

**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES, MIDVALLEY IMPROVEMENT DISTRICT, HELD AT 160 EAST 7800 SOUTH, MIDVALE UTAH 84047 ON JANUARY 11, 2023 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 - TRUSTEE**

**OTHERS PRESENT**

**MARK BELL – ATTORNEY (EXCUSED AT 12:40 PM)  
BRAD M POWELL, DISTRICT MANAGER  
JARED SYME, ASSISTANT DISTRICT MANAGER  
CATHY KINGSBURY, TREASURER  
BRENT E CHRISTENSEN, CHIEF FINANCIAL OFFICER, DISTRICT CLERK  
RICK CECALA – OPERATIONS SUPERVISOR**

Meeting was called to order at 12:04 PM by Chair Ms. Smith.

**1. PUBLIC COMMENTS/CERMONIES/PRESENTATION**

- a. No one in attendance.

**2. MINUTES – APPROVAL**

- a. **Upon motion** made by Mr. Sperry, seconded by Mr. Roemmich and passed unanimously, the Board accepted the December 14, 2022 minutes as written.

**3. ATTORNEY REPORT**

- a. Mr. Bell gave a Legislative summary update from House Bills released January 9-10, 2023. Mr. Bell stated the Legislative Session will start January 17, 2023.

A few of the House Bills that may have an affect on the District are House Bills 22 & 77 which will change “local district” to “special district” throughout the Utah Code.

House Bill 97 relates to GRAMA requests for personal electronic devices. This Bill addresses the way a Governmental agency may conduct a search for records on a personal electronic device of an employee.

Mr. Bell will bring the Legislative updates and approved bills back to a future meeting.

- b. Mr. Bell gave an update on the Ethics Statue stating this is a reminder for the District to sit down with all of the District employees and Board Members to have everyone fill out an annual ethics disclosure form. Mr. Christensen stated it has been the District's practice to have the ethics disclosure forms filled out and signed by the end of November each year and that has been done for 2022. Mr. Bell has an updated form he will send to Mr. Christensen.
- c. Mr. Bell stated the State Auditor is looking at violations to Procurement Policies and have found violations at other entities. Mr. Bell would like to sit down with Mr. Powell and Mr. Syme and go over the District's Procurement Policy.
- d. Mr. Bell presented the Electronic Meeting Policy Resolution to the Board. The Legislation now requires that District adopt a policy that determines how the District calculates a quorum in reference to electric meetings and if the District votes by proxy.

Mr. Bell stated he structured the Resolution so if a Board member is attending by telephone that member is considered part of the quorum. Mr. Bell also has in the Resolution that a Board member can vote by proxy.

**Upon motion** made by Mr. Roemmich, seconded by Mr. Sperry and passed unanimously, the Board approved Resolution 23-01-11A; A Resolution Amending the Midvalley Improvement District Rules Governing Electronic Meeting of the Board of Trustees.

Mr. Bell excused himself at 12:40 PM from the Board Meeting.

#### **4. GENERAL MANAGER/ENGINEERING REPORT**

- a. Mr. Powell stated that Mr. Syme will give the update on the vehicle status and the next two items on the agenda. Mr. Syme stated the 2018 Vactor, with 21,000 miles, was sold for \$335,000 on December 30, 2022 to a contractor out of Las Vegas. Mr. Roemmich asked what the asking price was and Mr. Syme stated \$350,000.

Mr. Syme stated there is a 2021 F150 Ford Truck Diesel for sale and he has had a lot interest in the truck. Mr. Syme stated the asking price for this truck is \$63,000 and the highest offer we have is \$45,000.

- b. Mr. Syme stated the 2023 CIPP Project is set to start on April 1, 2023 with a 90-day completion date after startup.
- c. Mr. Syme updated the Sam's Club CIPP & Manhole Rehab Project; stating the project should be complete within a week. C&L Construction submitted a request for payment of \$146,839.70.
- d. Mr. Powell stated as per the job description of the Assistant General Manager (AGM), the AGM would be an alternate as a Board Member for South Valley Water Reclamation Facility (SVWRF). Mr. Powell informed Mr. Rawlings, with SVWRF, that Mr. Syme would start attending the SVWRF Board Meeting with Mr. Powell. The attorney for SVWRF, Mr. Cowdell, stated he would like to have a resolution from the District designating Mr. Syme as an alternate Board Member. Mr. Powell handed out a copy of Resolution 2023-01-11B for the Board's review.

