

**MINUTES OF THE PUBLIC MEETING OF THE POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT held on Tuesday Feb. 7, 2017 at 3:00 PM in the Weber County Commission Office Room #365, located at 2380 Washington Blvd., Ogden, Utah 84401.**

**Trustees Present:**

Trustee Kerry Gibson  
Trustee Bob Behrendt  
Trustee Jennifer Reynolds (Via Phone)  
Trustee James Ebert  
Trustee Jim Harvey

**Public:**

Brent Clyde  
Jeff Werbelow

**Staff Present:**

Paul Hirst, District Manager  
Carrie Zenger, Secretary/Treasurer PMWSID  
Rachel Anderson, Attorney

**A. Welcome – Trustee Behrendt, Vice Chair**

**B. Public Comment**

- Brent Clyde, a property owner, was present inquiring about the Will Serve Letter for Summit and why there are three Commissioner's on the Board and not actual property owners, Trustee Gibson explained the process of qualifications and the reason for the Will Serve Letter for Summit.

**C. Oath of Office**

- Trustee Gibson, Trustee Harvey and Trustee Ebert took the Oath of Office.

**D. Appointment of Chair, Vice Chair and Record's Officer**

Trustee Ebert motioned to appoint Trustee Gibson as Chair and Trustee Behrendt as Vice Chair and Carrie Zenger as Record's Officer; Trustee Reynolds second with all voting "aye."

**E. Consent Items – Paul Hirst, District Manager**

- Request of approval for meeting minutes held on December 19, 2016.
- Consent of warrant's to be paid.

**Trustee Gibson motioned to approve the consent item's; Trustee Ebert second with all voting "aye."**

**F. Manager's Report - Paul Hirst**

***RFP approval***

Paul Hirst indicated that the Rate Study is in progress. Requested authorization to issue an RFP for Bond Council for new Cobabe Well. Trustee Ebert questioned the financial status as to the pay back of the bond. Paul Hirst explained the process and will present the statement when it is ready.

**Trustee Behrendt motioned to approve the authorization for RFP Bond; Trustee Harvey second with all voting "aye."**

***Financial Statements***

Paul Hirst reviewed the new Budget vs Actual Statements as of January 31, 2017. Paul Hirst reviewed the process of future agenda's. Board wished to have them issued one week prior to Board Meeting via email and a hard copy in Board Books for the meeting.

### ***Drilling of Cobabe Well***

Trustee Behrendt expressed his concerns for the drilling of the new well and the issuance of the Will Serve Letter prior to the drilling. Paul Hirst reviewed the process he is taking for the documentation from the State to proceed with the Bond. Jeff Werbelow was asked about the Property Use Easement pertaining to the Cobabe Well. It is in process.

### ***Summit Mountain Holding Group***

Trustee Behrendt reviewed the process that has taken place up to the meeting and conversation regarding the Will Serve Letter for Phase 2. Rachel Anderson reviewed her concerns regarding the issue and the risk of proceeding with the letter.

### ***Release of Waterline Easement***

Paul Hirst reviewed the Easement and asked for approval of the Vacant Easement per page item 1 and documentation following. Trustee Behrendt would like further discussion.

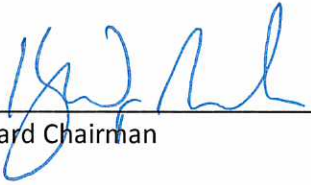
**Trustee Behrendt motioned to move forward on vacating and accepting the Sanitary Sewer Easement with Trustee Gibson signing; Trustee Ebert second; all voting "aye."**

- G. Motion made to adjourn the public meeting for a closed strategy session to discuss the acquisition of real property, including any form of water right, and any pending or reasonably imminent litigation.**
- H. Public Meeting Reconvened**
- I. Action**
  - 1) Discussion and/or action item(s) on Appointment of Chair, Vice Chair and Record's Officer.  
See approval above
  - 2) Discussion and/or action item (s) on Authorization of RFP Bond Council.  
See approval above
  - 3) Discussion and/or action item(s) on approval of Summit Mountain Holding Group Phase 2 Will Serve Letter and vacate easements.

**Trustee Ebert motioned to empower the Chair and staff to review and create a Will Serve Letter based upon the prior Will Serve Letter but to encompass and include a plan to include wet water, the how and when they (SUMMIT) will provide wet water, address the packaging of these water rights to future property owners and the notification, and/or dispersal of the water rights, a time line for the District to have a better idea of the perpetuity of the agreement within the next two weeks and report back to the Chair, body and staff. To empower the Chair to sign the Will Serve Letter based upon the recommendation of Vice Chair and Staff; Legal and Paul Hirst. Trustee Behrendt would like to include Don Barnett as an advisory only. If no conclusion then we call for an emergency Board Meeting in two weeks to be held in February. Trustee Gibson second with all voting "aye."**

J. Adjourn

Trustee Behrendt motioned to Adjourn Public Meeting at 4:48 PM; Trustee Gibson second; all voting "aye."

  
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Board Chairman

3/27/17  
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Date