

Hill's is a Contract user of OBSD our legal counsel's disagree on the intent and terms of the contract – so be it, let's try to move forward

Hill's contract date started when the flow began **not** when the contract was signed. Hill's needed a contract so we could ask to leave KBSD. That was the agreement with the OBSD BOD at that time.

Hill's bought into the district, paid LID fees, hook up fees, and O & M fees based on district rates and calculations based on flow of 250gpd. We also paid for the 1.5 mile main line extension, dual pump station, meter, and electricity to pump it. Hill's has purchased their space in the new lagoon like every other customer.

Nationally excepted flow rate for an ER from multiple sources including OBSD By-Laws and Rules & Definitions

"Sewell Engineering " below

In order to analyze the capacity of the existing collection system and pumping facilities, the peak hourly flow of the system is needed. The peak hourly flow was determined by first defining the peak daily flow during the highest use periods. This typically occurs in July of each year. The peak daily flow for the month of July was determined for each year beginning in 2008 and proceeding through 2020. These peak daily flows were converted to peak daily flows per ERU served. From there the peak daily flow per ERU was averaged over the study period to determine the most representative peak daily flow per ERU. **The peak daily flow per ERU was determined to be 203 gallons per day per ERU. Considering the peak daily flow per ERU representing maximum occupancy and use of the system, this was then considered to be the average design flow for the system.** A peaking factor can be applied to determine the peak hourly flow from the average design flow. That peak factor is based on the population served and is found in the *Recommended Standards for Wastewater Facilities (10 States Standards)*, Figure 1. The population served was determined from the number of ERUs connected and the **average population per household of 2.45 people based on U.S. Census data for Bonner County.** The districts rules and regulations state and THESE MAY HAVE BEEN CHANGED BUT I haven't seen anything different yet

Chris Westerman IDEQ- my phone conversation with Chris Westerman August 31, 2023
" a household is calculated at 2.5 people at 100 gpd / person or 250 gpd"

Attachment #1 *Ordinance 94-3*

Basic Service Unit: "A sewage flow of 263 gpd. One basic service unit is required for a single family residence and constitutes the base amount for **most commercial enterprises**"

Attachment #2 *Ordinance 2000-1 Section 11*

"a metered user is allowed 6,750g a month --- $(6,750 \times 12) / 365 = 221.92$ per day

My only point here is: **If I were allowed to put in the standard amount like all other users in the district it could justify 34ER's based on flow.**

Attachment #3

reference list for Sewell to Stan Roehl OBSD Attachment #4 SHOWING 250 gpd is a standard amount / ER

Attachment #4

Compromise to Hill's ER calculation

ORDINANCE 94-3

AN ORDINANCE OF THE OUTLET BAY WATER AND SEWER DISTRICT, BONNER COUNTY, IDAHO, REPEALING ANY AND ALL FORMER ORDINANCES AND ENACTING ORDINANCE 94-3 TO GOVERN THE OPERATION OF THE DISTRICT'S SEWER SYSTEM, AND PROVIDING FOR THE FOLLOWING: DEFINITIONS; REQUIRED SEWER SERVICE; PROHIBITIONS; RATES, FEES AND CHARGES; APPLICATION FOR LIMITED CAPACITY ALLOTMENT; TERMINATING OR REDUCING SERVICE; EASEMENTS; ANNEXATION OF PROPERTY TO DISTRICT; EXTENSION OF DISTRICT MAIN SEWER LINES; EQUIPMENT AND INSTALLATION REQUIREMENTS; INDUSTRIAL USERS; DISTRICT SUPPLIED PUMPS; ENFORCEABILITY CLAUSE; VIOLATIONS; SAVINGS CLAUSE; SEVERABILITY CLAUSE; REPEAL OF ANY AND ALL FORMER ORDINANCES; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Directors (the "Board") of the Outlet Bay Water and Sewer District (the "District") previously adopted various Ordinances and at various times, which Ordinances made general provisions for the operation of the District's sewer system; and,

WHEREAS, the Board has determined that it would be in the best interests of the District to repeal all previous Ordinances and this Ordinance to establish revised provisions for the operation of the District's sewer system;

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF DIRECTORS OF THE DISTRICT:

Section 1. Definitions.

Application for Sewer Service: A written application required for new or expanded service. An application form is provided by the District upon request.

