

MIDA Mountain Village Public Infrastructure District Meeting

August 4, 2026 @ 2:00 pm

The meeting will be held in person at 25 N Main Street, Suite 104, Heber City, UT 84032 and remotely via Zoom.

Board Members:

Gary Harter (Chair)

Erik Rowland

Kurt Krieg

Mike Ostermiller

Derek Brenchley

AGENDA

1. Review and approve minutes from the June 9, 2026 MIDA Mountain Village Public Infrastructure District meeting.
2. A Resolution of the MIDA Mountain Village Public Infrastructure District (“District”) Amending Rules and Regulations Related to Rights of Way and Stormwater Facilities
3. Adjourn. The next meeting is scheduled for October 6, 2026 at 2:00 pm.

Military Installation Development Authority
MIDA Mountain Village Public Infrastructure District Meeting

DRAFT Minutes

Tuesday, June 9th, 2026 @ 4:00 PM

Zoom Teleconference and In-Person @ 25 N Main Street, Room 104, Heber City, UT 84032

Listen to the audio recording here: [Public Notice Website](#)

Board Members Present: Gary Harter (Chair), Mike Ostermiller, Nicole Cottle, Kurt Krieg

Board Members Excused: Vacant Board Member

The complete official audio recording is available at the link above. A summary of the discussions is presented as follows:

Nicole Cottle called the meeting to order.

Agenda Item (1) Review and approve minutes from the May 4, 2026 meeting. (01:03 - 01:23)

- **Motion:** Mike Ostermiller moved to approve the May 4, 2026, meeting minutes.
- **Second:** Gary Harter seconded the motion.
- **Vote:** All members present voted "aye." The motion passed unanimously.

Agenda Item (2) Staff Presentation: Proposed Budget for Fiscal Year 2026-2027 and Cormont Public Infrastructure District Fraud Risk Assessment. (01:31 - 8:55)

Presenter: Paula Eldredge

Fraud Risk Assessment Summary: Paula Eldredge reported that because the Mountain Village Public Infrastructure District (PID) does not maintain its own independent finance staff or financial systems, it relies 100% on MIDA's internal controls. This year, the results were brought directly to the PID boards. The district assessed its fraud risk as being at a "Very Low" level, primarily driven by strong internal controls and strict separation of duties associated with the handling of cash and other assets.

Proposed Budget Summary: Paula Eldredge presented the final budget, explaining that the main updates since the preliminary draft from last month involve the bond and financing portions of the PID. Specifically, pledged revenues increased due to improved property value forecasts, transfers from the general fund increased by approximately \$2 million, and construction fund balances decreased to reflect the active payout and reimbursement of construction costs. The operations side of the PID budget remained completely unchanged.

Board Discussion & Chair Clarification: During the presentation, Gary Harter initiated a review of the board leadership positions. Richard Catten and staff records confirmed that Gary Harter is the officially designated Chair of this district. The meeting's official conduct was transferred to Chair Gary Harter.

Agenda Item (3) Public Hearing: Proposed Budget for Fiscal Year 2026-2027. (9:23 - 11:13)

- **Motion to Open:** Nicole Cottle moved to open the public hearing for the proposed Fiscal Year 2026-2027 budget.
- **Second:** Mike Ostermiller seconded the motion.
- **Vote:** All members present voted "aye." The motion passed, and the public hearing was opened.

Public Comment: Morgan Nebeker confirmed that no members of the public wanted to make any comment either in person or online.

- **Motion to Close:** Mike Ostermiller moved to close the public hearing.
- **Second:** Kurt Krieg seconded the motion.
- **Vote:** All members present voted "aye." The public hearing was closed.

Agenda Item (4) Consideration of Resolution 2026-04: Adopting a Final Budget for Fiscal Year 2026-2027 (11:14 - 12:15)

- **Motion:** Nicole Cottle moved to adopt Resolution 2026-02, formally approving a Final Budget for Fiscal Year 2026-2027 as presented.
- **Second:** Mike Ostermiller seconded the motion.
- **Vote:** All members present voted "aye." None were opposed. The motion passed unanimously.
- **Vote:** All members present voted "aye." The motion passed unanimously.

