

Seeley Lake Sewer District
PUBLIC HEARING AGENDA

DATE: Monday June 28, 2021
PLACE: The Barn, 2920 Highway 83, Seeley Lake & Virtual Meeting
Computer: <https://us02web.zoom.us/j/8563339071?pwd=Z0NhbmRoWitlUFpyME8vTWJ0QlZ0Zz09>
Telephone: 1 669 900 6833
Meeting ID: 856 333 9071
Password: 123528
TIME: 6:00 p.m.

ROLL CALL

Tom Morris, President	O	05/2024
Beth Hutchinson, Vice President	O	05/2022
Pat Goodover, Director	O	05/2022
Walt Hill, Director	O	05/2022
Jason Gilpin, Director	O	05/2024
Felicity Derry, Secretary	O	

1. OPENING: Scheduled for 6:00 PM at the Barn & Via Zoom
2. APPROVAL OF AGENDA:
3. PRESIDENT'S COMMENTS:
4. PUBLIC COMMENT: On Items not on the Agenda of the Meeting and within the Jurisdiction of the Sewer District [MCA 2-3-103 (1)a]
5. NEW BUSINESS: a} Report of Written Protests received by June 25, 2021 Deadline - *Discussion*
b} Resolution# 06282021 Setting Assessments – *Adopt/ Amend/ Reject*
6. ADJOURNMENT:

REGULAR BOARD MEETING AGENDA

DATE: Monday June 28, 2020
PLACE: The Barn, 2920 Highway 83 & Via Zoom (Meeting ID & Password are the same as above)
TIME: Immediately following the Public Hearing

1. OPENING:
2. APPROVAL OF AGENDA:
3. PRESIDENT'S COMMENTS:
4. PUBLIC COMMENT: On Items not on the Agenda of the Meeting and within the Jurisdiction of the Sewer District [MCA 2-3-103 (1)a]
5. CORRESPONDENCE: a} Aaron Neilson
b} Becky Anseth, TSEP
c} Bridger Christian
6. MINUTES: May 20, 2021 - *Action*
7. FINANCIAL REPORTS: a} Invoices – *Action*
b} April 2021
c} May 2021
8. MANAGER'S REPORT: Status Report
9. OLD BUSINESS: a} Action Plan for 2021-2022 – *Discussion/ Action*
b} Interim General Manager – *Discussion/ Action*
10. NEW BUSINESS: General Counsel – *Discussion/ Action*
11. NEXT SCHEDULED MEETING: July 15, 2021
12. AGENDA ITEMS FOR NEXT SCHEDULED MEETING:
13. ADJOURNMENT

RESOLUTION NO. 06282021
SETTING ASSESSMENTS – SEELEY LAKE SEWER DISTRICT

WHEREAS, the Board of Directors of the Seeley Lake Sewer District (the “Board”) adopted a fiscal year budget on April 15, 2021 for the purpose of setting assessments to fund the administrative costs of District operations and the establishment or maintenance of any required reserves for the District for Fiscal Year 2022, and

WHEREAS, the Board heard recommendations to establish equal assessments for setting annual assessments; and

WHEREAS, after giving notice as required, the Board held a public hearing on June 28, 2021 at 6:00 p.m. MDT for the purpose of accepting public comment on establishing the methodology for annual assessments; and

WHEREAS, upon taking public testimony, the Board considered all comments, both written and verbal; and

WHEREAS, the Board determined that the equal assessment method described in § 7-12-2151 (d) M.C.A. would provide sufficient revenues for fiscal year 2022, in the amount of approximately \$124,102.00;

NOW, THEREFORE BE IT RESOLVED by the Board that the Secretary is directed to coordinate the placement of assessment on the property tax bills for Fiscal Year 2022 as follows:

Equal Assessments: Each lot, tract or parcel of land in the District shall be assessed equally for the Administrative Fee. The amount of the Administrative Fee assessed against each lot, tract or parcel of land in the District shall be \$245.75.

DATED THIS 28th DAY OF JUNE, 2021

President

Attest:

Secretary

From: Aaron Neilson <aaron@nsdlawfirm.com>
Sent: Wednesday, May 19, 2021 3:18 PM
Cc: Kirby Christian; Sam Howell; melissa@CSBlawoffice.com
Subject: Aaron Neilson's New Law Firm - Instructions re Your File(s)/Matter(s) Needed

Good afternoon.

I write to inform you I no longer work at Christian, Samson & Baskett, PLLC ("CSB"). I now work at Neilson, Swanson, Dietrich, PLLC ("NSD"). As the client, it is your choice whether to have your file(s)/matter(s) at CSB or NSD. Regardless of your choice, please know NSD and CSB will cooperate to make this as seamless a transition as possible. Cc'd is Kirby Christian, CSB's managing partner, Sam Howell, CSB's bookkeeper, and paralegal Melissa Lentz. Please reply to everyone on this email thread to let us know whether you would like your file(s)/matter(s) to be at CSB or if you'd like to continue working with me and, therefore, have your file(s)/matter(s) transitioned to NSD.

If I represent(ed) you (individually) as well as one or more of your businesses, please identify yourself as well as the name of the businesses and whether you would like both your personal file(s)/matter(s) and your business file(s)/matter(s) to stay at CSB or go with me to NSD.

If you have any questions or wish to discuss this, below is Kirby's and my contact information:

Kirby Christian
kirby@CSBlawoffice.com
406-721-7772

Aaron M. Neilson
aaron@nsdlawfirm.com
406-532-5556

Thank you,

Aaron M. Neilson | Attorney | 406.532.5556
Neilson, Swanson, Dietrich, PLLC | Pacific NW Law Firm
5705 Grant Creek Rd, Suite A, Missoula, MT 59808
aaron@nsdlawfirm.com | www.nsdlawfirm.com
To Schedule a Meeting With Me, Click [Here](#)

SCOTT OSTERMAN
DIRECTOR



GREG GIANFORTE
GOVERNOR

May 14, 2021

Tom Morris, President of Board of Directors
Seeley Lake Sewer District
PO Box 403
Seeley Lake, MT 59868

RE: Seeley Lake Wastewater Improvements Project Award for 2015 Biennium and Application for 2023 Biennium

Dear President Morris

The Treasure State Endowment Program (TSEP) has received your letter requesting termination of the \$750,000 grant awarded for the wastewater system upgrades project for the 2015 Biennium, MT-TSEP-CG-15-757. This request is approved and the Department will terminate the District's award and contract.

The District also applied for phase 2 collection system funding for the 2023 Biennium which was recently considered for funding in the Legislative session. As the project will not proceed, the request to withdraw the application request for funding is approved.

If you choose to reapply in future funding cycles, Department staff is available to assist you in reapplying. The updated application and guidelines for the 2025 biennium infrastructure grant cycle will be available in fall of 2021, and applications accepted in spring of 2022. If you need to conduct additional project planning before then, infrastructure planning grants will become available in coming weeks.

Please be sure to check the program website, <https://comdev.mt.gov/> for any program updates, or contact the program at 406-841-2770 or DOCCDD@mt.gov.

Best Regards

A handwritten signature in black ink that reads "Becky Anseth".

Becky Anseth
Infrastructure Program Manager

Ecc: Jean Curtiss, Seeley Lake Sewer District
Kim Myre, Missoula County
Amy Dietchler, Great West Engineering

Seeley Lake Water District

From: Bridger Christian <bridger@CSBlawoffice.com>
Sent: Tuesday, June 8, 2021 3:41 PM
To: Jean Curtiss; Melissa Lentz
Cc: Tom & LaRee Morris; Seeley Lake Water District
Subject: RE: Montana Codes related to General Manager and District Secretary for sewer districts

Hi Jean, here is what I found on this question:

The short answer is that I agree with your analysis – it would be best if the General Manager and Secretary were not the same person.

Unfortunately, there isn't much to go off of except the code provisions you cited. There are no regulations interpreting these sections of the Montana Code, and no cases have been decided that interpret them either. Thus, we are pretty much stuck with trying to read between the lines, as well as looking at how other Sewer Districts operate.

Beginning with statutory interpretation, I think you are spot on. The fact that the statute provides that there must be a general manager *and* a secretary strongly suggests that this was intended to be two individuals. Additionally, the duties of the general manager and secretary are distinct, and as you suggest seem to contemplate a balance of power approach, where the secretary is supposed to countersign contracts on behalf of the district. When interpreting a statute, the intention of the legislature is paramount. The intention of the legislature must first be determined from the plain meaning of the words used. *See Missoula Cty. v. Am. Asphalt*, 216 Mont. 423, 426, 701 P.2d 990, 992 (1985). If the intent of the statute cannot be determined from the plain meaning, then we can resort to other rules of statutory construction. Here, however, I think the plain meaning is clear, and it is bolstered by the structure of the statute as discussed previously. Thus, that is where the analysis on the statutory interpretation side would end.

Additionally, I looked up other sewer districts across the state, and couldn't find an example where the GM and secretary position were filled by the same individual, which further confirms my thinking that they must be two distinct people. *See <https://glwqd.org/water-sewer-districts/>*.

Finally, Article VI, § 2 of the Bylaws of the District provide that "The Board shall have the power to hire administrative personnel and employ labor responsible for implementing the established policies and plans relative to the District as a whole. These positions include but are not limited to a general manager, a secretary, a clerk/bookkeeper, and an auditor." Once again, my reading of this is that the Bylaws are contemplating separate individuals based on the use of the word "and."

One potential option – the statute mentions that a GM must be appointed "as soon as . . . practicable" which leads me to believe that you could leave the GM position open while you undertook a search. Obviously that would mean that the duties of the GM would not be accomplished during the interim period, but it would allow better compliance with the statute than having both the secretary and GM be the same person in my opinion. Or, of course, you could just temporarily fill the post while the search is underway.

Just let me know if you have any questions regarding this or anything else.

