

SPRING CREEK / COW CREEK SANITARY
DISTRICT MEETING MINUTES
SPECIAL MEETING
Friday, September 22, 2023

The special meeting of the Spring Creek/Cow Creek Sanitary District was held at Anderson, Nill and Associates on Friday, September 22, 2023. Chairman Schuh called the meeting to order at 2:00 p.m.

Chairmen Schuh, Bacon, Wiseman, Konda, Schneider, and Clerk Linn were in attendance. Trustees Bacon and Schneider, Attorney Miller, 4 residents and 1 guest attended via Zoom videoconference.

Wiseman made a motion to approve the agenda as presented. Konda seconded. All voted in favor. Motion carried.

Schuh asked the Board to declare any Conflicts of Interest. None were declared.

Schuh made a motion that no Trustee is to act on any issue involving District matters under the authority of their title as a Trustee of the Board of Trustees without prior approval following motion, seconded and passed by majority vote, of the Board of Trustees of the District. Schuh stated additional points:

- i. Discussion: Trustees should not make any decisions related to new or developing issues which have not been previously addressed by the Board. Any Trustee that is presented with a questions or a problem may provide that Trustee's personal opinion, present the action/position previously approved by the Board, or ask the citizen to bring the issue before the Board for Board approval/action.
- ii. Discussion: This is already how the Trustees should be operating, but renewing and affirming this course of conduct will help to guide the Trustees and shield the Board and the District.
- iii. Discussion: The Superintendent was hired for a reason, and those duties that fall upon the superintendent should be left to the superintendent. No Trustee should be taking any action with respect to inspections, evaluations, supervision, maintenance, or any other duty that falls under the superintendent's purview.

Wiseman seconded. All voted in favor. Motion carried.

Schuh stated the following point: Trustee acting in violation of the prior Motion are personally liable.

- i. Discussion: With the Board's position being clear based on the vote on the prior Motion, the Board should also make it official that the Board's position is to hold a Trustee acting in violation of the Board's prior Motion or any other Ordinance, Resolution, or By-law of the District and Board personally liable for their actions and to seek indemnification from the Trustee personally for any damages suffered by the Board or District due to the actions of the Trustee.

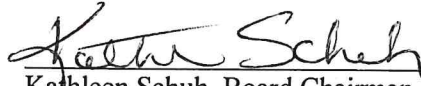
Wiseman made a motion the Board's position regarding a Trustee acting in violation of any Ordinance, Resolution, Passed Motion, or By-law of the Board or District be held personally liable and that the Board will seek complete indemnification for any damages suffered by the Board or District as a result of the Trustee's actions. Schneider seconded. All voted in favor. Motion carried.

Motion by Schuh to approve Codger's Castaway Development to utilize 12 gauge tracer wire in variance of our previous conditional approval letter. Wiseman seconded. All voted in favor. Motion carried.

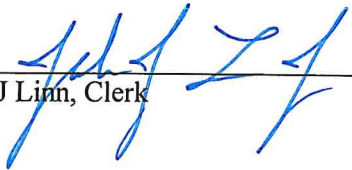
With no further business, Schuh opened the floor to public comment. Utech commented to the board he does not want trouble now or trouble in the end. He seeks a smooth process without cutting corners as to allow the project to get done and noted open communication is the key.

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With no further business to discuss, Wiseman made a motion to adjourn the meeting at 2:16 p.m. Konda seconded. All voted in favor. Motion carried.


Kathleen Schuh, Board Chairman

ATTEST:


JJ Linn, Clerk