Agenda Item (5) Staff Presentation: Annual Open and Public Meetings Act Training. (12:27 - 14:46)

Presenter: Derek Brenchley

Summary: Derek Brenchley delivered the legally mandated annual statutory review of the Utah Open and Public Meetings Act (OPMA), referring to the one-page summary document provided to the board. The briefing emphasized that all meetings are public by default unless specific statutory conditions for a closed session are met, requiring a quorum and a two-thirds majority vote. A public meeting is legally triggered when a quorum of a public body convenes to receive public comment, deliberate, or act on a relevant matter. He highlighted that notices must be posted 24 hours in advance, that final votes (such as resolutions, ordinances, or contracts) are strictly prohibited during a closed session, and that a quorum of board members must completely

refrain from texting or emailing each other outside a public meeting forum to pre-determine board actions.

Adjourn. (14:47 – 15:22)

- **Motion:** Mike Ostermiller moved to adjourn.
- **Second:** Nicole Cottle seconded the motion.
- **Vote:** The motion carried unanimously.

The meeting was adjourned at 4:15 PM.

Meeting Attendees:

- 1. Gary Harter (Chair)**
- 2. Kurt Krig (Committee Member)**
- 3. Nicole Cottle (Committee Member)**
- 4. Mike Ostermiller (Committee Member)**
5. Morgan Nebeker
6. Ashley Burr
7. Derek Brenchley
8. Paula Eldredge
9. Richard Catten
10. Selina Hadfield
11. Heather Kruse
12. Glen Clement
13. Caytie Framton
14. Derek Herndon

**MIDA MOUNTAIN VILLAGE
PUBLIC INFRASTRUCTURE DISTRICT**

RESOLUTION 2026-3

**A RESOLUTION OF THE MIDA MOUNTAIN VILLAGE PUBLIC
INFRASTRUCTURE DISTRICT (“DISTRICT”) AMENDING
RULES AND REGULATIONS RELATED TO RIGHTS OF WAY
AND STORMWATER FACILITIES**

WHEREAS, the District has previously adopted, by Resolution 2025-4, the MIDA Mountain Village Public Infrastructure District Rules and Regulations (the “Rules”) that govern roads that have been dedicated or conveyed to the District and the stormwater drainage system, all within the District Boundary; and

WHEREAS, the District has determined that certain amendments to the Rules are necessary to improve the District’s ability to more efficiently provide for the management, maintenance, use and protection of said road and stormwater systems; and

WHEREAS, the District has prepared a document which indicates, in redline/strikeout, those amendments to the Rules, which is attached to this Resolution as Exhibit A; and

WHEREAS, the Board of Directors of the District hereby determines that it is appropriate and in the best interests of the District, its inhabitants, visitors, and property owners to adopt the amendments to the MIDA Mountain Village Public Infrastructure District Rules and Regulations as set forth in Exhibit A to this Resolution.

NOW, THEREFORE BE IT RESOLVED BY THE MIDA MOUNTAIN VILLAGE PUBLIC INFRASTRUCTURE DISTRICT BOARD OF TRUSTEES, that the MIDA Mountain Village Public Infrastructure District Rules and Regulations are hereby amended as set forth in Exhibit A to this Resolution.

PASSED AND ADOPTED by the MIDA Mountain Village Public Infrastructure District Board of Trustees this 4th day of August 2026.

MIDA Mountain Village Public Infrastructure District

Gary Harter, Chair

Attest:

Morgan Nebeker, MIDA Records and Public
Meetings Administrator

EXHIBIT A

MMV PID Resolution 2026-03

August 2026 MIDA Mountain Village Public Infrastructure District proposed rule revisions.

MIDA MOUNTAIN VILLAGE PUBLIC INFRASTRUCTURE DISTRICT

RULES AND REGULATIONS

Chapter 1 Definitions

1.01 Terms, Tenses and Definitions

Motor Vehicle – is a self-propelled vehicle intended primarily for use and operation on roads and streets and is defined in the Motor Vehicle Act, Title 41 Chapter 1a, Utah Code Annotated

Operations Manager or Manager – the person designated by the Executive Director to oversee the operation and protection of MMV District assets and perform such duties as may be set forth in these Rules and Regulations.

