

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT
5455 West Old Highway Road, Mountain Green, Utah 84050
Minutes of the monthly Board of Trustees Meeting
Wednesday, May 6, 2015 @ 7:00 PM

Board Members Present: Mark Devoe, Wendy Eliason, Lynn Peterson and Tina Kelley **Excused:** Zane Gray, Shane Rice & Blair Larsen **Employees Present:** Robert Volk & Janet Boudrero **Guests Present:** None

Invocation: Janet Boudrero

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

Item #1: Discussion/Decision: Install the remaining 345' of 18" trunk line from SSMH7 to the east fence line.

At the March 11, 2015 Board Meeting the Board approved a motion to move forward with the installation of the line 360' east into adjoining property from SSMH7 terminating in a manhole, pursuant to the property owner showing written proof of ownership on the property in question and then provide a signed payback agreement including the incurred costs. Since that time, the Board has learned that the property is owned by Union Pacific Land Resources, which would complicate any line installation or access points beyond the end of our easement at the east fence line. Also, the District will probably have a more permanent access into this area across a concrete ford in Dry Creek that Oakwood Homes will install and share later on this year.

If approved, this 345' section of line is considered an expansion expense and would have to be included in the Capital Facilities Plan that was created for the Impact Fee Analysis in early 2014. Because the \$25,000 to \$30,000 for this section of line falls within the budget that was approved for the existing Capital Facilities Plan, it would have to be paid for with Impact Fees/Expansion Funds and could not have a 'Payback Agreement' from a developer attached to it.

As an option, the Board of Trustees can clarify the existence of this legal easement, for future generations of Board Members, through the use of physical survey markers and along with an amendment and correct map attachment to the recorded easement agreement at the county.

The Board should re-address the question of whether to install this extra section of 18" line using impact fee money from the expansion account, or leave it as just a recorded legal easement that could be accessed at any time in the future when there is a developer needing to connect to the system.

Tina stated that her concern is not so much for someone forgetting about the easement, but for having the landowner change, or try to change, the terms of the original agreement and block the installation of this line at a later date. She believes strongly that the District should get this last section of line installed now so that it is over and done with.

Lynn mentioned that the city of Ogden would never put in a new sewer line for a new or potential development, and he is concerned with the District doing this now and having another developer or land owner asking the District to pay for other installations based on this precedent.

Tina responded that the District made these plans and agreements eight years ago on the basis of creating a viable way to service future growth to the east without any special consideration for an individual developer. These decisions were made solely for the benefit of the District and future operations. Running this line to the fence line is not giving anything to any property owner or developer, but is allowing the District to provide service to the east at some time in the future.

Mark added that we would be doing this to abide by the agreement and the wishes of Mr. Johnson to get the sewer line installation done now and stop coming back onto his land and disturbing farming operations over and over again. He continued by saying that, regardless of the installation decision, the District should make an addendum to the recorded easement agreement by adding the correct map.

Tina made a motion to install the remaining 345' of 18" trunk line from SSMH7 to the east fence line and pay for it with impact fee money from the expansion funds because this expense was included in the Capital Facilities Plan. Motion seconded by Wendy. Motion passed by a three to one vote with Lynn Peterson voting Nay.

Item #2: Discussion/Decision: Delineate the east end of the trunk line easement with a survey marker and amend the recorded easement at Morgan County.

At the April 2, meeting the request was made to clarify the east end of the trunk line easement by having a survey marker installed and amend the easement agreement that is recorded at Morgan County to include the new map that accurately depicts the east/west easement that is described in the language of the document.

Lynn recommended that we install a manhole at the end of the new line instead of a survey marker. This would remove any question as to where the sewer line and easement are located. The rest of the Board agreed and Robert said he would see if he could get a manhole added to the line installation quote so that the total still comes in under his \$30,000 cost estimate.

Mark said that it is important that all of our documentation is accurate so we should still amend the easement agreement to include the accurate map. The cost to accomplish this should not be substantial.

Lynn made a motion to not install a survey marker but instead, install a manhole at the east end of the new 345' line, and amend the recorded Easement Agreement at Morgan County to include the new map that accurately depicts said easement. Motion seconded by Tina. Motion passed unanimously.

Item #3: Discussion/Decision: Re-issue Will Serve for Rollins Ranch Phase 6 and Cottonwoods Phase 4.

Skyler Gardner has requested another renewal of the Will Serve for ten lots in Rollins Ranch Phase 6 and for seventy seven lots in Cottonwoods Phase 4 that were originally issued March 18, 2013 and renewed on May 8, 2014.

Wendy moved to approve the renewals for the Will Serves for both Rollins Ranch Phase 6 and Cottonwoods Phase 4. Lynn seconded the motion. Motion passed unanimously.

Item # 4: Discussion/Decision: Re-issue Will Serve for Rollins Ranch Phases 4B.

Oakwood Homes has requested a renewal of the Will Serve for twelve lots in Rollins Ranch Phase 4B that was originally issued to Gardner Development on March 18, 2013 and renewed for Henry Walker Homes on May 8, 2014.

Tina moved to approve the renewal for the Will Serve of Rollins Ranch Phase 4B. Wendy seconded the motion. Motion passed unanimously.

Item # 5: Discussion/Decision: Re-issue Will Serve for Rollins Ranch Phase 5.

U.S. Development has requested a renewal of the Will Serve for ten lots in Rollins Ranch Phase 5 that was originally issued March 18, 2013 and renewed on May 8, 2014.

Tina moved to approve the renewal for the Will Serve of Rollins Ranch Phase 5. Mark seconded the motion. Motion approved unanimously.

Item # 6: Discussion: District Operations ~ April 2015

The Board reviewed the District Operations notes for April 2015 as presented.

Item # 7: Discussion: District Statistics as of April 30, 2015

Board members reviewed the statistics on Impact Fees, ERU status, connections, bank statements and financial reports as of April 30, 2015.

Item # 8: Discussion / Decision: Review and approval of April 2, 2015 Minutes

Tina made a motion to approve the minutes as presented. Wendy seconded the motion. Motion approved.

Item # 9: Discussion/Decision: Next Board Meeting is scheduled for June 3, 2015

The next regularly scheduled Board Meeting will be on the first Wednesday, June 3, 2015 at 7:00 PM.

The Board members present agreed that the July 1 meeting was too close to the holiday. Wendy made a motion to move the July 1, 2015 meeting to July 15, 2015 due to the July 4 holiday. Lynn seconded the motion. Motion approved.

Adjourned: 8:30 PM

Signed: _____