

# Vaughn Cascade County Water & Sewer



1161 6<sup>th</sup> Ave, Vaughn, MT 59487

Board Meeting Minutes

November 16<sup>th</sup>, 2021

**Notice:** *These minutes are paraphrased and reflect the proceedings of the Board of Directors.*

MCA 7-4-2611 (2) (b). *These minutes were officially approved at the*  
Jan 18-2022 Board meeting.

**Public in attendance:** See sign in sheet

**Call to order/Quorum:** Herb Phinney President at 6:00 pm

**Pledge of Allegiance**

**Roll Call:** Herb Phinney, Tina Cole, Rex Heckle.

**Employees:** Annette Kniffen, James (Rusty) South

**Approve October 19<sup>th</sup>, 2021 meeting minutes:** 1:33

**Herb:** Has everybody had a chance to look over the minutes: Rex needed more time.

**Herb:** public comment? None

**Herb:** any board discussion? None

**Herb:** moves to approve the October 19<sup>th</sup>, 2021 minutes as written.

**Rex:** second

**All in favor:** Rex, Tina, Herb.

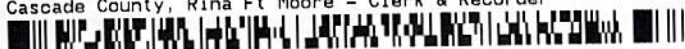
**Secretary/bookkeeper report:** 4:30

See attached

**Operator/manager report:** 10:21

See attached

**Herb:** the possible funding through ARPA funds does it come before or after we try and get the machine for the phosphorus in the lagoons. **Rusty:** for our sewer project we still have some funding left. That maybe enough to get AquaPer pilot program. To purchase it we would need ARPA funds. **Herb:** what about the grass mats & spraying we discussed earlier? **Rusty:** this is our sure bet. They have already proven in other states. **Herb:** so you are going to continue to report on the phosphorus levels and what is working. **Rusty:** yes it will be on my report every month.



**Public comment: 19:40**

**Doug:** would like to get with Annette after the meeting about the financials. **Herb:** can you state what it is in regards to? **Doug:** yes, it is on the balance sheet and the way it is reported. **Herb:** is that ok with you Annette? **Annette:** I just got the financials back from the accountant. **Doug:** I have a question on the way it is reported. I think there is something wrong as the way it is reported.

**Doug:** on the operators report, that company Aquaper doesn't have an engineer or engineering packet they can send to DEQ? That's what we did with the SAGR system. **Rusty:** the SAGR was more proven they had more years on the market. Aquaper has only been out for a year. They don't have the data to send to DEQ. They have some stuff they are going to send to DEQ. **Doug:** I am wondering if DEQ will approve the trial program with what Aquaper sends them. **Rusty:** the engineer I am talking about is to get their system hooked up to ours.

**Old Business: KLJ 24:06**

**Herb:** KLJ is not here **Annette:** they have no paperwork to be signed or any updates on the project.

**New Business: Anonymous letter sent to Cory Eli 24:23**

**Herb:** basically it is from an anonymous community member of things that has been discussed at previous board meetings. It does not have any bearing on going forward on the points brought up by this person. Instead of reading it because it is about 2 pages long we will file it with the minutes at the clerk and recorder's office.

**Employee pay raise: 25:30**

**Herb:** Annette would you like to speak about this? **Annette:** on the budget we budgeted for 3% raise.

**Herb:** Rusty do you have anything you would like to say? **Annette:** I have been here almost 5 years and I haven't had one in three years. **Herb:** you did budget for it. **Rex:** it should take place every year? **Annette:** it should but it hasn't. I go by the COLA amount. **Herb:** board discussion. Any questions or comments about employee pay raises? **Rex:** I think they should get a cost of living raise.

**Rex: motion to approve the 3% pay raise for Rusty and Annette. Tina: seconded it.**

**All in favor say Aye: Tina, Rex & Herb. All those opposed same sign: none.**

**Community comment: 28:54**

**Doug:** this is my opinion, if they haven't had a raise in three years then they should get a 3% cost of living raise. How are you going to be able to catch up for next year?