Parking – to stand or halt a motor vehicle, whether occupied or not, except when temporarily necessary, to avoid conflict with other traffic, in compliance with the directions of a public safety officer, official, or traffic control device, or while actively loading or unloading people.

Public Utility Easement – an easement shown on a recorded plat, that is adjacent to or part of a Public Road or Street and that is used for the installation of public utility infrastructure.

Rules and Regulations – these MIDA Mountain Village Public Infrastructure Rules and Regulations.

UPDES – is the Utah Pollutant Discharge Elimination System, which is managed by the Utah Department of Water Quality.

Chapter 3 Stormwater

3.01 General Provisions.

A. **Purpose of this Chapter.** Purpose. It is the purpose of this chapter to:

1. Protect, maintain, and enhance the environment of the land within the MIDA Mountain Village Public Infrastructure District.

2. Establish responsibilities for controlling and managing stormwater runoff.

3. Protect the public health, safety and the general welfare of the citizens and visitors to the District, by controlling discharges of pollutants to the District's stormwater system, and to maintain and improve the quality of the receiving waters into which the stormwater outfalls flow, including, without limitation, lakes, rivers, streams, ponds, wetlands, and groundwater.

4. Enable the District to comply with the National Pollution Discharge Elimination System permit (NPDES/UPDES) and applicable regulations for stormwater discharges.

B. Administration. The MIDA engineer shall administer the provisions of this chapter. This chapter shall not be construed to relieve any Person from responsibility for damage to other Persons or property, nor impose upon MIDA or the District, its officers, agents or employees, any liability for damage to other Persons or property.

C. Use of Public Utility Easements. For all purposes, MMV PID Stormwater Facilities shall be considered public utilities and may be located within a Public Utility Easement.

3.02 Stormwater Maintenance Agreement

A. Maintenance Agreement. The owner of property to be served by an on-site Stormwater Facility must execute an inspection and maintenance agreement that shall operate as a deed restriction binding on the current property owner and all subsequent property owners. The maintenance agreement shall:

1. Assign responsibility for the maintenance and repair of the Stormwater Facility to the owner of the property upon which the facility is located and be recorded as such on the plat for the property by appropriate notation.

2. Provide for periodic inspections by the property owner ~~as outlined in the state of Utah general construction permit, if applicable, f~~for the purpose of documenting maintenance and repair needs and ensure compliance with the purpose and requirements of this chapter. The property owner will arrange for this inspection to be conducted by the owner or operator and provide inspection documentation for the MIDA Engineer. It shall also grant permission to the District to enter the property at reasonable times and to inspect the stormwater facility to ensure that it is being properly maintained.

3. Provide that the minimum maintenance and repair needs include but are not limited to: the removal of silt, litter and other debris, the cutting of grass,

grass cuttings and vegetation removal, and the replacement of landscape vegetation, in detention and retention basins, and inlets and drainage pipes and any other stormwater facilities. It shall also provide that the property owner shall be responsible for additional maintenance and repair needs consistent with the needs and standards outlined in the BMP manual.

4. Provide that maintenance needs must be addressed in a timely manner, on a schedule to be determined by the MIDA Engineer.

5. Provide that if the property is not maintained or repaired within the prescribed schedule, the District may perform the maintenance and repair at its expense and bill the same to the property owner. The maintenance agreement shall also provide that the MIDA Engineer's cost of performing the maintenance shall be a lien against the property.

3.06 Illicit discharges.

D. Reduction of Stormwater Pollutants by the Use of Best Management Practices.

Any Person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the Person's expense, the **BMPs** necessary to prevent the further discharge of pollutants to the District Stormwater System. Compliance with all terms and conditions of a valid UPDES permit authorizing the discharge of Stormwater associated with industrial activity, to the maximum extent practicable, shall be deemed compliance with the provisions of this section.

