

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES, MIDVALLEY IMPROVEMENT DISTRICT, HELD AT 160 EAST 7800 SOUTH, MIDVALE UTAH 84047 ON AUGUST 14, 2019 AT THE TIME OF 12:00 NOON, PURSUANT TO NOTICE.

BOARD OF TRUSTEES PRESENT

**QUINN SPERRY - CHAIRMAN
SONDRA SMITH
BLAKE ROEMMICH**

OTHERS PRESENT

**MARK BELL - ATTORNEY
BRAD M. POWELL, DISTRICT MANAGER
CATHY KINGSBURY, TREASURER
BRENT E. CHRISTENSEN, CHIEF FINANCIAL OFFICER, DISTRICT CLERK
RICK CECALA, OPERATIONS SUPERVISOR**

Meeting was called to order at 12:10 PM by Chairman Quinn Sperry.

1. PUBLIC COMMENTS

No one was in attendance from the public

2. ATTORNEY REPORT

- a. Mr. Bell stated he would like to set-up the ethics training for the Board members. After a brief discussion with the Board members, the date agreed upon for the training is September 18TH at 3:00 PM. The regular Trustee meeting will be held at 4:30 PM on the same day.

3. MINUTES

- a. **Upon motion** made by Ms. Smith, seconded by Mr. Roemmich and passed unanimously, the Board approved the minutes of the Board Meeting held on June 12, 2019 as corrected.

4. GENERAL MANAGER/ENGINEERING REPORT

- a. Mr. Powell reported the new camera truck was delivered on August 1, 2019 and has converted all of the software and equipment from the old truck.

Mr. Powell would like to sale the surplus old camera truck with one camera and transporter by listing it on KSL under Construction Equipment.

Mr. Powell would recommend the listing price of the truck with one camera and transporter at \$100,000 or best offer.

Upon Motion made by Ms. Smith, seconded by Mr. Roemmich and passed unanimously, the Board approved to sale the surplus camera truck with one camera and transporter for \$100,000 or best offer.

- b. Mr. Powell stated the State Legislature adopted House Bill (HB) 163 July 1, 2019 which deals in part with the misuse of public funds and public property. Under HB-163 and other laws, officers and employees of the District are prohibited from personal use of District Property unless use is authorized by, in compliance with, a written policy adopted by the District, or unless the personal use is an “incidental use” of public property as defined by law.

Mr. Bell and Mr. Powell prepared a Rules and Regulations for Personal Use of Public Property to be added to Section 1.1.10 to the Midvalley Improvement District Policy Manual. In addition, Mr. Powell has added a shorten version of this policy to the Employee Manual.

Mr. Bell stated the effective date of Resolution 2019-08-14 of the Personal Use of Public Property Policy adopted shall be retroactive to the effective date of HB-163, July 1, 2019.

Upon Motion made by Mr. Roemmich, seconded by Ms. Smith and passed unanimously, the Board approved Resolution 2019-08-14; the addition of the Rules and Regulations for Personal Use of Public Property policy to the Midvalley Improvement District’s Policy Manual and the shortened version to the Employee Manual, effective date July 1, 2019.

- c. Mr. Powell gave a little background of issues the District has been dealing with when it comes to contractors doing work for Midvale City. Some contractors doing work for Midvale City have damaged our manholes and left debris in the sewer lines. There was a recent incident where a Midvale City contractor cracked one of our manhole covers and a car ran over the manhole cover, the manhole cover broke and did \$1,800 worth of damage to the car, the District paid the cost of repairs. The District was not aware of the damage to the manhole and had no recourse since the contractor’s contract with Midvale City had been finalized.

The District would like to be included on going out with Midvale City personnel on final inspections on road projects and be included on the City’s final sign off sheet on the projects. Mr. Powell will talk with Midvale City on this issue.

- d. Mr. Powell stated Bowen & Collins has been working very diligently on the Impact Fee study and has given the District a draft copy of the Sewer Master Plan. Mr. Powell had sent out a copy of the Plan to the Trustees for their reading before the board meeting. Bowen & Collins has projected the District's impact fee, with a 10 year growth projection, may go down.

Mr. Powell is waiting for Bowen & Collins to get back to him on the study for sewer service rates. If the study shows the District needs to raise sewer service rates; the District will need to hold a public hearing before the end of the year. Mr. Powell will bring this item back to the September board meeting.

- e. Mr. Powell stated he has asked three engineering firms for rates for the CIPP Lining project. The engineering cost range was from \$24,000 down to \$3,900; Bowen & Collins quoted \$3,900. Mr. Powell has signed a contract with Bowen & Collins for the engineering at the cost of \$3,900.

