

POWDER MOUNTAIN WATER and SEWER IMPROVEMENT DISTRICT
PUBLIC MEETING April 23, 2018
MEETING MINUTES

MINUTES OF THE PUBLIC MEETING OF THE POWDER MOUNTAIN WATER AND SEWER IMPROVEMENT DISTRICT held on Monday April 23, 2018 at 10:00 AM in the Weber County Commission Office Room #365, located at 2380 Washington Blvd., Ogden, Utah 84401.

Trustees Present:

Trustee James H. Harvey, Chair
Trustee Bob Behrendt (VIA PHONE)
Trustee Gary Urdang, Treasurer
Trustee Mark Schroetel
Trustee Kerry Gibson (VIA PHONE)

Public Present

Mike Moyal

Staff Present:

Roy Watts, District Manager
Carrie Zenger, District Clerk
Rachel Anderson, Attorney (VIA PHONE)

A. Welcome – Trustee James H. Harvey, Chair

B. Public Comment

NONE

C. Consent Items

- 1) Request for approval of District bills to be paid.
 - Warrants #365-374 in the amount of \$107,644.33
- 2) Request for ratification of motions approved at July 13, 2017 Board Meeting including:
 - Approval of District bills to be paid (warrants #218-223)
 - Approval of minutes from June 22, 2017 Board Meeting.
 - Approval of Policy regarding destruction of District property.

Trustee Behrendt move to approve consent items 1&2; Trustee Urdang second with all voting “aye”.

D. Rachel Anderson-Attorney

Consider adoption of Resolution Ratifying the Action taken by the Board on July 13, 2017 to authorize the Issuance of Revenue Bond.

Trustee Urdang moved to approve the Resolution Ratifying the Action taken by the Board of Trustees on July 13, 2017 to authorize the Issuance of Revenue Bond; Trustee Schroetel second with all voting “aye”.

E. Manager’s Report – Roy Watts, District Manager

Discussion and/or action of Authorization and Resolution for new company vehicle.

A recommendation that the District approve another vehicle for Roy Watts to use, as he is putting wear and tear on his own vehicle. The District reviewed the Budget and submitted the information on the cost and process to purchase the vehicle. Trustee Harvey suggested that Roy be reimbursed for mileage until the Budget has been reviewed further.

Discussion and/or action of Resolution for new account at Zions Bank.

Zions Bank requested a Resolution for the new accounts that have been set up.

Trustee Behrendt moved to adopt the Resolution for Zions Bank; Trustee Urdang second with all voting "aye".

Discussion and/or action on Feasibility process and letter for Mike Moyal, SMHG and future developments.

Staff has been reviewing the past agreements regarding water sources, Summit, and the feasibility to serve future developments and that we can issue a feasibility letter to Mike Moyal and other developments with the exception of access to the water. It was suggested other options he may have regarding access to water. Roy recommended the Board listen to Mike's proposal and make a decision. Mike reviewed the documentation he has stating his lot was granted access to the water rights back in 1974. Mike is proposing to replace the waterline with an 8" line at his expense. Trustee Harvey requested that Mike give us two (2) weeks to verify with our Attorney the legalities and review in writing to bring before the Board.

Summit has requested a Feasibility Letter. The difference between a Will Serve and a Feasibility Letter was reviewed. Roy recommended that we issue a feasibility letter for Phase 2 and the 83 ERU's so they may proceed.

Trustee Behrendt moved to issue the Feasibility to Summit Mountain Holding Group for Phase 2; Trustee Urdang second with all voting "aye".

Discussion and/or action on authorization to hire Matt Jensen for specialized water rights issues.

A recommendation was made that the District hire Matt Jensen for specialized issues that are needed.

Trustee Behrendt moved to hire Matt Jensen for specialized legal water right issues; Trustee Schroetel second with all voting "aye".

Discussion and/or action of Proposed Declaration for Annexation into our District for Summit.

The benefits of an Annexation into our District with one boundary change were reviewed. Roy is suggesting that Summit Annex into the District with one boundary change. Keeping Summit tax neutral is based on our budget. Trustee Harvey stated the Board has consensus for this item.

Report on leak on the mountain

Staff reviewed the leak on the mountain (The Village) and verified is a service line on the mainline and that the weld is failing. Roy is recommending that the District purchase a leak

detecting system to prevent future loss of water. The contractor will be repairing the leak under warranty, but Roy feels that this may be an issue in the future.

Report on Impact Analysis

The Impact Analysis is in review status and should be ready for May Board Meeting and ready for a Resolution to be signed.

Report on Cobabe Well

Zim Industries will be on site within the next 3 to 4 weeks to start the drilling of the Cobabe Well. They have until July for completion. CRS Engineers will schedule a Pre-Construction Meeting. Trustee Urdang is asking about mobilization for the second time and would like Roy to inquire about saving money on the second mobilization. Trustee Behrendt is suggesting again that we have RFQ's regarding the waterline from the new well up the hill. Consensus of the Board is to have at least three (3) RFQ's for construction of the waterline to move water up the hill.

Report on letter sent to Gordon James regarding the District records.

A previous CPA, Gordon James, for the District is still in possession of documents that are the property of the District. Gordon James will not release the records to the District. Rachel has issued a letter to him asking for the documentation. The District will move ahead legally. Trustee Harvey is suggesting that we need to proceed if we have no communication with Gordon by Friday the 27th of May 2018.

Report on Sewer Easements for Eden Heights

The agreement the District has with Eden Heights on the sewer lagoons will need to renegotiate. Trustee Schroetel is suggesting some land swaps between Summit and the District with Eden Heights.

There are some options, but we will need to have an Attorney to review these agreements before negotiations. The easements have been located. We will continue discussion in closed session.

F. Report on District's Financials – Carrie Zenger

The District's financials including Budget vs. Actuals, Check register and the balances of bank accounts were reviewed.

G. Motion was 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.

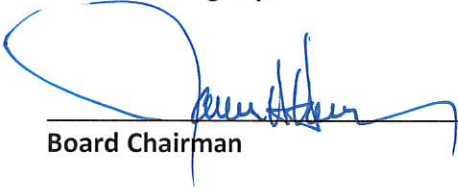
H. Public Meeting Reconvened

I. Action on discussion in closed session

No action was taken

J. Adjourn

Trustee Behrendt moved to Adjourn the meeting at 12:05 PM; Trustee Urdang second with all voting "aye".



Board Chairman

21 May 2018

Date