

Gallatin Gateway County Water & Sewer District

PUBLIC MEETING AND EXECUTIVE SESSION

Date: December 19, 2013

Time: 9:00AM

Place: Big Timberworks Conference Room, One Rabel Lane, Gallatin Gateway, MT

For: Special Meeting of the Board of Directors

AGENDA

I. Call To Order

A.Call To Order B.Public Participation on Non-Agenda Items¹

II. Executive Session

A.Discuss Pending Litigation

III. Adjourn

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The opportunity for members of the public to comment on District matters which are not on the agenda. Time limits may be imposed at the discretion of the President.

Gallatin Gateway County Water & Sewer District

MINUTES OF THE

BOARD OF DIRECTORS

A special meeting of the Board of Directors of the Gallatin Gateway County Water & Sewer District was held at Big Timberworks Conference Room, One Rabel Lane, Gallatin Gateway, MT on December 19, 2013. Present at the meeting were board members Merle Adams, Ted Border, and David Sullivan. Director Steve Janes was absent. General Manager Matt Donnelly and District council Allan Payne were present via telephone, and Secretary Maralee Parsons Sullivan was also present. Greg Benjamin and Kurt Thomson from Stahly Engineering, and District council Susan Swimley were also present.

President Border called the meeting to order at 9:03 AM. Maralee Parsons Sullivan recorded the minutes of the meeting.

PUBLIC COMMENT

President Border introduced Gallatin Gateway resident Eric Amend, who is interested in potentially filling the vacant seat on the Board. President Border then asked for any public comment on non-agenda items; there were no non-agenda items raised.

President Border proceeded to the next item on the agenda.

Ms. Swimley recommended to the Board that they now close the meeting and enter into an executive session, in order to allow the Board to discuss strategy in the pending lawsuit of Gateway Village vs. DEQ and GGWSD. Montana law 2-3-203 allows the Board to close the meeting if it finds that keeping it open would have a detrimental effect on the District's litigation position. Ms. Swimley intends to discuss the current filings and strategies. Director Sullivan made the motion to close the meeting, finding that it would be detrimental to the District's litigation to leave it open; President Border seconded the motion and it passed unanimously. Mr. Amend left the meeting. The Board then entered into an executive session, and the minutes were taken by Ms. Swimley who will keep the minutes on file in her office as attorney client privileged.

Following the executive session, the meeting was re-opened at 9:55 AM. Ms. Swimley provided an update on DL investments and the re-alignment of common property. There is a new contact for DL investments, Dave Schultz, and thus far communications have been very good. The property deed is being returned via Fed Ex in the next few days so the re-alignment of the common boundary should be recorded early next week. Mr. Shultz is aware of the lawsuit but has not taken any position. President Border asked about the timing of having the Buffalo Station annex into the district; Ms. Swimley advised that since they are contiguous to the District's border, it is merely a matter of them submitting a letter

requesting to be annexed in, and the District then determining capacity and making a decision.

Director Adams made the motion to adjourn the meeting; Director Sullivan seconded the motion, and it passed unanimously. The meeting was adjourned at 10:09 AM.

Secretary