Basic Service Unit: A sewage flow of two hundred sixty-three gallons per day (GPD). One basic service unit is required for a single family residence and constitutes the base amount for most commercial enterprises.

Building: Any dwelling, commercial facility or other structure located within the District that is on a permanent foundation or a mobile home with a valid Bonner County setting permit.

Board or Board of Directors: The five duly elected or appointed governing officers of the District.

Capacity: The ability to receive, contain, and accommodate sewage as measured and computed with currently verifiable engineering methods.

Clerk: A person employed by the District to conduct its routine administrative and financial affairs and to implement actions taken by the board of directors.

ATTACHMENT #1

#5

1. The TC shall be calculated at the end of each fiscal year and the rates may be adjusted to reflect the projected costs of the service for the following fiscal year.
2. A single-family residence shall be assessed the cost for one ER. A multi-unit dwelling shall be assessed the cost of on ER multiplied by the number of units.
3. The charges for special users, users other than single-family residences and multi-unit dwellings, shall be directly proportional to the waste produced from the special user to that from a single-family residence, except that no charge shall be less than the cost of one ER - multiplied by the number of ERs for the user determined from the Special Users ER Schedule set forth in Subpart B, and in no event shall the charge be less than that for one ER. The charge for special users shall be calculated as follows:

a. **Wastewater Metered Users:** For those users who meter the wastewater discharged into the sewer system, the monthly service charge shall be based upon the gallons of wastewater discharged and shall be computed by a formula which provides for wastewater discharge of up to **6,750 gallons per month for the base monthly sewer user charge plus a quantity related charge for monthly wastewater discharge exceeding 6,750 gallons.**

b. SPECIAL USERS ER SCHEDULE

Mobile Home Park	ER = # of spaces
Churches	ER = 1
Taverns	ER = # seats x .07
Restaurants	ER = # seats x .17
Business Offices	ER = # employees x .07
Service Stations	ER = # sets of 3 hoses x .17
Hospitals	ER = # beds x .07 and # employees x .17
Bowling Alleys	ER = # lanes x .07
Medical/Dental Office	ER = # hours/week/employee x .01
Auto Dealerships	ER = 2
Boardinghouse	ER = # occupants x .25
Laundromats	ER = # washing machines x .56
Theaters	ER = # seats x .007

Nursing Homes
Motel/Hotel w/Kitchen
Motel/Hotel w/o Kitchen

ER = # beds x .07
ER = # units x .05
ER = # units x .025

High Schools
w/o Kitchen
w/Kitchen
w>Showers
w/Kitchen & Showers

ER = # students x .13
ER = # students x .25
ER = # students x .17
ER = # students x .29

Elementary Schools
w/o Kitchen
w/Kitchen
w>Showers
w/Kitchen & Showers

ER = # students x .065
ER = # students x .125
ER = # students x .085
ER = # students x .145

Miscellaneous: Any sewer use that cannot be classified in one of the above classes shall have its ER computed on an individual basis by the District.

- c. Any user that discharges industrial wastes or produces a flow, biochemical oxygen demand or suspended solids loading in excess of five percent (5%) of the average dry weather sewage flow measured at the treatment plant may be assessed a surcharge on waste flows with biochemical oxygen demand or suspended solids concentrations above two hundred fifty (250) mg/l.

D. REVISIONS TO USER CHARGE:

1. Revisions to the user charges shall be based upon actual operation, maintenance, capital reserve and replacement expenses and/or a change in the total number of equivalent users, total daily BODs or total daily SS and/or total daily flow to the sewage treatment facilities. The user charge for operation, maintenance, capital reserve, replacement and bond repayment shall be reviewed annually and updated to reflect actual costs.
2. The District may install a measuring device in the sewer service line at any time to determine the amount of wastewater and/or to collect wastewater samples for testing. After measuring and/or sampling the District may adjust the user charge to conform to actual usage.

SECTION 11: (CONTINUED)

B. **EQUIVALENT RESIDENCE:** One equivalent residence (hereinafter referred to as "ER") shall be defined as the sewage flow from one typical single-family residence. The sewage flow from one typical single-family residence is two hundred, twenty-five (225) gallons of sewage per day, 0.32 pounds of biochemical oxygen demand (BOD 5) per day, and 0.32 pounds of suspended solids (SS) per day.

