

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT
5455 West Old Highway Road, Mountain Green, Utah 84050
Minutes of the monthly Board of Trustees Meeting
Wednesday, October 7, 2015, 7:00 p.m.

Board Members Present: Mark Devoe, Tina Kelley, Shane Rice, Lynn Peterson and Zane Gray.
Excused: Wendy Eliason and Blair Larsen **Guests Present:** Mike Johansen, Rulon Gardner and Mike Osborn from Rural Water Association.
Employees Present: Robert Volk and Janet Boudrero

Invocation: Zane Gray

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

Item # 1. Discussion: Cottonwoods Water Source Protection

Chairman Mark Devoe turned the time over to Mike Johansen from Cottonwoods Water Co. who then addressed the board regarding the implementation of a source protection for the wells that they currently have which provides the primary source of their water. He stated their concerns with the current high levels of nitrates in their water. They originally believed this was due to former farming practices but after several years of almost no farming or grazing the nitrate level is still a huge concern, especially for those residents in the at risk category such as nursing mothers, babies and the elderly. They have now concluded that a portion of the contamination is coming from the resident's septic tanks in the Rose Hill Subdivision as they are essentially sitting on top of their own water supply.

Mike said their main interest is in protecting their resources. He then discussed a few options which could possibly make it a viable combined project along with the Mountain Green Sewer to entice those residents to want to be connected to the sewer such as providing them with secondary water lines, sewer lines and high speed fiber. Cottonwood Water is currently working with Morgan County to establish a Source Protection Ordinance which could place some restrictions to residents and business in the area to protect the well water. Mike also talked about their four wells and the different zones surrounding them.

Rulon Gardner then addressed the board and admitted they are trying to manage their well source protection. Rulon said they understand that the Rose Hill subdivision, where one well is located, is not part of the Sewer District. Cottonwood Water Company would like to see the MGSID become involved in bringing those residents on board with this plan and making them part of the Sewer District. He then stated that there are funds and loans available from the State and the Rural Water Association that could be amortized over twenty years so the residents of Rose Hill could join the District, connect to the sewer and move into the twenty-first century on an affordable payment plan. He said the time is now to be proactive. He also talked about the older CC&R agreement that the residents of Rose Hill were aware of and how they should be required to hook up if their property is within 300' of a sewer main.

Tina Kelley remarked that we have not compelled those residents to connect because of the lawsuit filed against the District by the Wilkinson's years ago and that the District has not chosen to require them to do so.

Further discussion was held regarding the annexation process and possible funding options. Tina remarked that we would not qualify for a CDBG loan because of the high median income here. She further explained how the District, at the time the Gardner's had the sewer line installed down Lilac Lane to pick up Cottonwood Phase I, had addressed this very issue and invited those residents to participate. A small number of families that lived on Lilac Lane came to a couple of board meetings and expressed desire to make connection to the sewer, but none of those residents took advantage of that opportunity. We have since had six residents connect due to septic-tank failure of which only two live on Lilac Lane.

Tina stated that another of her concerns is that she does not want the District Board to impose the long arm of government over a body of people. However, if Cottonwood Water Company could make it happen in a manner that the District does not have to spend any money then she would possibly look at the option.

Rulon is hoping to form a committee to brainstorm the situation and he would like to have Robert or another representative from the District attend those meetings. He was told that it is the Board that ultimately makes those decisions and not the Manager.

Zane Gray stated that the M.G.S.I.D. board does not want to be the heavy in demanding that those residents in Rose Hill connect to the sewer.

Lynn Peterson added that typically any resident whose property is within 300' of a sewer line should be required by our bylaws to make connection to the sewer. Board members discussed what a challenge that is when working with a very conservative health board which will not help enforce it.

Mike Osborn from Rural Water then addressed the Board stating his support of the Well Source Protection Plan indicating that he has been working within the state's twenty nine counties of which fourteen have already adopted a Well Source Protection Ordinance.

Several board members commented on the lengthy process of the annexation process which is required of any resident who does not reside within the boundaries of the District but plans to make connection to the sewer.

Mark Devoe then asked Mr. Gardner if this proposal is a package deal, whereby if approved, the residents would then possibly receive upgraded water lines and secondary water, connection to the sewer with the possibility of high speed fiber. Rulon replied, yes. Mark then added that in order to discuss this item in depth, it will be necessary to put it on the agenda for one of our upcoming meetings for further discussion.

Item # 2. Discussion: Durbano new main, manhole & lateral installation

Robert updated the board on the current situation with Doug Durbano. Around 2008, Doug initially installed an 8" line north of Ranch Blvd. without inspection or approval. Mr. Durbano was informed that without the opportunity to thoroughly inspect those lines, the District would never approve or accept them into the District. Doug then dug up his old lines and installed 140 feet of a new 8" main, a manhole along with an additional 1,000' of a 6" lateral to connect his new home to the sewer system. Robert was allowed to inspect most of the line installation and said, for the most part, it was now done properly and recorded. Robert added that Doug has paid his impact and inspection fees for this lot.

However, the 6" lateral which is 1000' long was installed at the absolute minimum slope of .5% with about 250' of it at less than the required 4' depth. This means it could possibly form a 'belly' or freeze solid in the winter. When this problem was pointed out, Doug's excavator said that he was told by another excavator that he could just write a note to the Sewer District and get a pass on the depth requirement. Robert noted that this was a poorly written loophole in the District Ordinance. Tina suggested that if there is a loophole regarding the depth requirement then it should be put on a future agenda to have it removed.