Best,

Bridger Christian | Associate Attorney



310 West Spruce St., Missoula, MT 59802
p: (406) 721.7772 | c: (406) 274.0422
bridger@csblawoffice.com

CONFIDENTIALITY STATEMENT

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From: Jean Curtiss <jcurtiss53@gmail.com>
Sent: Monday, May 24, 2021 3:14 PM
To: Bridger Christian <bridger@CSBlawoffice.com>; Melissa Lentz <Melissa@CSBlawoffice.com>
Cc: Tom & LaRee Morris <tomree82@gmail.com>; Seeley Lake Water District <slk2559@blackfoot.net>
Subject: Montana Codes related to General Manager and District Secretary for sewer districts

Bridger,

I am resigning, as District Manager, the end of June. I signed on to help the District get the project to bid and without an affirmative vote for the bonds in February, the 'project' is going nowhere.

The Board understands that they must appoint a general manager as per statute but want to be deliberative in adopting a job description and advertising the position. One of the Board members proposed asking the Board Secretary to fill the position, mostly as a placeholder, for two months. After the meeting, I pulled up the statutes and forwarded the email below to the Board.

We feel we need a legal interpretation from your office as we are shooting from the hip and see it as a temporary appointment, only.

The Board will take further action at their next board meeting, June 28 so we do not need a speedy response.

Thank you,

Jean Curtiss, District Manager

----- Forwarded message -----

From: Jean Curtiss <jcurtiss53@gmail.com>
Date: Fri, May 21, 2021 at 3:34 PM
Subject: Montana Codes related to General Manager and District Secretary
To: Seeley Lake Water District <slk2559@blackfoot.net>, Tom & LaRee Morris <tomree82@gmail.com>, Jason & Sarina Gilpin <twolf.gilpin@gmail.com>, Beth Hutchinson <bethyhutchinson@hotmail.com>, Pat <sbp@centric.net>, Kim Myre <kmyre@missoulacounty.us>

For your information, I have copied sections of MCA related to the administrative personnel of sewer and water districts in Montana.

*Last night, Beth proposed that Felicity act as both for 2 months. My read of the law is that is not permitted. It talks about the general manager **and** the secretary. It does say the operator may also be the general manager. Under duties, both positions have distinct duties. The two positions provide a checks and balance system.*

Luckily, you have time to figure this out.

I do not have Cheri's email address. Felicity, please forward this to her. Thanks

Jean

TITLE 7. LOCAL GOVERNMENT
CHAPTER 13. UTILITY SERVICES
Part 22. County Water and/or Sewer Districts

Appointment Of Administrative Personnel

7-13-2277. Appointment of administrative personnel. (1) The board of directors shall, at its first meeting or as soon thereafter as practicable, appoint by a majority vote **a general manager and a secretary**. A director may not be the general manager or the secretary. The board of directors may assign the district's operator, as defined in **37-42-102**, the additional duties of a general manager.

(2) The **general manager and secretary** must receive the compensation that the board determines, and each shall serve at the pleasure of the board.

History: En. Sec. 12, Ch. 242, L. 1957; R.C.M. 1947, 16-4512; amd. Sec. 2, Ch. 13, L. 2011.

Duties Of Administrative Personnel

7-13-2278. Duties of administrative personnel. (1) The general manager has full charge and control of the maintenance, operation, and construction of all works and systems of the district, with full power and authority to employ and discharge all employees and assistants at pleasure and prescribe their duties, and shall, subject to the approval of the board of directors, fix their compensation. **The general manager shall ensure that the district establishes and maintains a system of auditing and accounting that shows the financial condition of the district, draw or cause the secretary to draw warrants to pay demands made against the district that have been first approved by at least three members of the board and the general manager,** and perform other duties that may be imposed by the board. The general manager shall report to the board in accordance with rules that it may adopt.

(2) The secretary shall countersign all contracts on behalf of the district and perform other duties that may be imposed by the board.

History: En. Sec. 16, Ch. 242, L. 1957; amd. Sec. 1, Ch. 263, L. 1967; R.C.M. 1947, 16-4516(part); amd. Sec. 567, Ch. 61, L. 2007; amd. Sec. 3, Ch. 13, L. 2011.

SEELEY LAKE SEWER DISTRICT
REGULAR BOARD MEETING
May 20, 2021

Tom Morris	President	PRESENT	Cheri Thompson	Director	PRESENT**
Beth Hutchinson	Vice President	PRESENT	Jason Gilpin	Director	PRESENT
Pat Goodover	Director	PRESENT*	Felicity Derry	Secretary	PRESENT
Jean Curtiss	Manager	PRESENT			

* Joined the meeting at 6:23pm
** Appointed at this meeting
Public Attendance - Appendix A

CALL TO ORDER:

The meeting was called to order by Tom Morris at 6:04pm. The meeting was held remotely via Zoom, due to COVID-19.

APPROVAL OF AGENDA:

Approved as presented.

PRESIDENT'S COMMENTS:

Tom Morris noted that he had heard many comments regarding the assessment, which would be addressed a little later in the meeting.

PUBLIC COMMENT:

None.

CORRESPONDENCE:

Missoula County Commissioners (Appendix B)

Tom Morris read this letter regarding the interlocal agreement.

Jean Curtiss (Appendix C)

Jean Curtiss read this email to the County Commissioners and the Health Department, noting that Commissioner Strohmaier had replied that there would not be a major allocation of funds to Seeley Lake.

Candace Driscoll (Appendix D)

Tom Morris read this email, noting that the assessment methodology would be discussed later on in the meeting.

Jean Curtiss added that an email from the District's general counsel had just been received with notification that he had started his own firm. This correspondence would be added to the June agenda.

MINUTES:

April 15, 2021

Beth Hutchinson reviewed her amendments to the April 15, 2021 minutes. Felicity Derry noted one additional amendment.

Jason Gilpin moved to approve the minutes of the April 15, 2021 Board Meeting as amended.

Beth Hutchinson seconded the motion. There was no discussion. The motion was carried.

Tom Morris	Aye
Beth Hutchinson	Aye
Pat Goodover	Absent
Jason Gilpin	Aye
Director	Vacant

Pat Goodover joined the meeting at 6:23pm

FINANCIAL REPORTS:

Invoices – April 2021

Tom Morris noted that the DEQ invoice to renew the discharge permit was for 2020, so the District owed that money. A letter would accompany the DEQ check to clarify that no further funds were owed. Tom Morris also noted that the unused LOR funds, which were being returned, were also included on the invoice sheet. Vince Chappell's trailer repair invoice was reviewed. The attorney invoice and the balance owed was discussed. The total owed for the April invoices was reviewed.

Beth Hutchinson moved to approve all of the invoices for payment as adjusted. Tom Morris seconded the motion. There was no further discussion. The motion was carried.

Tom Morris	Aye
Beth Hutchinson	Aye
Pat Goodover	Aye
Jason Gilpin	Aye
Director	Vacant

Felicity Derry reviewed the reserve spreadsheet and the funds that had been included. Discussion followed on the funds that were currently in the reserve fund and how much had been budgeted for the reserve in 2021. Budget overages and grant matching funds were discussed and it was agreed that the reserve should be included in the June agenda.

Financial Reports – March 2021

The fixed assets were reviewed and how they would be reflected in future reports was discussed. Land acquisition and other assets were reviewed. Felicity Derry reviewed the March 2021 financial reports.

Financial Reports – April 2021

Felicity Derry noted that the Missoula County report had been received late, so this would be added to the June agenda.

Jean Curtiss noted that the Board had previously approved payment of the final Great West Engineering invoices and the Dorsey & Whitney invoice. These invoices would be fully paid by RRGL and WRDA funds. The Board agreed that Tom Morris should sign these checks and they would be held until the money had been received from the funding agencies.

MANAGER'S REPORT:

Jean Curtiss had continued to work to close out the project.

Jean Curtiss then reviewed the timeline for the assessment if the public hearing were scheduled for June.

INTERVIEW FOR DIRECTOR:

Cheryl Thompson

Tom Morris noted that the Board approved questions had been forwarded to Cheri Thompson prior to the meeting. Tom Morris then asked Cheri Thompson each of the questions.

Cheri Thompson answered the questions noting that she wanted to understand the science and in turn educate the public in a noncontroversial way to find a wastewater solution to the nitrate problem, allowing for workforce housing without creating a huge burden to the community. Cheri Thompson felt that the Board should listen to their constituents and hear what they had to say. The public had voted against the proposed system and there was now an opportunity to move forward and explore new technologies to solve the nitrate issue. Cheri Thompson felt comfortable committing an average of 10 to 15 hours per week, whilst in a project. Cheri Thompson felt that the previous Sewer Boards had good intentions, but had not listened to District members, nor reevaluated the chosen system. This was a time to regroup, study the data and involve the community. The Board had a huge responsibility to represent the constituents and share the education. Cheri Thompson considered herself a team member and that she would be able to listen and find a workable center, creating a positive environment.

UNFINISHED BUSINESS:

Appointing a Director/Appointment Committee Report

Pat Goodover noted that the committee had compiled the interview questions, but had nothing further to add, other than the appointee should be seated immediately.

05/20/2021

Seeley Lake Sewer District
Regular Board Meeting

Beth Hutchinson moved that we appoint Cheri Thompson to fulfill the empty seat and that she will run through next May, or to next May, depending on what our debate on is then. Discussion followed on the term being until the next election cycle and to seat the director immediately. Beth Hutchinson restated her motion that we appoint Cheri Thompson to fulfill the empty director's seat until the next election cycle and that we seat her immediately and take care of the swearing in, in the immediate future. Tom Morris seconded the motion. Beth Hutchinson felt that the District and the Board were very fortunate that Cheri Thompson had applied for the office. The Board clarified that Cheri Thompson owned properties throughout the District. Colleen Krause commented that Cheri Thompson would do a fabulous job and was a great addition to the Board. The motion was carried.

