

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES, MIDVALLEY IMPROVEMENT DISTRICT, HELD AT 160 EAST 7800 SOUTH, MIDVALE UTAH 84047 ON MARCH 13, 2019 AT THE TIME OF 12:00 NOON, PRUSUANT TO NOTICE.

BOARD OF TRUSTEES PRESENT

**QUINN SPERRY - CHAIRMAN
SONDRA SMITH - EXCUSED
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 12:09 PM by Chairman Quinn Sperry.

1. PUBLIC COMMENTS

No one in attendance

2. MINUTES

- 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 13, 2019.

3. ATTORNEY REPORT

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

HB74 2nd Substitute – Open Meeting Amendments. The original purpose of this bill was to allow a broader attorney-client communication exemption for closed meetings. The bill that passed is limited in scope, dealing with closed meeting discussion of a protected draft audit report concerning a matter over which the District has responsibility and that is protected under the Government Records Access and Management Act and requires a public body’s signed response.

HB162 Damage to Underground Facilities. This bill would change responsibilities and liabilities of “operators” (entities who own/operate underground facilities). If an operator failed to mark a facility or

improperly/inaccurately marked a facility excavators would be entitled to recover lost time and profit as damages. Many entities were not aware of this bill and were not included in the discussions. With all of the disagreements concerning this bill, the sponsor has held the bill pending further discussions.

HB441 – Equalization and Tax Reduction Act – The Act would require the District to collect sales tax for sewer fees. Also, eliminates the exemption for sales tax on culinary and secondary water. Hope is that the legislature will consider an exemption for government-provided products and fees.

SB179 – 1st Substitute – Truth in Taxation Amendments – As initially written would have required agencies to hold truth in taxation hearing separate, separate date and time, from any other agency business and would have prohibited any limitation on public comment. What was decided is Districts could handle other business before truth in taxation hearing but would have to conclude one meeting before starting another. It was also decided Districts could put restrictions on limiting public comment.

- b. Mr. Bell stated he will conduct the Open Meeting Training at the April Board meeting and the following Board meeting he will conduct the Ethics training. Mr. Christensen asked if the employees will have a different date for Ethics Training. Mr. Bell stated he will setup a date for the employees training.

4. GENERAL MANAGER/ENGINEERING REPORT

- a. Mr. Powell stated the District has a 2018 Ford F-150 Ford Lariat for sale. The full asking price is \$43,000. To date there has not been any response, closing date to bid is March 20, 2019 at 3:00 PM. There are two new Ford Lariats on order and should arrive in 3-4 months.
- b. Mr. Powell stated the District's CCTV Truck was put into service May of 2012. The truck is in good condition and feels that we could sell this truck along with our old CUES equipment and still get a reasonable price for it. Mr. Powell stated the District currently uses CUES equipment, Mr. Powell would like to purchase a truck from CUES that would work with our current equipment. CUES currently has a Ford F550 Chassis with a 16-foot high-cube in stock. Lead time in purchasing the truck from CUES would be 90-120 days. Once the truck arrives at the District it would be equipped with our existing equipment.

The quote for the truck and box from CUES is \$219,450. Mr. Roemmich asked what price the District would sell our existing truck; Mr. Powell thought it could bring \$100,000. Mr. Roemmich believes the new truck would be a safer truck for the employees because of the trucks frontend design.

Mr. Bell stated a public notice would need to be advertised on the State Public Notice website and the District's website; 7 days before the purchase order is placed.

Upon motion made by Mr. Sperry, Seconded by Mr. Roemmich and passed unanimously, the Board authorizes the General Manager to issue a purchase order to purchase a CCTV truck from CUES (through Legacy Equipment) for a purchase price of no more than \$230,000 subject to Mr. Powell posting a Public Notice.

- c. In regards to proposed District fees, Mr. Powell would like to table this item and bring it back at a later date. Mr. Powell stated he would like to do additional analysis on inspection fees before an approval is requested. Mr. Powell's main concern is repeated inspection on projects where our inspectors spend an unusual amount of time on one project and the contractor does not pay additional fees for the time the District spends on the project. Mr. Powell suggested charging additional fees for the District's review of the project plans.

Mr. Bell stated if the fees change there will need to be a public hearing, after 6:00 PM for public input.

- d. Mr. Powell stated the District currently has one Standard ArcGIS License and with the promotion of Mr. Syme to GIS Tech there are times when Mr. Powell and Mr. Syme both need to use the GIS system, with one license only one person at a time can use the system. Mr. Powell request the Board approve the purchase of an additional concurrent Standard license for ArcGIS in the amount of \$6,313 with a yearly maintenance fee of \$1,503 the first year and \$1,203 every year after.

Upon motion made by Mr. Roemmich, Seconded by Mr. Sperry and passed unanimously, the Board authorizes the General Manager to purchase an additional concurrent Standard license for ArcGIS in the amount of \$6,313 and the yearly maintenance fee.

- e. Mr. Powell would like to purchase office furniture for the Operations Supervisor and Assistant Supervisor offices. The furniture would be purchased from the Utah Correction Industries (UCI). The quote from UCI for the purchase of office furniture is \$6,553.

Upon motion made by Mr. Sperry, Seconded by Mr. Roemmich and passed unanimously, the Board authorizes the General Manager to purchase furniture quoted from UCI in the amount of \$6,553.

5. REVIEW, APPROVE AND RATIFY CASH DISBURSEMENTS

Upon Motion made by Mr. Sperry, Seconded by Mr. Roemmich and passed unanimously, the Board ratified the February 2019 cash disbursements for \$234,316.36.

Upon Motion made by Mr. Sperry, Seconded by Mr. Roemmich and passed unanimously, the Board ratified the February 2019 employee earnings for \$65,792.

6. OFFICE REPORT

- a. Ms. Kingsbury reported the cost, from Salt Lake County, for the election in November 2019 will be \$21,413.75.

7. CHIEF FINANCIAL OFFICER

- a. Mr. Christensen reported the District's audit will start next month and Mr. Christensen would like to have the audit team come to a Board meeting to introduce them to the Trustees.

8. SUPERVISOR'S REPORT

- a. Mr. Cecala stated new construction in the District is going well, the bad weather has slowed building down a little.

The elementary school on 7800 South will be torn down and rebuilt. Mr. Powell stated the sewer line at the school presently goes out to the north and Mr. Powell has requested the contractor take the new sewer line to 7800 South.

Adjourn Upon unanimous vote by the Board, the meeting was adjourned at 12:59 PM.