Mr. Powell stated he has received the plans for the 227 apartment complex on 900 East and South Union Ave. The sewer line size on Fort Union will need to be upgraded to accommodate the new complex; the upgrade project could be a pipe bursting project. Mr. Powell stated the Fairmeadows' 8 inch line will also need to be replaced and that also could be a pipe bursting project.

Upon Motion made by Mr. Roemmich, seconded by Ms. Smith and passed unanimously, the Board approved to ratify the award of the CIPP Engineering Assistance Project to Bowen & Collins in the amount of \$3,900.

Upon Motion made by Mr. Roemmich, seconded by Ms. Smith and passed unanimously, the Board authorized the General Manager to prepare and issue a Request For Proposal to select an Engineering firm to design the pipeline upgrades for North Union and 7200 South, from 900 East to Ramanee Dr., and the Fairmeadows project, and the parking and drive areas of the District shop and administrative offices.

- f. Mr. Powell stated all of our operators are certified with the Department of Water Quality (DWQ); they are required to renew their memberships every two years. The easiest way for the operators to get the required education credit hours is by attending conferences.

Mr. Powell believes Tri-State is the best conference for both instruction and exhibits. There are two National conferences Mr. Powell would like to send employees to: WWETT and WEFTECH; both of these have incredible exhibits as well as education opportunities. Some of the operators have gone to the WWETT to look at either camera equipment or cleaning trucks to help in purchasing decisions.

Mr. Powell would recommend that the Board authorize the General Manager and the Operations Supervisor to allow the operators to attend one of the National conferences on an occasional basis.

Upon Motion made by Ms. Smith, Seconded by Mr. Roemmich and passed unanimously, the Board authorizes the General Manager and the Operations Supervisor to allow the operators to attend one of the National conferences on an occasional basis.

- g. Mr. Powell reported the District recognized all District employees with a safety luncheon (steak fry) on July 10, 2019 for their continuing safety achievements. Mr. Powell invited the Board to attend the next safety luncheons.

5. REVIEW, APPROVE AND RATIFY CASH DISBURSEMENTS

Upon Motion made by Ms. Smith, seconded by Mr. Roemmich and passed unanimously, the Board ratified the June 2019 cash disbursements for \$216,587.24.

Upon Motion made by Ms. Smith, seconded by Mr. Roemmich and passed unanimously, the Board ratified the June 2019 employee earnings for \$70,268.

Upon Motion made by Ms. Smith, seconded by Mr. Roemmich and passed unanimously, the Board ratified the July 2019 cash disbursements for \$200,528.24.

Upon Motion made by Ms. Smith, seconded by Mr. Roemmich and passed unanimously, the Board ratified the July 2019 employee earnings for \$65,976.

6. OFFICE REPORT

- a. Ms. Kingsbury reported Mr. Shiflett withdrew from the November election for Trustee and the two remaining candidates for Trustee are: Brent Smart and Ronald Sperry.

7. CHIEF FINANCIAL OFFICER'S REPORT

- a. Mr. Christensen reviewed with the Board the second quarter Balance Sheet ending June 30, 2019. The report shows everything the District owns and everything owed. The District's books are in-balance and the District is in good financial shape. Bowen & Collins is calculating Impact Fees and Sewer Service rates. Bowen & Collins are also looking at projects in the District for the next 5 years and the cost of the projects could range up to \$5,000,000.
- b. The Profit & Loss Year-to-Date Comparison to the Prior Year report for the period ending June 30, 2019, was presented by Mr. Christensen. Wages and benefits have gone up a little, repairs and maintenance is down because there was no pipe lining this

year. Mr. Christensen reported interest rates have gone up and impact fees have gone down. Both of these are beyond the District's control.

- c. The Profit & Loss Year-to-Date Budget vs Actual Report for the period ending June 30, 2019 was presented. He pointed out that the District has incurred Engineering Fees that were not originally anticipated during the budgeting process last year and the interest income was higher than budgeted.

8. SUPERVISOR'S REPORT

- a. Mr. Cecala reported construction in the District is going well. Mr. Bell stated the new elementary school is scheduled to open for the 2020 school year. Mr. Cecala reported the elementary school contractor put a hole in the new sewer line and Mr. Cecala ask the contractor to replace the line; the contractor wants to repair the line.

9. TRUSTEE REPORT

- a. Ms. Smith complimented on how great the lawn and flowers look at the District.

Adjourn Upon unanimous vote by the Board, the meeting was adjourned at 1:19 PM.