

**MINUTES OF THE TAYLORSVILLE-BENNION
IMPROVEMENT DISTRICT BOARD MEETING HELD JUNE 20, 2012**

1. The regular monthly meeting of the Board of Trustees of the Taylorsville-Bennion Improvement District was held at 4:30 p.m. Wednesday June 20, 2012 at the District office. Present were Trustee Behunin and Trustee Swensen. Also present were General Manager, Keith Lord; Attorney, Bill Gibbs; Engineer, Paul Hirst; Safety and Compliance Supervisor, Dan McDougal and Secretary, Tami Fullmer. Matt Millis representing Zion's Bank was in attendance for a presentation. Excused was Trustee Russell and Assistant Manager, Kevin Fenn. The prayer was offered by Paul Hirst.

2. **Public Comments** No public was in attendance.

3. **Common Consent Items** Minutes Upon review of the May 16, 2012 Board Meeting minutes the following motion was made by Trustee Swensen seconded by Trustee Behunin.

RESOLVED: To approve the May, 2012 minutes. The motion passed with the following individuals voting in the affirmative: Trustees Behunin and Swensen.

Monthly Calendar of Events The General Manager noted that Board Meeting will be held on Wednesday, July 18, 2012 and will begin at 3:00 p.m. Trustees Behunin and Swensen plan to be in attendance. Trustee Russell will be out of town and excused. The General Manager noted that the Summer Party will be held Monday, July 30, 2012 at Hidden Village Park and invited the Board to attend for dinner and games with the District employees and families.

Accounts Payable Discussed: construction/operation and maintenance vouchers 25096 - 25206, including voided voucher 25202; for a total of 110 vouchers with a dollar amount of \$1,170,966.35; payroll vouchers 2012251 - 2012278 and 2012277 - 2012304 for a total of 56 vouchers with a dollar amount of \$141,754.60. After discussion the following motion was made by Trustee Swensen seconded by Trustee Behunin.

RESOLVED: To approve the accounts payable. The motion passed with the following individuals voting in the affirmative: Trustees Behunin and Swensen.

Financial Report Documents regarding the financial position of the District were reviewed and discussed. After a thorough review of the reports as contained in the Board Book, it was directed to be appended to the minutes.

Certification of delinquent accounts to Salt Lake County Treasurer The General Manager discussed the Certification for the month of June, 2012. After much discussion the following motion was made by Trustee Swensen seconded by Trustee Behunin.

RESOLVED: To approve the Certification amount of \$22,363.98. The motion passed with the following individuals voting in the affirmative: Trustees, Behunin and Swensen.

Water Usage and New Connections The General Manager reviewed and discussed the reports with the Board and directed the schedules to be appended to the minutes.

4. **Legal Report** The General Manager reported that he had researched the past Board Meeting Minutes to locate the adoption of the Drinking Water Source Protection Plan for the District. He found that there was no official adoption of a plan. He did find federally mandated plans and within those plans was an Emergency Response Plan which was adopted in 1990. He also referred the Board to the enclosed material, which are the District Rules and Regulations that outline an approved plan for water shortage operations and steps on how to proceed in case of a shortage.

The General Manager explained that Dan McDougal was in attendance at the Board Meeting to explain the District's Consumer Confidence Report to a customer who did not show but is also working closely with Kevin Fenn on the District's Emergency Response Plan and will be invited to next month's meeting with a plan that the Board can review and adopt.

5. **Manager's Report** Consider adoption of Resolution 12-04 regarding certified tax rate 2012 The General Manager discussed Resolution 12-04, the certified tax rate, and proposed that the Board approve and adopt the certified rate of .000181 and authorize the General Manager to modify the budget to reflect the change \$419,195.00. After much discussion the following motion was made by Trustee Swensen seconded by Trustee Behunin.

RESOLVED: To approve Resolution 12-04, the certified tax rate of .000181 for the District, and authorize the General Manager to modify the budget to \$419,195.00 and take the necessary steps to effect this resolution. The motion passed with the following individuals voting in the affirmative: Trustees Behunin and Swensen.

Customer Account The General Manager reported to the Board a billing problem for one property owner in our District. A District serviceman checked high usage at a property and found a small leak. A second serviceman checked the meter after the leak repair and found a one inch register on a three-quarter inch meter indicating that the homeowner has been paying four times more for water. This error, which developed three years ago, affects the homeowner's water bill as well as the sewer bill. The General Manager proposed that we reimburse the owners for the over charged amounts. He then asked the board for direction of what action to take in future similar situations and what would be the appropriate length of time to go back and refund or charge a customer. The board discussed the matter and indicated that it would be reasonable to go back as far as the error had occurred or that there is sufficient record of proof. They requested the General Manager to research what other agencies or districts do, and then return with a proposal. After much discussion the following motion was made by Trustee Swensen seconded by Trustee Behunin.