Tom Morris	Aye
Beth Hutchinson	Aye
Pat Goodover	Aye
Jason Gilpin	Aye
Director	Vacant

Assessment Methodology

Tom Morris moved to choose option one. Beth Hutchinson seconded the motion. Tom Morris noted that he had played with the numbers for the third option on the assessment spreadsheet, but felt that there was no way to make that option, or the second option equitable. There were several properties that would be assessed huge amounts, if option three was utilized.

Cheri Thompson agreed that each property would gain an equal benefit from the assessment and agreed that option one was the fairest. Tom Morris added that even for those who owned multiple lots the assessment would not be as unfair as option three. Pat Goodover agreed that there was no perfect answer. There was no public comment. The motion was carried.

Tom Morris	Aye
Beth Hutchinson	Aye
Pat Goodover	Aye
Jason Gilpin	Aye
Cheri Thompson	Aye

Jean Curtiss reviewed the proposed timeline for the assessment public hearing. Holding the public hearing before the Board meeting and whether to hold an in-person meeting were discussed. Tom Morris emphasized that the protests needed to be in writing. Whether to hold the public hearing in June or July was discussed. The procedure for the fee assessment and the public hearing was reviewed. Discussion continued on whether to hold the public hearing in person and/or via Zoom at the Barn. The length of the protest period and when to schedule the public hearing was discussed. The procedure for the fee assessment was reviewed again and when to schedule the public hearing to maximize public attendance was discussed further.

Pat Goodover moved that the next meeting be held on Monday, June 28th at 6:00pm. The Board discussed the times for the hearing and the meeting. Pat Goodover restated the motion, that the next Board meeting be Monday June 28, and to have the hearing meeting at that time to address the protests. Tom Morris seconded the motion and confirmed that the meeting would begin at 6:00pm. There was no further discussion. The motion was carried.

Tom Morris	Aye
Beth Hutchinson	Aye
Pat Goodover	Aye
Jason Gilpin	Aye
Cheryl Thompson	Nay

Legal Update

Tom Morris noted that the District's general counsel had started his own firm and this item would be put on the June agenda.

The lawsuit was over. The insurance company would absorb the legal fees and the District would have to pay the insurance deductible.

Insurance Premium

Jean Curtiss noted that the premium for the Directors & Officers insurance would be \$1,371 and \$600 for the general liability. Tom Morris moved to put the invoices on the bills for next month. Pat Goodover seconded the motion. Beth Hutchinson reviewed the District's insurance coverage for Cheri Thompson. How the premium effected the budget was discussed. The motion was carried.

Tom Morris	Aye
Beth Hutchinson	Aye
Pat Goodover	Aye
Jason Gilpin	Aye
Cheryl Thompson	Aye

Proposed Action Plan for 2021-2022

Beth Hutchinson reviewed the proposed plan. The Board discussed delaying this item for a month to allow the plan to be reviewed. Jason Gilpin moved to defer this item to next month so Cheri Thompson, our new Board member, has a chance to review it and be a part of the discussion. Tom Morris seconded the motion. There was no discussion. The motion was carried.

Tom Morris	Aye
Beth Hutchinson	Aye
Pat Goodover	Aye
Jason Gilpin	Aye
Cheryl Thompson	Aye

Interim General Manager

Tom Morris noted that the current manager would be retiring in June and that the District was legally required to have a manger. The Board discussed requesting Felicity Derry to be the interim general manager for a couple of months, to allow time for the Board to finalize a job description, to advertise and then hire a general manager.

Beth Hutchinson moved that the Board ask Felicity, who is currently our clerk, to fill in for July and August, while we work on the process of defining what we need in the way of a general manager and go through the proper process of hiring one. Cheri Thompson seconded the motion. The Board discussed compensation for Felicity Derry, while acting as general manager. **Beth Hutchinson amended her motion to say to be paid at the rate of \$25 an hour for assigned tasks.** Pat Goodover seconded the motion. There was no further discussion. The motion was carried.

Tom Morris	Nay
Beth Hutchinson	Aye
Pat Goodover	Aye
Jason Gilpin	Aye
Cheryl Thompson	Aye

Felicity Derry agreed to be the manager for July and August, noting that the work load should be light during that time.

NEW BUSINESS:

Collaboration with CRC

Caryn Miske thanked the Sewer District for the years of support for the students in the action program and paying for the nutrient samples. Caryn Miske then outlined the robust changes to the adopt a lake program and the tests that would be performed, some of which addressed septic leach issues.

Caryn Miske was hoping to put together a project for the Clearwater Valley, relating to water quality issues and offered to have a meeting with any Board members to discuss submitting a proposal to the Bureau of Mines and Geology.

Discussion followed with Caryn Miske regarding testing and nutrients. What kind of project could be submitted to the Bureau of Mines & Geology and meeting with directors were discussed.

Schedule Public Hearing

Previously covered.

Health Department Plans for Special Management Area & Additional Monitoring

Jim Erven noted that the Health Department was reviewing data collection and how to assist the Sewer Board and the community to fix the groundwater problem. Currently there were no plans to change the regulations and the special management area would remain in effect.

Discussion followed on Seeley's permitted RV dump station, concerns that it was a source of contamination and the community's need for an RV dump station. Jim Erven noted that the Health Department currently had no plans to take regulatory action against the dump station.

Caryn Miske and Jim Erven discussed submitting a common proposal.

Nathan Bourne asked if the Health Department would come to Seeley and have discussions that involved the public. Jim Erven appreciated public input, but currently the discussions were internal and their capacity was limited.

Whether to move into the Executive Session was discussed.

Tom Morris moved to enter into Executive Session for the purpose only to approve the minutes of the previous executive sessions. Jason Gilpin seconded the motion. There was no discussion. The motion was carried.

Tom Morris	Aye
Beth Hutchinson	Aye
Pat Goodover	Aye
Jason Gilpin	Aye
Cheryl Thompson	Aye

All of the Regular Board Meeting attendees who did not attend the Executive Session were placed in the Zoom meeting waiting room while the Executive Session took place. The public was informed that there would be nothing further of substance in the regular meeting when it resumed.

Cheri Thompson left the meeting at this time, as she was not a Board member during the Executive Sessions that the minutes reflected.

EXECUTIVE SESSION:

The Board entered into the Executive Session at 9:05pm. The Executive Session concluded and the Regular Board Meeting resumed at 9:11pm.

There were no members of the public remaining in the Zoom waiting room at the conclusion of the Executive Session.

NEXT REGULARLY SCHEDULED MEETING: June 28, 2021

AGENDA ITEMS FOR NEXT SCHEDULED MEETING:

Tom Morris noted that the following items should be added to the June agenda: The Reserve under financials, general counsel email, interim general manager and the action plan.

ADJOURNMENT OF MONTHLY BOARD MEETING:

Tom Morris moved to adjourn the meeting at 9:16pm.

Attest:

Tom Morris, President

Felicity Derry, Secretary

**Seeley Lake Sewer District
Invoices for May 2021**

District:

Seeley Lake Water District - <i>Inv#197 May 2021</i>	\$523.65
Curtiss Consulting - <i>May/June</i>	
Felicity Derry - <i>May/June</i>	\$667.40
Pathfinder - <i>Inv#26514 Fee Assessment Notices</i>	\$120.00
Missoula County Public Works - <i>Inv#FY22 NOH</i>	\$24.43
USPS - Annual Post Box Rental	\$64.00
Cincinnati Insurance - <i>Directors & Officers Policy</i>	\$600.00
Christian, Samson & Baskett - <i>Inv#7365</i>	\$459.00
	\$2,458.48

Citizens Alliance Account	\$4,579.72		\$4,579.72
Reserve	\$25,666.66		
missoula County Account	\$113,500.57	(\$2,458.48)	\$111,042.09
			\$115,621.81

Seeley Lake - Missoula County Water District

PO Box 503
Seeley Lake, MT 59868-0503

Invoice

DATE	INVOICE #
6/1/2021	197

Phone # 406-677-2559

BILL TO
Seeley Lake Sewer District PO Box 403 Seeley Lake, MT 59868-0403

SHIP TO

P.O. NUMBER	TERMS	REP	SHIP	VIA	
	Due on Receipt		6/1/2021	Vince	

QUANTITY	ITEM CODE	DESCRIPTION	PRICE EACH	AMOUNT
32	MiscI	Bookkeeping & Admin May 2021	15.00	480.00
873	MiscO	Copies	0.05	43.65

THANK YOU!	Total	\$523.65
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Felicity Derry
May/June 2021

Date	Time	Subject	Hours
5/20/2021	5:30-9:15p	Meeting	3.75
5/24/2021	7:30-10:15p	Admin & Meeting Mins	2.75
5/25/2021	7:00-8:45p	Admin	1.75
6/1/2021	4:45-8:00p	Meeting Mins	3.25
6/2/2021	5:00-8:15p	Meeting Mins & Admin	3.25
6/9/2021	4:15-8:00p	Meeting Mins	3.75
6/14/2021	6:45-9:00p	Admin & Meeting Mins	2.25
6/20/2021	8:30-11:00a	Admin	2.50
6/23/2021	4:45-8:15p	Admin & Meeting Mins	3.50
			<u>26.75</u>

26.75 x \$18 = \$481.50

Stamps	\$185.90
	<u>\$481.50</u>
	<u>\$667.40</u>



SEELEY LAKE
3172 MT HIGHWAY 83 N
SEELEY LAKE, MT 59868-9998
(800)275-8777

05/25/2021 02:19 PM

Product	Qty	Unit Price	Price
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Earth Day	16	\$11.00	\$176.00
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PurpleHeartMedal	18	\$0.55	\$9.90
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Grand Total: \$185.90

Credit Card Remitted \$185.90

Card Name: MasterCard
Account #: XXXXXXXXXXXX3651
Approval #: 51528W
Transaction #: 459
AID: A0000000041010 Chip
AL: MASTERCARD
PIN: Not Required

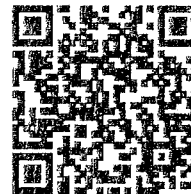
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or scan this code with your mobile device,



or call 1-800-410-7420.

