

**MINUTES OF THE TAYLORSVILLE-BENNION
IMPROVEMENT DISTRICT BOARD MEETING HELD DECEMBER 21, 2011**

1. The regular monthly meeting of the Board of Trustees of the Taylorsville-Bennion Improvement District was held Wednesday, December 21, 2011 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, Paul Hirst; and Secretary, Tami Fullmer. Jerry Milne, a resident of the District was in attendance.

2. **Public Comments** The General Manager introduced Jerry Milne to the Board. Mr. Milne addressed concern regarding a piece of property located at 700 West 4800 South. Taylorsville City owns the park strip and Salt Lake County has purchased the property and is using it as open space. Mr. Milne has met with County directors over open space and found there is enough money in the County master plan to plant trees, develop trails and build a bridge over the Jordan River. Mr. Milne explained that there are volunteers that will provide the man power to plant trees in the park strip but is requesting the District provide a water source for this area. The General Manager explained to the Board that there is an existing water line at this location that can be used. Mr. Milne plans to ask Taylorsville City to pay for the water used as well as matching funds that the County has provided. After much discussion the Board made the decision to waive the cost of setting the meter, and the City or volunteers will place a spigot in the ground at the existing connection for the purpose of watering the trees. The City or responsible party will have to pay for the water used. Mr. Milne thanked the Board for their time.

3. **Common Consent Items** Minutes Upon review of the November 16, 2011 Board Meeting minutes motion was made by Trustee Russell seconded by Trustee Swensen and unanimously approved the October, 2011 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 the January 18, 2012 Board Meeting will begin at 3:00 p.m. All Trustees plan to be in attendance. Trustee Behunin invited the Board to a Central Valley Training Meeting to be held January 20, 2012.

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 24337-24512, including voided vouchers 24374-24378, for a total of 176 vouchers with a dollar amount of \$1,227,726.54; payroll vouchers 2011567 - 2011593 and 2011594 - 2011620 for a total of 54 vouchers with a dollar amount of \$161,486.85. Trustee Swensen asked for clarification regarding the Sam's Club membership. The General Manager explained that each employee pays for their individual membership fees to the company and Taylorsville-Bennion writes one large check to Sam's Club. Trustee Russell requested more information on the cost for man hole covers. Mr. Fenn explained that some covers need replacement when damaged or roads re-paved. After discussion motion was made by Trustee Russell seconded by Trustee Swensen and unanimously approved 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 for December, 2011. After a thorough review of the report as contained in the Board Book, it was directed to be appended to the minutes.

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

4. **Approve Certification** The General Manager discussed the Certification amount for the month of December, 2011. Motion was made by Trustee Russell seconded by Trustee Swensen and unanimously approved the Certification amount of \$35,263.90. The motion passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

5. **Consider approval of board meeting schedule for 2012** The General Manager reviewed the 2012 Board meeting schedule. After discussion and comments motion was made by Trustee Russell seconded by Trustee Swensen and unanimously approved the 2012 Board meeting schedule. The motion passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

6. **Legal Report** ^A Discussion regarding Per diem for Board members The General Manager explained that Board members are entitled to twelve meetings per year where per diem is paid. The Attorney reported that Board members are entitled to \$60.00 per diem for any event up to four hours and \$90.00 per diem for any meeting or conference that runs over four hours. In addition, each Board member is allowed a per diem of \$100.00 for a training session. Motion was made by Trustee Swensen seconded by Trustee Russell and unanimously approved the General Manager to accept the proposal from the District's legal counsel and follow the state statute to pay \$60.00 per diem up to four hours and \$90.00 per diem for meetings over four hours. The motion passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

After further review, the General Manager and the Attorney requested that the Board amend the District's policy for per diem set at \$100.00 for any event to \$90.00 so as to be in conformance with the State statute. Motion was made by Trustee Russell seconded by Trustee Swensen and unanimously approved to set the per diem at \$90.00 for any meeting or conference over four hours. The motion passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

Waterside Townhomes The General Manager requested the Attorney to advise himself and the Board on construction deposits that were paid by the original developer, who did not complete the project and filed for bankruptcy. The current developer has taken over the project, has brought the project up to grade and has requested the deposit after completing the project. The Attorney advised the Board to keep the money in the bank until the project is completed and will review the situation at its completion.