3.07 Enforcement.

A. Enforcement Authority. The MIDA Engineer or his designee(s) shall have the authority to issue notices of violation and stop work orders and to pursue the civil penalties provided in this section. Notwithstanding the MIDA Engineers authority pursuant to this section 3.07, neither MIDA nor the MMV PID is a recognized MS4 in the State of Utah and therefore does not have authority to issue or regulate construction activities per the State Construction General Permit "CCP" or Common Plan Permit ("CGP"). The authority and responsibility for regulation and enforcement pursuant to a CCP or CGP permit lies with the Department of Water Quality, Storm Water Division.

1. With the issuance of a MIDA grading permit, building permit, conditional use permit or other permits issued by ~~the~~ MIDA or the District, the site operator shall meet all requirements and procedures of the CGP and CCP permits. MIDA Engineer shall be permitted to enter and inspect facilities subject to this chapter at all reasonable times and as often as necessary to determine compliance. Failure to comply with the terms of this chapter may result in punitive actions by the District, MIDA, the Wasatch County Health Department, Utah State Division of Water Quality or by other means identified in permits or terms set forth in development applications.

B. Notification of Violation (N.O.V.).

1. Written Notice. Whenever the MIDA Engineer finds, with respect to any non-construction activities, that any permittee or any other Person discharging stormwater has violated or is violating this chapter or a permit or order issued hereunder, the MIDA Engineer may, after consultation with District legal counsel, serve upon or cause to be served upon such Person written notice of the violation. Within seven days of this notice or the time frame specified in N.O.V., an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the MIDA Engineer. Submission of this plan in no way relieves the discharger of liability for any violations occurring before or after receipt of the notice of violation.

3.08 Penalties.

A. Any non-construction related violations of this Chapter ~~The matter~~ may be referred by the District to MIDA, which may take enforcement action as set forth in the MIDA ordinances.

B. Any Person, or the officers or employees of any Person, shall be liable for any expenses incurred by the District in abating any violation of this chapter.

C. A penalty assessment under this chapter or criminal conviction under MIDA ordinances shall not relieve the Person assessed or found civilly liable for claims arising out of any act which was also a violation.

D. In assessing a civil penalty, the judge may consider:

1. The harm done to the public health or the environment;
2. Whether the civil penalty imposed will be a substantial economic deterrent to the prohibited activity;
3. The economic benefit gained by the violator;
4. The amount of effort put forth by the violator to remedy this violation;
5. Any unusual or extraordinary enforcement costs incurred by the District;
6. The amount of penalty established by resolution for specific categories of violations; and
7. Any equities of the situation which outweigh the benefit of imposing any penalty or damage assessment.

4.01 General Provisions.

A. Purpose of this Chapter. This Chapter is designed and adopted for the purpose of promoting the safety and health of those Persons using and traveling the roads, streets, highways and rights of way under the jurisdiction and control of the District; for the purpose of protecting the highways and rights of ways themselves within the District; for the purpose of preventing unauthorized and unnecessary crossings and excavations; for the purpose of supervising necessary crossing and excavations on public Roads and Streets and Rights of way; and providing for the proper repair of the same where necessary crossings or excavations must be made.

B. Authority of District and MIDA. The District is a subsidiary of MIDA and utilizes employees of MIDA. The District is responsible for maintenance of the public Roads and Streets, within the District, that have been dedicated or deeded to the District. MIDA is the land use authority for all land within the District and all permits related to construction, encroachment, repair or modification of the public Roads and Streets within the District shall be issued by MIDA as set forth in the MRF Standards and Guidelines. In addition, MIDA may adopt ordinances which provide criminal penalties related to the operation and maintenance of the public Roads and Streets within the District.

C. Engineering Standards. All improvements within District Rights-of-way, or for which District or MIDA approval is required, shall be constructed in accordance with applicable MIDA engineering standards as set forth in the MRF Standards and Guidelines. Said engineering standards shall be fully binding as though set forth in full herein.

D. Use of Public Utility Easements. For all purposes, MMV PID traffic control devices and/or traffic safety devices, including but not limited to signage, streetlights, guardrails, etc., shall be considered public utilities and may be located within a Public Utility Easement.