**Upon motion** made by Mr. Roemmich, seconded by Mr. Sperry and passed unanimously, the Board approved Resolution 23-01-11B; A Resolution Designating the Midvalley Improvement District Assistant General Manager as Alternate Board Member of the South Valley Water Reclamation Facility.

Mr. Christensen stated Ms. Kingsbury and himself are already alternate Board Members of SVWRF and wanted to know if we would continue to be alternates. Mr. Bell stated yes both Mr. Christensen and Ms. Kingsbury would remain alternates along with Mr. Syme.

- e. Mr. Powell presented the changes that were made to the District' Employee Manual and Safety Manual for 2022 and went over the changes:

#### EMPLOYEE MANUAL

April 14, 2022

4.24 Funeral/Bereavement Leave policy – clarifies employee's "immediate family" and leave time for bereavement when there is a loss of a child due to a miscarriage or stillbirth.

5.5 – Annual Medical Examination – clarifies when employees need to use either vacation or sick leave for medical exams.

5.7 – Medical Leave at End of Employment – clarifies that only one-years’ worth of sick or vacation leave can be counted toward URS Retirement.

December 27, 2022

Appendix “A” Organizational Chart that includes Assistant General Manager.

#### SAFETY MANUAL

December 22, 2022

Added Subsection 1.29 Hydrogen Sulfide Detectors – each operator is issued an H2S detector and is urged to carry them when working around open manholes.

After a discussion on the detectors the Board agreed the word “urged” needs to be changed to “required”. Mr. Roemmich was adamant about making sure all District employees wear a detector around open manholes.

**Upon motion** made by Mr. Sperry, seconded by Mr. Roemmich and passed unanimously, the Board ratified the 2022 changes to the Employee and Safety Manuals with the one change to the safety manual changing “urged” to “required” presented by Mr. Powell.

- f. Mr. Powell stated he will not be attending the February 8, 2023 Board meeting as he will be out-of-town on vacation. Mr. Powell also will not be attending the March 8, 2023 Board meeting; he will be at a conference for the Utah Local Governments Trust. Mr. Powell stated he will have Mr. Syme cover the General Manager’s items on the agenda.

Mr. Powell also stated he will be back in town for the South Valley Water Reclamation Facility Board meetings and will have Mr. Syme attend the SVWRF meetings with him.

## 5. REVIEW, APPROVE AND RATIFY CASH DISBURSEMENTS

- a. **Upon motion** made by Mr. Sperry, seconded by Mr. Roemmich and passed unanimously, the Board approved the Employees Earnings Summary for January-December, 2022 in the amount of \$1,011,843.

**Upon motion** made by Mr. Sperry, seconded by Mr. Roemmich and passed unanimously, the Board ratified the December 2022 cash disbursements for \$611,631.52.

**6. OFFICE REPORT**

- a. No Report.

**7. CHIEF FINANCIAL OFFICER**

- a. Mr. Christensen stated that last year gain on vehicles sold was \$79,000, based on depreciation. The District sold three pickup trucks and the cleaning truck.

Mr. Christensen encouraged the Trustees to call him if they have any questions.

Ms. Smith stated she thought the District was to go out every five years and get bids for the District's auditor. Mr. Christensen stated he talks to other entities and asked what their audit cost is and our auditors charge a fair price. Mr. Christensen also stated that the District has the same auditors as SVWRF and believes that is in the Districts favor. The District is on a year-to-year basis with the auditors and we can go out to bid anytime the District would like.

**8. SUPERVISOR'S REPORT**

- a. Mr. Cecala reported that construction is slowing down due to the cold weather. Mr. Cecala informed the Board there is a new project going in at 115 West 7200 South, Dutch Brothers, this is the second Dutch Brothers in the District.

**9. TRUSTEES**

- a. Ms. Smith thanked the staff for sending out a letter with the sewer service bills explaining why the service rates were increased.

**10. CLOSED MEETING**

- a. No Closed Meeting

**11. ADJOURN**

- a. Adjourn at 12:58 PM and the next Board meeting will be February 8, 2023.

