

**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES, MIDVALLEY IMPROVEMENT DISTRICT, HELD AT 160 EAST 7800 SOUTH, MIDVALE UTAH 84047 ON DECEMBER 14, 2022 AT THE TIME OF 4:00 PM, PRUSUANT TO NOTICE.**

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**BOARD OF TRUSTEES PRESENT**

**SONDRA SMITH – CHAIR  
BLAKE ROEMMICH – VICE-CHAIR  
RONALD SPERRY - TRUSTEE**

**OTHERS PRESENT**

**MARK BELL – ATTORNEY  
BRAD M POWELL, DISTRICT MANAGER  
CATHY KINGSBURY, TREASURER  
BRENT E CHRISTENSEN, CHIEF FINANCIAL OFFICER, DISTRICT CLERK  
RICK CECALA – OPERATIONS SUPERVISOR**

**BRENT PACKER – BOWEN COLLINS & ASSOCIATES  
ANDREW MCKINNON - BOWEN COLLINS & ASSOCIATES  
WYATT ANDERSON - BOWEN COLLINS & ASSOCIATES**

Meeting was called to order at 2:40 PM by Chair Ms. Smith.

**1. PUBLIC HEARING 2:30 PM – IMPACT FEE POLICY, IMPACT FEES FACILITY PLAN & IMPACT FEE ANALYSIS**

**a. Impact Fee Policy, Impact Fees Facility Plan & Impact Fee Analysis – Discussion**

Ms. Smith welcomed Brent Packer, Andrew McKinnon, and Wyatt Anderson with Bowen Collins & Associates (BC&A). Ms. Smith stated that BC&A is here to present the impact fee policy, impact fees facilities plan, and the impact fee analysis for the District.

Mr. Anderson introduced himself and stated he would be presenting the Impact Fee Policy, Impact Fees Facilities Plan (IFFP), and the Impact Fee Analysis (IFA):

Mr. Anderson stated the process is to prepare the Impact Fee Facilities Plan, which BC&A prepared, impact fee adoption and a 90-day waiting period before the fees are implemented.

Mr. Anderson explained after using available information for existing development and growth projections from the District's Sewer Master Plan, the projected growth in the system demand was calculated from the year 2022 to 2050. The District's estimated sewer flows for 2022 is 2.61 million gallons per day (mgd) and projected in 2050 to be 3.32 mgd, which is good because the District has 3.84 mgd capacity at South Valley Water Reclamation Facility (SVWRF) and will not have to purchase additional capacity in the future.

Mr. Anderson explained the District's sewer project costs allocated to projects for the next 10-years to be \$11,234,800.

Mr. Anderson stated the IFA is to calculate the allowable impact fee that may be assessed to new development in accordance with Utah Code.

Mr. Anderson explained that until new development utilizes the full capacity of existing facilities the District can assess an impact fee to recover its cost of latent capacity available to serve future development. The general impact fee methodology divides the available capacity of existing and future capital projects between the number of existing and future users. Capacity is measured in terms of Equivalent Residential Unit of ERU, which represents the demand that a typical single-family residence places on the system.

A fair impact fee is calculated by dividing the cost of existing and future facilities by the amount of new growth that will benefit from unused capacity. Only the capacity that is needed to serve the projected growth within the next 10 years is included in the fee.

The total calculated impact fee recommendation for 2023 through 2027 is as follows:

- 2023 - \$2,226
- 2024 - \$2,234
- 2025 - \$2,241
- 2026 - \$2,248
- 2027 - \$2,255

Mr. Anderson asked the Board if they had any additional questions regarding the Impact Fee Study and the Board stated "No".

There was no one from the public present for the Public Hearing.

The Board thanked Bowen Collins & Associates for their presentation.

## **2. PUBLIC COMMENTS/CERMONIES/PRESENTATION**

- a. No one in attendance.

## **3. MINUTES – APPROVAL**

- a. **Upon motion** made by Mr. Sperry, seconded by Mr. Roemmich and passed unanimously, the Board accepted the November 1, 2022 minutes as written.
- b. **Upon motion** made by Mr. Roemmich, seconded by Mr. Sperry and passed unanimously, the Board accepted the November 9, 2022 minutes as written.

## **4. ATTORNEY REPORT**

- a. Mr. Bell will conduct the Open & Public Meetings Annual Training.

Mr. Bell stated the Midvalley Improvement District (District) conducts their Board meetings openly.