UFN: 297632-0868
Receipt #: 840-55900298-2-2546055-1
Clerk: 01



Pathfinder LLC, PO Box 702, Seeley Lake MT 59868
 406-677-2022

Seeley Lake Sewer District
 PO Box 403
 Seeley Lake, MT 59868

Invoice #:
 00026514

				TERMS	DATE	PG.
				Net 10	5/31/21	1
QTY.	DESCRIPTION	PRICE	UNIT		EXTENDED	
5	folio ad, Notice of Proposed Levy, 5/27 issue	\$13.00	1		\$65.00	
5	folio ad, Notice of Proposed Levy, 6/3 issue	\$11.00	1		\$55.00	
Please pay promptly; a Late Charge will be added to all past due balances. Each month a \$10 late charge will be added to outstanding balances under \$100, and balances of \$100 and over will be charged 10% of the outstanding balance.				TOTAL	\$120.00	
				ON ACCOUNT	\$0.00	
				BALANCE	\$120.00	



Missoula County Public Works

6089 Training Drive
Missoula, MT 59808
(406) 546-2581
kmyre@missoulacounty.us

Invoice

BILL TO

Seeley Lake Sewer District
PO Box 403
Seeley Lake, MT 59868-0403

INVOICE # FY22 NOH

DATE 5/31/2021

DUE DATE 6/30/2021

TERMS Net 30

P.O. NUMBER

FY22 NOH MAILING

ACTIVITY	QTY	RATE	AMOUNT
Paper	24	0.0109	0.26
Envelopes	338	0.0513	17.34
Labels (30/page)	24	0.20	4.80
Photocopies B&W Single Side	48	0.0422	2.03

BALANCE DUE **\$24.43**

Please include a copy of this invoice with your payment.



**P.O. Box Service Fee Notice
SEELEY LAKE**

3172 MT HIGHWAY 83 N, SEELEY LAKE, MT 59868

WEBBATS BAT710B1

(406) 677-2474

SEELEY LAKE-MISSOULA COUNTY SEWER
DISTRICT
PO BOX 403
SEELEY LAKE, MT 59868

Date of Notice: 06/21/2021
Box# 403
6 Months: \$32.00
12 Months: \$64.00
Due Date: 06/30/2021

Dear SEELEY LAKE-MISSOULA COUNTY SEWER DISTRICT:

This is a friendly reminder that your Post Office Box or Caller Service renewal fee is due. If you have already paid this fee, please disregard this notice and thank you for your continued business with the United States Postal Service. If you have not yet submitted your payment, please do so now.

For your convenience, you can sign up at www.usps.com/poboxes and renew or manage your PO Box online. You can use your credit card to make a one-time payment or sign up for automatic payments so you never miss a due date. You can also renew your PO Box at any one of our Self-Service Kiosks located at select Post Offices nationwide. Go to www.usps.com/locator/welcome.htm and look for Self-Service Kiosks to find a location near you.

As always, payments can be made at the Post Office or mailed to the attention of the Postmaster at the address indicated above. Please make checks or money orders payable to the US Postal Service and include your PO Box number and ZIP Code. If paying by mail, a receipt will be delivered to your PO Box.

Note: Caller Service may only be paid **in person** or **by mail** unless enrolled in Enterprise PO Box Online (EPOBOL). (Enroll at <https://postalpro.usps.com/EPS> under the "Quick Links" section). Please be sure to include this notice with your remittance. Caller Service receipts will be provided at the caller service pickup window.

If your payment is not received by the due date, access to your PO Box will be blocked and caller services will be limited. If we have not received your payment by the 10th day after the due date, your PO Box service will be terminated, incoming mail will be returned to the sender, and, in addition to any unpaid monthly PO Box fees, you will be charged a handling fee to reopen your box. To avoid this inconvenience, we encourage you to renew on time.

As a reminder, your account information must be current. If your physical address or other pertinent information has changed since you applied for your PO Box, please ask a Sales and Service Associate at your Post Office to update the filed copy of your PS Form 1093, *Application for Post Office Box Service*.

To update your information for Caller Service, you can ask a Sales and Service Associate to update the PS 1093-C, *Application for Caller Service*.

You are a valued customer and we appreciate your business. Thank you,

POSTMASTER, SEELEY LAKE



Statement Prepared On: 06/09/2021

Questions regarding your insurance coverage:

Cincinnati Customer Care Center
Marsh & McLennan Agency LLC (25024)
CustomerCare@cinfin.com
877-237-6421

Questions regarding your statement:

Cincinnati Corporate Billing
877-942-2455, *CinciBill@cinfin.com*
Monday-Friday, 7:30 a.m.- 6 p.m. Eastern Time
Saturday, 8 a.m.- noon Eastern Time

Statement – Premium Due

001349 128 1000421991 25024 06
SEELEY LAKE MISSOULA COUNTY SEWER
DISTRICT
PO BOX 403
SEELEY LAKE MT 59868-8040

Amount Due:	\$600.00
Due Date:	07/01/2021

Account Number: 1000421991
Policy Number(s) with Premium Due:
0494747

Pay Online or by Phone:	<i>cinfin.com</i> 800-364-3400 Payments may be made by checking, savings or credit card. We accept Visa®, MasterCard®, Discover®, and American Express® cards. Payments confirmed prior to 3 p.m. Eastern Time are applied the same business day, Monday-Friday, excluding bank holidays.
Payment Address:	The Cincinnati Insurance Company P.O. Box 145620 Cincinnati, OH 45250 - 5620
Overnight Payment Address:	The Cincinnati Insurance Company Attention: Corporate Accounts Receivable 6200 South Gilmore Road Fairfield, OH 45014 - 5141

----- **Please detach and return the remittance stub below with your payment.** -----

Make check payable to: THE CINCINNATI INSURANCE COMPANY. *Please include your account number on the check. Do not send cash. If paying multiple accounts include the remittance stub for each.

Account Number	Due Date	Amount Due
1000421991	07/01/2021	\$600.00

Please mark for change of address and complete the reverse side.

Late Payments: A fee of up to \$25 and/or account cancellation may result if the total amount due is not received and posted by the due date.

SEELEY LAKE MISSOULA COUNTY SEWER
DISTRICT
PO BOX 403
SEELEY LAKE MT 59868-8040

THE CINCINNATI INSURANCE COMPANY
PO BOX 145620
CINCINNATI OH 45250 -5620

11 1 1000421991 07012021 000000060000 0

Christian, Samson & Baskett, PLLC

310 W Spruce St.
Missoula, MT 59802

(406) 721-7772

Invoice submitted to:

Seeley Lake Sewer District
c/o Jean Curtiss
jcurtiss53@gmail.com
P.O Box 403
Seeley Lake, MT 59868

June 21, 2021

Balance Due: \$459.00

Charges through: 6/21/2021

Invoice # 7365

Professional Services

		<u>Hours</u>	<u>Amount</u>
<u>SE42-03 General Matters</u>			
5/24/2021	KSC	0.10	NO CHARGE
			Emails with Jean regarding Seeley Sewer District assistance with public notice. Forward same to Bridger for assistance.
	WBC	0.80	
			Reviewed and revised Notice of Proposed Levy of Special Assessments and accompanying Resolution. Involved review of relevant Montana Code Annotated Provisions. Forwarded edited version to Jean Curtiss and Kirby.
5/26/2021	WBC	0.20	
			Begin research into whether a single individual can serve as both Secretary and General Manager.
6/8/2021	WBC	1.50	
			Researched whether secretary and GM can be one person. Involved research of plain meaning rule and other rules of statutory construction, as well as a review of the composition of other Sewer District Boards across the state. Email to client regarding opinion.
SUBTOTAL:		[2.60	459.00]
For professional services rendered		2.60	\$459.00
Previous balance			\$153.00

	<u>Amount</u>
5/25/2021 Payment - Thank You. Check No. 68001930	<u>(\$153.00)</u>
Total payments and adjustments	<u>(\$153.00)</u>
Balance due	<u><u>\$459.00</u></u>

A service charge of 1% per month (12% APR) will be charged on all invoices not paid within 30 days from the invoice date.

Please make amounts payable to Christian, Samson & Baskett, PLLC. If you wish to pay by credit card, please visit our website at CSBLawOffice.com. A processing surcharge of 2.5% will be applied to all credit card transactions.

