

**MINUTES OF THE TAYLORSVILLE-BENNION
IMPROVEMENT DISTRICT BOARD MEETING HELD APRIL 23, 2012**

1. The regular monthly meeting of the Board of Trustees of the Taylorsville-Bennion Improvement District was held at 3:00 p.m. Monday, April 23, 2012 at the District office. Present were Trustee Behunin, Trustee Swensen and Trustee Russell. Also present were General Manager, Keith Lord; Assistant Manager, Kevin Fenn; Attorney, Bill Gibbs; Engineer, Tammy North; and Secretary, Tami Fullmer. The prayer was offered by Kevin Fenn.

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

3. **Common Consent Items** Minutes Upon review of the March 21, 2012 Board Meeting minutes the following motion was made by Trustee Russell seconded by Trustee Swensen.

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

Monthly Calendar of Events The General Manager noted that Board Meeting in May will be held on Wednesday, May 16, 2012 and begin at 3:00 p.m. All Trustees plan to be in attendance. The General Manager discussed with the Board the need for a Public Hearing to discuss impact fees. After much discussion the Board agreed to hold the Public Hearing in June with the Board Meeting to begin at 4:30 p.m. followed by the Public Hearing at 6:00 p.m. The General Manager noted that the mother of employee Dan McDougal had passed away.

Trustees Expense Report The General Manager explained that the enclosed forms were for the Trustee's review.

Accounts Payable Discussed: construction/operation and maintenance vouchers 24834 - 24972; including voided voucher #24866, for a total of 139 vouchers with a dollar amount of \$1,499,649.01; payroll vouchers 2012139 - 2012166 and 2012167 - 2012194 for a total of 56 vouchers with a dollar amount of \$143,223.00. After discussion the following motion was made by Trustee Russell seconded by Trustee Swensen.

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

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.

Water Usage and New Connections The Assistant General Manager reviewed and discussed the reports with the Board and directed the schedules to be appended to the minutes. Mr. Fenn reported preliminary reports show that there will be no rate increase for the District from the Jordan Valley Water Conservancy District for the 2012-2013 year. This is a result of good water management of the District's peak factor.

4. **Legal Report** Approve partial release of easement (#5c of Manager's Report) The Attorney reported that he has been working with the District concerning an easement on a piece of land near the District's tanks at approximately 3000 West and 6200 South. The Developer approached the General Manager regarding the description of an easement on the deed that's

causing some conflict. They asked the District to vacate a portion of the easement that is causing the problem. The document has been reviewed by the District's Attorney, as well as Tammy North of CRS Engineers. The District's Attorney proposed some wording changes to the Quit Claim deed submitted by the Developer. This change made the deed cleaner and clearer by including a point of beginning for the District waterline. After much discussion the following motion was made by Trustee Swensen seconded by Trustee Russell.

RESOLVED: To approve the Quit Claim Deed as modified by the District's Attorney and included in the Board book. The motion was passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

5. **Manager's Report** Approve Certifications The General Manager discussed the Certifications for the month of April, 2012. After much discussion the following motion was made by Trustee Russell seconded by Trustee Swensen.

RESOLVED: To approve the Certification amount of \$25,876.57. The motion passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

Consider awarding bid contract for the 4700 South water line The General Manager reported that four bids were received for the project with Whitaker Construction Company submitting the lowest bid of \$1,696,494.00. UDOT requirements will cause an increase to the cost of the project because of it being partially in State roads. There is a potential for change orders because of the uncertainty of possible conflicts that may arise so the General Manager asked the Board to approve a maximum change order limit of \$300,000.00. If the total of change orders exceeds this amount the Board will need to be notified and approve the change order. After much discussion it was decided to reduce the change order limit to \$100,000.00. The following motion was made by Trustee Russell seconded by Trustee Swensen.

RESOLVED: To approve and award the 4700 South Water Line project to Whitaker Construction Company in the amount of \$1,696,494.00 and approve the change order limit the General Manager can authorize to \$100,000.00. Amounts exceeding this limit will need Board approval. The motion passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

Set date and time for public hearing The General Manager discussed with the Board the necessity of a Public Hearing for the Impact Fee Facilities Plan and Written Analysis. He asked that the Public Hearing be held Wednesday, June 20, 2012 with the Public Hearing to begin at 6:00 p.m. and a Board Meeting to begin prior at 4:30 p.m. After much discussion the Board agreed to meet on the aforementioned date and time.

Update on Emergency Preparedness Planning Mr. Fenn reported on the State-wide simulated "Mock 7.0 Earthquake" exercise and the District's response. Mr. Fenn and Dan McDougal have worked together to create a formal emergency plan. The formal organizational plan has already been adopted by the Board and is flexible enough to deal with various types of emergencies. He explained the plan is always changing and evolving so as to be able to address the District's response to any problems. The District's Attorney stressed the importance of having the Board be aware and approve the District's Emergency Response Plan.

6. **Engineers Report** Valley Well Water Line Ms. North reported that CRS and the District Management met and discussed the steps needed to complete the Valley Well water line. The following steps were requested of Terry Larson Excavation, Inc. (TLE): 1) test the line for two hours at 200 p.s.i. with no leakage, in two different segments; 2) return in one month and retest the entire line; 3) the District would only charge liquidated damages up to the time that TLE pulled off the job. When presented to TLE their response was they wanted liquidated damages off the table, and would only test the water line at AWWA standards which allows for some leaking. The Engineers and the District met again and discussed TLE's response and then revised their request. They requested that TLE test the line in two segments with no leaks detected and the liquidated damages would be waived. If there was a successful test, then TLE would not need to retest the line in one month. TLE accepted the new arrangements. A change order is in the works to amend the contract and will be issued to TLE. CRS Engineers asked TLE and Nelson Brothers Construction, the contractor for the Valley Well pump house, to work together to get the water line completed. A letter of indemnification has been signed by both contractors and the work is proceeding.

7. **Construction and Operations Report** Valley Well Pump House Mr. Fenn reported the Valley Well pump house is coming along very well. Nelson Brothers Construction has done an excellent job of completing their portion of the project.

Water Line Replacement Mr. Fenn reported that Whitaker Construction who was awarded the contract is an excellent company who understands the technical nature of this project and working with UDOT. The notice of award will be issued allowing Whitaker to get their bonding in place and the District will hold a pre-construction meeting for all the various entities involved. The construction will continue through the summer months until completed.

8. **Discussion Items - Trustee Russell** Zip code 84129 Trustee Russell inquired if all vendors, contractors, or contacts have the District's new zip code of 84129. The post office will discontinue the mail with the old, former zip code of 84118 on July 1, 2012. The General Manager explained that the District's mail goes to a post office box at the Kearns Post Office which is a 84118 zip code.

Monthly Bill Stuffer Trustee Russell suggested a bill stuffer which lists localized facts and information about the District; emergency preparedness, local conservation, trivia, and information on the new wells.

Taylorville Dayzz parade participation - June 30, 2012 Trustee Russell asked if the District would be willing to participate in the Taylorville Dayzz Parade by providing a truck, possibly a motor truck, to travel the parade route. The District management will discuss the issue and make a decision.

9. **Jordan Valley Water Conservancy District Report** Trustee Swensen discussed the Member Agency Meeting scheduled Wednesday, April 25, 2012 at 10:00 a.m. where rates and information will be given to the various entities.

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

11. **Adjourn** The following motion was made by Trustee Russell seconded by Trustee Swensen.

RESOLVED: To adjourn the April 23, 2012 Board Meeting at 4:55 p.m. The motion was passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell

ACTION ITEMS

- Taylorsville Dayzz Parade participation