

OVERBROOK IMPROVEMENT & SERVICE DISTRICT
REGULAR MEETING
MINUTES
WEDNESDAY, JANUARY 30, 2019, 5:30 P.M.
400 SOUTH GILLETTE AVENUE, SUITE 106, GILLETTE
Revised 2/4/19

BOARD MEMBERS PRESENT: Tyler Miller, Barb Pilon, Heather Wichert
 OTHERS PRESENT: Helenanne Cathey, Abby Angelos, Peter Angelos,
 Jason Wichert, Mike Freeland, Joff Pilon

Tyler Miller called the meeting to order at 5:35 p.m. Everyone introduced themselves.

- I. Minutes** – Meeting minutes were provided and reviewed. Barb Pilon moved to approve the November 15, 2018, regular meeting minutes as revised. Heather Wichert seconded. Motion carried unanimously.
- II. Treasurer's Report** – The Treasurer's Report and financial information were reviewed. Barb Pilon moved to accept the Treasurer's Report and pay bills as presented. Tyler Miller seconded. Motion carried unanimously.

Bank Balance 6/30/18: **\$96,954.43**

Bills Paid July, 2018:

Ck#	Payee – Purpose	<u>Amount</u>
AUTO	Powder River Energy Acct 10349101 electricity	\$ 578.43
5216	Black Hills Energy Utilities – Gas	\$ 6.05
5217	Energy Laboratories Testing	\$ 75.00
5218	ProElectric Well Repair	\$ 590.08
AUTO	Powder River Energy Acct 10349101 electricity	\$ 316.36
5223	Black Hills Energy Utilities – Gas	\$ 6.05

Deposits – July, 2018:

07/31/18 Interest \$12.22

Bills Paid August, 2018:

Ck#	Payee – Purpose	<u>Amount</u>
5219	Water Guy, LLC Water Operator/Repair	\$ 3,401.00
5220	Red Tiger Well Service Well Repair	\$28,404.30
5221	ProElectric Well Repair	\$ 386.13
5222	Hawkins, Inc. Chemicals	\$ 546.20
AUTO	Powder River Energy Acct 10349101 electricity	\$ 784.79

Deposits – August, 2018:

08/31/18 Interest \$11.41

Bills Paid Sept., 2018:

Ck#	Payee – Purpose	<u>Amount</u>
5224	Black Hills Energy Utilities – Gas	\$ 16.57
5225	City of Gillette Water	\$ 3,289.72
5226	Hawkins, Inc. Chemicals	\$ 481.34
5227	One-Call of Wyoming Locate Services	\$ 6.75
5228	ProElectric Well Repair	\$ 1,919.21
5229	Red Tiger Well Service Well Repair	\$ 4,227.28
5230	Water Guy, LLC Water Operator/Repair	\$ 5,696.06

Deposits – September, 2018:

09/28/18 Interest \$7.63

Bills Paid Oct., 2018:

Ck#	Payee – Purpose	<u>Amount</u>
AUTO	Powder River Energy Acct 10349101 electricity	\$ 550.53
5231	Postmaster Annual box fee	\$ 54.00

5232	Black Hills Energy	Utilities – Gas	\$ 6.21
5233	City of Gillette	Water	\$ 130.00
5234	Hawkins, Inc.	Inv. 177083 – Chemicals	\$ 375.13
AUTO	Powder River Energy	Acct 10349101 electricity	\$ 805.48

Deposits – October, 2018:

10/31/18	Interest	\$6.64
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Bills Paid Nov., 2018:

Ck#	Payee – Purpose	Amount
5235	C N A Surety	Bond – Board \$ 100.00
5236	Black Hills Energy	Utilities – Gas \$ 6.63
5237	VOID	
5238	VOID	
5239	VOID	
5240	Water Guy, LLC	Water Operator / repair \$ 628.00
5241	City of Gillette	Water \$ 130.00
5242	Hawkins	Chemicals \$ 546.70
5243	One-Call of Wyoming	Locates \$ 20.25
5244	City of Gillette	Water 10/1/18 – 11/1/18 \$ 1,146.41
AUTO	Powder River Energy	Acct 10349101 electricity \$ 654.36

Deposits – Nov., 2018:

11/9/18	Deposit – Assessments	\$3,000.00
11/21/18	Deposit – Water	\$1,334.47
11/27/18	Deposit – Water	\$209.94
11/29/18	Deposit – Water	\$200.00
11/30/18	Interest	\$5.73

Bills Paid Dec., 2018:

