

SEELEY LAKE SEWER DISTRICT
SPECIAL BOARD MEETING
August 3, 2020

Tom Morris	President	PRESENT	Pat Goodover	Director	PRESENT
Beth Hutchinson	Vice President	PRESENT	Walt Hill	Director	PRESENT
Jason Gilpin	Director	PRESENT	Felicity Derry	Secretary	PRESENT
Jean Curtiss	Manager	PRESENT	Kim Myre	Missoula Co	PRESENT

Public Attendance - Appendix A

CALL TO ORDER:

The meeting was called to order by Tom Morris at 7:01pm. The meeting was held remotely via Zoom, due to the ongoing COVID-19 situation.

APPROVAL OF AGENDA:

Pat Goodover moved to approve the agenda as presented. Walt Hill seconded. There was no discussion. The motion was carried.

Tom Morris	Aye
Beth Hutchinson	Aye
Pat Goodover	Aye
Walt Hill	Aye
Jason Gilpin	Aye

PUBLIC COMMENT:

None.

MANAGER REPORT:

Jean Curtiss reviewed the protest spreadsheet's figures, noting that the amount of the protest was insufficient.

Jean Curtiss summarized the work that had been done leading up to the end of the protest period and the decision that the Board faced now that the protest had been unsuccessful.

Tom Morris invited discussion regarding the assessment methodology from the Board, as well as from the public.

Cheri Thompson questioned how people would know that their protest had been received. Jean Curtiss confirmed that Cheri Thompson's protests had been received.

Beth Hutchinson noted that she would be willing to make a motion to change the methodology to the alternative one, which was more balanced.

Pat Goodover noted that he would be against that motion because of the public's expectation that the proposed methodology would go ahead if the protest was unsuccessful.

Colleen Krause commented that the current methodology was unbalanced and felt that there were insufficient people to protest around the lake. The people in town would not protest the methodology as their assessments were low. Also, that a neighbor who owned two lots on the lake would be paying more assessment than the mill.

Cheri Thompson commented that she was not on the lake but felt that the proposed system of assessment was inequitable because it burdened a small group of people. Not everybody on the lake was rich. Some families had inherited their lake property.

The equal assessment method and how it distributed the cost was discussed.

The Board discussed changing the assessment method, how it would affect the assessment for some properties and the public expectation created by the language of the notice of hearing.

Nathan Bourne requested clarification of the procedure if the Board chose to change the assessment methodology. Jean Curtiss outlined the process and the timeline for an alternative methodology and the possible outcome if there was an adequate protest the second time. The Board discussed the implications if there were sufficient protests for the alternative methodology.

Nathan Bourne questioned if an alternative methodology failed, would it then invalidate the first methodology. Jean Curtiss clarified that by choosing the alternative methodology the Board would nullify the first methodology.

Colleen Krause thought that the Board should consider the alternative methodology as not many of the people in town attended the meetings and probably would not protest as their assessment would only be raised by a couple of hundred dollars. However, the mill's assessment would be dropping significantly. While the mill could sue if the methodology was changed, the people around the lake were upset and could sue also.

Michael Richards reviewed MCA 7-12-2151 noting that all the properties within the District received the same benefits; however, the lake properties would be charged substantially more for that same benefit. Jean Curtiss noted that the specific code Michael Richards had referenced was used when there was an actual functioning system. The methodology that the Board chose was legally correct.

Tom Morris acknowledged all of the public comment.

Michael Richards felt that he had an ethical responsibility to speak for the people he had spoken with, who felt that even though the proposed methodology was legal, it was not necessarily the right choice.

Colleen Krause felt that both Rovero's and Lindey's could afford to pay the higher assessment as businesses could write the expense off.

Colleen Krause questioned if it would be a hardship for Tom Morris and Jason Gilpin if their assessments increased by a couple of hundred dollars. Tom Morris felt that it would not be a hardship and that it was a tough decision as potential lawsuits had been inferred for both options.

There was further discussion on the language of the notice of hearing not addressing the Board changing the assessment if the protest was insufficient, and what discussion had taken place when the Board had chosen the assessment method.

Colleen Krause felt that the push to change the assessment methodology stemmed from the mill's threat of a lawsuit and questioned a possible conflict of interest for two Board members. Jean Curtiss clarified that the mill had protested the old assessment methodology but were agreeable to the two new assessment methodologies.

Beth Hutchinson noted that if the equal assessment method was used, it would be a hardship for her and reviewed how it affected other properties in the District, concluding that the equal assessment would be a fairer method and would be worth the risk.

NEW BUSINESS:

If Protest is Successful the Board will Consider a motion to Adopt the Alternative Methodology Discussed at 6/15/20 Meeting

Beth Hutchinson moved that the Board reconsider the way the assessment methodology was set, and put forth an assessment methodology that was more balanced, and that it would be the legal version of equal assessments per category of residents, business and the land value for vacant lots. Whether the motion aligned with the agenda and maintained transparency was discussed. The motion failed.

Tom Morris	Nay
Beth Hutchinson	Aye
Pat Goodover	Nay
Walt Hill	Nay
Jason Gilpin	Nay

Sign Notice of Hearing

Tom Morris noted that because there would not be an alternative assessment methodology and a new notice of hearing, this item was redundant.

Schedule Public Hearing Date

This item was also redundant.

Resolution# 08032020 Intent to Set Assessments

This item was also redundant.

NEXT SCHEDULED MEETING: August 06, 2020

Tom Morris noted that the next scheduled meeting would be the public hearing on August 6, 2020 at 6:00pm.

Colleen Krause questioned if the Board would be discussing the attorney fees at the next meeting. Discussion followed on which meeting the attorney fees and possibly the bond election would be discussed. It was concluded that it would be appropriate for these to take place at the August 20, 2020 regular meeting.

Michael Richards requested the date of the Pyramid Mountain Lumber letter to the Board, as well as a list of the people that had protested and apologized for the loud grandchildren in the background. Tom Morris noted that the Pyramid letter was sent June 4, 2020. Jean Curtiss added that the protest spreadsheet was public information and would be posted on the website.

Colleen Krause was interested in what the protests said. Tom Morris noted that the public hearing gave the public the opportunity to read their protests out loud during that meeting. Jean Curtiss added that several people who had protested the methodology were still in favor of the sewer.

ADJOURNMENT OF BOARD MEETING:

Tom Morris adjourned the meeting at 7:54pm, which was carried unanimously.

Attest:

Tom Morris, President

Felicity Derry, Secretary