**Annette:** before we move on, can we back track. What effective date does the pay raise go into effect?

**Board:** today's date is fine

**Open Community comment: 29:51**

**Doug:** I would just like to make a comment that KLJ doesn't come to the meetings very regularly and I have a questions for them. We still need updates on the project. **Rusty:** I just gave an update in the operators report.


**Herb:** Rusty anything you want to recap on the tank? **Rex:** is the reason they are not here tonight because there is nothing to sign. Rusty: there is nothing to report other than what I did in my report. **Annette:** they charge us every time they come out here.

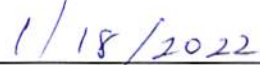
**Annette:** can I make a comment about next month's meeting before we close? **Herb:** Annette and I discussed next month's meeting is 2 days before Christmas Eve. We would like to propose we cancel the meeting in December unless something comes up that needs our attention. We will have the January meeting. **Rex:** if something comes up we could still have a meeting. **Annette:** as long as I know 48 hours in advance so I can post it and send out an alert on our web page.

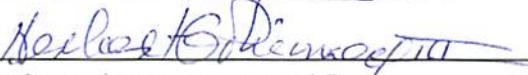
**Adjournment:**

With no further business before the board, the meeting stood adjourned. **Adjourned:** 6:34 pm

Respectfully submitted:

  
Annette Kniffen, Secretary/Treasurer

  
Date

  
Herbert Phinney III, President

  
Date

**Vaughn Cascade County Water and Sewer District**

**Board Meeting Agenda**

**November 16<sup>th</sup>, 2021**

**6:00 p.m. American Legion Hall**

- **The community speaker will only address the board through the Chair**
- **Everyone agrees not to interrupt others**
- **Shouting and personal attacks will not be allowed**
- **No single party will dominate the meeting**
- **No person will be allowed to speak twice until all others have had the opportunity to speak**
- **Discussion should not deviate from the established agenda**
- **The community speaker should not repeat testimony**
- **Public comment is limited to 3 minutes**

**Call to order**

**Pledge of Allegiance**

**Roll Call**

**Approve October 19<sup>th</sup>, 2021 minutes**

**Standing Agenda**

- **Secretary Report**
- **Operators Report**

**Old Business**

- **KLJ Engineering: Update on water project**
- **KLJ Engineering: Update on Headworks**
- **KLJ Engineering: Draw requests**

**New Business:**

- **Anonymous letter from community member**
- **Employees pay raise**

**Open community comment**

- **Limited to 3 minutes each, state name and, if property owner, address.**
- **The board will answer on the spot when possible, however community may be asked to fill out an official information request when needed.**

**Adjourn**

# Vaughn Cascade County

Water and Sewer District

1161 6 AVE

Vaughn, MT 59487

**To:** Vaughn Cascade County Water and Sewer Board of Directors

**From:** Annette Kniffen, Secretary/Treasure

**Date:** November 16<sup>th</sup>, 2021

**Re:** October Secretary/Treasurer's Report

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## Financials:

October showed a profit of \$4,678.66

## Bank and Other Accounts:

- First Bank checking: \$12,761.35
  
- **Water Savings: \$71,943.37**
  - 1) Hydrant Savings: \$5,838.00
  - 2) Water Loan: \$18,121.40
  - 3) Refinance: \$15,009.09
  - 4) Bond Reserve refi.: \$8,408.00
  - 5) Water Bond Reserve Savings: \$5,544.22
  
- **Sewer Savings: \$67,851.73**
  - 1) Lagoon liner: \$29,732.44
  - 2) Wastewater Loan: \$19,950.00
  - 3) Main line: \$3,847.25
  - 4) Sludge: \$5,000.10
  - 5) SAGR Replacement: \$6,672.00
- Sewer Bond Reserve Savings: \$47,452.06
- Bills paid: \$23,050.88

**Bank CD's:** even if we put part of the savings accounts into a CD it is still counted towards the \$250,000 FDIC (Federal Deposit Insurance Corp). If we get to the \$250,000 total in our combined accounts and expect it to stay there for more than 3 months, we can purchase extra insurance. I have not looked into cost of the insurance because cost is always changing.