OPERATING BILLED INCOME	APRIL 2021	MTHLY BUDGET	2021 FISCAL YTD	YTD BUDGET	2021 BUDGET	% OF BUDGET
Fee Assessment	\$2,207.41	\$17,860.75	\$139,719.15	\$178,607.50	\$214,329.00	65.2
Interest Income CAB	\$65.31	\$0.00	\$737.81	\$0.00	\$0.00	
Interest Income Missoula County	\$19.38	\$0.00	\$368.74	\$0.00	\$0.00	
TOTAL OPERATING INCOME	\$2,292.10	\$17,860.75	\$140,825.70	\$178,607.50	\$214,329.00	65.7

OPERATING EXPENSES

Audit	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0
Bookkeeping	\$405.00	\$416.67	\$4,837.50	\$4,166.67	\$5,000.00	96.8
Dues & Subscriptions	\$15.16	\$41.67	\$304.16	\$416.67	\$500.00	60.8
Election	\$2,645.82	\$0.00	\$2,645.82	\$0.00	\$0.00	0.0
Equipment	\$0.00	\$4.17	\$0.00	\$41.67	\$50.00	0.0
Income Survey	\$0.00	\$62.50	\$0.00	\$625.00	\$750.00	0.0
Insurance - Liability	\$0.00	\$166.67	\$1,000.00	\$1,666.67	\$2,000.00	50.0
Legal	\$0.00	\$0.00	\$10,353.55	\$12,500.00	\$15,000.00	69.0
Licenses & Fees	\$975.00	\$81.25	\$975.00	\$812.50	\$975.00	100.0
Meals & Entertainment	\$0.00	\$4.17	\$0.00	\$41.67	\$50.00	0.0
Office Supplies	\$18.20	\$33.33	\$637.26	\$333.33	\$400.00	159.3
Postage	\$0.00	\$58.33	\$453.20	\$583.33	\$700.00	64.7
Public Relations	\$417.45	\$100.00	\$654.45	\$1,000.00	\$1,200.00	54.5
Manager	\$1,660.00	\$0.00	\$20,680.00	\$32,000.00	\$38,400.00	53.9
Secretary	\$585.00	\$350.00	\$4,818.75	\$3,500.00	\$4,200.00	114.7
Training	\$0.00	\$41.67	\$350.00	\$416.67	\$500.00	70.0
Travel	\$0.00	\$16.67	\$0.00	\$166.67	\$200.00	0.0
SSHS Testing	\$0.00	\$83.33	\$0.00	\$833.33	\$1,000.00	0.0
Water Testing	\$0.00	\$75.00	\$140.00	\$750.00	\$900.00	0.0
Well/Lake Monitoring	\$0.00	\$250.00	\$3,379.80	\$2,500.00	\$3,000.00	112.7
Reserve	\$0.00	\$0.00	\$23,333.33	\$23,333.33	\$28,000.00	83.3
Grant Match	\$0.00	\$1,250.00	\$0.00	\$12,500.00	\$15,000.00	0.0
Grant Writing Contracts	\$0.00	\$1,125.33	\$0.00	\$11,253.33	\$13,504.00	0.0
Repay Reserve	\$0.00	\$5,666.67	\$0.00	\$56,666.67	\$68,000.00	0.0
Pine Drive Easements	\$0.00	\$1,250.00	\$15,000.00	\$12,500.00	\$15,000.00	100.0
TOTAL OPERATING EXPENSES	\$6,721.63	\$11,077.42	\$89,562.82	\$178,607.50	\$214,329.00	41.79

NET OP. INCOME (LOSS)

	(\$4,429.53)	\$6,783.33	\$51,262.88	\$0.00	\$0.00
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OTHER INCOME & EXPENSES

Grant WRDA - 2017	\$0.00	\$0.00	\$4,332.19	\$0.00	\$0.00
Grant WRDA 2020	\$8,745.00	\$0.00	\$75,922.50	\$0.00	\$0.00
Grant DNRC	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Grant TSEP 2012	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LOR Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
RRGL - 2020	\$0.00	\$0.00	\$60,140.00	\$0.00	\$0.00
Grant STAG	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Missoula County Match Funds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

TOTAL OTHER INCOME & EXPENSES	\$8,745.00	\$0.00	\$140,394.69	\$0.00	
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TOTAL NET INCOME (LOSS)	\$4,315.47	\$6,783.33	\$191,657.57	\$0.00	
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BALANCE SHEET

ASSETS

02/28/21

03/31/21

04/30/21

CURRENT ASSETS

	02/28/21	03/31/21	04/30/21
Cash Accounts			
Citizens Alliance Bank Account	\$322,198.52	\$313,479.82	\$313,545.13
Missoula County Account	\$111,111.61	\$106,856.87	\$93,260.08
- District Reserve Funds	\$18,666.68	\$21,000.01	\$23,333.33
- General District Funds	\$92,444.93	\$85,856.86	\$69,926.75
Total Cash Assets	\$433,310.13	\$420,336.69	\$406,805.21
Accounts Receivable	\$0.00	\$0.00	\$0.00
TOTAL CURRENT ASSETS	\$433,310.13	\$420,336.69	\$406,805.21

FIXED ASSETS

Construction in Progress			
Grant Administration	\$10,487.36	\$10,487.36	\$10,487.36
Fees	\$142,477.31	\$142,477.31	\$197,521.24
Capital Expenditure	\$70,917.00	\$70,917.00	\$70,917.00
Engineering			
Coordinate with District	\$2,111.13	\$2,111.13	\$2,111.13
Environmental Analysis & Review	\$6,506.40	\$6,506.40	\$6,506.40
USFS Land Acquisition	\$11,522.60	\$11,522.60	\$11,522.60
Groundwater Discharge Permit	\$99,957.17	\$99,957.17	\$99,957.17
Public Meeting	\$2,362.80	\$2,362.80	\$2,362.80
Treatment and Collection System	\$88,825.09	\$88,825.09	\$88,825.09
Study & Report Phase	\$75,760.29	\$75,760.29	\$75,760.29
TSEP Grant Application	\$19,528.52	\$19,528.52	\$19,528.52
Coordinate with District & Attend Monthly Board Meetings	\$5,767.28	\$5,767.28	\$5,767.28
Groundwater Discharge Permit DNRC Site	\$24,270.30	\$24,270.30	\$24,270.30
Geotechnical Investigation	\$25,255.50	\$25,255.50	\$25,255.50
Powell County Land Use Permit	\$4,119.25	\$4,119.25	\$4,119.25
DNRC Land Application Assistance	\$1,528.25	\$1,528.25	\$1,528.25
Environmental Analysis & Review DNRC	\$15,509.40	\$15,509.40	\$15,509.40
Preliminary Design	\$332,916.66	\$332,916.66	\$332,916.66
Final Design	\$343,834.55	\$343,834.55	\$343,834.55
Sewer Service Field Work	\$74,403.05	\$74,403.05	\$74,403.05
Aerial Photo	\$7,809.99	\$7,809.99	\$7,809.99
Force main/Lift Stat Topo/Aerial	\$10,179.70	\$10,179.70	\$10,179.70
Funding Agency Assistance	\$47,307.80	\$47,307.80	\$47,307.80
Add Services - Grant Application	\$3,376.75	\$3,376.75	\$3,376.75
Add Services - Phase Collection - Bid & Construction	\$81.75	\$81.75	\$81.75
Add Services - Separate Treatment & Collection	\$10,499.99	\$10,499.99	\$10,499.99
Add Services - Startup Assistance	\$60.00	\$60.00	\$60.00
Add Services - Coordinate with District	\$23,713.55	\$23,713.55	\$23,713.55
Add Services - Phase 3 & 4 Cost Estimates	\$4,000.50	\$4,000.50	\$4,000.50
Add Services - Geotechnical Investigation	\$60,228.54	\$60,228.54	\$60,228.54
Add Services - Forcemain & Lift Station Topo	\$2,058.85	\$2,058.85	\$2,058.85
Add Services - Funding Agency Assistance	\$197.25	\$197.25	\$197.25
Add Services - EDA Grant App B-E	\$4,437.50	\$4,437.50	\$4,437.50
Add Services - EDA Grant App	\$9,587.00	\$9,587.00	\$9,587.00
Construction in Progress - Other	\$131,320.15	\$131,320.15	\$131,320.15
Bidding & Negotiating	\$34,650.00	\$34,650.00	\$34,650.00
Phase II Preliminary Design	\$149,600.00	\$149,600.00	\$149,600.00
Phase II Final Design	\$87,450.00	\$87,450.00	\$116,600.00
Phase II TSEP Application Revision	\$5,000.00	\$5,000.00	\$5,000.00
Total Fixed Assets	\$1,949,619.23	\$1,949,619.23	\$2,033,813.16

TOTAL ASSETS

\$2,382,929.36

\$2,369,955.92

\$2,440,618.37

BALANCE SHEET**LIABILITIES & EQUITY**

02/28/21

03/31/21

04/30/21

CURRENT LIABILITIES

Accounts Payable	\$53,044.00	\$42,206.45	\$108,231.43
Advance LOR Grant Income	\$308,963.37	\$308,963.37	\$308,963.37
Total Current Liabilities	\$362,007.37	\$351,169.82	\$417,194.80

TOTAL LIABILITIES\$362,007.37\$351,169.82\$417,194.80**OWNERS' EQUITY**

Retained Earnings	\$1,793,432.67	\$1,793,432.67	\$1,793,432.67
Net Income (Loss)	\$227,489.32	\$225,353.43	\$229,990.90
Total Owners' Equity	\$2,020,921.99	\$2,018,786.10	\$2,023,423.57

TOTAL LIABILITIES & EQUITY\$2,382,929.36\$2,369,955.92\$2,440,618.37

CASH FLOW RECONCILIATION

	31-Mar	30-Apr	FISCAL YTD
TOTAL NET INCOME (LOSS)	(\$2,135.89)	\$4,315.47	\$229,990.90
Operating Activities			
Accounts Payable	(\$10,837.55)	\$66,346.98	(\$44,309.68)
Advance LOR Grant Income	\$0.00	\$0.00	\$0.00
Total Investing Activities	(\$10,837.55)	\$66,346.98	(\$44,309.68)
INCREASE (DECREASE) IN NON-CASH ASSETS			
Accounts Receivable	\$0.00	\$0.00	\$0.00
Net Cash Provided by Operating Activities	<u>(\$12,973.44)</u>	<u>\$70,662.45</u>	<u>\$185,681.22</u>
INCREASE (DECREASE) INVESTING ACTIVITIES			
Construction in Progress	\$0.00	(\$84,193.93)	(\$178,614.18)
Total Incr (Decr) in Investments	\$0.00	(\$84,193.93)	(\$178,614.18)
NET CASH INCREASE (DECREASE)	<u>(\$12,973.44)</u>	<u>(\$13,531.48)</u>	<u>\$7,067.04</u>
CHANGE IN ACCOUNT BALANCES			
Cash at Beginning of Period	\$433,310.13	\$420,336.69	\$399,738.17
Cash at End of Period	\$420,336.69	\$406,805.21	\$406,805.21
Change in Account Balances	<u>(\$12,973.44)</u>	<u>(\$13,531.48)</u>	<u>\$7,067.04</u>

