

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT
5455 West Old Highway Road, Mountain Green, Utah
Minutes of the Board of Trustees Meeting
Wednesday, September 2, 2015, 7:00 p.m.

Board Members Present: Mark Devoe, Tina Kelley, Shane Rice, Wendy Eliason, Lynn Peterson and Zane Gray

Guests Present: William Aller **Employees Present:** Robert Volk, Janet Boudrero and Dennis Baldwin

Invocation: Zane Gray

Chair: Mark Devoe welcomed those present and conducted this Board Meeting.

Item # 1. Discussion/ Decision: Issue on the Trunk Line Road completion.

The trunk line project is almost complete but there remains an issue with the last 300 yards of road edging. Both Duane and Wayne Johnson were expected to be in attendance at this meeting but did not show up.

Robert prepared a power point presentation to allow the board to see pictures of the completed sections of the trunk line and to be more aware of the actual situation. He discussed the concerns Johnson's have had with the manholes being above grade, the expected separation or segregation between the topsoil and the soil with rocks in it. Duane does not want any rocks larger than one inch which might cause damage to his farm equipment.

Robert discussed the signed agreement between the MGSID and Duane Johnson from 2008. Per the agreement, the Johnson's have requested that the District restore the area adjacent to the road to as good as or better than condition. They requested the use of more topsoil to feather out the edges along the sides of the road in order to finish off the project.

Mark then read the following email that he received from Blair Larsen, giving his approval and being in favor of a motion that gives Robert the option to pay for a contractor to mobilize and secure the topsoil to provide completion of this project:

To: Mark DeVoe, Chairman,

I am on the road and will not be in town for the meeting Wednesday evening. I am responding to item number one on the agenda. I have carbon copied my fellow board members and staff so you are aware of my opinion.

I took a tour of the sewer installation project on the Johnson property with Robert not too long ago. I must say that I was very impressed.

It is my recollection, when the easement agreement was signed, there was not as much specific attention paid to the topography of the ground where the line turns east. Robert and the contractors have done very well to raise the right away road at that point so it would facilitate the ability for service equipment to negotiate the turn with ease.

This left a steep drop off as the road transitions to field. A substantial amount of topsoil is required for a smoother transition from the road back onto the pasture.

As I recall the wording in the easement agreement states something to the effect that we would return the property to a condition that was equal to or better than it was before construction began.

I am in favor of a motion that gives Robert the leeway to pay to have contractor mobilize and secure the topsoil to provide completion to this project. I also would suggest that the Johnsons be involved in determining any items that are not the at this time acceptable. If there are other items that and those items be included in this final contracting process.

The exception to this punch list, if you will, will be the concrete that is along the creek that has yet to be determined if the Corps of Engineers will allow placement along the creek bed. If not Skyler Gardner will haul off the debris.

When the punch list items with the one exception, that being the concrete debris, are completed then the Johnsons will agree to sign a release that states the district has done what was agreed as to the restoration and reclamation of their property.

In my conversations with Robert there is money ear marked for this project as it has come in under budget. That fact may make this suggestion of mine more palatable for many of the board members. However if the project was over budget it is my feeling that the district gets to finish the project as stated in the easement agreement and be our word.

I send this with the intent to be available on the cell phone if my phone availability would ensure a quorum is available or you would like my input. However sometimes I am NOT in a place where I can be reached with a cell phone. Therefore I have written this comment and would ask that it be read as the first comment after Robert makes the presentation. It may serve well to read it before the Johnsons are asked to speak as it may address their main concerns and lead to a shorter discussion.

I also request this be read into the minutes and included in the minutes of this meeting. Thank you for all you do. Blair

Lynn stated that when he went with Robert to look at this road he noticed that the area looked extremely wet as there was standing water everywhere and it appeared to be swampy.

Zane then made a motion that we get a commitment from Duane Johnson and Wayne Johnson indicating who is going to sign off and do what it takes to finish the remaining 300 yards of trunk line including a punch list which would clearly state others items included in the final contracting process.

Board members then discussed the motion. Robert asked if he could have at least one board member present when he meets with the Johnsons so the Board members can get a point of view that is separate from the manager's. Robert also said that when he does get a commitment for what needs to be done, he will send out requests for project estimates to several contractors.

Dennis suggested recording the conversation. Tina remarked that she wants what is fair but is not interested in improving Duane's property. Lynn made the additional recommendation that we have Duane and Wayne sign off of each leg or section of the trunk line.

After the additional discussion, Wendy seconded the motion. All voted in the affirmative. Motion passed.

Item # 2. Discussion: Board Member Training Wednesday, September 16, 2015 at 7:00 p.m.

Robert reminded board members of the importance of being to this training which will fulfill the District's requirement for both the annual Open and Public Meeting training and the Local Service Special Service District New Member Training.

He further stated how important that all board members attend this class or provide written proof prior to the class date that they have fulfilled both of these conditions. He said that if even one member goes unqualified, it will result in a negative mark in our 2015 audit.

Tina said that she will not be able to be in attendance but will provide the District with proof of her fulfilling her training.

Item # 3. Discussion/Decision: Review of Manager's Salary and Wage Cost of Living Adjustments (COLA) for all employees of MGSID.

Robert gave a brief presentation with relevant information regarding the District's budget and expenses to assist the Board in their discussions. He then recused himself from the meeting to allow the board members to hold an open dialogue.

Before continuing the discussion on this item, the Board members finished up the remaining agenda items listed below.

Item # 4. Discussion: District Statistics as of August 31, 2015

Item # 5. Discussion/Decision: Review and approval of July 15, 2015 and August 5, 2015 Minutes

After board review of the minutes from July 15, 2015 and August 5, 2015, Shane made a motion to approve the minutes with the noted corrections. Lynn seconded the motion. All voted in the affirmative. Motion passed.

Item # 6. Discussion: The next regularly scheduled Board Meeting will be on the first Wednesday, October 7, 2015 at 7:00 p.m.

Board Member Training on Wednesday, September 16, 2015 at 7:00 p.m.

At this point the tape recorder was turned off and then Tina made a motion to go into Executive Session for the purpose of discussing personnel wages.

Meeting adjourned: 10: 15 p.m.

Signed: _____