

# 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, September 5, 2013

**Board Members Present:** Wendy Eliason, Mark Devoe, Tina Kelley and Zane Gray.

**Employees Present:** Robert Volk, Dennis Baldwin and Annette Doyle. **Excused:** Shane Rice, Blair Larsen and Mary Jewett. **Guests Present:** No Guests

**Invocation:** Tina Kelley

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

**Item # 1** Discussion: Status of the 32 manholes being repaired.

Repairs have been completed on all 32 damaged manholes in the Cottonwoods II & III developments. Little K Construction did an excellent job. We will probably use Little K next year for another batch of manhole collars that are falling apart in other parts of Mountain Green. It was recommended to the Board to keep an eye out for the new concrete collar repairs while driving through that area.

**Item # 2** Discussion / Decision: Selection of an attorney to represent MGSID

Robert apprised the Board of the seven attorneys that he has interviewed over the past few weeks. Attorney Mark H. Anderson was impressive due to his work with the Utah Association of Special Districts, but Robert believes that attorney Jon Call would be the best fit for representing the District. Jon Call is backed by the experience of his father, Craig Call, who had done considerable work with the Utah Impact Fee Act. Jon's rates are more affordable, his office is located in Ogden, and he will probably be able to devote more attention to any work we send his way.

Due to the pressing issues of the trunk line reimbursement agreement, new and old impact fee/advanced funding questions, and the potential for a legal challenge from developers, Robert is recommending that the Board allow him to make a final attorney selection in the next week and get a review started. He asked the Board for a budget of \$10,000 to be used for this purpose.

Tina mentioned that she would be at a meeting with the Mayors of Ogden and North Ogden, and she would ask them about their experience and impressions of Mr. Anderson and Mr. Call. She will then pass on what she learns so Robert can make the final decision. Because of this, there was no motion made for a decision.

**Item # 3** Discussion / Decision: The District Manager is recommending that the District have the new attorney review our current \$5,700 impact fee and the potential developer challenge.

Due to the pressing issues of the trunk line reimbursement agreement, new and old impact fee/advanced funding questions, and the potential for a legal challenge from developers, we should make a final attorney selection in the next week and get a review started. Robert asked the Board for a budget of \$10,000 to be used for this purpose.

Zane made a motion to give authorization to Robert to select an attorney and implement a \$10,000 budget for the review. Mark seconded. Motion passed.

**Item # 4 Discussion: District Operations**

The Board reviewed some of the more recent events at the plant. The annexation of lot 62 in the Rosehill development is now complete and recorded, thanks to the assistance of Janet and Annette. The small Biolyneus pump at the Monte Verde Lift station ceased operation a few weeks ago, but has since been repaired. The power supply for the computer in the control room burned out and the computer was taken in for repairs and was back in operation on Tuesday morning with only one day's loss of data. Additional discussion focused on the difference between the number of homes that are connected versus the number of homes being billed.

**Item # 5 Discussion: District Statistics as of August 31, 2013**

The District's financials were briefly reviewed and discussed. The increase in the number of Impact Fees being paid was highlighted.

**Item # 6 Discussion / Decision: Review and approval of August 1, 2013 Minutes**

Tina made a motion to approve the minutes of August 1, 2013, as written. Mark seconded. Motion passed.

**Item # 7 Discussion:**

The next Board meeting is scheduled for Thursday, October 3, 2013 at 7:00.

Meeting adjourned: 8:30 P.M.

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