ROLL CALL
Mike Boltz  President  ABSENT  Mike Lindemer  Vice President  PRESENT
Bob Skiles  Director  PRESENT  Davy Good  Director  PRESENT
Mark Butcher  Director  ABSENT  Felicity Derry  Secretary  PRESENT
Greg Robertson  Missoula Co  PRESENT  Amy Rose  Missoula Co  ABSENT
Public Attendance - Appendix A

OPENING:
The meeting was called to order by Mike Lindemer at 5:24pm at The Museum & Historical Visitor Center, located at 2920 Highway 83 N.

PUBLIC COMMENTS:
Nathan Bourne requested that the Board forward him any emails from Missoula County outlining the restrictions on presenting information to the public prior to the election. He was considering putting a piece in the paper on how public boards were able to present information.

CORRESPONDENCE:
None

MINUTES:
Board Meeting Held on January 19, 2017
The minutes of the Board meeting held on January 19, 2017 were presented to the Board for review.

Davy Good moved to approve the minutes of the Board meeting held on January 19, 2017 as presented. Bob Skiles seconded the motion, which was then passed.

INVOICES:
January 2017
Felicity Derry reviewed the invoices for the Board.

Mike Lindemer commented that the assessment fees had got the District where it was today. The community needed to think about their decision on the vote, without being educated on the sewer. It would be nice to know if Rural Development (RD) would allow the District to have another vote.

Davy Good moved to approve the January 2017 invoices for payment as presented. Bob Skiles seconded the motion, which was then passed.
FINANCIAL REPORTS:

October 2016
Felicity Derry informed the Board that once again it had been a quiet month. The Health Department had requested that the District send an invoice for the first two quarters of FY2017, which had been done.

Davy Good moved to approve the financial reports for October 2016. Bob Skiles seconded the motion, which was then passed.

November 2016
Felicity Derry informed the Board that approximately $16,000 of fee assessment had been received in November, but that was the only noteworthy item.

Davy Good moved to approve the financial reports for November 2016. Bob Skiles seconded the motion, which was then passed.

MANAGER'S REPORT:
Greg Robertson informed the Board that the project was on hold and all of the engineering work had stopped. All funding was preserved, dependent upon RD's decision. If RD withdrew their funds the other funding agencies would follow suit.

RD's initial decision had been to withdraw their funds after the negative vote. As of today that had not happened, and the funds did not seem to be in much danger for the foreseeable future. Especially if the District went through the full appeal process in Colorado. The first step was an informal review, which had been held about three weeks ago in Bozeman, where there had been a frank and productive discussion with Dan Johnson and Steve Troendle. They were still doing their due diligence following on from statements that had been made previously, and they had not made a decision to date. They requested that Greg Robertson forward them the final assessment methodology and confirm that the bond counsel was in agreement with those methodologies. It had been forwarded to the bond counsel to be formatted as a resolution for the Board's consideration. Greg Robertson thought that was a good sign from RD, and that they would also allow the District adequate time for the appropriate public process.

Greg Robertson's argument to RD from the beginning had been that a public vote was not a statutory requirement. RD had required it to show public support for the project. The problem was that the voter electorate was not the same as the property owners, who would be expected to repay the debt. Those were the people that should have a say as to whether the District moved forward. He had heard from quite a few people that they did not get a voice. RD was taking that seriously. Greg Robertson speculated that RD would not abate the public vote, but allow the District to proceed on to the notice and protest. If the Board chose to move forward, they would hold a hearing on the question of signing a resolution with the intention to issue debt in the form of a special assessment bond. That would start a protest period of thirty days. Each recorded property owner, no matter if they were a business, a corporation, an LLC, or a residential property owner would have a voice. Greg Robertson had always felt that was the fairest way and he felt that RD was listening now. The District had requested to preserve the funding and to give them another shot by utilizing a special assessment bond, which required a notice and protest. There had been no indication when there would be a decision from RD.
Greg Robertson would give the District the names of some Montana companies that could help to get the message out in a deliverable format that the public could understand. It would be education not advocacy. He could not advocate, but he was an educational resource. Once RD made their decision it would be up to the Board to choose the way forward.

Davy Good suggested that the Board get some information together pretty quick to get it out to the public. Greg Robertson said that there was a Montana firm that did public outreach that he would like to talk to. RD saw the need for more time because of the way the process had unfolded previously with the message not getting out. If RD did allow the District to go forward they needed to push for adequate time to have a good public education process.

Nathan Bourne noted that he had been asked if there was a notice and protest, did that mean that people had to put their names on and it and then that would become public record. Greg Robertson replied that the resolution and the public notice would have specific instructions for each type of owner. If they protested it would be public record that would be tallied and open for inspection.

Walt Hill questioned if a person owned multiple lots. Greg Robertson replied that they would have multiple rights to protest, depending on the methodology that was used. That person would shoulder more of the cost than a person who owned only one lot. Phase I would have the largest weighted average as it included the cost of the collection system as well as the treatment plant.

Walt Hill said that he had been told that there were four individuals that owned 25% of Seeley Lake. Therefore those few key individuals would have to “buy into” the sewer. It would be good for the community to try to convince them that the sewer system was essential. He also noted that the clinic had to close for a day because their septic had backed up.

OLD BUSINESS:
RD Negotiations/Beal Law Firm, PLLC
Previously covered.

NEW BUSINESS:
Well & Lake Monitoring
Tabled until the next meeting.

Mike Lindemer asked Greg Robertson about the legality of putting information in the newspaper. Greg Robertson replied that as individuals a board could advocate to their heart's content; however they could not advocate as a board. There were specific ethical rules that related to special districts that the Board as elected officials had to comply with. The Board needed to be very careful about it. Personally he had not written a letter to the editor in thirty years of doing business. The Board was not precluded from doing it as individuals, but they should be very careful. He would resend the letter with instructions from the county attorney’s office and would include Nathan Bourne on the email.
NEXT REGULARLY SCHEDULED MEETING: March 16, 2017

ADJOURNMENT OF MONTHLY BOARD MEETING:
Mike Lindemer adjourned that meeting at 5:55pm.

Attest:

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Mike Lindemer, Vice President

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Felicity Derry, Secretary