## Correspondence:

- I received a note from a customer complaining about the past due note taped to their door. They were 60 days past due. We always put notes on doors that are 60 days past due. I looked at buying perforated paper for statements. One ream is around \$21, a case of regular paper is \$30.
  
- I received a letter from MT State Fund (workers comp). They offer a group program to lower our bill. Herb signed it and I returned it. I am waiting to see if we qualify for the lower rate.

- The accountant finished our Annual Financial Report and it was determined that we do have to have an audit for last fiscal year. Last year several letters were sent out requesting estimates on cost of audits. Denning, Downey & Associates was the least expensive. They will start in January 2022. The cost is \$15,900. It is in the budget for the water project for \$6,000. KLJ is looking to see if TSEP will pay for the whole amount. They think that since the water project triggered the audit it should be covered.

Respectfully submitted,

Annette Kniffen

Secretary/Treasurer

## Operator/Manager Report

11/16/2021

### Report

- Headworks; Copper Creek is almost complete; they still need to install the fence and seed.
- Water tank; Tank has the extra rings installed, waiting on the overflow adjustment and sensors to be hooked up before disinfection.
- Phosphorus removal;
  - AquaPyr is willing to do a pilot program but it is not going to be free. One month \$5,500 or run it for the summer would be an additional \$12,000. That \$17,000 can be used for the purchase of the unit. One unit for are system runs \$85,000, does not include piping and additional tanks, act.
  - DEQ is going to require some engineering and data just for the pilot program.
  - Could use the left-over funding from the sewer project to run the pilot program.
  - Looks like we will have to have it engineered if permanently installed
  - Will require 2 units.
  - More funding is coming out in January and JLK thinks if we add this Phosphorous problem, they think it will up the chances.
  - Jar testing is going to be done to determine chemical application.
- Sewer Compliance Inspection; See attached Doc.

### Upcoming Projects

- Work on headwork basket system.
- Continue to do O&M work.

### Completed Projects

- Seed disturbed areas from water project change orders and along SAGR.
- Clean up around valve box in front of bank

### Board Approvals

- Direction on Phosphorus removal.

James South, Operator Manager



Cory how many times have the people in Vaughn went to a Board Meeting and it did not go Well at all ? The Chair didn't keep order . It takes an interminable amount of time to settle the simplest things . What is wrong ? Here is one big example who wants to go to a meeting and listen to you and the board members arguing with Doug Schwarz over that boundary expansion . When are you and the board members going to tell Schwarz that that Expansion was not done legal there was 3 board members that live out of the District so how can any of those board meeting be legal ? Schwarz , Whitmire, Baughman Were Board Members in 2015 That lived out of the district . Read County Attorney John Parker's Letter Aug. 20-2015 . Read the letter from the Engineer in 2010  
M D E Q Aug. 6 – 2010 Administrative ORDER ON CONSENT ( CONSENT ORDER )  
See the Temporary Restraining Order Nov . 2015  
Schwarz , Whitmire , and Baughman had to resign you can see there letter Dec . 2015

The District Did Not Have The ( Capacity to add to the sewer system ) 2010 , 2011 , 2012, 2013, 2014 , 2015 , 2016 , 2017.

If the District had the Capacity why did they have to UP DATE THE SYSTEM THAT RAISED THE RATE TO \$ 39.00 A MONTH . Why did they hire Great West Engineering if the district had the Capacity grater than need ?

Ugrin, Alexander, Zadick & Higgins UAZH pc  
Districts Attorneys Andy Newcomer and Rodger Witt  
Districts Attorney to the Secretary of State  
February 5 – 2016  
File NO : VA22-01

RE : Ordinance Adding Additional Land to the Vaughn Cascade County Water and Sewer District  
The last paragraph on that page . The enclosed ordinance, ordinance NO 2-2015 was passed pursuant to MCA 7-13-2341 ( 5 ) with the written consent of the owners of eight properties that are being added to the District. Said ordinance has all the information contained in Ordinance No 00-3 Annexation of out of District Properties of Lakeside County Water & Sewer District File NO 374843 – D91357 which was approved and is on file with the Secretary of State

7 – 13 – 2341 Subsection ( 5 ) they left out the FIRST SENTENCE that is .  
If the board of directors determines that a district HAS A WATER FACILITY OR A SEWER FACILITY WITH A CAPACITY GREATER THAN REQUIRED TO MEET THE NEEDS OF THE CURRENT DISTRICT, The District did not have the Capacity greater than need .



