



## **September 2, 2005 Meeting Minutes**

The meeting was called to order at 6:00 PM with Commissioner Joseph Statkus and Chairman Raymond Stankunas present.

The Board reviewed a draft of the MS-34.

Susan Lovegreen asked about the dates received on the most current permits to be reviewed. Chairman Stankunas advised it is a matter of public record and she could go through the proper channels to obtain that information.

### **Water and Driveway Permits:**

Artistic Home Sales, Inc., Water & Driveway, Lot 13-182, Spring St.: Commissioner Statkus motioned to approve water and driveway permits on condition that a culvert and ditch line are installed, seconded by Chairman Stankunas, approved by 2-0 vote.

Artistic Home Sales, Inc., Water & Driveway, Lot 14-55, Deerpoint Dr.: Commissioner Statkus motioned to approve water and driveway permits on condition that a culvert and ditch line are installed, seconded by Chairman Stankunas, approved by 2-0 vote.

Artistic Home Sales, Inc., Water & Driveway, Lot 14-270, Ellenbrook Rd.: Commissioner Statkus motioned to approve water and driveway permits on condition that a culvert and ditch line are installed, seconded by Chairman Stankunas, approved by 2-0 vote.

Artistic Home Sales, Inc., Water & Driveway, Lot 14-440, Winter Rd.: Chairman Stankunas motioned to deny permits due to lack of wetlands permit, seconded by Commissioner Statkus, denied by 2-0 vote.

Brent Clark, Water & Driveway, Lot 13-56, Winter Rd.: Commissioner Statkus motioned to approve water and driveway permits on condition that a culvert and ditch line are installed, seconded by Chairman Stankunas, approved by 2-0 vote.

Brent Clark, Water & Driveway, Lot 14-182, Seminole Rd.: Commissioner Statkus motioned to approve water and driveway permits on condition that a culvert and ditch line are installed, seconded by Chairman Stankunas, approved by 2-0 vote.

Lorenco, Driveway, Lot 15-19, Hummingbird Ln.: Commissioner Statkus motioned to approve driveway permit on condition that a culvert and ditch line are installed, seconded by Chairman Stankunas, approved by 2-0 vote.

Robert and Wanda DeNutte, Water & Driveway, Lot 13-213/249, Hillside Dr.: Commissioner Statkus motioned to approve water and driveway permits on condition that a culvert and ditch line are installed, seconded by Chairman Stankunas, approved by 2-0 vote.

Robert Poutre, Driveway, Lot 14-612, Turtle Bridge Crossing: Commissioner Statkus motioned to approve driveway permit on condition that a culvert and ditch line are installed, seconded by Chairman Stankunas, approved by 2-0 vote.

Dick Cullen demanded that the Board talk to the audience while reviewing and approving or denying permits. He was warned to stop disrupting the normal course of the administrative portion of the meeting.

The Board approved the Minutes of the 8/5/05 meeting upon motion of Commissioner Statkus, seconded by Chairman Stankunas, approved by 2-0 vote.

Susan Lovegreen asked the Board to read the minutes out loud. Chairman Stankunas denied her request and advised that minutes were available for viewing at the office and in posted places. Ms. Lovegreen felt they should be read out loud. Secretary Lindstrom advised the 8/5 minutes were 10 pages long.

The Board approved the payment manifest of 6/25-7/1 upon motion of Commissioner Statkus, seconded by Chairman Stankunas, approved by 2-0 vote.

Chairman Stankunas discussed the inquiry made to district counsel regarding the imposition of a temporary water moratorium on new water connections. A public hearing on the matter was scheduled for 6 PM on October 7, 2005 to be followed by the regular monthly meeting.

Discussion ensued regarding the difference of opinions between the reported 2002 opinion of former counsel and current legal counsel on water moratorium issues. The audience was advised that there was no documentation of any opinion received by then Chairman Sylvia.

Susan Lovegreen requested that district counsel's opinion be read out loud. Chairman Stankunas advised that legal counsel was not a matter of public record at this time and the matter will be heard at the public hearing.

Chairman Stankunas announced another public hearing will be held under RSA 31:95-B regarding a \$16,000 overpayment to Kansas State Bank. Said public hearing was scheduled for 6 PM on November 4, 2005 to be followed by the regular monthly meeting.

