

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES, MIDVALLEY  
IMPROVEMENT DISTRICT, HELD AT 160 EAST 7800 SOUTH, MIDVALE UTAH 84047 ON MARCH  
11, 2020 AT THE TIME OF 12:00 NOON, PRUSUANT TO NOTICE.**

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**BOARD OF TRUSTEES PRESENT**

**SONDRA SMITH – CHAIR  
BLAKE ROEMMICH – VICE-CHAIR  
RONALD SPERRY**

**OTHER 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 12:03 PM by Board Chair Sondra Smith.

**1. PUBLIC COMMENTS/CERMONIES/PRESENTATIONS**

- a. Ms. Smith stated she received an email from a Mr. Rinke, a customer, Ms. Smith asked Mr. Christensen to explain Mr. Rinke's concern and what Mr. Christensen's reply to the email was. Mr. Rinke pointed out that the "2020 Detailed Budget" shows no rate increase but only a revenue increase of 0.5% annually, but the approved rates are increasing an average of 4.5% through 2024.

Mr. Christensen explained the October "draft" of the Budget did not show the 5-year future forecast of all rate increases, but only included the 2020 sewer rate increase of \$22. This was done to show the Board what the future cash flows and revenues would be with a one-time rate increase in 2020. At the November Public Hearing, the Board listened to a presentation from the engineer consultants and adopted the rate increase recommendation in the preceding Board meeting, the budget inadvertently was not updated.

**2. MINUTES – APPROVAL**

- a. **Upon motion** made by Mr. Sperry, seconded by Mr. Roemmich and passed unanimously, the Board approved the minutes of the Board Meeting held on February 12, 2020 as corrected.

### 3. ATTORNEY REPORT

- a. Mr. Bell gave a Legislative update and stated their last day to meet is March 12, 2020.
  - *House Bill (HB) 31* requires contact information of board, managers, etc. to be posted on the District's website.
  - *HB-98* Clarifies personal use of government property and penalties.
  - *HB-101 Distracted driver amendment* – deals with use of “handheld wireless communication devices” while operating a motor vehicle.
  - *HB-105* Damage or modification to “water facility” prohibited – conveyance facilities for wastewater and sewage included in definition.
  - *HB-223 Statutes of Repose and Limitations* – Modifies time requirement for statutes of limitation/repose for actions involving improvement to real property. Original bill would have shortened time to sue to 3 years; current bill retains limitations time for written contract to 6 years after the date or completion of an improvement.
  - *Senate Bill (SB) 82 Unlawful Disposal of Drugs Amendment*. Prohibits disposal of drugs in a landfill or sanitary sewer system.
  - *SB-90 Procurement Code Amendments*. District to amend its procurement rules and regulations to be consistent with current legislation.
  
- b. Mr. Bell asked Mr. Powell if the Ethics Disclosure forms have been turned in by the employees. Mr. Powell stated there have not been any forms turned in. Mr. Bell offered to come in and meet with the employees.

### 4. GENERAL MANAGER/ENGINEER REPORT

- a. Mr. Powell stated the F150 is listed on KSL for sale. We have had some interest but to-date it has not sold. Mr. Powell will list the truck on GovDeals.com.. Mr. Powell has gotten bids for two new Ford Platinum's; one with a 5.5' bed and the other is a 6.5' bed. The low bid is from Young Automotive and Mr. Powell will order the two trucks.
  
- b. Mr. Powell stated the District's current projects are the 7200 South Sewer line upgrade project, 2020 CIPP lining project and the Parking and Drive Area project. Condie Construction (Condie) is moving right along with 7200 South sewer line upgrade but did run into a problem with a gas line over the top of our sewer line. After a meeting with Dominion Energy, they agreed to move the line at their cost. Condie has found additional issues with the gas lines, including leaks. The gas leak caused Condie to shut down for five hours and Condie turned in a

change order to the District for the down time. Mr. Bell recommended to Mr. Powell that he send a letter to Dominion Energy requesting them to pay for the down time.

Condie has requested Change Order #1 in the amount of \$51,927.82. This is for the additional manholes and length of pipe under the Salt Lake Canal. Condie's first pay request is for \$325,335.72.

Mr. Powell stated the CIPP lining is basically complete, there is some clean-up work and the fixing of some wrinkles in the lined pipes. There is a pay request from Insituform for \$372,910.15 that Mr. Powell would recommend the District pay, but keep the \$30,000 retainage until the problem areas are repaired. Mr. Bell questioned if \$30,000 retainage would be enough money if the District ends up repairing the lines. Mr. Powell stated he thought \$30,000 would cover the repair cost.

Mr. Powell stated on Wednesday, March 12, 2020 a public hearing will be held at the Midvale City Planning Commission meeting to discuss the District request to change the zoning and for variances in our site plan.

**Upon motion** made by Mr. Roemmich, seconded by Mr. Sperry and passed unanimously, the Board approved payment No. 1 for the 7200 South Sewer Line project to Condie Construction Company for \$325,335.72 and payment to Insituform for \$372,910.15.

Mr. Powell stated that starting in 2009, when we first started the pipe lining, we were lining ½ mile of pipe in 2010 the District was doing over a 1 mile 2019/2020 was 4 miles of lining. The different types of pipe in the District is: 16 miles of concrete pipe, 14 miles of fiberglass (lined), some high density pipe, lot of PVC and steel pipe and also clay pipe. Mr. Powell stated the District has approximately 75 miles of pipe overall.

## **5. REVIEW, APPROVE AND RATIFY CASH DISBURSEMENTS**

**Upon Motion** made by Mr. Roemmich, seconded by Mr. Sperry and passed unanimously, the Board ratified the February 2020 cash disbursements for \$557,993.28.

**Upon Motion** made by Mr. Roemmich, seconded by Mr. Sperry and passed unanimously, the Board ratified the February 2020 employee earnings for \$69,539.

**6. OFFICE REPORT**

No Report

**7. CHIEF FINANCIAL OFFICER**

- a. Mr. Christensen stated the District received a check from The District's insurance company as a rebate on the Workers Compensation insurance for \$2,100 and this is because our employees have had no accidents. In order to get the yearly rebate, the District is required to have a quarterly employee reward program and our District has instituted a quarterly safety luncheon as a reward for employee safety and no accidents. The operations employees should be commended for doing a great job on being safe and reducing our insurance costs.
  
- b. Mr. Christensen stated we have had more calls from the District's customers concerning the sewer service rate increase.

**8. SUPERVISOR'S REPORT**

- a. Mr. Cecala reported that construction has slowed down and the North Creek Plaza on South Union and Flower Patch will be torn down to make room for new construction.

Mr. Cecala stated that the employees have a safety meeting every month.

**9. TRUSTEES**

- a. No Report

**10. CLOSED MEETING**

- a. No Closed Meeting

**ADJOURN:** Upon unanimous vote by the Board, the meeting was adjourned at 12:57 PM. The next Board meeting is April 08, 2020 at Noon.