Ck#	Payee – Purpose	Amount
AUTO	Powder River Energy	Acct 10349101 – 10/29-11/30/18 \$ 403.80
5245	Black Hills Energy	Utilities – Gas 10/29/18-11/27/18 \$ 6.63
5246	Cathey Consulting, LLC	Inv. 4682 – Nov., 2018 Admin./Books/Compl. \$ 445.00
5247	Earth Work Solutions	Inv. 35274 – Blade roads / road base \$ 1,595.71
5248	Water Guy, LLC	Inv. 2018-1057 – Dec. Water Oper./tank clean \$ 1,998.00

Deposits – Dec., 2018:

12/04/18	Deposit – Water	\$421.16
12/10/18	Deposit – Assessments	\$12,000.00
12/13/18	Deposit – Water	\$1,397.11
12/13/18	Deposit – Water	\$203.56
12/14/18	Deposit – Water	\$109.88
12/27/18	Deposit – Water	\$361.65
12/27/18	Deposit – PR Energy Cap. Credits	\$201.45
12/31/18	Interest	\$6.94
12/31/18	Reconciliation Discrepancy	-\$0.03

Deposits – January, 2019 (through 1/29/19)

01/17/19	Deposit – Water	\$535.04
01/25/19	Deposit – Water	\$8.96
01/29/19	Deposit – Collins	\$1,200.00
01/29/19	Deposit – Water	\$200.00

BALANCE PRIOR TO MEETING:

\$58,054.03

Bills Paid At Meeting:

Ck#	Payee – Purpose	Amount
AUTO	Powder River Energy	Acct 10349101 – 11/30-12/29/18 \$ 358.10
5249	Black Hills Energy	Utilities – Gas ESTIMATE \$ 5.29
		\$5.96 bill less \$.67 credit
5250	Cathey Consulting, LLC	Inv. 4743 – Dec., 2018 Admin./Books/Compl. \$ 445.00
5251	City of Gillette	Inv. 768809 – December, 2018 Water (0 gal.) \$ 130.00
5252	One-Call of Wyoming	Inv. 50801 – Oct. & Dec. tickets & membership \$ 24.50

	(invoice amount was \$28 minus a credit of \$3.50 from an overpayment)	
5253	Water Guy, LLC	Inv. 2018-969 – Oct. Water Oper. \$498.00 \$ 1,611.00
		Inv. 2018-1141 – Dec. Water Op. & call out \$589.00
		Inv. 2019-52 – Jan. Water Oper. \$524.00

Total Bills: \$ 2,573.89

BALANCE AFTER TREASURER'S REPORT AND BILLS APPROVED: \$55,480.14

Receivables Balance: \$28,040.41 – There was discussion on the accounts that are past due. \$15,000 is due from assessments. The remaining balance is due from water meter readings in 2018. The Board asked that statements be mailed monthly. There was discussion on assessing past due water meter billing if balances aren't paid by July. Helenanne Cathey explained that several of the Districts she works for add unpaid balances to tax assessments each July. This will be discussed at the next meeting if there are accounts still not paid by then.

- III. Water / Well Update** – Tyler Miller reported that he hasn't heard any complaints on water quality. Barb Pilon reported that she contacted Water Guy in December because there was some brown water at their house. Water Guy was going to flush the system. There was further discussion on the water quality. There is one landowner that was a high user in the summer that has drilled a well and will be irrigating from that well next summer rather than using the District's water which will decrease the demand on the District's water system. A water system report was reviewed and discussed.

Since the meters are being read year-round, the consensus is to go ahead and bill if people if they go over the base rate.

IV. Covenants Issues

- a. Business run out of a residence – There was a complaint filed with the District stating that there was business activity being run at 18 Overbrook. Megan from the County Public Works office called and discussed the issue with Tyler Miller. Tyler Miller also discussed the issue with the landowner who has since cleaned everything up and has reported that they are no longer running the business out of their residence. Tyler Miller called the landowner and thanked them for cleaning it up and ceasing running the business there.

A reminder to landowners that you cannot run a business out of a home in the Overbrook Subdivision. A copy of the covenants will be e-mailed to landowners with these minutes.

- b. Letter to landowner not addressing complaints addressed in lawsuit – This is an issue pertaining to 58 Overbrook (Gregorson), and a lawsuit that the District won. The landowner agreed to conform with the covenants on landscaping and other issues. To date, they haven't fully complied. The consensus is to send a letter reminding the landowner of the terms of the lawsuit. Complaints have been raised with the Board. Helenanne Cathey will contact Jim Edwards for a copy of the final settlement, and Helenanne Cathey will draft a letter for the Board to review and sign to send to the landowner reminding them of the terms of the lawsuit settlement.

