

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT
5455 West Old Highway Road, Mountain Green, Utah 84050
Minutes of the Board of Trustees Meeting
Wednesday, January 3, 2018
6:00 P.M. to 7:00 P.M

Board Members Present: Zane Gray, Lannie Jolley, Wendy Eliason, Gary Ross and Larry Nance.
Employees Present: Robert Volk and Janet Boudrero **Trustees to be reappointed:** Lynn Peterson and Blair Larsen
Guests Present: Tina Kelley

Invocation: Lannie Jolley

Zane welcomed those in attendance and stated he hopes we all have had a good year and acknowledged Tina Kelley who was in attendance and asked her if he needed to leave some time at the end for public comment. There was no audible response, by her and then he says Very good, excellent.

Zane than says he is excited as they the board have accomplished everything that they set out to. Everyone got their online training for open meetings, also the conflict of interest statements from everyone. Blair gave a notarized copy of his to Zane early last month. Robert then comments that we need a copy of it in the file and Janet indicated that she has the original of it on the office desk. Zane says to not feel bad if you are asked to sign another copy today or the next meeting for 2017 (2018). Zane then asks Lanny to give the invocation.

At this point Zane opens the meeting up for public input and asks Tina if she would like to approach the table. Tina declined and stated she would speak from her location.

(NOTE: The minutes from the public comment period are transcribed as close as possible to a direct transcription for accuracy in the representation of points of view that were presented)

Tina: Sorry I haven't really taken an active interest since last year. I have talked to some Board Members and I have a question. I see Gary regularly at the planning office, but when you advertised that there were some vacancies and that there would be an election, I was paying attention then and I encouraged some people to fill out their paperwork. And, I don't know what happened but I didn't want to pursue it because I just didn't have the energy at the time to pursue why there wasn't an election and what you're doing, and I understand from the agenda now that you're doing appointments now. And, you all know me and you know the trust that I have in you and the trust that the community has in you. I'm really concerned about the departure from doing an election when there are three terms up and doing appointments. I know that it says upon the agenda that you were unopposed but I still think it does justice to the system to follow the rules that are in place, and to follow the procedures that are in place and have an election. I'm really concerned that you didn't go that direction that I don't know what the reasons were for it. I know you are doing the appointments

tonight. I hope that in the future going forward you will follow through with the trust that the public has in you to follow the state statutes and regulations regarding Special Districts and regarding the boards that are put in trust of a lot of money and infrastructure and rules that we have to follow ourselves in the District. And I don't mean this to sound as election law as it is coming off as, but I have been thinking about this and I seriously was going to question it at the time but I just had so many things on my plate that I didn't have the energy to follow through with it. But I just want you to be mindful of that. This is a public trust that you are all entrusted with as Board Members. I think you should take that seriously and I think that when you are going over rules and regulations that something you should be mindful of, is the public. You are all running unopposed but perhaps somebody may have wanted to cast a ballot for somebody else, do a write in, something. They may have wanted to express themselves and they were not given that opportunity at all. And I understand that it costs money to have an election. I do. The city had to have their election and I understand that it costs to contract with the county for the elections process, the clerk, the advertisement, all of that. But that's the cost of being a public entity, I think. I think that if that with the fees that we pay and the taxes that we pay that that's a cost that could have been born by the District. Sorry, that's my thought process.

Zane: That's a perfect subject for us and obviously an educational issue, too. When we talk about one of the reasons we tried to, the reason we went the route we did was thinking that it would cost us more than we wanted to spend and what are the regulations or rules for having elections? Do the ballots have to be printed or can we have something on the computer that if only one person shows up we print one ballot and bingo. We don't have to have a hundred ballots printed professionally. We just prepare ourselves in house to handle the election here in this building. Is that an option?

Tina: That is something you would have to research because I am not sure for Special Districts or any other entity. I just know for county, that is my only experience. They run it through, they have a mail in ballot they can do and they have the electronic devices in place so you can go in on the day that elections are being held and cast a vote for who you want. That is something that you as a District would have to pursue the rules and regulations.

Zane: I am getting the impression that when an election, when there is a county election during the same time we are trying to elect board members we can ride on their ballot?

Tina: I don't know. This is all in your purview, but our elections for this District were always in conjunction with the city elections. They were offset from the county elections. They ran in conjunction with the city elections. This was the same for the fire district. If they had determined that they needed to have an election, they ran it the same as the city did.