Paula Mello presented a proposal for the establishment of a Parks & Recreation Committee. Chairman Stankunas motioned to create the Parks & Recreation Committee and appoint Paula Mello as its first member, seconded by Commissioner Statkus, approved by a 2-0 vote. Ms. Mello was sworn in as the committee's first member and assigned to the recruitment of other members. Ms. Mello distributed a written description of the committee and applications to join.

Jim Dalton asked the Board if it had a water shortage plan. Chairman Stankunas explained that over the summer months when water usage is at its peak the District puts in place a water ban and after the failure of the bond, entered into an agreement with the Hillsboro Water & Sewer Commissioners to truck in water from the Hillsboro system when needed. In the long term, the District is using funds from capital reserve to continue working on a new well and storage tank until it is able to obtain a bond from the voters. Discussion ensued regarding the length of the water ban in the summer months, the failure of the bond and the District obtaining property to protect a sanitary radius around the wells.

Chairman Stankunas detailed the history of the water concerns and advised that starting in 1998 or 1999 long term plans were formulated to address the then moderate growth by planning for several new wells and increasing the storage capacity. An expendable capital reserve fund was established to start putting money away for the new storage tank, which was planned to be part of the projects for 2005 contained within the proposed bond as well as the proposed new well. The thought being that the then existing bond would be paid off, and the impact on the tax rate would be manageable. A hydro-geologic study of the District and surrounding areas was made by D.L. Maher Company to look for potential well sites and the Mary Rowe Well was the direct result of this study as is the proposed new well site.

Mr. Dalton was also advised that the engineering for the new storage tank and the surveying, etc. for the new well site is ongoing; however, there would be no actual construction unless the bond that will be proposed for 2006 passes. Tata & Howard will be submitting their preliminary report and recommendation on the storage tank, and a proposal for final design shortly thereafter. The plan is to be able to put the project out for proposal as soon as possible with construction to begin in early spring, again, contingent on the passage of the bond. The same would be true for the new well site.

Chairman Stankunas also discussed the fact that due to the problems with the treatment issues that started to surface in 2002-2003, the District was left in a vulnerable position. The options were to immediately drill a new well and have no idea what other problems could arise after spending substantial money to access and drill the well with no funds to react to them, or treat what was a known and definable situation. The Board, on recommendation of our system engineer, decided to treat the known problems and still work towards the storage and source matters.

Valerie Brooks asked about the legal ramifications of the water shortage and slowing down growth within the District. Discussion ensued regarding the new zoning restrictions on growth and a potential water connection moratorium, the 2002 legal problems with a moratorium, engineering studies, the costs to treat fluoride and arsenic, and the contamination of the Hillsboro water system.

Scott Barss stated that Jerry Burnham used to read the monthly financials at the meetings and that the Town of Hillsboro does the same. Chairman Stankunas explained that the Town of Hillsboro does not read its monthly financials and that such a practice is a matter of policy and not law. Mr. Barss asked why and where was the money going. Chairman Stankunas explained that as stated before, copies of the financial records may be obtained by request at the District office.

Mr. Barss asked for an update on the order of road signs. Chairman Stankunas explained they had been ordered and received; however, the District received the wrong post caps and is awaiting their replacement.

Ben Molinari asked if he could have a copy of the Use Agreement for the District office and meeting room. Chairman Stankunas replied that he could. Mr. Molinari asked about heating the office and meeting room and Chairman Stankunas explained those issues were being arranged.

Discussion ensued regarding the usage of the treatment building for an office and toilet as an alternative to renting a space from ELPOA. Chairman Stankunas explained that the treatment building housed the entire treatment system, there is no room for an office and bathroom, and putting a septic system near the treatment center was not advisable or safe.

Susan Ireland asked why the District could not keep its meetings downtown. Chairman Stankunas explained that the District would still need a suitable office space and the opportunity to rent both the office and meeting room in one building located within the District was reasonable.

Mr. Molinari asked if Dick Adams would be resigning his position as commissioner. Chairman Stankunas advised that Dick has not resigned and did not know if he was planning on doing so.

The Board adjourned the meeting at 6:45 PM.

Respectfully submitted,

Sharon Lindstrom, District Secretary

Approved:

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Raymond A. Stankunas, Chairman

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Richard A. Adams, Commissioner

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Joseph Statkus, Commissioner