Seeley Lake - Missoula County Sewer District
Check Detail
April 2021

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Bill Pmt -Check	1482	04/16/2021	Great West Engineering	1000 · Citizens Alli...	-8,745.00	-8,745.00
Bill	Inv#23...	01/22/2021		15108 · Final Design	-8,745.00	11,660.00
TOTAL					-8,745.00	11,660.00
Bill Pmt -Check	1918	04/16/2021	Christian, Samson & Baskett, P...	1001 · Missoula Co...	-6,244.50	-6,244.50
Bill	Inv#6771	02/28/2021		6282 · Legal Fees - ...	-322.00	322.00
Bill	Inv#6873	03/31/2021		6282 · Legal Fees - ...	-5,600.50	5,600.50
Bill	Inv#7149	05/17/2021		6282 · Legal Fees - ...	-322.00	475.00
TOTAL					-6,244.50	6,397.50
Bill Pmt -Check	1919	04/16/2021	Curiss Consulting LLC	1001 · Missoula Co...	-1,660.00	-1,660.00
Bill		04/05/2021		6117 · Sewer Distric...	-1,660.00	1,660.00
TOTAL					-1,660.00	1,660.00
Bill Pmt -Check	1920	04/16/2021	Immense Impact, LLC	1001 · Missoula Co...	-417.45	-417.45
Bill	Inv#21...	04/10/2021		6670 · Public Relati...	-417.45	417.45
TOTAL					-417.45	417.45
Bill Pmt -Check	1921	04/16/2021	ME Labs	1001 · Missoula Co...	-837.45	-837.45
Bill	Inv#21...	03/25/2021		6290 · Well/Lake M...	-160.65	160.65
Bill	Inv#21...	03/25/2021		6290 · Well/Lake M...	-676.80	676.80
TOTAL					-837.45	837.45
Bill Pmt -Check	1922	04/16/2021	Missoula County Elections Office	1001 · Missoula Co...	-2,645.82	-2,645.82
Bill		04/09/2021		District Election	-2,645.82	2,645.82
TOTAL					-2,645.82	2,645.82
Bill Pmt -Check	1923	04/16/2021	Pathfinder	1001 · Missoula Co...	-80.00	-80.00
Bill	Inv#26...	03/31/2021		6670 · Public Relati...	-80.00	80.00

Seeley Lake - Missoula County Sewer District
Check Detail
April 2021

Type	Num	Date	Name	Account	Paid Amount	Original Amount
TOTAL					-80.00	80.00
Bill Pmt - Check	1924	04/16/2021	Seeley Lake Water District	1001 - Missoula Co...		-423.20
Bill	Inv#195	04/01/2021		6652 - Bookkeeping... Copies	-405.00 -18.20	405.00 18.20
TOTAL					-423.20	423.20
Check	1925	04/16/2021	Felicity Derry	1001 - Missoula Co...		-600.16
TOTAL				6110 - Secretary Dues & Subscriptions	-585.00 -15.16	585.00 15.16
					-600.16	600.16
Bill Pmt - Check	1926	04/16/2021	Great West Engineering	1001 - Missoula Co...		-2,915.00
Bill	Inv#23...	01/22/2021		15108 - Final Design	-2,915.00	11,660.00
TOTAL					-2,915.00	11,660.00

OPERATING BILLED INCOME	MAY 2021	MTHLY BUDGET	2021 FISCAL YTD	YTD BUDGET	2021 BUDGET	% OF BUDGET
Fee Assessment	\$49,183.12	\$17,860.75	\$188,902.27	\$196,468.25	\$214,329.00	88.1
Interest Income CAB	\$62.46	\$0.00	\$800.27	\$0.00	\$0.00	
Interest Income Missoula County	\$12.88	\$0.00	\$381.62	\$0.00	\$0.00	
TOTAL OPERATING INCOME	\$49,258.46	\$17,860.75	\$190,084.16	\$196,468.25	\$214,329.00	88.7

OPERATING EXPENSES

Audit	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.0
Bookkeeping	\$345.00	\$416.67	\$5,182.50	\$4,583.33	\$5,000.00	103.7
Dues & Subscriptions	\$0.00	\$41.67	\$304.16	\$458.33	\$500.00	60.8
Election	\$0.00	\$0.00	\$2,645.82	\$0.00	\$0.00	0.0
Equipment	\$0.00	\$4.17	\$0.00	\$45.83	\$50.00	0.0
Income Survey	\$0.00	\$62.50	\$0.00	\$687.50	\$750.00	0.0
Insurance - Liability	\$0.00	\$166.67	\$1,000.00	\$1,833.33	\$2,000.00	50.0
Legal	\$475.00	\$0.00	\$10,828.55	\$13,750.00	\$15,000.00	72.2
Licenses & Fees	\$0.00	\$81.25	\$975.00	\$893.75	\$975.00	100.0
Meals & Entertainment	\$0.00	\$4.17	\$0.00	\$45.83	\$50.00	0.0
Office Supplies	\$17.35	\$33.33	\$654.61	\$366.67	\$400.00	163.7
Postage	\$11.00	\$58.33	\$464.20	\$641.67	\$700.00	66.3
Public Relations	\$0.00	\$100.00	\$654.45	\$1,100.00	\$1,200.00	54.5
Manager	\$1,300.00	\$0.00	\$21,980.00	\$35,200.00	\$38,400.00	57.2
Secretary	\$427.50	\$350.00	\$5,246.25	\$3,850.00	\$4,200.00	124.9
Training	\$0.00	\$41.67	\$350.00	\$458.33	\$500.00	70.0
Travel	\$0.00	\$16.67	\$0.00	\$183.33	\$200.00	0.0
SSHS Testing	\$0.00	\$83.33	\$0.00	\$916.67	\$1,000.00	0.0
Water Testing	\$0.00	\$75.00	\$140.00	\$825.00	\$900.00	0.0
Well/Lake Monitoring	\$60.00	\$250.00	\$3,439.80	\$2,750.00	\$3,000.00	114.7
Reserve	\$0.00	\$0.00	\$25,666.66	\$25,666.67	\$28,000.00	91.7
Grant Match	\$0.00	\$1,250.00	\$0.00	\$13,750.00	\$15,000.00	0.0
Grant Writing Contracts	\$0.00	\$1,125.33	\$0.00	\$12,378.67	\$13,504.00	0.0
Repay Reserve	\$0.00	\$5,666.67	\$0.00	\$62,333.33	\$68,000.00	0.0
Pine Drive Easements	\$0.00	\$1,250.00	\$15,000.00	\$13,750.00	\$15,000.00	100.0
TOTAL OPERATING EXPENSES	\$2,635.85	\$11,077.42	\$94,532.00	\$196,468.25	\$214,329.00	44.11

NET OP. INCOME (LOSS)	\$46,622.61	\$6,783.33	\$95,552.16	(\$0.00)	\$0.00
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OTHER INCOME & EXPENSES

Grant WRDA - 2017	\$0.00	\$0.00	\$4,332.19	\$0.00	\$0.00
Grant WRDA 2020	\$95,013.93	\$0.00	\$170,936.43	\$0.00	\$0.00
Grant DNRC	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Grant TSEP 2012	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LOR Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
RRGL - 2020	\$12,500.00	\$0.00	\$72,640.00	\$0.00	\$0.00
Grant STAG	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Missoula County Match Funds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

TOTAL OTHER INCOME & EXPENSES	\$107,513.93	\$0.00	\$247,908.62	\$0.00	
TOTAL NET INCOME (LOSS)	\$154,136.54	\$6,783.33	\$343,460.78	(\$0.00)	

BALANCE SHEET

ASSETS

03/31/21

04/30/21

05/31/21

CURRENT ASSETS

	03/31/21	04/30/21	05/31/21
Cash Accounts			
Citizens Alliance Bank Account	\$313,479.82	\$313,545.13	\$112,158.15
Missoula County Account	\$106,856.87	\$93,260.08	\$139,167.23
- District Reserve Funds	\$21,000.01	\$23,333.33	\$25,666.66
- General District Funds	\$85,856.86	\$69,926.75	\$113,500.57
Total Cash Assets	\$420,336.69	\$406,805.21	\$251,325.38
Accounts Receivable	\$0.00	\$0.00	\$0.00
TOTAL CURRENT ASSETS	\$420,336.69	\$406,805.21	\$251,325.38

