

MINUTES OF THE WASATCH COUNTY COUNCIL ACTING  
AS THE GOVERNING BOARD FOR THE  
JORDANELLE SPECIAL SERVICE DISTRICT  
JANUARY 4, 2018

PRESENT: Board Chair Mike Petersen  
Board Member Steve Farrell  
Board Member Greg McPhie  
Board Member Kendall Crittenden  
Board Member Danny Goode  
Board Member Spencer Park

EXCUSED: Board Member Mark Nelson

OTHERS PRESENT: On list attached to a supplemental file

STAFF: Eliza McGaha, Treasurer  
Theresa Baronek, District Clerk  
Kierstan Smith, Financial Officer  
Dana Kohler, Accounting Clerk  
Ron Phillips, General Manager  
Max Covey, Assistant General Manager  
Wade Webster, Treatment Plant Manager  
Lynn Sulser, Maintenance and Operations Supervisor  
Rick Tatton, Doing Minutes

Board Chair Mike Petersen called the meeting to order at 4:22 p.m. and excused Board Member Mark Nelson and welcomed those present and called the first agenda item.

REGULAR SESSION

APPROVAL OF THE DECEMBER 7, 2017 MINUTES

Board Member Greg McPhie made a motion to approve the minutes for December 7, 2017 as written. Board Member Steve Farrell seconded the motion and the motion carries with the following vote:

AYE: Board Chair Mike Petersen  
AYE: Board Member Steve Farrell  
AYE: Board Member Greg McPhie  
AYE: Board Member Danny Goode  
AYE: Board Member Kendall Crittenden  
AYE: Board Member Spencer Park

NAY: None.

WARRANT LIST APPROVAL

Board Member Steve Farrell made a motion to approve the warrants in the amount of \$465,573.37. Board Member Greg McPhie seconded the motion and the motion carries with the following vote:

AYE: Board Chair Mike Petersen  
AYE: Board Member Steve Farrell  
AYE: Board Member Greg McPhie  
AYE: Board Member Kendall Crittenden  
AYE: Board Member Danny Goode  
AYE; Board Member Spencer Park

NAY: None.

ACTION ON WATER RESERVATION AGREEMENT FOR TERRY B. BRODKIN ASSOCIATES:

Ron Phillips, the General Manager, addressed the Governing Board of the Jordanelle Special Service District and indicated that the attached water reservation agreement will provide Terry B. Brodtkin Associates with 66.0 ERU s or 59.4-acre feet of water rights for their property covering 51 acres between Tuhaye and Hideout Canyon which is the next application on the standby list for reserving water rights and would be my recommendation to ask for approval of this matter.

Board Member Kendall Crittenden made a motion that we approve the Water Reservation Agreement with Terry B. Brodtkin Associated for 59.4-acre feet of water rights. Board Member Steve Farrell seconded the motion and the motion carries with the following vote:

AYE: Board Chair Mike Petersen  
AYE: Board Member Steve Farrell  
AYE: Board Member Greg McPhie  
AYE: Board Member Kendall

Crittenden

AYE: Board Member Danny Goode  
AYE: Board Member Spencer Park

NAY: None.

ACTION ON WATER RESERVATION AGREEMENT FOR DEER CREST MASTER ASSOCIATION.

The second matter is the Deer Crest Master Association and the attached water reservation agreement will provide the Deer Crest Master Association with 6.2-acre feet of water rights. Also, this is the next application on the standby list for reserving water rights. The application is for 9.2-acre feet and they are planning to revise their snow making contract with JSSD adding 3.0-acre feet for snow making and leaving 6.2-acre feet in the water reservation agreement. It would be my recommendation for approval of this water reservation agreement as well.

Board Member Greg McPhie made a motion we approve the Deer Crest Master Association Water Reservation Agreement as presented. Board Member

Spencer Park seconded the motion and the motion carries with the following vote:

AYE: Board Chair Mike Petersen  
AYE: Board Member Steve Farrell  
AYE: Board Member Greg McPhie  
AYE: Board Member Kendall

Crittenden

AYE: Board Member Danny Goode  
AYE: Board Member Spencer Park

NAY: None.

#### TUHAYE ACQUISITION ESTOPPEL CERTIFICATE

Ron Phillips, the General Manager, addressed the Governing Board of the Jordanelle Special Service District and indicated that if JSSD agrees to sign this certificate, it is in effect waiving the right to bring any claim against the buyer of the Tuhaye property. Also, the buyer is going the extra mile to cover their risk. Basically, they are trying to get assurance from JSSD, and we assume Wasatch County and the bank, that they cannot be sued down the road for any currently outstanding issue. As a result, the Staff would recommend also including our attorney to not sign the Estoppel Certificate.

Board Member Greg McPhie that we accept the staff s recommendation and our attorney s recommendation and not sign this document. Board Member Steve Farrell seconded the motion and the motion carries with the following vote:

AYE: Board Chair Mike Petersen  
AYE: Board Member Steve Farrell  
AYE: Board Member Greg McPhie  
AYE: Board Member Kendall

Crittenden

AYE: Board Member Danny Goode  
AYE: Board Member Spencer Park

NAY: None.

#### GENERAL MANAGER S REPORT

Ron Phillips, the General Manager, addressed the Governing Board of the Jordanelle Special Service District and indicated that he has nothing else.

#### OTHER BUSINESS

Board Member Danny Goods asked about videoing the meetings of the special service districts. Ron Phillips, the General Manager, indicated that an option was given if the districts wanted that or not and it was decided

that we did not want to do it. Board Member Danny Goode wanted to know if the districts had received an MOU.

Board Member Kendall Crittenden made a motion to leave our regular JSSD agenda and go into Closed Session to discuss sale of property. Board Member Greg McPhie seconded the motion and the motion carries with the following vote:

AYE: Board Chair Mike Petersen  
AYE: Board Member Steve Farrell  
AYE: Board Member Greg McPhie  
AYE: Board Member Kendall

Crittenden

AYE: Board Member Danny Goode  
AYE: Board Member Spencer Park

NAY: None.