Zane: There is no reason for us to have our Mountain Green Residents run into Morgan City to cast a ballot for this District. It should be here in this office.

Tina: That would be something that you would have to set up. I think they did it before we had the write in ballot, or not the write in ballot, I mean the mail in ballot. They had a voting station here for that purpose. We went to the fire station or the school district at one point in time, to vote. Now the mail in or write in ballot was passed at the county so they... but you would have to set up your own and you would have to work with the Utah Special Districts and you would have to follow the rules and state regulations to set up your own system according to how you want to do it.

Lynn: I have a question. What is this thing that we had to go and fill out at the county recorder's office, this Declaration of Candidacy in 2017? I mean, in order to run in the election for another term. So what was that?

Tina: That is a state regulation that you state that your intention is to run for office, which is what I thought you were all doing.

Lynn: Yeah, but we all filled that Declaration of Candidacy. Can't we advertise that we had?

Robert: We advertised that you had to file a Declaration of Candidacy in case other candidates did come forward and you were going to have an election. If you had not done that and somebody else came forward, then you would not be eligible for election to that position.

Lynn: So nobody came forward see, so....

Tina: Not that I know of, and I talked to several people who were going to. But I really do not know what happened.

Lynn: Where did we advertise at?

Robert: We advertised in the local paper, the Utah Public Notice Website, and it had to be on our website.

Lynn: And how long does that run for?

Robert: We had to run it... I think the regulations were for at least two weeks in advance. There is a set window that it has to be in. So we did run it in that set window. And, the one person that we did have was Mr. Nance. He was then appointed to the board to fill a vacancy. And at that point, that is when the board decided there was no reason to hold the expense of the election.

Blair: Did the Board decide that?

Robert: Yes.

Janet: For as long as I have been here we have never had really too many people file, so it has always been difficult to get people. And as far as I know, we have followed the state requirements. And, I know the process changed a little bit this year because the county no longer wanted to assist us in having an election. But we went through the state and contacted the state attorney general, wasn't it?

Robert: We contacted the Lt. Governor's office regarding the election and also our attorney. One of the questions I have to ask is, and this would be way before I was hired, when was the last election that you held? If I am not mistaken, even Ms. Kelly was re-appointed.

Tina: I was up for election and you did re-appoint me.

Janet: I think it was 2008 possibly, the last election, but I can't say for certain.

Tina: And I am not arguing that you do not have that authority to do that, I am saying morally, I think, you have an obligation to the public, and for the position of trust that you are doing. I think that what with three open positions it should have been followed through with the election. I didn't have the energy and I am just here today because I saw this was on the agenda and I wanted to pursue that and have the thought in the back of your mind as more vacancies come open.

Zane: With the thought of an election allowing a write in, and the number of people living in our District now, I think an election is the appropriate route no matter what the outcome we need to accomplish.

Robert: Just a note on the write in and Tina you can correct me if it is not right. The Lt. Governor office, if I recall, said the process with a Write-In has to contact the Lt. Governor's Office and then fill out a form with them to be able to do a write in.

Tina: Within a certain amount of time.

Robert: Yes. So it's not as if they can just walk in write their name.

Tina: I can write any name on the ballot that I want as an elector. I can just write Mickey Mouse if I want.

Robert: Again, all staff did was to do the research but the Board made the decision.

Blair: I don't remember the Board making the decision. I'd like to see that. Sometime, not tonight. I'd like to see the resolution.

Robert: There was no resolution, there was just conversation.

Tina: Was it... I don't mean to interrupt. Was it an agenda item? I signed up for the state thing but I don't get it and Robert stopped sending me the notices so if I know anything about the agenda it is because I asked a Board Member or I will look it up on the state website.

Robert: Well it is always published.

Tina: I know it is posted but I told you when I left that it was not mailing them. And I've mentioned it to the chairman. I mentioned it to Mark at the time, and I've mentioned it to Zane. He actually got his. He signed up for it and he got his notice immediately. We sat together and we filled out the form. I'm not getting them and there has to be some way for me so I talk to a Board Member and get a, that's why I am not always aware of what is on the agenda because it's not being mailed out by the state.

Robert: Tina, as far as the notice goes, I have no problem including you in that. Nobody has said anything to me about that. I have no control over what the Utah Public Notice Website does. All I know is that we have to have everything posted, and I do post it every month.

