

**MINUTES OF THE WASATCH COUNTY COUNCIL
ACTING AS
THE GOVERNING BOARD OF THE NORTH VILLAGE
SPECIAL SERVICE DISTRICT
JANUARY 14, 2025**

PRESENT: Vice Chair Kendall Crittenden
Chair Erik Rowland via Zoom
Board Member Heidi Franco
Board Member Yvonne Barney
Board Member Colleen Bonner
Board Member Karl McMillan
Board Member Spencer Park

STAFF: Max Covey, the General Manager
Wade Webster, Keetley Water Treatment Plant Manager
Doug Scow, Water Rights Supervisor
Dana Kohler, Administrative Assistant
Kierstan Smith, CPA
David Fuller, Project Manager
Rick Tatton, Court Reporter via Zoom
Theresa Baronek, District Treasurer.

Board Vice Chair Kendall Crittenden called the meeting to order at 5:45 p.m. on Tuesday, January 14, 2025. The record should show that all the Board Members are present except Board Member Erik Rowland via zoom. The record should show that the governing Board of the North Village Special Service District is meeting in the Wasatch County Administration Building in Heber City, Utah 84032 and it is located at 25 North Main, Heber City, Utah 84 032. Board Vice Chair Kendall Crittenden then called the first agenda item.

REGULAR SESSION

**APPROVAL OF THE REGULAR
MINUTES AND PUBLIC HEARING MINUTES FOR DECEMBER 10, 2024**

Board Member Luke Searle made a motion to approve the regular public minutes and the hearing minutes for December 10, 2024. Board Member Heidi Franco seconded the motion, and the motion carried with the following vote:

**AYE: Board Vice Chair Kendall Crittenden
AYE: Board Member Heidi Franco**

**AYE: Board Member Luke Searle
AYE: Board Member Spencer Park
AYE: Board Member Yvonne Barney
AYE: Board Member Erik Rowland via Zoom.**

NAY: None.

ABSTAIN: Board Member Colleen Bonner

Board Chair Erik Rowland is now conducting the meeting.

WARRANT LIST APPROVAL

Board Member Luke Searle made a motion to approve the warrants list in the amount of \$120,399.59. Board Member Karl McMillan seconded the motion, and the motion carries with the following vote:

**AYE: Board Chair Erik Rowland via Zoom
AYE: Board Member Heidi Franco
AYE: Board Member Luke Searle
AYE: Board Member Spencer Park
AYE: Board Member Yvonne Barney
AYE: Board Member Colleen Bonner
AYE: Board Member Karl McMillan**

NAY: None.

ELECT BOARD CHAIRMAN AND VICE CHAIRMAN

Board Member Luke Searle made a motion to appoint Board Member Erik Rowland as the chair and Board Member Kendall Crittenden as vice chair. Board Member Karl McMillan seconded the motion, and the motion carries with the following vote:

**AYE: Board Chair Erik Rowland via Zoom
AYE: Board Member Heidi Franco
AYE: Board Member Luke Searle
AYE: Board Member Spencer Park
AYE: Board Member Yvonne Barney
AYE: Board Member Colleen
AYE: Karl McMillan
NAY: None.**

Board Vice Chair Kendall is now taking charge of the meeting and Chair Erik Rowland will still stay on.

DISTRICT NO FAULT POLICY

Max Covey, the General Manager, indicated that for the last few months we have looking into a no fault policy and these are policies that are typically found with municipalities when there is a water line break or sewer backups or something like that that the district is not found at fault so our insurance is not found at fault but yet there is some impact on a residence or a public property owner in that area. I have asked Brian Child to come up who is with Olympus Insurance, our insurance provider, to present and walk through a little power point presentation that he put together just so that everybody understands exactly what a no fault policy is and what we are trying to achieve here and possibly some pros and cons of both. Brian Child then presented a power point presentation to the Governing Board of the North Village Special Service District and then asked if there were any questions on the matter. The Governing Board then discussed the No Fault Policy and asked some questions for clarification.

Max Covey also indicated that as a water system, it is common to occasionally have water line breaks. Typically, when this happens it is on a public road and has little impact on private property. There are instances when it does impact private residences, and the district is not found at fault by our insurance company/adjuster. In these cases, the homeowner would then be financially responsible for repairing the damage. Many public utilities have similar policies as a good will gesture to help with the financial burden caused by the leak. JSSD staff and legal team reviewed many of these policies and have drafted a sample policy.