C. **CHARGES:** The monthly costs per ER shall be calculated by dividing the total cost of annual projected expenditures for operation, maintenance, administration, capital reserve, and replacement (hereinafter referred to as TC), by the summation of the total number of ER. This calculation can be expressed by the following formula: cost for one ER = TC/Total # of ER.

1. The TC shall be calculated at the end of each fiscal year and the rates may be adjusted to reflect the projected costs of the service for the following fiscal year.

2. A single-family residence shall be assessed the cost for one ER.

3. The charge for users, other than single-family residences, shall be directly proportional to the waste produced from the user to that from a single-family residence, except that no charges shall be less than that for one ER. The charge for those users shall be calculated as follows:

a. For metered users, the monthly service charge for special users shall be based upon the gallons of water as measured by the water meter and shall be computed by a formula which allows a maximum monthly sewer discharge of six thousand seven hundred fifty (6,750) gallons for the base sewer service fee plus a quantity-related cost for monthly sewer discharge exceeding six thousand seven hundred fifty (6,750) gallons.

b. For non-metered users, the ER shall be calculated depending on the classification of each special user according to the schedule set by resolution adopted by the Board of Directors.

c. Any user that discharges industrial wastes or produces a flow, biochemical oxygen demand or suspended solids loading in excess of five percent (5%) of the average dry weather sewage flow measured at the treatment plant shall be assessed

#4

trademark, total liquid capacity and shall indicate the tank's inlet and outlet. (10-1-90)

EQUIVALENT FILE

07. Minimum Tank Capacities One.

a. Tanks serving one (1) or two (2) single dwelling units:

MINIMUM CAPACITY PER DWELLING UNIT	
Number of Bedrooms	Minimum Liquid Capacity (Gallons)
1 or 2	900
3 or 4	1,000
For each bedroom over 4 add 250 gallons	
(10-1-90)	

b. Tanks serving all other flows. Septic tank capacity shall be equal to two (2) times the average daily flow as determined from Sub-section 01.03007,08. The minimum tank capacity shall be seven hundred and fifty (750) gallons. (12-31-91)

08. Wastewater Flows From Various Establishments in Gallons Per Day

DWELLINGS	250/Unit
Single Family Dwelling and Mobile Homes, 3 bedroom. Add/subtract 50 gallons/bedroom	
MULTIPLE RESIDENTIAL	
Hotel with Private Baths	60/Bedspace
Without Private Baths	40/Bedspace
Motel	40/Bedspace
With Kitchenette	60/Bedspace
Boarding House	150/Bedspace
Add for each nonresident	25
Rooming House/Bunk House	40/Resident
Staff Resident	40/Staff
Nonresident	15/Staff
Apartments	250/Unit
INSTITUTIONAL	
Assembly Hall/Meeting House	2/Seat
Church	3/Seat
With Kitchen	7/Seat
Hospital	250/Bedspace

Date 5-6-98 1 of 1 pages

Post-it® Fax Note 7671

To STAN ROEBL

Co./Dept

Phone #

Fax # 443-8005

From

Co. JAMES A. SEW

Phone # 437-264

Fax # 447 2112

THIS IS GOOD REFERENCE

Units

One unit = one ER

101-117	=	17	
118-120	=	3	
127-128	=	2	
A 201-208	=	8	
B 209-220	=	6	
C 221-232	=	6	
233-237	=	5	
D 238-241	=	2	Duplex
244-246	=	<u>3</u>	
Total	=	52	
2 Residents	=	2	
Band House	=	1	
Achor Business	=	1.25	
Rest/Bar Chairs	=	14	TBD* or 11 ER *
Laundry	=	1	
5 Washers	=	.5	
2 Gas Pumps	=	.4	
Total	=	20.15	or 17.15 ER *
52 + 20.15	=	72.15	
52 + 17.15	=		69.15

OBSD SEASONAL RESTAURANTS COUNT ADJUSTING FOR OUTDOOR SEATING

A fair idea for seasonal restaurant seat count would be 6 months at summer count 6 months at winter count / 2 =

In other words, average the seat count between summer and winter

Hill's summer count 280 + winter count 163 = 443 / 2 = 221.5 x .05 = 11 ER adjusted yearly

Please consider this compromise as it more the doubles Hill's ER number