approval at the January 15, 2025, meeting. With no further business, a motion to adjourn was made by Bob Riehl, seconded by Brent Kober; the meeting was adjourned at 8:19PM. The next board meeting will be on January 15, 2025, at 7:00 PM, located at the Lockwood Water and Sewer Office.

Respectfully submitted,
Angela Watson, Secretary/Treasurer