

# BOARD OF TRUSTEES MEETING MINUTES

March 17, 2014  
\*\* District Office\*\*  
5:00 p.m.

## I. CALL TO ORDER

The March 17, 2014, Board of Trustees meeting was called to order by Chair Jan Wilking. Other Board members in attendance were Mary Ann Pack, Richard Pick and Robert Richer. SBWRD staff in attendance were Mike Luers, Roger Robinson, Michael Boyle, Bryan Atwood, Brian Passey, Dave Actor, Kevin Berkley and Kim Dudley. Also in attendance were Jason Watterson, Utah Local Governments Trust and Jeremy Cook, Parsons, Kinghorn and Harris.

## II. CONSENT AGENDA

- A. Approval of Board Meeting Minutes for February 24, 2014
- B. Escrow Fund Reduction Approval  
Silver Creek Offsite Sewer Extension – Retain 60 percent

Mr. Pick made the motion to approve the Consent Agenda, Mr. Richer seconded and the motion carried with Mr. Richer, Mr. Pick, Ms. Pack and Mr. Wilking voting in the affirmative.

## III. PUBLIC INPUT – There was no public input.

## IV. APPROVAL OF EXPENDITURES – Bills in the Amount of \$275,940.42

Ms. Pack made the motion to approve the Expenditures, Mr. Pick seconded and the motion carried with Ms. Pack, Mr. Pick, Mr. Richer and Mr. Wilking voting in the affirmative.

**V. UTAH LOCAL GOVERNMENTS TRUST – Trust Accountability Program (TAP) Award – Mr. Watterson from Utah Local Governments Trust presented the District with the TAP Award. He said it was the 1<sup>st</sup> award for the TAP program and it was his pleasure to present it to the District. Mr. Watterson also presented the District with a check in the amount of \$1,176.20, he said this was giving back 5% of our liability premium. The TAP program requires, but not limited to, demonstrated excellence in the areas of safety committee meetings, return-to-work programs, monitoring and taking action on driver citations (MVR), safety action registers, and if applicable, sewer inspections and land use training.**

Mr. Wilking thanked Mr. Actor and the District's staff for earning this award.

Mr. Luers told the Board that we will be holding an employee appreciation luncheon on March 19, 2014 at noon. He said the luncheon is to thank all the employees for their hard work and efforts in receiving this award. Mr. Luers invited the Board to attend.

## VI. SUBDIVISION PROJECTS

Nicklaus West Phase 1 – 6 REs

A main line and force main from a nearby lift station were installed in Nicklaus West Road in 2007. At this time, the gravity main line and laterals were installed in anticipation of the lots that would eventually be platted along the road. However, the proposed lot configuration has changed from what was originally anticipated. The proposed Nicklaus West Phase 1 Subdivision has resulted in five lots without lateral stubs and one additional lot (Lot 14) that is not located adjacent to a gravity wastewater line.

The proposed Line Extension Agreement will extend the gravity main line approximately 65' and add one additional manhole adjacent to Lot 14. Also with this project, laterals will be installed for the five other lots that currently do not have lateral stubs.

Staff recommended approval of this project.

Mr. Richer made the motion to approve the Subdivision Projects, Ms. Pack seconded and the motion carried with Mr. Pick, Ms. Pack, Mr. Richer and Mr. Wilking voting in the affirmative.

**Estimated LEA REs Year to Date: # Above Splitter 0; # ECWRF 183; # SCWRF 85; Total 268  
Proposed this Meeting: # Above Splitter 0; # ECWRF 0; # SCWRF 6; Total 6**

## **VII. DISTRICT MANAGER**

A. Action Items – Park City Heights Development – Consider Approval of Environmental Indemnity Agreement with Ivory Development – The Line Extension Agreement (LEA) for the current Park City Heights project was approved by the Board on February 27, 2012. The LEA approval included the conditions that the known contaminated soils on the project site be remediated according to EPA and Utah Dept. of Environmental Quality approved plans and that Ivory Development, as the project developer, enter into an indemnity agreement with the District. The purpose of the indemnity agreement is to protect the District from any future contaminated soils issues related to the proposed public sewer line extensions required for the project. The District's attorney has worked with Ivory's attorney to prepare the attached Environmental Indemnity Agreement.

Staff recommends that the Board approve the Agreement.

B. Mr. Richer made the motion to approve the Environmental Indemnity Agreement with Ivory Development subject to receiving acceptable information from the District's attorney detailing Ivory Development LLC and how it fits into their corporation, Mr. Pick seconded and the motion carried with Mr. Pick, Ms. Pack, Mr. Richer and Mr. Wilking voting in the affirmative.

### C. Information Items

1. Update the status of the Summit County approvals for Training Building – Mr. Luers and Mr. Boyle appeared before the County Council and the Planning Commission and the permits were granted for the training building.
2. Financial Statement
3. Impact Fee Report
4. Joint meeting with County Council and Summit County Board of Health, March 19, 2014 @ 4:30pm – Mr. Luers gave the Board the Agenda for the Summit County Council Meeting. He said that all Board Members have been invited to attend to discuss water quality, septic systems and customers looking to connect to the District's sewer line.

Mr. Richer made the motion to adjourn to Closed Session at 5:48 p.m., Mr. Pick seconded and the motion carried with Ms. Pack, Mr. Pick, Mr. Richer and Mr. Wilking voting in the affirmative.

## **VIII. CLOSED SESSION – Discuss the character, professional competence or physical or mental health of an individual**

Mr. Pick made the motion to reconvene to the open meeting at 6:13 p.m., Mr. Richer seconded and the motion carried with Mr. Pick, Mr. Richer, Ms. Pack and Mr. Wilking voting in the affirmative.

Mr. Pick noted that Mr. Luers has not had an increase in his base salary for several years.

Mr. Pick made the motion that Mr. Luers receive a 5% increase in his base salary and a 7.5% bonus, Mr. Richer seconded and the motion carried with Mr. Pick, Mr. Richer, Ms. Pack and Mr. Wilking voting in the affirmative.

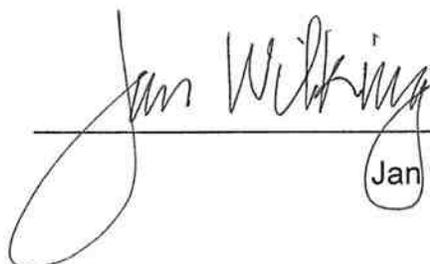
## **IX. FUTURE AGENDA ITEMS**

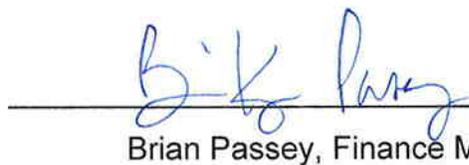
- A. Projects
- B. Operations
- C. Finance

D. Governmental Matters

X. ADJOURN

Mr. Pick made the motion to adjourn, Mr. Richer seconded and the motion carried with Mr. Pick, Mr. Richer, Ms. Pack and Mr. Wilking voting in the affirmative.

  
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Jan Wilking, Chairman

  
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Brian Passey, Finance Manager/Clerk