

# 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, August 1, 2013

**Board Members Present:** Mark Devoe, Mary Jewett, Tina Kelley, Blair Larsen and Zane Gray. **Employees Present:** Robert Volk, Dennis Baldwin and Annette Doyle. **Excused:** Shane Rice and Wendy Eliason. **Guests Present:** No Guests

**Invocation:** Zane Gray

**Chair:** Vice Chairman Mark Devoe welcomed those present and chaired this meeting.

**Item # 1** Discussion / Decision: Will Serve letter for David Sadzewicz

David Sadzewicz has applied for a Will Serve letter for two additional connections due to the subdivision of his lot. A Will Serve letter for this subdivision was previously applied for and approved in 2012 but has since expired.

Robert asked the board to clarify the Impact Fee to charge for these connections. Tina stated that I should charge the impact fee in effect at the time the property and/or development is platted (the moment that the final plat is approved by the county and building permits are issued). The current impact fee in effect is the \$5,700 Impact Fee that was approved in 2008. Blair added that there should be no distinction between an individual property owner and a developer of multiple lots. Dennis countered, that in this instance, the Sadzewicz property should be considered platted under the \$3,456 impact fee which was in effect at the time that the original application was made.

Blair made a motion to approve the Will Serve letter as written. Tina seconded the motion. Motion passed.

**Item # 2** Discussion: Will Serve letter for Henry Walker Homes

Kyle Smith with Henry Walker Homes has applied for a Will Serve letter for the consolidation of two lots in Whisper Ridge. Robert clarified that this is a technical request from the county to show the District is allowing two lots to be combined into one, but the Will Serve letters and Advanced Funding for these lots were already issued when the Whisper Ridge plat was originally recorded. This new Will Serve letter defines the consolidation and includes conditions of impact fee payments and inspections.

Tina moved to approve the Will Serve letter as written. Zane seconded. Motion passed.

**Item # 3** Discussion / Decision: Resolution 130801-A for the Annexation of 4229 Iris Avenue, Lot 62 in the Rosehill development.

The Annexation of 4229 Iris was approved at the Board meeting on June 20, 2013, but the formal Annexation process with the State and the County requires a Resolution to be passed by the Board.

Tina moved to approve Resolution 130801-A as written. Mary seconded. Motion passed.

**Item # 4** Discussion / Decision: Resolution 130801-B for the Municipal Wastewater Planning Program.

The State of Utah Department of Water Quality sent the Municipal Wastewater Planning Program Self-Assessment Report for 2012. The UT DWQ is requesting the Board to review the report and return it with a Resolution stating the review has been done and that the District has taken all appropriate actions necessary to maintain the effluent requirements. The Board reviewed the report and the Resolution draft.

Blair made a motion to approve Resolution 130801-B the Self-Assessment Report for 2012 as is. Tina seconded. Motion passed.

**Item # 5** Discussion: July 17, 2013 Meeting with Rulon Gardner, Skyler Gardner and their attorney Robert McConnell.

Reference the notes listed in the 130801 Agenda regarding the contents of this meeting. The main topic focused on the reimbursement of the costs for the trunk line from the fire station to the connection at the headworks that Gardner Development has agreed to install. The portion from the fire station to the bank was installed several years ago, but no accounting was provided; the section from the bank to the headworks has yet to be installed and no final estimate has been presented. Mr. McConnell will be putting those together and forming a 'Reimbursement Agreement' between the District and Gardner Development which will be presented to us at a later date. We cannot finalize our new Impact Fee until all of that information has been presented and agreed on.

**Item # 6** Discussion / Decision: Selection of an attorney to represent MGSID.

Robert recommended that the District search out and form an on call relationship with a local attorney since we are entering a period of complicated negotiations with developers. The Board was in agreement.

Blair made a motion to have Robert search for legal representation. Zane seconded. Motion passed.

**Item #7** Discussion / Decision: Repairs to manholes in the Cottonwoods.

Robert located 32 manholes in the Cottonwoods developments that are severely damaged and warrant immediate repair. The rough cost estimate of about \$500 to \$600 per manhole comes in around \$18,000. The Board questioned why the District is being required to take on the expense of these repairs when it should have been the responsibility of Gardner Development.

Due to the economic downturn the 'formal turnover' procedure that would have required Gardner Development to rectify any existing conditions had not been completed. Gardner Development assumed that a 'formal turnover' had taken place because the District had been cleaning and servicing the lines since 2008 and nothing out of the ordinary had been communicated to them. The Gardners stated in a January meeting that they felt the District was unfair and out of line for coming back on them for repairs after such a long delay. Dennis did not want a 'dogfight' over the stalled turnover and he recommended that the Board accept ownership of the sewer system in Cottonwoods at the February 2013 Board meeting because he believed the infrastructure and lines underground were in good condition. That acceptance was approved and now all of those lines and manholes are the responsibility of the District.

The Board agreed that the broken collars represent a liability and would like them repaired before an accident occurs and/or someone is hurt.

Mary made a motion to have Robert proceed to solicit bids for 32 manholes that need repair. Zane seconded. Motion passed.

Zane made an additional motion to authorize Robert to go ahead with the repairs for the 32 manholes that do not exceed \$26,000. Blair seconded. Motion passed.

**Item# 8** Discussion: Status of the PER and the new Recommended Impact Fee.

Robert updated the board on the process of adopting and enacting the new Impact Fee in order to provide a realistic expectation for a completion date, which will not be until sometime in 2014. In the meantime, he is asking for clarification on what impact fee should be collected for any developments that come back from the county as platted.

Tina identified the existing subdivisions of Whisper Ridge Phase 1, Monte Verde, Highlands, Woodland Heights Phase 1, Trappers Pointe Phase 1, Rollins Ranch Phase 1, Phase 2 and Phase 3, Cottonwoods Phase 1, Phase 2 and Phase 3, Coventry Cove, Mountainbrook Estates, Fox Hollow, Aspen Meadows and any lots along the highway as those that are already platted under the \$3,456 impact fee. Any lots that come back from the County at this time are to be charged the \$5,700 impact fee that was enacted in 2008. The new impact fee will be enforced for any plats that come in after the new impact fee is approved and enacted.

**Item # 9 Discussion: District Operations**

The Board reviewed some of the more recent events at the plant. On June 21, JPS Industries conducted a complete underwater inspection of the baffle curtain that separates cell 1 from cell 2 in lagoon one. The MV lift station pumping cycle had declined so we had our vendor come out and inspect the pump. Repairs were made and operation is back to normal.

**Item # 10 Discussion: District Statistics as of July 30, 2013.**

The District's financials were briefly reviewed and discussed. Dennis pointed out that there are sufficient funds in both the main checking account and the emergency fund account to cover the manhole collar repairs. Everything was in order.

**Item # 11 Discussion / Decision: Review and approval of June 20, 2013 Minutes.**

Tina moved to approve the minutes from the May 2, 2013 meeting. Blair seconded. Motion passed.

**Item # 8 Discussion:** Next meeting is scheduled for Thursday, September 5, 2013 @ 7:00 P.M.

Blair made a motion to adjourn this meeting. Mary seconded.

Meeting adjourned: 8:45 P.M.

**Signed:** \_\_\_\_\_