

**BIG SKY COUNTY WATER & SEWER DISTRICT
Regular Meeting Minutes - In Person & Virtual Zoom Meeting - July 18, 2023**

Audio file available at:

http://www.bigskywatersewer.com/meetings/2023-07-18.Board_Meeting_Audio.mp3

Board members present:

Mike Ducuennois, Dick Fast, Al Malinowski, Peter Manka, Bill Shropshire (R), Brian Wheeler & Mike Wilcynski

WSD Staff present:

Ron Edwards, Marlene Kennedy, Jim Muscat, Vince Palafox, Jake Porter (R) & Terry Smith

(A) Absent (R) Remote participation

Others present in person

Steve Johnson, Deb Kozisek, Rich Chandler, Matt Williams, Michael Schreiner, Becca Pape, Ryan Pearson, Jim Bruder, Breeann Johnson, Chris Leonard, David O'Connor, Jack Buban, Cryder Bancroft, Clay Lorinsky, George Mueller, & Suzan Scott

Others present via Zoom

14065394428 (Brian Ashe), Guy Alsentzer, Gallatin River Task Force, Tim Kent, Emma Lawler, Jon Olsen, Susan Swimley & Chad Wilson

	Time	Duration HH:MM:SS
I. Regular Board Meeting Public Forum	08:00:00 AM	[00:02:37]
A. Call Regular Meeting to Order	08:00:00 AM	(00:00:00)
B. Public Comment on Non-agenda Items	08:00:05 AM	(00:02:09)
C. Conflict of Interest Declarations	08:02:14 AM	(00:00:23)
II. Consent Agenda**	08:02:37 AM	[00:01:43]
A. Minutes: June 20, 2023 & June 23, 2023**		
B. Financial Reports: June**		
C. Sewer & Water Operator's Reports**		
<i>Motion made by Mike Wilcynski seconded by Mike Ducennois. To approve the consent agenda which include the minutes, finance reports and operator reports. 7-0 approval.</i>	08:04:00 AM	(00:09:25)
III. New Business	08:04:20 AM	[00:09:05]
A. Big Sky Housing Trust (David O'Connor)	08:05:22 AM	(00:01:02)
<i>Discussed letter of intent between the Housing Trust and Lone Mountain Land to build a third building in Powder Light.</i>	08:05:22 AM	(00:08:26)
IV. Committee Reports	08:13:25 AM	[00:14:45]
A. BSOA Pond Committee (<i>Will be covered under V.B. at 9:00 AM</i>)	08:13:25 AM	(00:00:00)
B. Spanish Peaks Committee (Brian Wheeler)	08:13:48 AM	(00:00:38)
C. Pre-treatment Committee (Peter Manka)	08:14:26 AM	(00:01:04)
D. District/Canyon Project Committee (Mike Ducuennois)	08:15:30 AM	(00:09:48)
<i>Discussion about future pipeline for canyon piping project.</i>	08:15:30 AM	(00:09:48)
E. Succession Plan Committee (Mike Wilcynski)	08:25:18 AM	(00:01:50)
F. Flat Iron Committee (Brian Wheeler)	08:27:08 AM	(00:01:02)

V. Business Action Items	08:28:10 AM	[02:46:37]
A. Yellowstone Club Storage Obligation Acknowledgement Letter** (Rich Chandler)	08:28:16 AM	(00:37:42)
<i>Motion made by Dick Fast seconded by Al Malinowski. To take the letter to our counsel, have her look at it carefully especially the second paragraph keeping in mind that we want to keep options open. 6-0 approval (Mike Ducuennois abstained)</i>	09:03:21 AM	(00:40:19)
B. BSOA Pond Agreement**	09:05:58 AM	(00:37:42)
<i>Motion made by Mike Ducennois seconded by Bill Shropshire. To send this response (Susan Swimley red line version as presented) back over to the BSOA. 7-0 approval.</i>	09:43:40 AM	(00:10:40)
<i>Susan Swimley will also draft the Sweetgrass Hills covenant amendment language for the BSOA ballot.</i>	09:43:40 AM	(00:16:26)
<i>Break. Bill Shropshire left the meeting at 10:00 AM</i>	09:54:20 AM	(00:05:40)
C. Flat Iron**	10:00:06 AM	(01:12:54)
<i>Extensive discussion over what the District commitment is for sewer and water service for the area in Gallatin County covered by the YC Agreement exhibit F. District confirmed that the area is within the District service area for sewer and water, and it does not extend into Madison county.</i>	10:00:00 AM	(01:14:47)
<i>Motion made by Mike Ducennois seconded by Peter Manka. To engage Dowl and get Jim Potts under an agreement to begin collaboration with Flat Iron consultants. 6-0 approval.</i>	11:13:00 AM	(00:03:34)
X. Discussion of Cottonwood v. Big Sky Water Sewer – Case 22-36015 legal strategy (moved up on the agenda as Susan Swimley had to leave)	11:14:47 AM	[00:16:53]
<i>Motion made by Al Malinowski seconded by Dick Fast. To close the meeting to discuss ongoing litigation. 6-0 approval.</i>	11:16:34 AM	(00:16:23)
<i>Motion made by Mike Ducennois seconded by Dick Fast. To close the closed session and open the general session. 6-0 approval.</i>	11:31:33 AM	(00:01:24)
VI. Old Business	11:31:40 AM	[00:29:38]
A. Capital Improvements Plan Projects	11:32:57 AM	(00:00:00)
1. WRRF Project Update (Scott Buecker, AE2S & Trent Dyksterhouse, RSCI)	11:32:57 AM	(00:13:17)
B. Developments and Subdivisions	11:46:14 AM	(00:00:07)
1. Yellowtail Condominiums	11:46:21 AM	(00:07:17)
2. Riverview	11:53:38 AM	(00:01:02)
3. Flat Iron	11:54:40 AM	(00:00:03)
C. Employee Succession Planning	11:54:43 AM	(00:00:03)
D. Legal	11:54:46 AM	(00:00:02)
E. Resort Tax	11:54:48 AM	(00:06:30)
VII. New Business	12:01:18 PM	[00:01:57]
A. BSCO Park Trail Easement	12:01:19 PM	(00:00:19)
B. New Developments & Subdivisions	12:01:38 PM	(00:00:45)
1. Upper Whitefish Drive	12:01:38 PM	(00:01:18)
B. Sewer & Water Connection Permits	12:02:23 PM	(00:00:33)
C. General Correspondence	12:02:56 PM	(00:00:19)

VIII. Next Meeting Date

12:03:15 PM [00:00:05]

A. Regular Meeting, Tuesday, August 15, 2023 (Tentative)

IX. Any Other Business Which May Properly Come Before the Board

Motion made by Mike Ducennois seconded by Peter Manka to adjourn the meeting. Unanimous approval

XI. Adjournment

12:03:20 PM

End meeting at: 12:03:23 PM

Dick Fast, Secretary

07-18-2023.min