Larry: Could I ask a question? Does the county, anyone of the county council or the planning commission, do they send out notices to every citizen that wants a notice?

Tina: They do it the same way that you do through the state board and I receive those. I don't know why I don't receive them from the state. Zane watched me fill out the form. I filled it out again tonight sitting in my car. Still I think you have an... and I think you probably do. I didn't see it on the door tonight. I think you post it on the door the day of the meeting. There is an obligation to post it somewhere outside where you are having the meeting showing what I can reasonably expect to be discussed at that meeting.

Robert: The public hearing?

Tina: No. Your agenda. It's supposed to be posted onsite and on the state website. Or maybe it's either or, but....

Robert: Well, it is on the state website. We can post it on the door if anybody wants. I was not aware that that was a requirement. But it is always on the Utah Public Website. You can go in there right now and look at it. It is there for anybody to view. It is always there at least twenty four hours in advance. I used to do it at least forty eight hours in advance to give everybody additional time. But this was a weird situation in that Monday was a holiday and yesterday was our first day back in the office and we were trying to catch up after we opened up. So, if it is okay with the Board, it sounds like Tina wants to be added to the Board list for mailing, I would be happy to do that.

Zane: Yeah, that would be absolutely valuable.

Tina: And then if you had it so it wasn't an agenda item to discuss whether or not to have an election, if you just talked about it, do you happen to know when that was?

Janet: It seemed like probably March, April.... Because we were having several discussions with Les Stone the Fire Chief because we were deciding, we had agreed we would have the election here. It would be combined with them, or we offered it. But nothing ever came of it because no one ever filed.

Blair: I think that ought to be an agenda item and the Board decide it and have a vote on it. Not just casually dismiss an election because you had a casual conversation about it.

Zane: Well the window for signing up for the election, was that in June? So we had our people all registered....

Larry: No. It was before that.

Janet: Yeah, it starts early in the year.

Robert: There is a real set, short window.

Larry: I saw the public notice on it. Nobody told me there was going to be an opening. I filed for my candidacy like anybody would have an opportunity to do so if they wanted to do it.

Zane: I am trying to pinpoint in what, if we might have something in the minutes trying to decide what we....

Gary: The public website only goes back to August.

Larry: I would say it was probably back in April. We don't have any trouble with the public website.

Lynn: Did you advertise it in the paper in Morgan?

Robert: Yes, we ran the ads....

Tina: It was in the paper because at that time because that is how I knew to tell people that it was there. So that was. I did not see anything about there not being an election afterwards, is what I am saying. I expected that there was something when the time period lapsed and one person was too late to file. I talked to Gary and asked is there going to be an election? And I thought we had to have an election, it was advertised for an election. I remember talking to Gary about it. I didn't call. I didn't pursue it. I didn't have the energy to pursue it. I am just here today to say that going forward, can we please follow that procedure and the community is large enough that, as I think that they become more aware, and they are becoming more aware of things through the planning process. That there will be an expectation that they can

participate. I've known for years, I've always been norman public. I'm sorry to miss the budget meeting we had. That doesn't mean that will be the case or that you should have that expectation that the public doesn't care.

Lynn: Think we should add some signs out here saying that we've got vacancies? Because you can put all the advertisements you want in the paper, several papers if you want. And you can advertise that we have these positions coming up to be open. But nobody, even if they read them... and then they don't do anything about it. So I am going to ask you this, so there are three vacancies and nobody put in for it even if it was in the paper and they did in fact read it. And they didn't have the interest I would think, since we don't have anybody saying, yeah, I want to be part of that, I don't see why we would want to forgo the expense of an election. That is more of a waste of people's money in the community.

Tina: I think I have a reasonable expectation as a member of the public that you are an elected Board, that there is an election, that each member is elected and that they are chosen by the community to represent them. It's a reasonable expectation. I don't think it is unreasonable, especially when the community is growing. There is going to be more interest and more people. You have got some big decisions to make and it's not that I don't respect the Board Members who are here and those who have signed up, I know how hard it is to be here every time. You know that I know that. I just think going forward, would expect that this will be a more public process.

Larry: Would you be agreeable to a rate increase on your bill to fund an election?

Tina: I am already paying a rate increase.

Larry: Would you be agreeable to a rate increase?

Tina: Yes, I would. But I do not believe it would be necessary. You would have to show me a study that shows that that rate increase is necessary to fund that election.

