NORDIC VALLEY SEWER IMPROVEMENT DISTRICT
AGENDA -- BOARD OF TRUSTEES MEETING
Monday August 11, 2025, 11:00 AM
Electronic Participation Invited

A MEETING OF THE NORDIC VALLEY SEWER IMPROVEMENT DISTRICT BOARD OF TRUSTEES TO BE HELD ON Monday, August 11, 2025, AT 11:00 A.M. THE LOCATION OF THE MEETING WILL BE IN THE DISTRICT OFFICE, EDEN PROFESSIONAL CENTER, 2580 NORTH HIGHWAY 162, SUITE D, EDEN UTAH, 84310. For electronic meeting access the meeting will be available on Teams. Those wishing to participate with video will need to request a meeting invite from the Board Chair, Robert Behunin, at rob.behunin@gmail.com, or it is possible to **Dial in by phone** +1 213-379-5544,,237268877# United States, Los Angeles, Phone conference ID: 237 268 877#.

1. Welcome and Introduction.

2. Public Comment. Brief items not listed on agenda; time limit of three (3) minutes. If more time is needed, please contact board chair to be added to a future agenda.

3. Approval of Minutes from the May 19, 2025, meeting

4. Nordic Village Ventures Update

5. Annexation Discuss

6. District Funding Discussion

7. Updates on Legal Matters

8. Information and Reports
   a. Chair, Mr. Behunin
   b. Clerk, Mr. Jouffray
   c. Treasurer, Mr. Lewis
   d. Legal Counsel, Mr. Bell
   e. Engineer

9. Closed Session (if needed): Discussion of "Closed Meeting" Topics, Utah Code Annotated § 52-4-205[1]

[1] See, e.g., https://le.utah.gov/xcode/title52/chapter4/C52-4_1800010118000101.pdf

10. Next Meeting: September 8, 2025, 11:00 a.m.

11. Adjournment

Policy Statement: The district does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.

Disabilities: In compliance with the Americans with Disabilities Act, any individual needing accommodations or services during this meeting should contact Robert Behunin at least 24 hours prior to the meeting. Mr. Behunin may be reached by email at rob.behunin@gmail.com or by telephone at (801) 400-3649.

Certificate of Posting: On or before 11:00 a.m. on Monday, August 11, 2025, a copy of this Agenda was posted on the Utah Public Notice Website under Utah Code §63F-1-701 and at the District Offices. Certified by Robert Behunin, Member, Board of Trustees. _______/s/_______ Robert Behunin.

NORDIC VALLEY SEWER IMPROVEMENT DISTRICT
MINUTES (UNAPPROVED) OF THE BOARD OF TRUSTEES MEETING
Monday May 19, 2025, 11:00 AM
Electronic Participation Invited

A MEETING OF THE NORDIC VALLEY SEWER IMPROVEMENT DISTRICT BOARD OF TRUSTEES TO BE HELD ON Monday, May 19, 2025, AT 11:00 A.M. THE LOCATION OF THE MEETING WILL BE IN THE DISTRICT OFFICE, EDEN PROFESSIONAL CENTER, 2580 NORTH HIGHWAY 162, SUITE D, EDEN UTAH, 84310. For electronic meeting access the meeting will be available on Teams. Those wishing to participate with video will need to request a meeting invite from the Board Chair, Robert Behunin, at rob.behunin@gmail.com, or it is possible to **Dial in by phone** +1 213-379-5544,,237268877# United States, Los Angeles, Phone conference ID: 237 268 877#.

Attendance: Trustee Behunin, Trustee Jouffray, Trustee Lewis, Mr. Mark Bell (district counsel).
Public: Mr. Nathan Schellenberg and Mr. Brook Cole

1. Welcome and Introduction.
    a. Chair Behunin opened the meeting at 11:01am. He noted for the record that he was joining remotely as was Trustee Lewis. Trustee Jouffray was in attendance in the district office in Eden, UT. Two members of the public were also in the meeting: Mr. Nathan Schellenberg and Mr. Brook Cole.
    b. Chair Behunin also noted for the record that no members of the public contacted him via email or phone to inquire about the meeting.

2. Public Comment. Brief items not listed on agenda; time limit of three (3) minutes. If more time is needed, please contact board chair to be added to a future agenda.
    a. Chair Behunin asked Mr. Schellenberg and Mr. Cole if they had any public comment to offer. Both declined comment.

3. Approval of Minutes from the April 14, 2024, meeting
    a. Minutes of the April 14, 2024, meeting reviewed. Trustee Laurent motioned to approve the minutes. Trustee Lewis seconded. Motion passed unanimously in the affirmative.