Read Hannah Addition From State of Mont. Dept. of Environmental Quality Certificate of Subdivision Plat approval . Hannah Addition , 5 Lots . Wastewater treatment for each lot will consist of 5 individually Owned operated and maintained septic tanks with effluent filters that gravity feed through individual service connections to an existing sanitary sewer line and the Vaughn public wastewater treatment system .

What this is tell you In the 5 lots they are all on septic tanks the SOLIDS will stay in the Septic Tanks and just the water will go into the Vaughn sewer system.

Hannah will not have to install a Drain field for the water to run in . There is a MAP of Hannah Addition that is showing the Septic Tanks .

Cory Why do you let Doug Schwarz come up to the table and talk ? They he talk to other board members that do not know the History of the system.

Herb did asked Schwarz a good question . when he asked was there an Election Held ?

Doug said there was a proper Election Held . There never was A Election held for Expansion Of The District

Cory you and Doug Schwarz have been arguing just over the Expansion of the Districts Boundaries for the last 6 years . When are you going to tell him that the District's Expansion Was not done legal and there will not be any more Discussions About Adding Land To The District And That You Live Out Of The District. No more Talk no more Discussions this is the end ,

When reading the Board Meeting Minutes that is all about Doug Schwarz Put an end to that .

If this board can not get this straighten out maybe you all should resign and let the County have it . Yes I know Cory just what you will say the County does not want it . They do not want it but they will have to do something hope they will make good decisions .

I thought Rex would be a good Board Member but that is what I get for thinking .

Herb you just as well for get .

Tina What Knowledge has she got about water and sewer districts or the history of the system?

Cory why hasn't Schwarz paid for that Attorney fees in November 2015 for the petition for Annex land to the district .

When Schwarz was the Chairman there was a person asked Schwarz for a copy of the meeting minutes . Schwarz told him that the account had all the meeting minutes . That person found out who the account was and went there and she said that they did not have any meeting minutes and never did . Schwarz sent that person a bill for \$ 125.00 for him talking to the Account . All the meeting minutes are public knowledge they can charge for copies . The district should at all time have the minutes on hand to copy . So he had to pay that \$125.00 Schwarz should have to pay that attorney fee in November 2015 .

Schwarz lives out of the district not a legal board member he had to resign in December 2015. In 2013 the board had to remove Schwarz from the board being he lived out of the district . In 2014 2015 the district never changed the district never had the capacity for sewer . Schwarz is on Septic Tank just the water going into Vaughn Sewer System Solids stay in the Septic tank . The County commissioners never asked the district to Annex any land into the district .

Rina Moore the county Election Office gets her legal advice from the county attorney . In my opinion Schwarz thinks he knows the law better than the county attorney and the election office . The election office has to now who is legal and who is not legal to vote in the water and sewer district .



Brian Schweitzer, Governor  
Richard H. Opper, Director

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • [www.deq.mt.gov](http://www.deq.mt.gov)

May 31, 2011

Louis Fontana  
Fontana & Moore Engineering  
200 13th Street North  
Great Falls MT 59401

RE: Hannah Addition  
Cascade County  
E.Q. #11 1668

Dear Mr Fontana:

The plans and supplemental information relating to the water supply, sewage, solid waste disposal, and storm drainage (if any) for the above referenced division of land have been reviewed as required by ARM Title 17 Chapter 36(101-805) and have been found to be in compliance with those rules.

Two copies of the Certificate of Subdivision Plat Approval are enclosed. The original is to be filed at the office of the county clerk and recorder. The duplicate is for your personal records.