Robert: You know, as a recommendation, the topic of Bylaws keep coming up time and time again. I made the recommendation that when you do create Bylaws you can put exactly what you should do for your election procedures and your appointment procedures. One of the difficulties I have seen here is that there is nothing written down about any of this. So everybody gets into this second guessing and pointing fingers afterwards. You really should put clearly into the Bylaws exactly how you want the elections to go. And in that you could put, regardless of how many candidates show up, that you are going to hold the election. Where to hold the election. Who do you contact and exactly what the notices should be. Everything that you need should go into there so that four years from now, when it comes up again, whoever happens to be here can pull that out and use it as a reference. And then there won't be any questioning on it.

Blair: There's state statutes that run elections.

Robert: We did. We did follow every state statute we found.

Blair: So according to the state statute, nobody can hold an office if they run unopposed?

Robert: I didn't quite understand that?

Blair: We were running unopposed. So we just, as a District, decide that no one can run unopposed.

Robert: I am still not quite getting that?

Wendy: Do you mean as it was put into the verbage?

Blair: No. People are elected all the time unopposed when nobody runs against them. There's a ballot, people vote for them. That's this situation.

Lannie: Is there a reg somewhere that you can show us that states that?

Blair: Well I can't show you right now.

Lannie: Can you provide it?

Blair: Well, we can look, but I... it's just like all of a sudden we've got to overhaul the electoral system, when it's been in place. When I was on the Board there were two vacancies. Duane Johnson put in for one and I put in for the other one. We had an opportunity to use the county's voting booths and put them in the Highlands office and we had an election. We got 34 votes each. It has happened in the District and the people were running unopposed all the time. We didn't have the county council or the state saying they are running unopposed so let's not have an election and we'll just have the county council or the state representatives appoint them and vote on them. Effectively usurping the vote and the voice of the people. I was dumb founded that we did not have an election. The first time I heard it, I couldn't believe it.

Robert: When was the last election held here?

Blair: Well, apparently, before you!

Robert: And appointments were done without elections?

Blair: That's when people stepped aside.

Larry: Mr. Chair, I recommend we have our public comment on this and make an agenda item for next week and they can discuss it all they want and we postpone any further actions until we decide whether we want we want to do any further appointments like this.

Blair: Does that run well with you Tina, you are the public?

Tina: I didn't come here to discuss or stop you from doing appointments. You have to do what you have to do to run. I just wanted to move forward as I said before. If the elections are coming up you can put in into the budget for that year.

Zane: Do we know where to go to get this information?

Gary: I just texted it to you.

Lynn: Ron Lawson recommended me to be the chair and I never put in candidacy. Another point, Ron Lawson suggested for Dennis Baldwin to be chair. I think Ron Lawson would be the one to contact.

Blair: But you were a Board Member.

Zane: Ron Lawson started this and was here a long time.

Tina: I was initially appointed to serve out a term and then I ran for election. I would like it if it was more above board and there was an election process here to go forth with the procedure of an election.

Gary: There are separate procedures for the mid-term. So, these are different than mid-term appointments.

Lannie : For the sake of time like Larry suggested to put on next month's agenda so we have more time to discuss it and more interest and concern on the subject.

Zane: At the end of this meeting there will only be three of us that are legitimate voters unless we vote new members.

Tina: If you don't them tonight

Gary said that we have two weeks to do more research.

Larry made a motion that we move this discussion to next month's agenda.

Item # 1. Discussion: Swearing in of new Chair & Vice-Chair

The Board voted at the December 2017 meeting to approve Zane Gray as the Chair and Larry Nance as the Vice-Chair for the year 2018.

Lannie Jolley then had Zane Gray raise his arm to the square and repeat the District Oath of Office as Zane Gray was sworn in as the MGSID Board Chair for 2018. Tina mentioned that you

usually have someone take an individual picture of the new appointee. Lannie then offered up his congratulations and shared that he had wanted to swear at these guys for a long time.

Lannie then had Larry Nance raise his arm to the square and repeat the District Oath of Office as he was sworn in as the MGSID Vice-Chairman for the year 2018 and again offered congratulations.

Item # 2. Discussion: Vacant Board Position

Lannie Jolley will be resigning his position on the Board of Trustees at the end of this meeting. He will be leaving to serve a LDS Mission in Southern Utah. All board members and employees extended their gratitude for his service and commitment to the District.