FIXED ASSETS

Construction in Progress			
Grant Administration	\$10,487.36	\$10,487.36	\$10,487.36
Fees	\$142,477.31	\$197,521.24	\$197,521.24
Capital Expenditure	\$70,917.00	\$70,917.00	\$70,917.00
Engineering			
Coordinate with District	\$2,111.13	\$2,111.13	\$2,111.13
Environmental Analysis & Review	\$6,506.40	\$6,506.40	\$6,506.40
USFS Land Acquisition	\$11,522.60	\$11,522.60	\$11,522.60
Groundwater Discharge Permit	\$99,957.17	\$99,957.17	\$99,957.17
Public Meeting	\$2,362.80	\$2,362.80	\$2,362.80
Treatment and Collection System	\$88,825.09	\$88,825.09	\$88,825.09
Study & Report Phase	\$75,760.29	\$75,760.29	\$75,760.29
TSEP Grant Application	\$19,528.52	\$19,528.52	\$19,528.52
Coordinate with District & Attend Monthly Board Meetings	\$5,767.28	\$5,767.28	\$5,767.28
Groundwater Discharge Permit DNRC Site	\$24,270.30	\$24,270.30	\$24,270.30
Geotechnical Investigation	\$25,255.50	\$25,255.50	\$25,255.50
Powell County Land Use Permit	\$4,119.25	\$4,119.25	\$4,119.25
DNRC Land Application Assistance	\$1,528.25	\$1,528.25	\$1,528.25
Environmental Analysis & Review DNRC	\$15,509.40	\$15,509.40	\$15,509.40
Preliminary Design	\$332,916.66	\$332,916.66	\$332,916.66
Final Design	\$343,834.55	\$343,834.55	\$343,834.55
Sewer Service Field Work	\$74,403.05	\$74,403.05	\$74,403.05
Aerial Photo	\$7,809.99	\$7,809.99	\$7,809.99
Force main/Lift Stat Topo/Aerial	\$10,179.70	\$10,179.70	\$10,179.70
Funding Agency Assistance	\$47,307.80	\$47,307.80	\$47,307.80
Add Services - Grant Application	\$3,376.75	\$3,376.75	\$3,376.75
Add Services - Phase Collection - Bid & Construction	\$81.75	\$81.75	\$81.75
Add Services - Separate Treatment & Collection	\$10,499.99	\$10,499.99	\$10,499.99
Add Services - Startup Assistance	\$60.00	\$60.00	\$60.00
Add Services - Coordinate with District	\$23,713.55	\$23,713.55	\$23,713.55
Add Services - Phase 3 & 4 Cost Estimates	\$4,000.50	\$4,000.50	\$4,000.50
Add Services - Geotechnical Investigation	\$60,228.54	\$60,228.54	\$60,228.54
Add Services - Forcemain & Lift Station Topo	\$2,058.85	\$2,058.85	\$2,058.85
Add Services - Funding Agency Assistance	\$197.25	\$197.25	\$197.25
Add Services - EDA Grant App B-E	\$4,437.50	\$4,437.50	\$4,437.50
Add Services - EDA Grant App	\$9,587.00	\$9,587.00	\$9,587.00
Construction in Progress - Other	\$131,320.15	\$131,320.15	\$131,320.15
Bidding & Negotiating	\$34,650.00	\$34,650.00	\$34,650.00
Phase II Preliminary Design	\$149,600.00	\$149,600.00	\$149,600.00
Phase II Final Design	\$87,450.00	\$116,600.00	\$116,600.00
Phase II TSEP Application Revision	\$5,000.00	\$5,000.00	\$5,000.00
Total Fixed Assets	\$1,949,619.23	\$2,033,813.16	\$2,033,813.16
TOTAL ASSETS	\$2,369,955.92	\$2,440,618.37	\$2,285,138.54

BALANCE SHEET**LIABILITIES & EQUITY**

03/31/21

04/30/21

05/31/21

CURRENT LIABILITIES

Accounts Payable	\$42,206.45	\$108,231.43	\$107,578.43
Advance LOR Grant Income	\$308,963.37	\$308,963.37	\$0.00
Total Current Liabilities	\$351,169.82	\$417,194.80	\$107,578.43

TOTAL LIABILITIES\$351,169.82\$417,194.80\$107,578.43**OWNERS' EQUITY**

Retained Earnings	\$1,793,432.67	\$1,793,432.67	\$1,793,432.67
Net Income (Loss)	\$225,353.43	\$229,990.90	\$384,127.44
Total Owners' Equity	\$2,018,786.10	\$2,023,423.57	\$2,177,560.11

TOTAL LIABILITIES & EQUITY\$2,369,955.92\$2,440,618.37\$2,285,138.54

CASH FLOW RECONCILIATION

	30-Apr	31-May	FISCAL YTD
TOTAL NET INCOME (LOSS)	\$4,315.47	\$154,136.54	\$384,127.44
Operating Activities			
Accounts Payable	\$66,346.98	(\$653.00)	(\$44,962.68)
Advance LOR Grant Income	\$0.00	(\$308,963.37)	(\$308,963.37)
Total Investing Activities	\$66,346.98	(\$309,616.37)	(\$353,926.05)
INCREASE (DECREASE) IN NON-CASH ASSETS			
Accounts Receivable	\$0.00	\$0.00	\$0.00
Net Cash Provided by Operating Activities	<u>\$70,662.45</u>	<u>(\$155,479.83)</u>	<u>\$30,201.39</u>
INCREASE (DECREASE) INVESTING ACTIVITIES			
Construction in Progress	(\$84,193.93)	\$0.00	(\$178,614.18)
Total Incr (Decr) in Investments	<u>(\$84,193.93)</u>	<u>\$0.00</u>	<u>(\$178,614.18)</u>
NET CASH INCREASE (DECREASE)	<u>(\$13,531.48)</u>	<u>(\$155,479.83)</u>	<u>(\$148,412.79)</u>
CHANGE IN ACCOUNT BALANCES			
Cash at Beginning of Period	\$420,336.69	\$406,805.21	\$399,738.17
Cash at End of Period	\$406,805.21	\$251,325.38	\$251,325.38
Change in Account Balances	<u>(\$13,531.48)</u>	<u>(\$155,479.83)</u>	<u>(\$148,412.79)</u>

Seeley Lake - Missoula County Sewer District
Check Detail
May 2021

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Check	1485	05/20/2021	LOR Foundation	1000 · Citizens All...	-308,963.37	-308,963.37
TOTAL				2014 · Advance LO...	-308,963.37	308,963.37
Bill Pmt -Check	1927	05/20/2021	DEQ	1001 · Missoula Co...	0.00	0.00
TOTAL					0.00	0.00
Bill Pmt -Check	1928	05/20/2021	Curtiss Consulting LLC	1001 · Missoula Co...	-1,300.00	-1,300.00
Bill		05/17/2021		6117 · Sewer Distric...	-1,300.00	1,300.00
TOTAL					-1,300.00	1,300.00
Bill Pmt -Check	1929	05/20/2021	DEQ	1001 · Missoula Co...	-975.00	-975.00
Bill		04/01/2021		Licenses & Fees	-975.00	975.00
TOTAL					-975.00	975.00
Bill Pmt -Check	1930	05/20/2021	Christian, Samson & Basket, P...	1001 · Missoula Co...	-153.00	-153.00
Bill		05/17/2021		6282 · Legal Fees - ...	-153.00	475.00
TOTAL					-153.00	475.00
Bill Pmt -Check	1931	05/20/2021	Seeley Lake Water District	1001 · Missoula Co...	-362.35	-362.35
Bill		05/01/2021		6652 · Bookkeeping... Copies	-345.00 -17.35	345.00 17.35
TOTAL					-362.35	362.35
Check	1932	05/20/2021	Vincent Chappell	1001 · Missoula Co...	-60.00	-60.00
TOTAL				6290 · Well/Lake M...	-60.00	60.00
Check	1933	05/20/2021	Felicity Derry	1001 · Missoula Co...	-438.50	-438.50

11:25 AM
06/23/21

Seeley Lake - Missoula County Sewer District
Check Detail
May 2021

Type	Num	Date	Name	Account	Paid Amount	Original Amount
				6110 - Secretary Postage	-427.50 -11.00	427.50 11.00
TOTAL					-438.50	438.50

DISTRICT RESERVE FUNDS

Fiscal Year	Reserve	District Funds Used to Match GWE Invoices	LOR Funds Used to Match STAG & WRDA	Over Budget Expenses*
2013	\$29,000	(\$13,109)		
2014	\$29,000		\$7,980	
2015	\$29,000		\$83,903	
2016	\$29,000		\$86,731	
2017	\$29,000	(\$31,628)	\$12,421	
2018	\$29,000	(\$53,353)		
2019	\$29,000	(\$65,987)		(\$22,918)
2020	\$28,100	(\$89,510)	EDA	(\$50,839)
2021 YTD	\$25,667	(\$26,695)	EDA	(\$4,569)
Total	\$256,767	(\$280,282)	\$191,035	(\$78,326)

* Legal, Public Relations, Election, Insurance, Bookkeeping, Secretary & Office Supplies

EDA - 2020 Grant Match includes \$8,189.25 GWE invoices for EDA Grant Writing

EDA - 2021 Grant Match includes \$5,710.25 GWE invoices for EDA Grant Writing

Overview: The Seeley Lake Sewer District Board of Directors will focus on assembling and organizing in an understandable manner comprehensive information to inform board members and constituents about wastewater issues within the district, to develop resource bases regarding acceptable treatment methods, to explore and document possible funding avenues and to develop more effective methods to communicate with constituents.

Board members will engage directly in research and related tasks in order to both have a more immediate grasp of issues and relevant content matter as well as to support a fiscally conservative budget for the welfare of district property owners. By the end of the 2021-2022 period, the board will be able to more fully and accurately define the character and specific needs that should be addressed to improve and/or maintain appropriate groundwater conditions in the district

The Directors will hire an interim general manager as a part-time, contracted employee to focus particularly on supporting board members as they engage in more hands-on work, to edit the website make materials more easily accessible to the public, and to pursue specific tasks assigned by the board. For this calendar year, the district requires a general manager with strong organizational and communication skills.

Goals/Tasks

1. Improve communication throughout the district

1. Secure email addresses and phone numbers for district property owners and tenants.
2. Re-organize the website with clearer headings and content.
3. Create a system of links throughout the website for ease of finding information and documents.
4. Create a digital newsletter to inform and educate the district members.
5. Add a tab to the website for links to resources
6. Create an electronic brochure for new district members and tenants outlining district information, resources and educational materials.
7. Do a monthly mission update at the Community Council
8. Add informative articles to a digital library on the website, both of a technical nature and straightforward enough to be understood by all the district members.
9. Educate tenant members as to their part in the waste water issue.

2. Develop an inventory system that will allow for data gathering and sharing of said information.

1. Create a digital map with overlays
 1. Parcel delineation
 1. Size
 2. Type (residential, commercial, vacant, etc)
 2. Ownership
 1. Resident

2. Tenanted
3. Vacant
3. Systems
 1. Type
 2. Age
 3. Permitted
 4. Issues
4. Occupancy information
 1. # bedrooms vs # residents
 2. # bathrooms
 3. Additional water usage such as hot tubs
 4. Water usage (non-irrigation)
5. Available wells for monitoring
6. Recorded Nitrate levels
 1. Evaluate areas of need
 2. Evaluate responsibility of developer (if there isn't a problem in an area, but someone wants to develop a piece of property, the onus is on the developer to maintain the status quo)

3. Create a library of waste water systems information and options

1. Approved and unapproved
2. Area needed to install
3. Number of residences it will serve
4. Cost to build and cost to run and maintain
5. Alternative nitrate resolutions and solutions
6. Engineering firms
7. Comparison chart of systems

4. Financial information

1. Basis of income by neighborhood
2. Available financial help for members
3. Value for service
4. Grants
5. Loans
6. Bonds
7. County support
8. Resort Tax

5. Determine Missoula county health department, Department of Environmental Quality, and Seeley Lake Sewer District's areas and levels of responsibility.

