

Lockwood TEDD Advisory Board Minutes
Wednesday, September 16, 2020 – 2:30 pm
Via Zoom

Board Members Present: Woody Woods, Terry Seiffert, Mike Ariztia, Pam Ask, Josh Starr, Nick Pancheau, Frosty Erben

Board Member Absent: Jennifer Kondracki, John Ostlund, Tim Miller, Jason Heath

Staff and Guests: Chris Kukulski (City), Robin Rude (DOR)Matt Corcoran (KLJ), Becky Bey (KLJ), Matt Smith (KLJ), Tom Llewellyn, Dianne Lehn (BSED), Allison Corbyn (BSED), Thom MacLean (BSED)

1. Welcome and Introductions

Woody Woods called the meeting to order at 2:30.

2. Approval of Agenda

Nick Pancheau moved to approve the Agenda. Josh Staff seconded. Motion passed.

3. Approval of Minutes

Josh Starr moved to approve the minutes of the August 19th meeting. Terry Seiffert seconded. Motion passed.

4. Updates.

Lockwood Water and Sewer District, the City of Billings, and BSED have continued to work on finalizing the details of the proposal to present to the City Council for a decision on the expansion of the LWSD sewer boundary to include the TEDD Study Area.

- It has been clarified that the additional 12% surcharge related to future TEDD wastewater service will be applied to the same items as the current 6% surcharge in the original Wastewater Service Agreement. That includes usage and a proportional share of some capital costs.
- It was clarified that, if LWSD is ever serviced by City of Billings water either directly from the City or indirectly through another supplier, waivers of the right to protect annexation will be required from properties in the TEDD Study Area. LWSD is still free to obtain additional water rights to supplement their current water capacity. This provision would only apply if those are unavailable or insufficient and Billings water was needed.
- The City, with Council approval of this proposal as written, would agree to reduce the current performance/financial guarantee bond requirement from \$1 million to \$500,000, saving LWSD approximately \$10,000 per year.

- The City will work with the County to develop an intergovernmental agreement to prevent future development conflicts at the City-County borders.

The City has developed a draft “First Amendment to Wastewater Service Agreement” outlining the conditions of this proposal to present it to the City Council for decision. That draft is currently being reviewed by LWSD and BSED. Given the need for LWSD’s legal representation and board to adequately review and the timeline for finalizing documents for presentation to City Council, it is not feasible to get this before City Council at their September 28th meeting. The next regular meeting of City Council is October 12. We will shoot for this date. Documents would need to be finalized by October 1st. If that is the case, the Lockwood TEDD Advisory Board will hold a special meeting on October 7 at 2:30 to review the documents.

5. Public Comment

None.

6. Adjourn

With no further business, Woody Woods adjourned the meeting.

Next Meeting: October 7, 2020 @ 2:30 (Possible Special Meeting to review documents)
October 21, 2020 @ 2:30 – Location TBD