The staff will begin to advertise this board vacancy with instructions for any candidate to contact our office and then attend the February Board Meeting.

Lannie then addressed the Board Chair with the request that he delay his resignation until the end of February's board meeting.

Zane replied, duly noted for the minutes.

Item # 3. Discussion/Decision: Re-appointment of Wendy Eliason

The four year term for Wendy Eliason expired on December 31, 2017. Wendy did file a Declaration of Candidacy in 2017 in order to run in the election for another term starting January 1, 2018. Since no one else filed a declaration to run against her there would be no need to hold an election.

Does the Board choose to reappoint Wendy Eliason as a Trustee to serve a new four year term that will run from January 1, 2018 through December 31, 2021?

Zane then extended a personal thank you to Wendy for her service to the District. Larry then made a motion to reappoint Wendy Eliason considering she still wants to be reappointed. Zane seconded the motion. Gary then asked for a moment of discussion on this matter.

Gary then asked for a cursory look at the election law for special districts and stated, so Wendy she did file for candidacy in 2017 but if she was running unopposed, the website says the District should make public notice that we have cancelled the election. Zane asked if we did that. Robert remarked that this was the first he was aware of this. Janet remarked that we did notify the State Lieutenant Governor's Office and the Morgan County Clerk.

Gary added if the District has a public website that the local board can post on the website at least fifteen days before the scheduled election. He was wondering if we had notified them or posted this, as Wendy was running unopposed.

Robert said he would have to go back through all of our records and we did it in conjunction with the Mountain Green Fire Department who by the way, did not run an election either. But we did inform the Lt. Governor's office and the County. We did notify them or post notice of this on our website.

Gary said he did not want to drag this out and asked if he could briefly read information as he wants to be clear. He then read from the, "Utah Association of Special Districts under Elections Laws: Criteria for a local District or Special Service Districts to cancel an election." He continued to read that, "the Local District board may cancel an election as described in the section, if any local district officers are elected in an At-large Election." Gary then asked is this an "and" thing. Zane responded and said that no, that it is not an at large position but it is an appointed position. Gary then said his concern is that he just does not know. He also expressed concern with reappointing someone and knowingly knowing that we don't know.

Wendy added perhaps we should delay this. Tina added that we should follow up on the appointments or the County could follow through with the appointment.

Zane then said we have a motion and a second to reappoint Wendy as a Trustee to the MGSID. Zane, Lannie and Larry voted yes. Gary opposed. Three quarters of the existing board voted in favor with one opposed. Motion passed. Zane then asked if we then swear Wendy in.

Robert said he put the swearing in under Agenda Item #6. The board could swear everyone in at one time or the chair has the authority to change it. Gary suggested that he could make a motion to amend the agenda. Zane stated he did not want to change the agenda.

Larry made a motion that we reconsider this item that was just voted on. Zane responded no, it is water under the bridge.

Item # 4. Discussion/Decision: Re-appointment of Blair Larsen

The four year term for Trustee Blair Larsen expired on December 31, 2017. Blair filed a declaration of candidacy in 2017 in order to run in the election for another term starting in January 2018. As no one else filed a declaration to run against him there was not a need for an election.

Zane made a motion to reappoint Blair Larsen for a new term from January 1, 2018 through December 31, 2021. Gary seconded the motion for discussion. Larry said that for the record he has some questions on whether we should move forward. Gary stated concerns that we did not post on our website that our candidates were running unopposed.

Lynn commented that we have served the community well and we have never had anyone beating the doors down to run and we have been on this subject for an hour and we are not closer to a decision if you are going to postpone the election, fine but where are all these

people. Zane stated that we have not had enough public what is the point of delaying the process as we have not had adequate public interest.

Zane said on item we have a motion and a second and called for a vote. Gary, Larry and Lannie voted nay. No one left to sustain. Motion failed. Zane then said we won't be appointing Blair this evening, maybe later.

Blair said "Congratulations Robert, you got er' done," then left the building.

Robert then emphasized, again, the importance for the Board to establish their own set of Bylaws for complete and defined guidelines. He then complimented Gary and the fine example he sets at the County in running a board that has more structure and suggested for our Chairman to refer to, " Roberts Rules of Order" to become familiar in how to maintain structure and balance and added that again he is not part of the board and suggested moving on.

Gary also suggested formulating the Bylaws sooner rather than later.