4. Review and Approval of District Funding Agreement
    a. Discussion was held about the draft funding agreement between Nordic Village Ventures and the district. Chair Behunin asked Mr. Cole if he had any comment to the document. Mr. Cole indicated that he had read the draft

document, reviewed the changes and had accepted all the changes. He also indicated he was prepared to move forward with the document unless there were other changes that need to be made.

b. Mr. Bell indicated that we needed to establish a start date and that we should also have an accounting of what Nordic Village Ventures has spent to date on behalf of the district so we can work that into the funding agreement.
c. It was agreed that Mr. Bell and Mr. Cole would coordinate on the accounting pieces so that could be worked into the agreement and that the item be tabled until the June, 23, 2025 meeting.
d. Chair Behunin motioned to table the funding agreement until the proper accounting could be incorporated into the document and until the district could finish setting up its accounting processes and procedures to be ready to receive funds. Trustee Lewis seconded the motion. Motion passed unanimously in the affirmative.

5. Review and approval of Resolution 2025-05-19 Resolution Amending Bylaws to Confirm that Services of the District Will Include Both Sanitary Sewer Services and Culinary Water Services
   a. This resolution is a “clean-up” resolution of 2024-11-19 which amended the district bylaws to include culinary water as district service. Mr. Bell indicated that he inadvertently cited the wrong code in the 2024-11-19 resolution and that we needed to reissue a new resolution with the correction.
   b. Trustee Lewis made the motion to approve Resolution 2025-05-19 amending the district bylaws to include culinary water as a district service using the correct state code. Trustee Jouffray seconded. Motion passed unanimously in the affirmative.

6. Review and Approval of Revised Nordic Phase 1B Will Serve Letter
   a. Discussion was held around the revised will serve letter which indicated that the previous will serve letter approved by the district was rejected by the county. The county then provided the format for the current letter and asked the district to revise accordingly. The district has done that with particular attention to Paragraph 7 with details the district’s authority to provide culinary water service.
   b. Mr. Bell noted that current state code is not as clear as it could be as to how a district adds a service. However, given our processes of passing a resolution to add a service and amending our bylaws, we feel we have sufficient at this time to claim that authority.
   c. Mr. Bell also noted that he would be meeting with the Utah Association of Special District counsel to discuss potential interim legislation that could help clarify the process. The other option to provide the district some security in adding a service would be to go back to the county and have them revise the founding resolution of the district to reflect water as a service.

d. The decision was made to move forward with the current situation of having added water as a service to the district via resolution and bylaws amendments and then work with the legislature to effectuate any clean up language.
e. Trustee Jouffray motioned to approve the revised will serve letter. Trustee Lewis seconded. Motion passed unanimously in the affirmative.

7. Information and Reports
   a. Chair, Mr. Behunin
      i. Discussed the need to get an accounting firm on board and get a district account set up. He also discussed moving the June 16, 2025, meeting to June 23, 2025, to accommodate schedules.
   b. Clerk, Mr. Jouffray
      i. No Report
   c. Treasurer, Mr. Lewis
      i. No Report
   d. Legal Counsel, Mr. Bell
      i. Commented that he was working with Steve Rowley to see if his accounting firm could help the district with finances. Mr. Bell also noted that we would need to go through the procurement process.
      ii. Discussion was also held on how the district might draft and pass a resolution to have all meetings be held virtual.
   e. Engineer
      i. No Report
   f. Chair Behunin called for any other items. Trustee Jouffray brought up a question on a previous agenda item, Item Number 6, the revised will serve letter. His question was directed to a footnote in the document dealing with the Nordic Village Water District. Discussion was held about the name of that district, the ownership of that district and the conveyance of that district. It was noted that the name Nordic Village Water District is the name of the water system and not the name of the "well" and that the well is currently under private ownership and will be transferred to the district at some point. Mr. Bell will make changes to the footnote to reflect the difference between water system and well ownership.
   g. Chair Behunin motioned to reapprove the revised Nordic Village Venture will serve letter with the corrected language. Trustee Lewis seconded. Motion passed unanimously in the affirmative.

8. <u>Closed Session (if needed):</u> Discussion of "Closed Meeting" Topics, Utah Code Annotated § 52-4-205[2]
   a. None held

[2] See, e.g., https://le.utah.gov/xcode/title52/chapter4/C52-4_1800010118000101.pdf

9. Next Meeting: June 23, 2025, 11:00 a.m.

10. <u>Adjournment</u>

    a. Meeting adjourned at 11:49am.

<u>Policy Statement</u>: The district does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.

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