

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT

5455 West Old Highway Road, Mountain Green, Utah

Minutes of the Board of Trustees Meeting

7:00 P.M., Thursday, February 21, 2013

Board Members Present: Wendy Eliason, Tina Kelley, Mark Devoe, Mary Jewett and Zane Gray.
Excused: Shane Rice and Blair Larson. **Others Present:** Dennis Baldwin, Robert Volk and Annette Doyle.

Invocation: Wendy Eliason.

Chair: Wendy Eliason welcomed those present and chaired this meeting.

Item #1: Discussion / Decision: Board Member Replacement for Blair Larsen

The recommendation was made to send Blair Larsen a nicely worded letter thanking him for his service and letting him know that the Board will begin advertising to fill his position at the next meeting. Annette let everyone know that Blair had sent a Thank You card to the board regarding the service plaque he received and for allowing him to serve on the board.

Mark made a motion to submit a certified letter along with a copy of the new policy to Blair Larsen. The motion was seconded by Mary. Motion passed.

Item #2: Discussion / Decision: Acceptance of Cottonwoods Sewer Infrastructure

Tina abstained from discussion on this topic due to a conflict of interest with her position at the County. Rulon and Skyler Gardner met with Dennis and Robert on January 29 and one of the discussions involved the District accepting responsibility of the sewer system in the Cottonwoods subdivisions I, II & III. Gardner Development was under the belief that the sewer system had been turned over to the County and Mountain Green a couple of years ago, and objected to the request to repair damaged collars after so much time has passed. Dennis noted that the underground infrastructure and lines had been inspected and videoed and were found to be in good working order so it is his recommendation that the District take ownership of the system. Mark Devoe stated that as long as the underground systems are sound, then he believes we should accept and take ownership of the systems so we can move forward.

Mark moved that the Board should formally accept the sewer infrastructure in Cottonwoods Phases I, II & III. The motion was seconded Mary. Motion passed.

Item #3: Discussion: Completion of the Trunk Line

Discussion centered on the possibility of Gardner Development building their own MBR wastewater treatment facility for the Cottonwoods and recover treated wastewater for reuse in a secondary water system. Once completed, this system would be turned over to the District for management and operations. Most of the board members believe that this would be too difficult to accomplish due to objections from the residents and the difficulties involved with permitting and operations after construction. Completion of the trunk line through the Johnson development is still the best option.

Item #4: Discussion / Decision: Acceptance of Rollins Ranch Phases 1, 2 & 3

There were a few questions on the conditions of the lines and manholes in Rollins Ranch. Dennis confirmed that this development had also been cleaned and videoed with no major conditions being discovered.

Mary motioned to accept ownership of Rollins Ranch Phases 1, 2 & 3. The motion was seconded by Tina. Motion passed.

Item #5: Discussion / Decision: Whisper Ridge remittances

Mr. Tolman, the original developer for Whisper Ridge, has sent in a formal request for the impact fees from that development to be turned over to assignees of his choosing. The Board is concerned that there might be a new owner of the development who can claim rights to the same impact fees, exposing the District to potential liability. Discussion focused on the importance of having a written decision from both Mr. Tolman and the current owner of Whisper Ridge to verify there is a consensus on who is to receive the impact fees. Dennis let everyone know that the attorney for Mr. Tolman had contacted him and will follow Dennis' advice to attend the March 7 meeting.

Mark motioned to postpone the decision on this item until Mr. Tolman and his attorney have presented their case at the next meeting. The motion was seconded by Mary. Motion passed.

Item #6: Discussion: Status of Benefits

Tina read the agenda and then clarified that this item is for discussion and update only. The six month probationary period for the Manager's position will end April 30, 2013 and the benefits for that position should be effective by May 1. Robert noted that PEHP is the only health insurance provider that will accept of group of one person. All other providers require at least two to four eligible employees as an acceptable group. One suggestion was for the board to pay the manager a set amount in addition to the set salary and then the manager can locate his/her own insurance separate from the District. The Board wants more time to discuss any options.