Development of the approved subdivision may require coverage under the Department's General Permit for Storm Water Discharges Associated with Construction Activity, if your development has construction-related disturbance of one or more acre. If so, please contact the Storm Water Program at (406) 444-3080 for more information or visit the Department's storm water construction website at <http://www.deq.state.mt.us/wqinfo/MPDES/StormwaterConstruction.asp>. Failure to obtain this permit (if required) prior to development can result in significant penalties.

Your copy is to inform you of the conditions of the approval. Please note that you have specific responsibilities according to the plat approval statement primarily with regard to informing any new owner as to any conditions that have been imposed.

If you wish to challenge the conditions of this Certificate of Subdivision Plat Approval, you may request a hearing before the Board of Environmental Review or the Department, pursuant to Section 76-4-126, MCA and the Montana Administrative Procedures Act.

If you have any questions, please contact this office.

Sincerely,

*Steve Kilbreath*  
Steve Kilbreath, Supervisor  
Subdivision Review Section

SK/le

cc: County Sanitarian  
County Planning Board

STATE OF MONTANA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
CERTIFICATE OF SUBDIVISION PLAT APPROVAL  
(Section 76-4-101 through 76-4-131, MCA 1995)

TO: County Clerk and Recorder  
Cascade County  
Great Falls, Montana

E.Q. #11-1668

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as **Hannah Addition**

Located in the Northwest Quarter of Section 25, Township 21 North, Range 1 East, PMM, Cascade County, Montana

consisting of 5 lots have been reviewed by personnel of the Permitting and Compliance Division, and,

THAT the documents and data required by ARM Chapter 17 Section 36 have been submitted and found to be in compliance therewith, and,

THAT the approval of the Plat is made with the understanding that the following conditions shall be met:

THAT the tract size as indicated on the plat to be filed with the county clerk and recorder will not be further altered without approval, and,

THAT each tract shall be used for one single-family dwelling, and,

THAT water for each lot will be provided through individual service connections to the existing Vaughn Public Water Supply, and,

THAT wastewater treatment for each lot will consist of 5 individually owned, operated and maintained septic tanks with effluent filters that gravity feed through individual service connections to an existing sanitary sewer line and the Vaughn Public Wastewater Treatment system, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT no sewage treatment system shall be constructed within 100 feet of the maximum highwater level of a 100 year flood of any stream, lake, watercourse, or irrigation ditch, nor within 100 feet of any domestic water supply source, and,

THAT water supply systems, sewage treatment systems and storm drainage systems will be located as shown on the approved plans, and,

THAT all sanitary facilities must be located as shown on the attached lot layout, and,

THAT the developer and/or owner of record shall provide the purchaser of property with a copy of the plat, approved location of water supply, sewage treatment system and storm drainage structures as shown on the attached lot layout, and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT plans and specifications for any proposed sewage treatment systems will be reviewed and approved by the county health department and will comply with local regulations and ARM, Title 17, Chapter 36, Subchapters 3 and 9, before construction is started.

THAT departure from any criteria set forth in the approved plans and specifications and Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality.

Pursuant to Section 76-4-122 (2)(a), MCA, a person must obtain the approval of both the State under Title 76, Chapter 4, MCA, and local board of health under section 50-2-116(1)(i), before filing a subdivision plat with the county clerk and recorder.

YOU ARE REQUESTED to record this certificate by attaching it to the plat filed in your office as required by law.

DATED this 27<sup>th</sup> day of May, 2011

Richard Opper  
DIRECTOR

By:

Barbara Kingery for  
Steve Kilbreath, Supervisor  
Subdivision Section  
Water Protection Bureau  
Permitting and Compliance Division  
Department of Environmental Quality