4.04 Obstructing Public Rights of Way

A. Building Material in Right-of-way. It is unlawful to occupy or use any portion of the public Roads and Streets or Right-of-way for the erection or repair of any building upon land abutting thereon, without first making application to and receiving from the Manager written permission for the occupation or use, for building purposes, of such portions of streets and for such periods of time and under such limitations and restrictions as may be required by the Manager. Any such permission may be revoked by the Manager at any time when the holder thereof fails to comply with any rule or regulation under which it is granted or when, in the opinion of the Manager, the public good requires such revocation.

B. Obstructions

1. It is unlawful to put or place, or cause to be put or placed, anywhere upon a public Road or Street-, sidewalk, trail or Right-of-way, and it is unlawful for any such

Person, after reasonable notice by an official charged with enforcing the law, to suffer to be or remain within a public Road or Street, sidewalk, trail or Right-of-way:

- a. Any broken ware, glass, filth, rubbish or refuse matter;
- b. Any vehicle, lumber, wood, boxes, fencing, building material, merchandise, or any other thing which obstructs any public street, sidewalk, right-of-way, or any part thereof, or the free use and enjoyment thereof, or the free passage over and upon the same, or any part thereof, without the written permission of the Manager.

2. No Person receiving or delivering goods, wares or merchandise in the District shall place or keep upon, or cause to be placed or kept upon, any sidewalk or Right-of-way in the District any goods, wares or merchandise which he may be receiving or delivering, for a longer period than two hours. It is unlawful for any merchant, auctioneer or other individual to sell or exhibit for sale any kind of property on or near to any street so as to cause people to gather in crowds on the sidewalk or to obstruct free passage thereon.

C. Obstructions to Traffic

1. It is unlawful to obstruct the free travel of any pedestrian or vehicle lawfully upon a public street or sidewalk, except as provided in subsection (2) below.

2. A Person may obstruct the flow of vehicular traffic upon the public Road or Street if written permission is obtained from the Manager. Application for permission shall be made in writing at least five (5) days in advance, and shall give the following information:

- a. The name, address, and telephone number of the Person requesting permission; if the street is to be blocked in connection with or on behalf of any organization, the name address, and telephone number of the authorized head of the organization;
- b. The purpose for which permission is requested, and the date, time, duration, and location of the intended obstruction;
- c. The means to be used to block traffic;
- d. The written consent of each property owner, or resident if the owner does not reside on the property, of each parcel of property with frontage on the property being obstructed, or within 200 feet of the blockade or obstruction;
- e. The approximate number of Persons who will participate in the activity or function for which permission is sought.

3. The means used to block traffic shall be arranged and maintained so as to allow emergency access by vehicles or pedestrians to residences within the obstructed area. For good cause, the permission granted may be revoked without prior notice by the Manager, County Sheriff, any sworn officer of the Wasatch County Sheriff's Office or the Chief or any on site commander of the Wasatch County Fire District.

~~4. The provisions of this section shall not apply to obstructions necessitated by excavations and other work, for which a permit has been issued under MRF Standards and Guidelines.~~

D. Parking. Parking a motor vehicle within the Right of Way of a Public Road or Street or within 10 (ten) feet of the side of a paved Public Road or Street, is prohibited unless the area in which the motor vehicle is parked has been designated as a Parking area by the MMV PID, either by an appropriate permit or by MMV PID signage. Notwithstanding the foregoing prohibition, it is not a violation of this Section 4.05(D) if a motor vehicle is temporarily parked in a prohibited area for less than 2 hours due to an emergency, including the motor vehicle being temporarily inoperable.

4.06 Work in Right-of-way.

A. Permitted Work. Any and all work, including but not limited to construction, excavation, penetration or cutting of a Public Road or Street, maintenance and repair work, that is conducted within a public Right-of-way must first receive an Encroachment Permit for such work from MIDA, in accordance with the applicable provisions of the MRF Standards and Guidelines.

B. Stop Work Order. A stop order may be issued by the Manager directed to any Person or Persons doing or causing any work to be done in the public Right-of-way or within such close proximity to the Right of Way that the work may destabilize, undermine or otherwise damage the Right of Way, including any of its underground substructure, as determined by the MIDA Engineer, without a permit that specifically allows such work. Any Person found to be doing work in the public Right-of-way without having obtained a permit, as described in Section 4.06(A), shall be required to pay a permit fee equal to two times the applicable permit fee.