Mr. Bell stated the District needs to update the District's electronic meeting policy and Mr. Bell will bring this to the January 2023 Board meeting. If a Board member is attending electronically the Board member is included in making up the quorum. If a Board member is not going to be available for a Board meeting the absent member may give another Board member proxy to vote for the absent member.

Mr. Bell stated that all votes must be taken by roll call, including a member that is attending electronically. The minutes will indicate the vote was unanimous or if anyone voted against, also all resolutions must have "Aye" or "Nay" on the resolution.

All meetings are open unless lawfully closed, must have a quorum to have a public meeting and have an agenda posted within 24-hours prior to the meeting.

- b. **Upon motion** made by Mr. Roemmich, seconded by Mr. Sperry and passed unanimously, the Board approved Resolution 2022-12-14A, A Resolution of the Midvalley Improvement District Establishing an Impact Fee Policy, Approving an

Impact Fees Facility Plan, Approving an Impact Fee Analysis and Adopting Impact Fees on Development Activities Within the District.

- c. Mr. Bell stated he will bring an update of the Legislation 2023 General Session back to a future meeting.

## **5. GENERAL MANAGER/ENGINEERING REPORT**

- a. Mr. Powell gave a vehicle status update stating that car dealers have stated the District has a vehicle on order and the next time he talks to the dealer they will say the vehicle has been cancelled. Mr. Powell stated he ordered four F-150 Ford trucks in August with an anticipation of a November 2022 delivery; as of today, the trucks are not scheduled to be built.

Mr. Powell stated he talked with Jerry Seiner Chevrolet and they had a 2023 GMC AT4 heavy duty and they quoted Mr. Powell a good price on the truck. Mr. Powell agreed to the cost and bought the black 2023 GMC AT4.

Larry H Miller has a 2022 F350 Ford truck scheduled to be built and Mr. Powell placed an order for the Ford truck.

- b. Mr. Powell updated the Board on awarding Planned and Engineered Construction (PEC) the 2023 CIPP project and gave a notice to proceed on November 22, 2022. The scheduling of this project is set to begin on April 1, 2023. Completion is required within 90 days of the start date.
- c. Mr. Powell gave an update on the Manhole Rehabilitation on Sam's Club, stating the project is near completion.
- d. Mr. Powell stated at the last Board meeting the Trustees asked to have a recommendation for a wage increase for Mr. Syme; the newly appointed Assistant General Manager.

Mr. Powell looked at a comprehensive salary survey that included salaries from 22 entities, 13 of which are sewer districts. Mr. Powell stated Mr. Syme is still learning the position and feels a salary of \$110,000 is a good starting salary for Mr. Syme.

**Upon motion** made by Mr. Roemmich, seconded by Mr. Sperry and passed unanimously, the Board approved a salary of \$110,00 per year for Mr. Syme, as Assistant General Manager.

## **6. REVIEW, APPROVE AND RATIFY CASH DISBURSEMENTS**

**Upon motion** made by Mr. Sperry, seconded by Mr. Roemmich and passed unanimously, the Board ratified the November 2022 cash disbursements for \$888,497.

## **7. OFFICE REPORT**

- a. Ms. Kingsbury handed out Resolution 2022-12-14B the 2023 District's Board Monthly Meeting Schedule and asked the Board to approve the Resolution.

**Upon motion** made by Mr. Sperry, seconded by Mr. Roemmich and passed unanimously, the Board approved Resolution 2022-12-14B; A Resolution of the Midvalley Improvement District for the Schedule of Monthly Trustee Meetings During the Calendar Year 2023.

## **8. CHIEF FINANCIAL OFFICER**

- a. Mr. Christensen stated that once a year the State Auditor's office requires the District to do a Fraud Risk Assessment and Mr. Christensen stated the District has very good internal controls and scored "very low" on the Fraud Risk Assessment form.

Mr. Christensen stated that all of the District's Automatic Clearing House (ACH) and electronic payments documentation is reviewed every month as part of the District's controls.

## **9. SUPERVISOR'S REPORT**

- a. Mr. Cecala reported that construction is slowing down due to the cold weather. The Gables on 900 East has turned in plans to finish this project.

## **10. TRUSTEES**

- a. The Trustees wanted to say thank you for a lovely holiday lunch and a Happy Holiday.

## **11. CLOSED MEETING**

- a. No Closed Meeting

**12. ADJOURN**

- a. Adjourn at 3:28 PM and the next Board meeting will be January 11, 2023.