Owner's Name: Larry Hannah

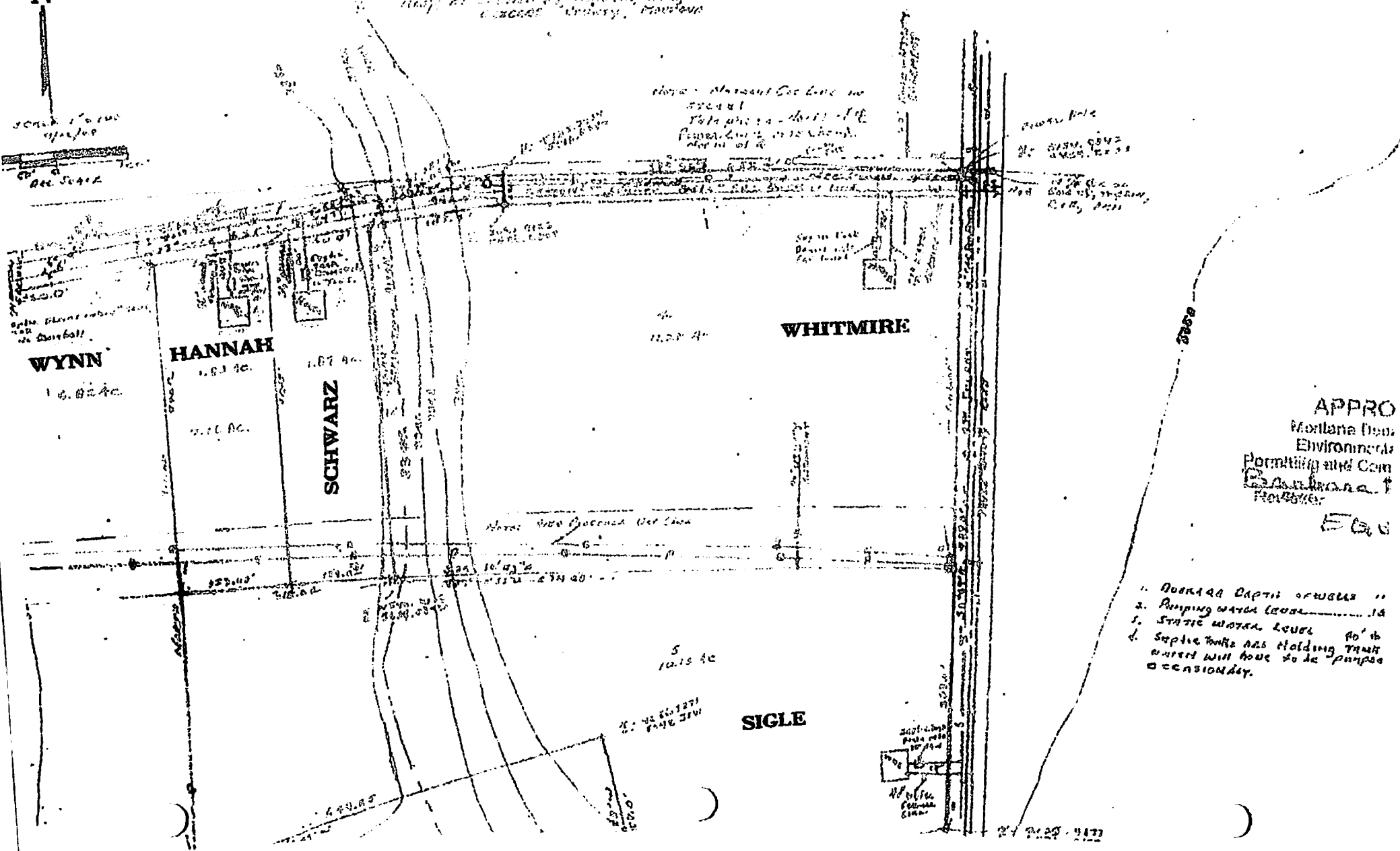
ION WITH SEPTIC TANKS  
 LETTER FROM DEC 2011  
 TANKS NO DRAIN FIELD

Hannah Addition Septic Tanks.  
 D.E.O. Certificate

7 DEQ CERTIFICATE



THE PLAN OF THE  
**HANNAH ADDITION**  
 as shown on the plan of the  
 Hannah Addition, D.E.O. 1111  
 located in the City of Helena, Montana



