



COUNTY WATER DISTRICT OF BILLINGS HEIGHTS

Board of Directors Meeting Minutes

March 15th, 2023 at 6:00 PM

County Water District of Billings Heights 1540 Popelka Dr., Board room

The meeting is open to any interested member of the public. Agendas are prepared for the meetings. Agendas may be requested from the General Manager Peyton Brookshire, peyton@heightswaterdistrict.com, and are available at <https://heightswaterdistrict.com/agendas-and-minutes/>. Supplemental documents are linked in the Agenda Packet.

CALL MEETING TO ORDER: Vice President David Graves called the meeting to order at 6:00 p.m.

WELCOME AND INTRODUCTIONS

Board Members present: David Graves, Tom Zurbuchen, Brandon Hurst, Laura Drager

Staff Members present: Peyton Brookshire, Josh Simpson, and Jenn Burnside

Also present: Doug Kary, Frank Ewalt, Butch Bailey, Mike Macki, Wesley Dunn, Pam Ellis, and Evelyn Pyburn (YCN)

PRESIDENT'S REMARKS: Read by David Graves

During the course of the meeting, the Public may be heard before a vote is cast by the Board. The President will acknowledge the Public once the motion has been made and discussed by the Board for their input. The President will recognize speakers who raise their hands. Once recognized, the speaker should move to the side of the board table so comments can be heard, identify themselves by name, and limit their comments to two minutes. Each speaker will have one opportunity to speak on any agenda item.

PUBLIC COMMENT on Non-Public Hearing Agenda Items: Read by David Graves

- A. Any member of the public may be heard on any subject that is not on the agenda;
- B. The board will not take action on these items at this time but may choose to add the item to the agenda for the next scheduled board meeting.

PUBLIC COMMENT

No public comment on non-agenda items.

CONSENT AGENDA

Tom asks about a bill from Ditch Witch for \$4500. What are we spending all this money on?

Josh says there were repairs that needed to be done on the vac trailer.

Tom also asks about a check written to Rosemary Moses for \$45.

This account was in Snowbird status and then closed so they received the security deposit refund of \$45.

Laura makes a motion to accept the consent agenda. Brandon seconds. David, Brandon, Laura (Aye), Tom (Nay)

Doug asks about the ARPA grant check for \$516,230 and it was not in the bank account. Some invoices are missing for the contractors are missing as well.

Josh said he took the deposit to the bank last Friday, March 10th. The check was received on March 2nd.

Invoices for the chlorination job. Peyton said the final pay request was paid in the amount of \$21,759.26 to Western Municipal. These are on page 24 of the agenda packet.

NEW BUSINESS

Brandon makes a motion for Susan Swimley to represent the District. Laura Seconds. [Brandon, Laura, David (Aye), Tom (Nay)]

Tom says the letter wants the GM to be the contact person. He feels the Board President should be the contact person.

Tom makes a motion to add the Board President as the contact person.

Brandon asked can we not make Peyton the contact person so he can relay the information to the board?

Laura says her concern is that the board's job and role is oversight and not to be in the day-to-day operations. She feels that having the Board President be the contact person it would get into having the board be more involved in the day-to-day operation rather than having the manager do what he was hired to do and take care of the day-to-day operations. She goes on to say that she wouldn't agree with having the President be the contact person.

David and Brandon agree with Laura.

Mike asks if being the contact person was in Peyton's original job description. He also states that if it is a part of his job description that he should be the one to handle it.

Pam says that if Peyton keeps the Board informed by email it is a violation of open record laws.

David said he is sharing emails with other board members about what is going on.

Peyton contacted Kinetic Marketing to help inform the public about Heights Water. With all the negative press it's important for the public to know who we are and what we do. This proposal is only until the end of this fiscal year.

Laura makes a motion to approve the marketing plan. Brandon seconds.

Laura has a few questions regarding the cost. On page 4 of the proposal, it talks about the initial cost and then a monthly fee. Is the monthly fee \$3000 a month?

Peyton has asked for clarification on this from Kinetic. He thinks it would be an advantage to get our name out there on social media. He did have them give aggressive numbers. We may be able to have some numbers adjusted depending on the need.

Tom asks about page 7 that time and materials will be charged on a monthly basis of \$1500 a month. He is concerned about the cost and that it would cost our customers \$1.25 a month.

Peyton said when he went to the Kinetic meeting, two of the people in the meeting grew up in the Heights and had never heard of us. Nobody knows who we are, we don't have a presence.

Laura amends her motion to approve the initial marketing, planning, and strategy meeting with the \$1500 so that we can have a more accurate idea of what our cost would be going forward. Brandon seconds. Brandon, Laura, and David (Aye) Tom (Nay)

Brandon says that it is the Board's responsibility to keep this thing going and that is by knowledge. By letting everyone know why we are here and why we service the Heights. Kinetic is a good company and they are good people but also high-priced.

David agrees that we need to protect our water district.

Evelyn asked if the total exceeded the amount needed to complete an RFP.

Brandon said no.

Mike asked if we could have a review after three months to see if it is beneficial.

Doug says that Heights Water District is a monopoly. There is not much reason for advertising there is a need to build your image.

Pam agrees with Doug and Tom

Josh asked how our District is a monopoly and how is it different than the City of Billings water or Northwestern Energy. Consulting with Kinetic will help us to effectively build our image since none of us know how.

Tom makes a motion to move the next board meeting to April 12th @ 6:00 pm Laura seconds. All Approved

MANAGER'S REPORT

We put in for the RRGL planning grant for \$15000. We also received the funds for the ARPA grant in the amount of \$516,230.00. Meeting with the City this month was short, but we were able to set the agenda for next month. He will be in Great Falls on March 23rd and 24th to co-present with Interstate Engineering on a presentation on infrastructure management using GIS. This is for the Montana Rural Water Conference on March 22nd-24th. There was a fire off of Hawthorne and Bitterroot. There was an issue with the fire pump but some settings needed to be adjusted and now it seems to be running great.

Laura said we will have the rate increase proposal at the next meeting with the City.

David says the discussion has been a lot about the growth of both the City and the Heights.

TREASURE'S REPORT

The Gross Account is \$1, Service charge is \$411. The O&M account has been closed. The Payroll account ending was \$38,066.11. The Sweep account balance was \$186,875.51. We earned \$74 in interest. Total checking account balances \$224,942.62. Total net fee \$337.92. Stifel \$179,085.48. Remaining balance in

CD's \$6,130,647.08 for a total with Stifel of \$6,309,732.56. The First Interstate money market account was \$251,675.37 we received \$115.84 in interest on that account. Yellowstone bank CD \$219,584.53. Total 7,005,935.08

Tom states that the debt should be added to the treasure report.

OLD BUSINESS

There was no old business.

The meeting Adjourned at 6:49 PM

The next Meeting is April 12th 6:00 pm

Recording Secretary, Jennifer Burnside

Board President, Ming Cabrera