Item #7: Discussion / Decision: MGSID Personnel Policy 130221 Revision

There was active discussion regarding several of the changes that were being recommended, so the Board went through each one on an item by item basis. The following corrections were recommended:

19. EMERGENCY RESPONSE: Completely remove - redundant to #27 EMERGENCY RESPONSE PAY

25. OVERTIME PAY: Remove - "is required to work" and replaced with "has worked". Add "Overtime pay may not be used in conjunction with vacation pay or stacked with holiday pay or emergency response pay."

26. HOLIDAY PAY: Remove the following - "Listed Holidays are: New Year's Day, Easter, Memorial Day, July 4th, Pioneer Day, Labor Day, Thanksgiving and Christmas." Add the following - " Observed

holidays are Utah State recognized holidays 63G-1-301: New Year's Day, Martin Luther King, Jr. Day, President's (Washington & Lincoln) Day, Memorial Day, Independence Day, Pioneer Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Christmas Day."

28. SICK LEAVE: Completely remove.

31. HEALTHCARE INSURANCE: Remove - "through the Public Employees Health Plan (PEHP). PEHP currently requires that 80% of all eligible employees of each entity participate in the plan."

32. RETIREMENT PLAN Remove - "through the Utah Retirement System (URS)", "according to URS requirements. The 'Defined Contribution shall be twenty-five percent of the amount the full-time employee contributes, with the maximum District contribution being \$5,000 per year. The District contribution shall be made yearly at the end of the year (on or before December 31".

33. PAID TIME OFF/VACATION TIME: #a - Change "Years 1-2"; #b - changed "Years 3-4"; #c - Change "Years 5-9"; #d - Change "Years 15+"; #f - removed "Employees who give two weeks notice of employment termination must work the two weeks without using PTO".

Zane motioned that Personnel Policy 120221 Revision be approved after a corrected copy is emailed to all Board members for review. The Board members will email their final approval immediately after reviewing the corrections. Tina seconded the motion and recommended that the attachment be sent as a .pdf. Motion passed.

Item #8: Discussion / Decision: 130221 A Resolution requesting admission to the Public Employees Retirement System

This resolution was required by URS to authorize the Manager for MGSID to administer the program. Mary made a motion to pass the Resolution. The motion was seconded by Mark. Motion passed.

Item #9: Discussion / Decision: Re-evaluation of impact fees

Dennis and Robert recommended that the Board continue the temporary hold on Impact Fees at \$3,456 while a Preliminary Engineering Report can be compiled by Aqua Engineering. Aqua sent a letter recommending the PER to update information and appropriate options, along with a quote of \$9,000 for the PER. There was strong opposition to continue charging the \$3,456 Impact Fee but unanimous agreement to begin charging the \$5,700 Impact Fee that had been approved in 2008 to all new developments that are presented for approval. There is no need for a motion to support the \$5,700 impact fee as it was previously approved and should be enforced. The Board did agree that the new PER is essential and approved the \$9,000 budget to get the report started, especially because there is a five year time limit on existing studies.

Mark moved to approve that a new Preliminary Engineering Report be created by Aqua Engineering for the quoted \$9,000. The motion was seconded by Mary. Motion passed.

Item #10: Discussion / Decision: Monthly billing of residence at 5605 Garnet Drive.

The new owner of 5605 Garnet Drive, Jason Marshall, had requested that his monthly sewer service fee be waived because he had proof of a septic tank. The Board stated that there is a policy in place requiring all residents in the District that are within 300 feet of a sewer line to be connected and paying sewer fees. This problem has come up before and

no exceptions have been made, so the Manager should send a letter to Mr. Marshall along with a copy of the policy to inform him that he is required to pay the monthly fees.

Mary made a motion to continue charging sewer fees to 5605 Garnet per District policy. The motion was seconded by Zane. Motion passed.

Item #11 & #12: District Operations and Financials

There were a couple of small challenges with equipment and readings during January due to the extreme cold, but everything has been corrected and operations are normal. The Board reviewed the District financials and other pertinent data, which show that the District remains in sound order as growth continues at a substantial rate.

Item #13: Discussion / Decision: Review and approval of January 17, 2013 Minutes.

After the Board reviewed the Minutes, Tina made a motion to accept the January 17, 2013 minutes as written. The motion was seconded by Mark. Minutes approved. The next Board meeting is scheduled for March 7, 2012 @ 7:00 PM

Meeting adjourned: 10:40 P.M.

Signed: _____