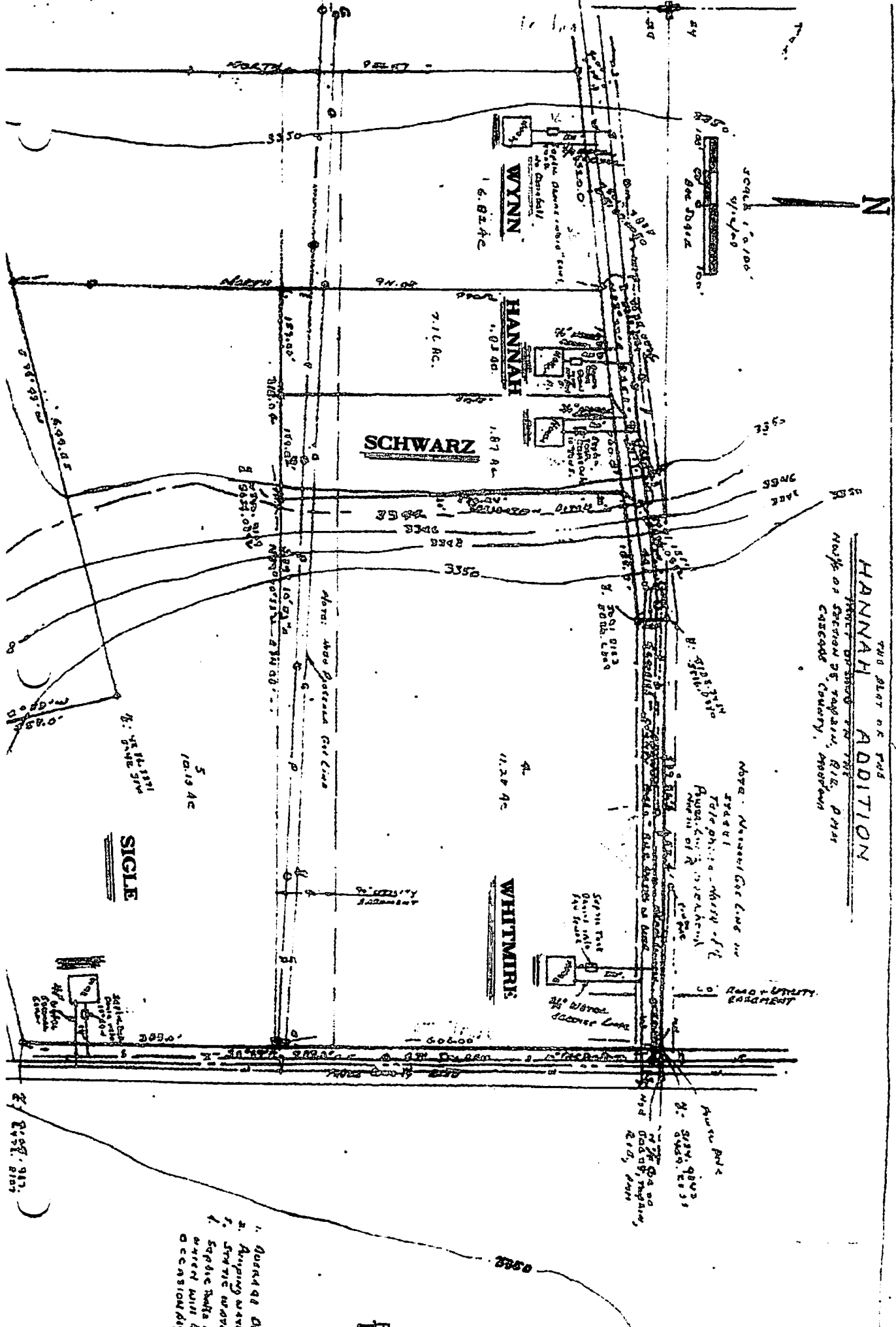
APPRO  
 Montana Dept.  
 Environment  
 Permitting and Com  
 Helena, MT  
 Reviewer:  
 E.O.S

1. Normal Depth of water
2. Pumping water level
3. Static water level
4. Septic tanks has holding tank water will have to be pumped occasionally.

21 0120 1122

NEW MAP 2017 DEO CERTIFICATE

Hannah Addition Septic Tanks.  
 D.E.O. Certificate



1. Approved Dr
2. Armping ways
3. Street ways
4. Septic Tanks &
- occasionally

P.L.

