

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES, MIDVALLEY IMPROVEMENT DISTRICT, HELD AT 160 EAST 7800 SOUTH, MIDVALE UTAH 84047 ON APRIL 17, 2019 AT THE TIME OF 4:00 PM, PRUSUANT TO NOTICE.**

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**BOARD OF TRUSTEES PRESENT**

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

**OTHERS PRESENT**

**MARK BELL - ATTORNEY  
BRAD M. POWELL, DISTRICT MANAGER  
CATHY KINGSBURY, TREASURER  
RICK CECALA, OPERATIONS SUPERVISOR**

Meeting was called to order at 4:03 PM by Sondra Smith.

**1. PUBLIC COMMENTS**

No one in attendance

**2. MINUTES**

- a. **Upon motion** made by Mr. Roemmich, Seconded by Ms. Smith and passed unanimously, the Board approved the minutes of the Board Meeting held on March 13, 2019.

**3. ATTORNEY REPORT**

- a. Mr. Bell reported on the final session of the Utah 2019 Legislative session and bills that could impact local Districts.

*HP163 – Offenses Against Admin of Government* – This legislation is the latest in a series of bills that address misuse of public money and property; and includes definitions of “authorized personal use” of public property, e.g., where the primary purpose of the personal use is to fulfill public duties; written policy of agency required; “incidental use” allowed in some circumstances.

*HP441 Sales Tax* – Notable effects of this bill would be to tax retail sales of water (culinary or re-use) and to impose a tax on local districts’ service fees. Mr. Bell and Mr. Powell will follow this closely of any proposed legislation, and if needed, advise of any steps that may be taken to protect the interests of the District and it patrons.

*HP162 – Damage to Underground Facilities (Blue Stakes)* – This bill would have expanded the liability of “operators” of underground systems (such as the District). The bill was held by its sponsor due to significant opposition to proposed amendments. Mr. Bell will attend the April 24, 2019 meeting and will keep the District apprised of proposed changes.

- b. Mr. Bell would like to postpone the Ethics Act Training until all three Trustees are present. Mr. Bell will bring this item back to the June meeting; Mr. Bell stated he will not be able to attend the May Board meeting.
- c. Mr. Bell stated he would like to schedule the Ethics Act Training for the District employees. Mr. Powell suggested having the Trustees and employees meeting at the same time. Mr. Bell will schedule the meeting when the Trustees and employees are all available.

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

- a. Mr. Powell stated he created a table on commercial impact fees back on May 11, 2016 but did not include a fee for anything greater than a 4-plex. Mr. Powell has added a “Multi-Family Unit” (greater than 4) to the existing Commercial Impact Fees. Mr. Powell stated he has always estimated the population of multi-family units as 2/3 the population of a single family dwelling. The added Multi-Family Unit fee is based on a multi-family unit is equal to 2/3 one Equivalent Residential Unit.

Mr. Bell recommended that a resolution be approved and he will have a resolution for the next board meeting.

**Upon motion** made by Ms. Smith, seconded by Mr. Roemmich and passed unanimously, the Board authorizes the added category of Multi-Family units, meaning greater than four units, to the Impact Fee Table.

- b. Powell stated in 2016 Bowen Collins completed an Impact Fee Facility Analysis for Midvalley Improvement District as well as a rate study. Bowen Collins recommendation in 2016 was to change the impact fee to \$1,426 and to increase the fee every year; the District has not raised the fee since 2016, staying at \$1,426.

Bowen Collin report in 2016 also showed the District should raise the sewer service charge from \$10 to \$18.20 a month; the District raised the rate to \$18.20. The study showed the sewer service should be raised again in 2019 to \$18.90, we have not raised the sewer service rate this year. Mr. Powell suggested raising the sewer service rate to \$20 in 2020.

Mr. Powell went over the engineering fees the District collects for review. Mr. Powell believes if we collect the \$500 Engineering Review Fee plus the 6 percent Engineering fee when the bond is collected, the funds will be sufficient to cover our cost, including some extra inspection when needed. Below is a breakdown of significant “extra” engineering reviews and inspection, we need to add the following hourly rates to our

Standards with a minimum of 2 hours each when needed:

Additional engineering review (redlines)	\$100
Inspection	\$ 65
CCTV Truck 2/2 operator	\$265
Jet/Vac truck w/2 operators	\$260

**Upon motion** made by Ms. Smith, seconded by Mr. Roemmich and passed unanimously, the Board authorize the District to add the hourly rates for additional Engineering review and inspections to the Midvalley Improvement District Design Standards and Construction Specifications and add verbiage saying that we will add the \$500 Engineering Review fees to the amount collected before construction can begin.

**Upon motion** made by Ms. Smith, seconded by Mr. Roemmich and passed unanimously, the Board authorizes hiring Bowen Collins to re-evaluate our Impact Fee Analysis and our User Fees to make a recommendation for any changes that should be made.

- c. Mr. Powell stated each year the Division of Water Quality (DWQ) asks us to complete a Municipal Wastewater Planning Program (MWPP) which was completed within a day of receiving.

**Upon motion** made by Ms. Smith, seconded by Mr. Roemmich and passed unanimously, the Board approves the Municipal Wastewater Planning Program as it has been completed by the General Manager.

- d. Mr. Powell reported the 2018 Ford F-150 sold today for \$40,000.
- e. Mr. Powell stated Jay Shular’s 6 months “Introductory period” will be up soon and Mr. Powell would recommend Mr. Shular be moved to the next step. Mr. Shular has worked out very well in his operator position with the District.

This item will be put on the May agenda.

Mr. Powell reported that Mr. Shular just received his Bachelor’s Degree from the University of Columbia.

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

**Upon Motion** made by Mr. Roemmich, seconded by Ms. Smith and passed unanimously, the Board ratified the March 2019 cash disbursements for \$220,864.20.

**Upon Motion** made by Mr. Roemmich, seconded by Ms. Smith and passed unanimously, the Board ratified the March 2019 employee earnings for \$69,542.

## **6. OFFICE REPORT**

- a. No Report

## **7. SUPERVISOR'S REPORT**

- a. Mr. Cecala stated new construction in the District is going well. Mr. Roemmich asked what was going on with the 1000 East project, Zupan Subdivision. Mr. Cecala stated there has not been any activity. Also, Mr. Cecala reported the Levine Farms project has a property dispute so things have slowed on that project.
- b. Mr. Cecala stated there was an emergency manhole removal/repair on Cox Lane on April 5, 2019; the removal/repair is complete.

**Adjourn** Upon unanimous vote by the Board, the meeting was adjourned at 4:55 PM.