V. Unfinished Business

- a. Enlargement – There was discussion on adding some properties into the District. There is one landowner that drives the roads that refuses to pay the assessment. The District cannot assess him on taxes because he is not in the District. The road is a public road, so the District can't stop someone from using it. A suggestion was made to send a letter to Randy Wirfel requesting that he pay the fee for roads and that the District will proceed with legal action to try to enforce the payment for the road use. Helenanne Cathey will draft a letter, and a Board member will review and sign the letter which will be mailed to the landowner.
- b. Budget – The budget needs to be amended due to the increase in expenditures for well repairs. A budget hearing will be held at the start of the next meeting, and the amended budget will be adopted at the regular meeting. A draft amended budget was reviewed and is attached to these minutes. The following legal ad will run in the News-Record at least a week prior to the hearing.

**LEGAL NOTICE TO AMEND BUDGET
OVERBROOK IMPROVEMENT & SERVICE DISTRICT**

The Overbrook Improvement and Service District will hold a public hearing to amend the 7/1/2018 – 6/30/2019 budget followed by the regular District meeting to adopt the amended budget and conduct regular business at the office of Cathey Consulting at 400 South Gillette Avenue, Suite 106, Gillette, Wyoming, (City Hall Mall / K2 Technologies Building – entrance is on 4th Street across from Arrow Printing) on March 27, 2019, at 5:30 p.m. Budget summary:

Expenses: Administrative \$4,100 / Indirect \$100 / Operations \$77,100 /
Total Revenue Plus Cash Carryover: \$150,554

VI. New Business

- a. Officer Elections – Per state statute, officers must be elected annually. Current officers are Tyler Miller, President; Heather Wichert, Vice President; Barb Pilon, Secretary/Treasurer. Tyler Miller moved to keep the same slate of officers. Heather Wichert seconded. Motion carried unanimously.
- b. Barb Pilon moved to add Heather Wichert to the signature card at the bank and to send a letter to the bank with this request and also authorizing Helenanne Cathey to discuss the District's bank account. Tyler Miller seconded. Motion carried unanimously.
- c. Investment Policy – Barb Pilon moved to adopt the Investment Policy as written. Heather Wichert seconded. Motion carried unanimously. The policy reads as follows:

All available cash will be kept on deposit at a bank authorized to do business in Wyoming, preferably located in Gillette, Wyoming. Funds will typically be kept in interest-bearing checking and savings accounts that are FDIC insured or other appropriately insured funds. Funds may also be deposited in certificates of deposit that are similarly insured.

No investments will be made except as allowed under Wyoming Statutes 9-4-831.

- d. Official Depository – Heather Wichert moved to designate First National Bank as the official depository. Tyler Miller seconded. Motion carried unanimously.
- e. The agenda listed director Pilon's term as ending in 2019 and Miller and Wichert's terms ending in 2021. This was incorrect. Pilon's term ends in 2021. Miller and Wichert's terms end in 2019. The first legal ad will run in July for the director election in November.
- f. There was discussion on the City of Gillette regional water system rates. The District is currently billed at the intermittent rate of \$5.00 per month per tap plus \$6.03 per 1,000 gallons per month. The regular, full-time user rate is \$6.50 per month with \$3.01 per 1,000 gallons per month. There was discussion on switching to the regular, full-time user rate because the usage rate is half as much. Even if the District doesn't use water, the full-time rate can be used so that when the water is turned on, residents are paying half as much for usage. Tyler Miller explained that the engineer that designed the District's connection based everything on a much lower flow rate than is actually needed. They must have used the wrong usage rate or an old usage rate when calculating the design of the connection. Tyler Miller will discuss the issue with Levi Jensen with the City of Gillette to see if this has been corrected to provide the flow rate that will meet the demand the District needs the next time the District uses the regional water. This will be discussed at the next meeting.

Upcoming Meeting: Wednesday, March 27, 2019, 5:30 p.m. (Budget Hearing to Amend Current Year Budget and Regular Meeting at Cathey Consulting, 400 S Gillette Avenue, Suite 106, Gillette – K2 Technologies building – office entrance is on 4th Street across from Arrow Printing.)

The District holds regular meetings. The next regular meeting date is scheduled at each meeting and is included in the minutes.

Tyler Miller moved to adjourn. Barb Pilon seconded. The meeting adjourned at 6:46 p.m.

Respectfully submitted,
Helenanne Cathey, Assistant to the Board

Tyler Miller, President 307-680-3605 / Date

Heather Wichert, Vice President 307-351-9354 / Date

Barb Pilon, Secretary/Treasurer 307-670-7062 / Date