Item # 5. Discussion/Decision: Re-appointment of Lynn Peterson

Lynn Peterson had been appointed to fill out the term for Mary Jewett. That term expired on December 31, 2017. Lynn filed a declaration of candidacy in 2j017 in order to run in the election for another term beginning January 1, 2018. As no one else filed to run against him there was no need to hold an election.

Board members discussed this at some length. Zane then questioned if we are going to have the same results in trying to reappoint Lynn Peterson to the board this evening? Gary then commented that yes, he would be opposed as he needs to be consistent. Zane and Gary both stated that they would like outside council before moving forward to make sure what we do is in order. Zane and Gary both agreed to wait until next month before moving forward and after getting more information.

Robert suggested the use of the District's attorney, John Call, for both the Chairman or the Vice to get further information pertaining to Special District election law and then bring it back to the board.

Lynn expressed his desire to make public comment that with all of our public meetings for rate increases and Budget Hearings etc. that no one ever came. Lynn also said that even though we didn't post notice that in the future we should follow all elections laws and rules that are out there. He further explained that he was first appointed to the board because Blair has informed him of a vacancy on the board and suggested him coming and sitting through a meeting.

Robert then asked if could read from the January 19, 2011 board minutes where Tina Kelly, Shane Rice and Mark Devoe, all whose terms had expired, were then all reappointed as no one

else filed. Robert said he questioned why this keeps coming up as this was the pattern for this board.

Tina then stated that she wants clarification for the minutes and agreed that this did happen in the past and that she never said that we were doing anything illegal but did say that moving forward with the size of the District we should consider following through with the election and she wants that clear and she didn't say we were doing anything illegal and also she did not disagree with our doing the reappointments.

Zane asked if it was appropriate to vote on the reappointments this evening? Gary said yes and it had been discussed.

Tina added that they had done their due diligence by signing their declaration of candidacy and, in effect, all we needed to do was to swear them in. She also suggested if there are still questions to contact the State Lt. Governor's Office or our attorney John Call for more information.

Gary said his decisions are very factual and analytical and we are elected and appointed by the public and we have a right to uphold whatever laws are out there. It is the right thing to do.

Zane then asked to postpone Item # 5, Item # 6 and Item # 7 until they get clarification on what we should be doing to elect and to reappoint board members, he is not interested in having Item # 7 stay on the agenda this evening.

Item # 6. Discussion: Swearing in of the re-appointed Trustees

After previous discussion under # Item 9, Gary had suggested that the board move back to Item # 6, for the Swearing in of Wendy, but he is still wanting to postpone the swearing in for the others, until further information is obtained.

Zane then proceeded to swear in Wendy Eliason as a trustee of the MGSID. Congratulations were then extended to Wendy.

Item# 7. Discussion: Best Practices Checklist-Third & Fourth Sections

The Chairman has requested that the Board review and comment on the Best Practices Checklist in order to determine what should apply to the MGSID. The entire checklist is attached to the end of the Agenda for reference.

Under Item # 5, Zane postponed this Item until our next board meeting in February.

Item # 8. Discussion/Decision: Will- Serve Process

The Chairman has asked for the board to review and change the Will Serve process from application through decision making, approvals and final signatures. What changes does the Board want to make to the Will-Serve Process?

Board members discussed this at some length. Gary stated that the applicants or developers first go to the County for concept approval and then to the MGSID for a Will-Serve based on the District's capacity and if approved then it goes back to the County for Preliminary. Gary then stated that he does not see anything wrong with our ordinance.

Larry shared his opinion that the board does not need to get involved in the engineering part of the process and all other minutia and feels that we do not need to make any changes to the Will-Serve as all Will-Serves are going to be different and looked at differently.

Lannie then made a motion based on the discussion we just had on the Will Serve process on Item #8, that the board does not make any changes to the Will-Serve process. Larry seconded the motion. All voted in the affirmative. Motion passed.

Item # 9. Discussion/Decision: 2018 Board Meeting Schedule

The 2018 MGSID Board Meeting dates fall on the first Wednesday of every month and are as follows: Jan 3, Feb 7, March 7, April 4, May 2, June 6, July 4 (Holiday), August 1, September 5, October 3, November 7 and December 5. Are these dates acceptable or what changes would the Board like to make?