Motion

Heidi Franco made a motion and again everyone let us look at the wording here in case you want to change it. This is a conditional approval with final approval next month based on a final copy. The changes please are in Exhibit A Page 1C the first change upon notification of the occurrence of the event the General Manager or designee may contact a property public adjuster and/or a clean-up contractor. That is on Exhibit A Page 1C and then when we go down to Exhibit A Page 3 right at the top under maximum payments. The first sentence is NVSSD funds are limited period. If funds are available and just keep going without the expressed action of the district council just keep on going. NVSSD funds are limited period if funds are available and right there under maximum payments and then under A it is up did we say ten thousand dollars per application or location so up to ten and then B up to thirty thousand dollars per incidence and then strike out the next sentence so there is no catastrophic event. Board Member Colleen Bonner indicated so start and begin at the thirty thousand for incidence limitation will be pro-rated. Board Member Heidi Franco indicated that is a good idea and you can leave at least that part in there. Strike out the should a catastrophic event occur but the rest is fine. Board Vice Chair Kendall Crittenden what about the findings as she suggested at the front we are calling a catastrophic event. Heidi Franco, can you bring us back a definition that we could use. Board Vice Chair Kendall Crittenden indicated that I like that and take it out. Board Member Heidi Franco indicates we do not even have to define that. Suggested thirty

thousand for incident limitation and all losses for assistance is requested unless additional funding is approved by the governing body of the district where the places that are highlighted. Board Member Colleen Bonner indicated the one at the bottom and at the top. The Board Member Heidi Franco indicated that I think that is everything on the motion. Board Vice Chair Kendall Crittenden indicated that the problem is that there are two sets of recitals, one on Exhibit A and the other one. Board Member Colleen Bonner indicated they would go to both of those. Board Member Luke Searle seconded the motion. Board Vice Chair Kendall Crittenden indicated that will ratify the new language that are approving. Heidi Franco indicated that we are approving the policy but we will have the findings on it and the language next month to clarify that and then will ratify our motion.

AYE: Board Chair Erik Rowland via Zoom.

AYE: Board Member Colleen Bonner

AYE: Board Member Yvonne Barney

AYE: Board Member Heidi Franco

AYE: Board Member Spencer Park

AYE: Board Vice Chair Kendall Crittenden

AYE: Board Member Karl McMillan

NAY: None.

GENERAL MANGER'S REPORT

Max Covey, the General Manager, addressed the Governing Board of the North Village Special Service District and commented that I have joined some of the recent meetings remotely on annexations and things like that and just wanted to indicate a few things regarding Harvest Village. We show that they have 225 ERUs of bonded water and bonded sewers and that is from the North Village Ponds. Board Heidi Franco indicated that they are asking for more ERU's if I recall. Max Covey indicated that is what they have paid for. As far as reserved water with us from the KLJB who the owner of the property and that is who the water reservation assignment is with is 188-acre feet That whole parcel right there has about 200-acre feet.

Board Franco indicated that she has a question about that. There is a concern about de-watering that might be needed on those parcels as well as the storm water retention basin that they have to provide for themselves as well as across the street on the Crossings which is different than what our city code has required and are asking for that exception to bring the storm water across the street, across Highway 40 to the westside. Given that they have all that acre feet for their culinary residential, commercial use plus de-watering on site and they would have to do burning and retention and such. Can they haul any of the water off-site or do they have to use it all on site, the ground water that they might need to de-water, the storm water that they are bringing in and they have to retain, can they discharge anything or haul anything off site. Max Covey replied that more than likely they would need a discharged UPDES permit of some sort with the Division of Water Quality and that it is on the outside of our purview there. Heidi Franco indicated that the two developers agreed to bring the water across the road because the Crossing

is mostly rock. They are asking not to retain off site because of that. Max Covey replied that the water that we are holding is going to be delivered through our pipes to the indoors of the homes, the culinary use or to the irrigation outside. This is not water they can sell off and is separate in delivering the water through our system and is culinary or secondary.

Board Member Heidi Franco indicated that they have agreed to a seventy-foot buffer from UDOT's property line on their property for this storm water open space area. I am also concerned about the de-watering. They are allowing Crossings to blast down fifty-some-odd feet to try and put their hotels in and concerned about them hitting that aquifer from the Sessions Springs. Max Covey replied that as far as our water production we don't have any sources right there in that general area and certainly would like to be involved in the blasting because we do have a lot of pipes in the ground and when they start blasting we want to be involved. Max Covey replied that everybody is clear that the 225 ERUs that is just what they indicated and that is not the limiting factor, and it is whatever the building authority, planning and zoning approves that is really what takes place.

Max Covey indicated that everything is going real well in North Village and trying to get through water and still have residual building but it has slowed down, but with the little amount of snow that we have received they have been able to move forward on some things but we do anticipate it is going to be another busy year.

OTHER BUSINESS

Max Covey and the Governing Board indicated that they have nothing further.

ADJOURNMENT

Board Member Yvonne Barney made a motion to adjourn. Board Member Colleen Bonner seconded the motion, and the motion carries with the following vote:

AYE: Board Vice Chair Kendall Crittenden

AYE" Board Chair Erik Rowland via zoom

AYE: Board Member Heidi Franco

AYE: Board Member Yvonne Barney

AYE: Board Member Colleen Bonner

AYE: Board Member Spencer Park

AYE: Board Member Luke Searle

NAY: None.

Meeting adjourned at 6:30 p.m.

Kendall Crittenden/Board Vice Chair