Robert plans to ask Jon Call to write a letter to Mr. Durbano regarding these items, and acknowledge that he is fully aware of the situation and will accept full responsibility for his line.

Item # 3. Discussion/Decision: Issue on the Trunk Line Road completion.

Board members discussed this item at some length. Robert and Zane both met with Duane and Wayne Johnson on September 8, 2015, to discuss their concerns with the completion of the trunk line service road.

The Johnsons signed off on four parts of the road (part A,B,C and D) on the west and north/south sections. However, the Johnson's did ask for the shouldering with top soil to be completed along the entire east/west section of the road from Cottonwood Creek to the east fence. This job will require approximately 350 to 450 tons of screened top soil.

Robert reviewed the quoted bids from those companies who responded to the bid request. Gardner Development will sell the District local topsoil at \$12 per ton picked up from Cottonwood Canyon. Four contractors were contacted and asked to bid on the job of moving, spreading and then compacting, the top soil along the side of the road. Two contractors responded with their bids for review.

After board discussion of these bids Zane made a motion that we go with Brandon Simonsen Excavating and purchase the dirt from Gardner Development with the clause that Duane and Wayne, because of the wording in the original contract, sign off on where the dirt is coming from. Shane seconded the motion for further discussion and with the caveat that we do not

allow Duane and Wayne to dictate or state where the dirt should come from but to have them go look at the soil and approve it. Shane and Lynn voted in the affirmative. Tina abstained. (She knows Brandon) Motion passed.

Revisiting the motion for clarification, Zane moved to rephrase where the original contract stated that the dirt brought in could not have rocks larger than one inch or three quarters of an inch in diameter that we have Robert take Duane and Wayne to get verbal approval of the source of the soil brought in and with the price not to exceed \$16,000 for the total project. First choice for the soil is Gardner Development with second choice South Ogden Quarry. Robert will note that approval and move forward. Shane seconded the Motion. Mark called for a revote on the amended motion. Lynn and Zane voted in the affirmative. Tina abstained. (She knows Brandon) Motion carried.

Item # 4. Discussion/Decision: Annual Christmas Dinner

Janet asked the Board if they would like to consider some other places to go for the annual Christmas Dinner as she feels like she has made that decision for too many years. Such as Corbin's, or Harley's & Buck's. Mark suggested that since this is his last year that we go to Park City to Stein Erickson's or Ruth's Chris famous steak house. Great idea!

Tina made a motion to stay with tradition with first choice Maddox in Brigham City with second choice being the Timbermine Restaurant in Ogden. Lynn seconded the motion. Motion carried. Janet will make reservations and report back.

Item # 5. Discussion/Decision: Variable Frequency Drive on Blower #3

Robert apprised the Board members of the situation with Blower # 3 and how it has been slowing down and shutting down and restarting intermittently with increasing frequency. On September 12, 2015 at 3:30 a.m. it shut down the blower system completely and required a manual reset and reboot.

On September 17, 2015 one of the engineers from SKM came out to troubleshoot the problems and determined that the VFD is obsolete and is no longer even manufactured or supported with parts.

Board members reviewed the different quotes received from Electro Power Utah LLC. (SKM), and APE Advanced Pump Equipment, for price differences and whether the District should consider a new company or staying with SKM whom we have worked with previously. Lynn made a motion that we accept the quote from Electro Power Utah LLC, for the Blower Motor VFD Retrofit Project, with the new Mitsubishi FR-F740-00770-NA 77Amp Variable Frequency Drive with keypad, mounting Adapter Plate and additional items in quotation. Shane seconded the motion. Motion passed.

Item # 6. Discussion/Decision: HR Services Salary Survey

HR Services has provided the District with two quotes for salary surveys. One quote is to calculate an estimate for the Manager's salary, and the second quote is to calculate the estimate for the Manager's salary plus the pay rates for the secretary and operator's positions.

Tina stated that pursuant to what was previously discussed in Executive Session she first contacted HR Services to explain what the District wanted in this salary survey. She said there are very few companies which provide this particular service. Robert had also contacted them where he was told that Tina had already contacted them resulting with him going with a secondary company.

After board discussion regarding the options provided for each survey Shane made a motion that we move forward with the second quote for the three position survey with HR Services to provide salary estimates for these positions. Zane seconded the motion. Motion carried.

Item # 7. Discussion/Decision: HR Services Employee Handbook and Policies

Both quotes from HR Services include a \$600 fee for a designed employee handbook and also including another charge of \$75 for client access to the TechNet Survey System for one year.

Board members further discussed this item. Tina stated that Mark will be the contact person for this transaction. Tina then made a motion that we hire HR Services with this contract to update our handbook with the terms set forth in the contract for the \$600 and the \$75. Lynn seconded the motion. All voted in the affirmative. Motion passed.

Item # 8. Discussion: District Statistics as of September 30, 2015

Board members reviewed the updated District statistics regarding income and expenses.

Item # 9. Discussion/Decision: Review and approval of September 2, 2015 and September 16, 2015 Board Minutes.

After board review of the minutes from September 2, 2015 and September 16, 2015, Tina made a motion to approve both minutes with corrections. Zane seconded the motion. Motion passed.

Item # 10. Discussion: The next regularly scheduled Board Meeting will be on the first Wednesday, November 4, 2015 at 7:00 P.M.

Adjourn: 9:55 p.m. Shane made a motion to adjourn. Zane seconded the motion. All voted in the affirmative. Motion passed.

9:55 P.M.

Signed _____