7. **Manager's Report** Consider approval of 2012 Workers Compensation Fund agreement The General Manager reported that he attempted to get bids from other companies but none responded. He indicated that historically Worker's Compensation Fund of Utah has the lowest rates. The current rate schedule has decreased based on the District's good safety ratings and the economy. After much discussion motion was made by Trustee Russell seconded by Trustee Swensen and unanimously approved to accept the Workers Compensation Fund premium for 2012. The motion passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

Consider approval of the Notice of the Intent to Create an Impact Fee Facilities Plan The General Manager reported the District will move forward and file an intent to create an impact fee facilities plan and written analysis and will post it on the Utah State website to alert anyone of the

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beginning of the first phase. Once the plan and analysis are complete and ready, a second notice will be posted on the Utah State website in accordance with Utah State statutes. After discussion motion was made by Trustee Swensen seconded by Trustee Russell and unanimously approved moving forward with the Notice of Intent to Create an Impact Fee Facilities Plan and Written Analysis. The motion passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

8. **Engineers Report** Consider approval and award of construction contract for Valley Well House The Engineer reported that the District received three bids for the Valley Well House and the bid opening was held December 20, 2011. Nelson Brothers Construction Company was the low bidder for the project. The company comes highly recommended. Motion was made by Trustee Russell seconded by Trustee Swensen and unanimously approved to award Nelson Brothers Construction Company to build the Valley Well house in the amount of \$564,340.00. The motion passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

9. **Construction & Operations Report** Projects under construction
5 MG Reservoir Mr. Fenn reported that the reservoir is being re-filled and the back fill of the reservoir is close to 90% complete and will soon be able to view the contours of the landscape.
3900 S Lift Station The lift station is proceeding and two of the three screws have been re-installed. The first screw is being grouted and the District is anticipating the start of grouting the second screw. The grout is taking longer to cure than anticipated because of the cold weather.
Valley Well Water Line The portion under the river is nearing completion and the tie-in to the existing main line is on hold until the special order parts can be fabricated and delivered to the site.

Valley Well As reported the bid opening took place December 20, 2011 and Nelson Brothers Construction Company was awarded the bid.

Low Zone Boosters This project has been identified in the budget and the District is weighing various options as to how to proceed.

1300 West Project Mr. Fenn reported that Taylorsville City has requested that the District pen a letter showing support for the completion of this project and concern that District facilities could be damaged if there is a slide and not repaired. The City is trying to secure federal funds and the problem needs to be mitigated. If unsuccessful in securing the federal money the City may need to solicit funds from the various agencies that could be affected if the road is not repaired.

10. **Jordan Valley Water Conservancy District Report** Trustee Swensen reported that new Board appointments will be made in January, 2012. Kent Winder will be on the Board representing Granger-Hunter and Cory Rushton representing West Valley City will sit on the Board. Margaret Peterson and Steve Taggart will be leaving the Board. Dale Gardiner will continue to sit on the Board until more appointments are made.

11. **Central Valley Water Reclamation Facility Report** Trustee Behunin reported that retiring Reed Fisher was honored at the December Board meeting. Tom Holstrom was installed as the new General Manager effective January 3, 2012. Tom will be an excellent manager and Reed Fisher will be a private consultant if time permits. An open house in Reed's honor will be held Thursday, January 12, 2012.

PUBLIC HEARING 4:00 p.m.

Presentation of Capital Projects and Maintenance Budget 2012 & 2011 Motion was made by Trustee Swensen to begin the Public Hearing at 4:00 p.m. seconded by Trustee Russell. The motion was passed with the following individuals voting in the affirmative: Trustee Behunin, Swensen and Russell.

12. **Public Comment** No public was in attendance.

13. **Consider changes to Capital Projects and Maintenance Budget 2011** The General Manager indicated that even though there were projects that exceeded their line item or were not included in the original budget, that the overall budget was not exceeded. Therefore, he recommended that there was no need to open the 2011 budget.

14. **Consider adoption of Capital Projects and Maintenance Budget 2012** The General Manager presented the 2012 Budget to the Board for their review and discussion. He reported that a budget number needs to be included for tank repairs that wasn't noted on the Tentative 2012 budget in the amount of \$95,000.00. After much discussion motion was made by Trustee Swensen seconded by Trustee Russell and unanimously approved to adopt the 2012 Capital Projects and Maintenance Budget for 2012. The motion was passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

Motion was then made by Trustee Russell seconded by Trustee Swensen and unanimously approved to close the Public Hearing. The motion was passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

15. **Adjourn** Motion was made by Trustee Russell seconded by Trustee Swensen and unanimously approved to adjourn the December, 2011 Board Meeting. The motion was passed with the following individuals voting in the affirmative: Trustees Behunin, Swensen and Russell.

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ACTION ITEMS