



HEBER VALLEY SPECIAL SERVICE DISTRICT

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BOARD MEETING

January 12, 2022

6:00 P.M.

Administration Building
1000 E Main Midway, UT 84049

CONDUCTING: Board Chair, Celeste Johnson

THOSE IN ATTENDANCE: Celeste Johnson, Heidi Franco, Clair Provost, Yvonne Barney, Steve Farrell, Mike Johnston, Brenda Koslowski, Wes Johnson

Online: Mark Anderson, Martha Wingate, Bryan Provost

PUBLIC COMMENT: *This is the public's opportunity to comment on items not on the agenda.*

ENTITY UPDATES:

COMMITTEE UPDATES:

Chair Celeste Johnson informed the board that Clair Provost is the representative from MSD replacing Don Huggard.

ACTION ITEMS:

1. Consent Agenda Approval –
 - A. December 08, 2022, Board Meeting Minutes
 - B. 2022 Budget Amendment Public Hearing Minutes
 - C. December 2022, Profit & Loss
 - D. December 2022, Reconciliation
 - E. Warrants

Celeste Johnson asked that the minutes of the December meeting be edited to reflect the time she left the meeting.

A motion was made by Steve Farrell to approve the consent agenda as presented with the addressed edit to the December minutes. The motion was seconded by Brenda Koslowski and the chairman called for a vote.

Vote:

Celeste Johnson- Yes
Clair Provost- Yes
Heidi Franco- Yes
Yvonne Barney-Yes
Steve Farrell- Yes
Mike Johnston- Yes
Brenda Koslowski-Yes

2. CIB Update – Celeste Johnson stated that they have approved the CIB loan at a rate of 2.5% interest. Brad from Aqua Engineering was there to address questions. They did question the farm building and the lab.

Dennis Gunn explained to them how critical the farm is to our entity. Several were very impressed with our model.

Mark Anderson explained the loan process. They talked about the phases of the project.

Dennis Gunn stated that because of the increased impact fees they may be able to stay on top of it and may not need phase 2. The district was commended for being debt free.

Steve Farrell asked what rate they have asked for.

Mark Anderson stated that they asked for a rate of 1.5%.

Celeste Johnson stated that HVSSD was one of the few who do not contribute to the fund. She asked if they requested the lower interest rate would they deny them or would it be "no harm, no foul", at the next meeting that will be held on February 2nd.

Brenda Koslowski and Mike Johnston stated that a letter requesting the lower rate would be a good idea.

Mark Anderson stated that there were pros and cons with the 20 vs. 30-year loan term.

Dennis Gunn stated that putting the money in the PTIF fund would accrue some interest to offset the interest they would gain at about 3.8%.

Mark Anderson stated that they do not have a penalty for early payoff. He also stated that the funding would not come until the project has been bid out.

Wes Johnson questioned if the interest would only accrue on what they have drawn out.

Mark Anderson stated that they would receive supplemental authorization resetting the clock on when the interest would start accruing.

Dennis Gunn stated that if they can get the bids out and if it is higher, they can request supplemental authorization.

Mark Anderson stated that the disadvantage to doing the bond in two pieces means that it would double the legal cost.

Celeste Johnson questioned what those costs might be.

Mark Anderson stated that he has quotes of 30 to 40 thousand, then the cost for bond council also.

Dennis Gunn stated that they should get Brad in design mode ASAP after the bid.

Mark Anderson stated that they could have something by the second week of February.

Heidi Franco asked for the timing of the letter for the request for the interest reduction.

Mark Anderson stated that this should be within the next couple of weeks.

3. Electing of Officers

Celeste Johnson expressed appreciation to the officers and nominated Heide Franco as the chairman for 2023.

Steve Farrell suggested that they leave the current chairman in place to see them through the CIB process.

A motion was made by Steve Farrell to suspend the rules and ask Celeste Johnson to remain in the position of Chairman for the 2023 year to continue with the CIB and bonding process. The motion was seconded by Brenda Koslowski and the chairman called for a vote.

Heidi Franco stated that she would like to bring in a financial consultant for the district to help them with financial issues and the audit. She stated that this consultant has been a great help to Heber Light & Power.

Celeste Johnson asked that they put this on the agenda for the next meeting to address.

Dennis Gunn stated that Larson and Company have already started the process for the audit for 2022.

Mike Johnston stated that as he has read through the bylaws there is a Vice Chair, Secretary and Treasurer. The secretary and treasurer can be staff of the district.

Dennis Gunn stated that he is currently the treasurer. Tina is the official secretary. Dennis stated that he can still monitor all the money. Janet does all the POs and Dennis approves them and Tina prints the checks. Dennis and the board sign the POs.

Celeste Johnson stated that they can make Tina the treasurer and maybe it's just a title thing they need to work out. Dennis Gunn is the plant manager and Janet will be the secretary.

Vote:

**Celeste Johnson- Yes
Clair Provost- Yes
Heidi Franco- Yes
Yvonne Barney-Yes
Steve Farrell- Yes
Mike Johnston- Yes
Brenda Koslowski-Yes**

4. Setting 2023 Meeting Dates and Times

Celeste asked if everyone was still ok with the date as the 2nd Thursday of every month. The members stated that would work for them. 4:00 pm has been the time and will remain for 2023.

Mike Johnston made a motion to adopt the 2023 board meeting dates and times as discussed. The motion was seconded by Steve Farrell and the motion passed all in favor. The chairman asked for a vote from the board members.