6. Monitor testing results and evaluate new opportunities.

Seeley Lake Sewer District

DRAFT 1 (May 2012)- JOB DESCRIPTION

Interim General Manager

General Summary:

The Seeley Lake Sewer District Board of Directors is in the process of refining its activities in order to update many areas of information, to develop broader communication approaches with constituents and to organize structures for storing information and making it functionally available for board use and evaluation. Montana Code Amended (M.C.A.) requires that each sewer district employ a general manager. For the immediate and foreseeable future, the Seeley Lake Sewer District will accommodate this mandate by hiring a contracted employee with skills chiefly in the realm of information gathering and organization. The position will entail working on board requested tasks for approximately 10 hours (10-15) per week. The "interim" status may continue for at least one year, possibly longer. Hiring preference will be given to district, town, county resident, in that order, providing a qualified candidate is available.

{Note to board: The number of hours is somewhat challenging to define because we don't want to pay for the employee having considerable time with no direction and, yet at this time, we have no program of tasks for the person to pursue efficiently.}

Reporting Relationships:

The Interim General Manager functions under the supervision of the Board of Directors, communicates and follows the direction of the board president between meetings and supports activities of individual board members for a certain number of hours per month at their request.

Essential Duties and Responsibilities:

1. To be knowledgeable of Montana state and Missoula County water and wastewater codes, support offices, etc.,
2. To meet any specific requirements entailed in the M.C.A. requirement that the district have a general manager,
3. To pursue board directed/assigned activities as assigned, particularly in the areas of research, organization of information, developing lines of communication with government agencies and possible support/funding partners, assisting with policy development, engaging in public relations, etc.,
4. To oversee and coordinate with other district personnel in accomplishing board assigned activities,
5. To work with the board president in administrative tasks, particularly organizing board meetings,
6. To attend board meetings, including some that may be called on short notice, and to make a focused report on relevant activities,
7. To support individual board members in their board recognized tasks for up to 2 hours/month at the board member's request,

8. To prepare a focused, written report of time and tasks on a monthly basis to share with board members prior to monthly meetings,
9. To communicate effectively both orally and in writing with a broad range of individuals, institutions, and circumstances

Qualifications and Skills:

1. To be a high school graduate with some college and/or relevant work experience that supports capacity to successfully carry out essential duties and responsibilities,
2. To have knowledge of/experience in goal setting, program and budget development, and personnel supervision,
3. To have strong communication (including current technological methods), organization and research skills,
4. To establish and maintain a positive, effective working relationship with wide range of individuals and to be able to constructively deal with both positive and negative criticism,
5. To exercise sound, independent judgment within general policy guidelines (***) **board needs to develop this list of policies...Tom started, i.e.,** board approved goals/objectives, board approved messages for media/website, board approved contact with legal counsel, etc.)
6. To have flexibility in scheduling,
7. To operate programs within allocated time and fiscal budgets,
8. To be capable of writing basic grants.

Work Environment:

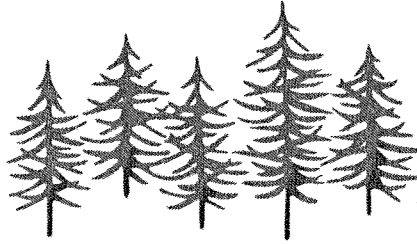
As contracted employees, candidates will be expected to do much work from a home office utilizing own equipment and providing own transportation when needed to pursue assigned tasks. Meetings with other district staff and monthly board meetings take place at various sites throughout the district. Face-to-face meetings with individuals outside the district parameters may be needed, but will be the exception. Travel by vehicle and on foot may be needed within the district.

Evaluation:

An initial, formal evaluation will be provided by the president with cooperation from the Board of Directors after 3 months of service. Thereafter, an annual evaluation will be conducted, unless circumstances mandate otherwise. **The General Manager serves at the discretion of the Board of Directors.**

Sewer district manager job description:

1. Must have knowledge and understanding of M.C.A.s concerning water and sewer districts.
2. Knowledge of and ability to write grants is preferred.
3. Must be willing to work directly with the Sewer board president, and follow instructions and fulfill duties as instructed.
4. Must be able to set aside personal preferences and follow and strive to achieve the goals and objectives of the Board.
5. Must be able to receive public criticism.
6. Must only speak to the media and others about District matters after receiving permission from the Board.
7. Must have computer and other technical skills required for online meetings and conference calls / meetings.
8. Must be willing to attend and participate in meetings on short notice.
9. Must be willing to visit the legislature for the purpose of representing the goals and needs of the Board.
10. Must always wait for permission from the full Board to use or consult with legal council.
11. Must be fiscally responsible and work to help the Board stay on track fiscally.
12. Must have permission from the whole board before performing duties that would be over the budgeted amount.
13. Must have board approval before posting news articles and or articles on the District website.
14. Must be willing to work as a contractor, and still be accountable to the Board for all actions.
15. Must share any and all information concerning litigation against the District immediately with the whole board.



NEILSON SWANSON DIETRICH
NORTHWEST LAW FIRM

June 14, 2021

Sent by email to:

Seeley Lake-Missoula County Sewer District
Board of Directors

Attn: Tom Morris, Board Chair
c/o Jean Curtiss (jcurtiss53@gmail.com)

RE: ATTORNEY-CLIENT ENGAGEMENT AGREEMENT

Dear Board of Directors of Seeley Lake-Missoula County Sewer District (the "District"):

We appreciate the District retaining our firm. The purpose of this agreement is to set forth the terms of our representation.

Scope of Representation. As we discussed, my firm will serve as the District's general counsel, advising the District on an as-needed basis. At this time we are not agreeing to represent the District in litigation. If such representation is requested in the future from my firm it will be documented in a separate written attorney-client engagement agreement to be signed by you and us. Although we cannot guarantee successful results, we will not settle or compromise your matters without prior consultation and your consent.

Fees. Our firm charges for the time spent working on a matter on an hourly basis. My hourly rate is currently \$250. The hourly rates for other attorneys ranges from \$225 to \$300. We keep track of our time in tenths of an hour. Our hourly rates may change from time-to-time; typically at the first of the year. If they do change, we will give you notice and the new rates will only apply prospectively.

Costs and Expenses. In addition to our fees, representing you may result in costs and expenses being incurred. Some costs are charged by third parties and some are internal expenses, such as copying and postage. For large costs—including, without limitation, court reporter fees, expert witness fees, litigation guarantee and title report premiums, and discovery-related fees that may be incurred—we will typically forward the third-party invoices to you for prompt payment. We may advance other costs, like entity formation costs, filing fees and the cost to publish legal notices, in which case the costs and expenses will be billed to you monthly along with our fees.

Invoices. We will send you monthly invoices describing what work was done, when it was done, and how much time we spent doing it. Payment is due within 30 days of the date of the invoice. We assess

interest at the rate of one percent (1%) per month on all delinquent invoices. If you have any question about an invoice, please do not hesitate to call me.

Fee Arbitration. Any claim or dispute arising out of or in connection our firm's services or this engagement agreement, including any question regarding its existence, validity, termination, or the performance by our firm or its services under this engagement agreement, that has not been resolved through negotiations shall be referred to and resolved by confidential arbitration before three neutral arbitrators. The arbitration shall occur in Missoula, Montana and be administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and the arbitrators shall issue a reasoned award. The award of the arbitrators may be appealed in accordance with the AAA's Optional Appellate Arbitration Rules, which shall apply in the event of appeal. Arbitration can often result in cost and time savings over litigation in the courts. There may be less fact and document discovery, which can help the process move more quickly, and the application of the rules of evidence may be more relaxed in arbitration. However, you should be aware that arbitration requires that parties to the arbitration waive any right they may have to a trial by jury or to pursue a judicial appeal.

Termination of Representation. You may terminate our representation at any time for any reason. If you do, you will remain responsible for all fees, costs, and finance charges. Similarly, we may terminate our representation for nonpayment or for other reasons, so long as we do so in a manner consistent with the Rules of Professional Conduct for attorneys.

Record Retention and Destruction Policy after Termination of Representation. Generally, at the conclusion of each matter we will retain your legal files for a period of 7 years after we close the files. At the expiration of that period, your legal files may be destroyed unless we are notified by you in writing to the contrary.

Other Matters. Unless we agree otherwise, the terms and conditions contained in this agreement will apply to all matters for which you engage us in the future.

Client Cooperation. You play a key role in the success of this matter. We cannot perform our work without your involvement and cooperation. In addition to paying for our services on a timely basis, it is important that you provide us clear instructions on how you would like us to proceed, promptly return requests for information and documentation, and keep us informed of any developments on your part that may affect this matter.

Miscellaneous. This is the entire agreement between the parties relating to its subject matter. It may only be amended by a writing signed by the parties. The agreement may be signed electronically and in counterparts, which counterparts together constitute the agreement. A copy of this agreement shall be treated as an original.

Acceptance. To signify your acceptance of the terms of our engagement, please sign a copy of this agreement and return it to me via fax, email, or mail. If you have any questions, now or in the future, please call me so they can be resolved as soon as possible. Thank you for the opportunity to assist you in this matter. I look forward to working with you.

Very truly yours,

Neilson, Swanson & Dietrich, PLLC

Aaron M. Neilson, Member

Date: _____

TERMS ACCEPTED:

Seeley Lake-Missoula County Sewer District

By: Tom Morris, Board Chair

Date: _____