After board discussion on these dates and whether to hold a meeting in July, Gary made a motion that we approve of these meeting dates for 2018 including the note that we will not be meeting in July. Zane then made the suggestion to schedule a meeting for July 18th. Board members discussed if it is easier to schedule or cancel. Gary stated that it is easier to cancel a meeting. Robert added that he does need to post whatever dates are selected. After further discussion Gary then withdrew his motion.

After further discussion Gary then made a motion to approve agenda Item # 9 with the addition of July 18 as a scheduled meeting for the month of July. Larry seconded the motion. Gary, Lannie, Larry and Zane voted in the affirmative. Motion passed.

Gary then suggested moving back to Item # 6 for the swearing in of Wendy Eliason.

Item # 10. Discussion/Decision: Transfer money from Main Checking

The board has requested to review and decide on accounts transfers monthly. The current balance in the Main Checking Account is around \$123,000 and we anticipate around \$42,000 of income to come in during January with about \$54,000 in expenses going out during January (this includes \$35,000 for manhole connection project).

Transfers are usually made into one or both of the PTIF accounts, # 4668 Replacement (Depreciation) Account and the PTIF # 248 (Existing Resident's Funds for new Facility Account).

After board discussion on this item Gary stated that it looks like Robert knows what he needs and we could provide him oversight to make those transfers. Robert then said that would not be a smart thing to do as our auditor and the State need to see that those financial transfers are approved by the board and then documented in our monthly minutes.

After further discussion Larry made a motion to transfer \$80,000 into the Depreciation PTIF Account # 4668. Gary seconded the motion. All voted in the affirmative. Motion passed.

Item # 11. Discussion: 2017 End of Year Budget vs Actual

Most of the final numbers for 2017 are in, so the numbers provided are an approximation of how we did on the 2017 Budget vs Actual. Board members briefly addressed this item. Robert noted that some of the final numbers may change due to some credit card purchases that have not come through yet and when the auditors go through they could make some adjustments to the general ledger.

Item # 12. Discussion: District Operations- December 2017

Effluent continues to measure well within the state requirements and removed over 96 % of Biochemical Oxygen Demand (BOD) & 87% of total Suspended Solids (TSS) in December

Item # 13. Discussion: District Statistics as of December 31, 2017

Comparison of the number of Impact fees received to date. Board members briefly addressed the updated numbers.

Item # 14. Discussion/Decision: Review and approval of the December 6, 2017 Board Minutes.

After board review of the minutes from December 6, 2017 Larry had a question on Item # 3 and if Zane had voted on that item. Gary stated he had voted on the tie. Larry then made a motion to approve the minutes as corrected. Gary seconded the motion. Motion passed.

Item # 15. Discussion: Next Board Meeting is scheduled for February 7, 2018 at 7:00 P.M.

Gary asked what can we expect in our next board meeting and should we proceed with our appointment as we don't have any Bylaws and is it automatic? Robert said no, it is not automatic and the board should have a review. Zane said if we had not reached the point of no return we go to the alternative and make the appointments. Larry asked if what we have

done was okay do we proceed with the appointments. We voted to reappoint Blair but the motion failed. We did not appoint Blair.

Tina asked if the meeting was adjourned. Larry asked for clarification on if it comes back from the attorney and everything we have done is appropriate. The only open question is whether we are going to reappoint Lynn.

Robert said he will write a letter to our attorney John Call and then copy all those that are interested.

Gary said everything happened so fast and with Blair walking out there will be some conflict so we want to make sure we get it right. Right now he feels we don't have the information to move forward.

Robert added that Gary will be our contact point for our attorney John Call to email. Lannie asked that after he resigns next month could he be courtesy copied on the District's emails as well?

Larry asked if in our next meeting will we be putting Bylaws on the agenda? Zane said he does want Bylaws put on the agenda but what it will represent is an assignment and homework where we talk about what to put in our Bylaws. Gary suggested an Open Work Session for all board members from 6:00 P.M. until 7:00.

Larry recommended that in our Public comment Period, that we preserve to a certain point if we want public comment on an agenda item that we allow the public to make their comment but not to interrupt our discussion they don't let the public come in and out.

Zane stated that in our situation it has proven to be very valuable and not so much an interruption but an education opportunity. Larry said that we should not be going back and forth. This is the normal course of action, and even in the County Council Tina knows how it is done and they do not let the public come in and out.

Gary made a motion to adjourn. Larry seconded the motion. Motion passed. Adjourned

Meeting adjourned: 9:52 P.M.

Signed: _____