Vote:

**Celeste Johnson- Yes
Clair Provost- Yes
Heidi Franco- Yes
Yvonne Barney-Yes
Steve Farrell- Yes
Mike Johnston- Yes
Brenda Koslowski-Yes**

5. District Bylaws, update and possible adoption. Martha Wingate, Ray Quinney & Nebeker.

Dennis Gunn stated that Martha Wingate will come to the next board meeting with a draft and the board members were asked to look at the wording for discussion.

Celeste Johnson stated that in 4.7 it doesn't make sense. There should be a period at the end of 2/3 of the board. Then it will make sense.

Steve Farrell stated he also questioned 4.7.

Heidi Franco stated that on page 2 and 6 it says board of commissioners and should say Wasatch County Council. This is in section 4.2. When this was created it was commissioners.

Celeste Johnson stated that it is the same in 4.1 too.

Steve Farrell questioned 4.7 also.

Mike Johnston stated that in 4.3 regarding appointment procedures. Rather than this board referring to their procedures it should be the entity sending the representative using their procedures.

Dennis Gunn stated that could be a concern as to who the entity chooses to send as the representative. Do they want non-elected representatives from the cities, if they choose to send that person as a board member?

Celeste Johnson stated that the way it is worded is all the protection that they need. The council does have to approve who the mayor suggests as the representative.

Celeste Johnson stated that 6.2 regarding office terms. The terms shall be 1 year and maybe have a sentence with some latitude, such as with a vote of 2/3 vote for extenuating circumstances.

Yvonne Barney stated that she felt that this is a good idea.

Celeste Johnson asked about section 6.6. She felt that anywhere it stated chairman it should be listed as chairperson. They could call the position chair and vice chair. It also does not state that the chair should be a mayor. She stated that she is only pointing this out, and if there are no problems with the way it is stated she is ok with that.

A motion was made by Steve Farrell to adopt the bylaws, with the changes made, and send them back to the attorney. The motion was seconded by Brenda Koslowski and the chair asked for a vote.

Vote:

Celeste Johnson- Yes

Clair Provost- Yes

Heidi Franco- Yes

Yvonne Barney-Yes

Steve Farrell- Yes

Mike Johnston- Yes

Brenda Koslowski-Yes

6. Entity Agreements, update and possible adoption. Martha Wingate, Ray Quinney & Nebeker

Dennis Gunn stated that Martha still has some things she is working on and did not have anything to report at this time. Dennis stated that there are some things he is working on regarding this with her.

Celeste Johnson asked that they put this on next month's agenda for further discussion.

7. UDOT – update on project/contracts.

Celeste Johnson stated that there were some things that they discussed that should be agreed upon. She met with Dennis and the HVSSD attorney, and he believes that there is some specific protection that should be in place.

Dennis Gunn stated that he had a discussion with Jeff. UDOT was talking about timing and that they needed to take possession early. At the end of the window if they have not put in the turn lanes, they will reimburse, and it will be no longer be a gift and UDOT will be responsible for the EPA charges.

Celeste Johnson stated that the attorney stated that they need to agree on an end date with UDOT.

Wes Johnson stated that having these lanes is a safety issue and they have never seen anything from the EPA regarding this.

Steve Farrell stated that the agreement was that UDOT should deal with the EPA, not HVSSD.

Celeste Johnson stated that the documents were standard UDOT documents, and our attorney feels that there should be some protection for the district.

Heidi Franco stated that this needs to be done right and expressed her appreciation of the work done.

DISCUSSION ITEMS:

2. [Manager's Updates](#). – Dennis Gunn
3. Other Business
4. Adjourn

Dennis Gunn stated that Brenda Brown sent out a letter stating that they will not be funded until after their February meeting.

Wes Johnson stated that fabric has been installed on cell 5 and that once 4 is full they should be good for the winter.

A motion was made by Steve Farrell to move into closed session to address litigation. The motion was seconded by Clair Provost and the chair asked for a vote.

Vote:

Celeste Johnson- Yes
Clair Provost- Yes
Heidi Franco- Yes
Yvonne Barney-Yes
Steve Farrell- Yes
Mike Johnston- Yes
Brenda Koslowski-Yes

A motion was made by Steve Farrel to move out of closed session. The motion was seconded by Brenda Koslowski and the chair asked for a vote.

Vote:

Celeste Johnson- Yes

Clair Provost- Yes

Heidi Franco- Yes

Yvonne Barney-Yes

Steve Farrell- Yes

Mike Johnston- Yes

Brenda Koslowski-Yes

With no other business to address a motion was made by Steve Farrell to close the meeting. The motion was seconded by Brenda Koslowski and the chair asked for a vote.

Vote:

Celeste Johnson- Yes

Clair Provost- Yes

Heidi Franco- Yes

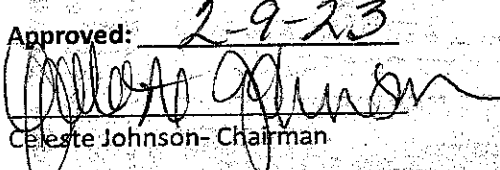
Yvonne Barney-Yes

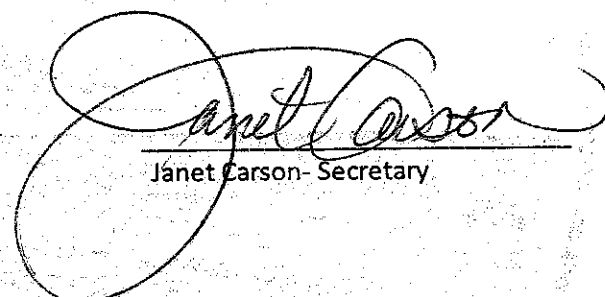
Steve Farrell- Yes

Mike Johnston- Yes

Brenda Koslowski-Yes

Approved: 2-9-23


Celeste Johnson- Chairman


Janet Carson- Secretary