RESOLVED: To approve the recommendation of the General Manager and make reimbursement to the homeowner, for water and sewer charges, billed in error for the past three years. The motion passed with the following individuals voting in the affirmative: Trustees Behunin and Swensen.

Thank you acknowledgement The General Manager noted that a Thank you card was sent to the Board and Employees of the District for flowers sent to Richard Bay and family at the passing of his wife, Kaylynn.

6. **Engineers Report** Consider approval of change order to Middle Zone Reservoir Contract The Engineer discussed the change-orders that have resulted from additional work that the Engineer and District Management have employed Build, Inc. to complete. Build, Inc. is an excellent contractor in his specialty and the General Manager proposed that the Board approve the additional work and change orders to Build Inc. in the amount of \$277,337.59. After much discussion the following motion was made by Trustee Swensen seconded by Trustee Behunin.

RESOLVED: To approve the recommended change orders to date in the amount of \$277,337.59 to Build, Inc. for additional work. The motion passed with the following individuals voting in the affirmative: Trustees Behunin and Swensen.

7. **Construction and Operations Report** 5MG Reservoir Tank is complete.
5MG Reservoir Landscape The sod was not watered and may need to be replaced. Watching for improvement on a day to day basis.
Lift Station Is 100% complete pending lien waivers.
Valley Well Water Line and Storm Drain Is 100% complete pending lien waivers.
Atherton West Rehab The motor has been vibrating. The well is working and Kyle Widdison is aware of problem and will repair motor at the end of the summer season.
Valley Well Is 95% complete and the planned start date is June 25, 2012. The General Manager has invited the Board to attend the start up of the well.
Water Line Replacement The project is well underway and the work is going smoothly in spite of some challenges for the contractor.

8. **Jordan Valley Water Conservancy District Report** Nothing to report.

9. **Central Valley Water Reclamation Facility Report** Nothing to report.

10. **Discussion of Impact Fee Facilities Plan and Resolution** Matt Millis from Zion's Bank reported on the completed impact fee analysis, considered the assets, the historic costs, and calculated changes in valuations for the District resulting in a reduction in impact fees. The water impact fee has been reduced four percent (4%) to \$1,925.79; and sewer impact fee was reduced thirty percent (30%) to \$845.99. Mr. Millis indicated that with these changes the District is fully compliant under the law. The resolution will take affect in ninety (90) days. The General Manager noted at the present time the water and sewer impact fees are higher than the new, projected fees. The discussion will continue in the Public Hearing.

6:00 p.m. Public Hearing- Regarding Impact Fee Facilities Plan and Impact Fee Resolution

11. **Consider Impact Fee Resolution 12-03** Trustee Ben Behunin opened the public hearing and noted for the record that there was no public present. Matt Millis from Zion's Bank commented on the Proposed Resolution 12-03 that details the calculated valuations for water and sewer impact fees. His analysis determined the maximum fee for culinary water is \$1,925.79, a reduction of four percent (4%); and the sewer impact fee is \$845.99, a reduction of thirty percent (30%). The plan and analysis have been on display at Taylorsville City offices and notices have been in the newspapers and are ready for Board consideration and approval. After Board approval the new fees will take affect ninety days from today, June 20, 2012. After much discussion the General Manager requested that for accounting purposes that the impact fee amounts be set at \$1,920.00 for water and \$845.00 for sewer. The following motion was made by Trustee Swensen seconded by Trustee Behunin.

RESOLVED: To adopt Resolution 12-03, the Impact Fee Facilities Plan and Impact Fee Resolution with a water fee of \$1,920.00 and sewer fee of \$845.00 effective ninety days from today with the current impact fees in place until that time. The motion was passed with the following individuals voting in the affirmative: Trustees Behunin and Swensen.

12. **Closed Meeting** No closed meeting was held.

13. **Adjourn** The following motion to close the Public Hearing and adjourn the board meeting was made by Trustee Swensen seconded by Trustee Behunin.

RESOLVED: To adjourn the June 20, 2012 Board Meeting and Public Hearing at 6:20 p.m. The motion was passed with the following individuals voting in the affirmative: Trustees Behunin and Swensen.

ACTION ITEMS

Proposal to correct customer over or under charges