

**MINUTES OF THE MEETING OF THE  
KEARNS IMPROVEMENT DISTRICT (KID) BOARD OF TRUSTEES  
HELD MAY 10, 2022 AT THE DISTRICT OFFICE  
LOCATED AT 5350 WEST 5400 SOUTH, KEARNS, UTAH**

**Trustees Present:**

Cheryle A. Hatch  
Gregory R. Christensen  
Jeff Monson

**Staff Present:**

Greg Anderson	General Manager/CEO
Riley Astill	Finance Director/Controller
James "Woody" Woodruff	Public Works Director/Engineer
Mark H. Anderson	Attorney
Jamie Banh	Executive Administrative Assistant
Eric Reid	System Operator III
Frank deJong	Assistant Operations Manager
Manny Domingo (via ZOOM)	System operator III

**Call to Order:**

Chair Hatch called the meeting to order at 5:30 p.m. and welcomed all those present. The invocation was offered by Jeff Monson and the pledge of allegiance was led by James Woodruff.

**Public Comments:**

There were no public comments.

**Approval of Minutes (Regular Meeting, April 19, 2022):**

It was moved by Trustee Christensen and seconded by Trustee Monson as follows:

**That the minutes of the April 19, 2022 Board meeting be approved as presented.**

The motion carried with Trustees Hatch, Christensen and Monson each voting "aye".

**Board Training – Sewer Line Maintenance:**

Eric Reid discussed sewer line maintenance activities and responsibilities, using slides to illustrate his points. He explained that the District's 200 plus miles of sewer pipes are cleaned each year. During his presentation, Mr. Reid responded to questions from the Trustees. At the

end of his presentation, Manny Domingo declared that Mr. Reid does a good job, and a “thank you” was expressed to Mr. Reid by the Trustees.

**Consider General Manager’s Report (including the Administrative/Financial Report and the Public Works Report):**

Greg Anderson reviewed his monthly Report, a copy of which was included in the Board Book. Mr. Anderson provided a brief update concerning the development of water conservation film clips. Trustee Monson offered customer feedback about how the District is doing. Greg Anderson mentioned the District’s 2022 Water Conservation Plan, which has been finalized after addressing comments provided by the Utah Department of Natural Resources and the Division of Water Rights. A bound copy of the Water Conservation Plan (the subject of a public hearing to commence at 6:00 p.m.) was provided to the Trustees.

Riley Astill reviewed his Financial Report, a copy of which was included in the Board Book, noting that actual net income continues to compare favorably with budgeted net income through March. Among other things, he reported concerning a software issue that has been resolved; reviewed the District’s Bonds Payable Summary; and provided information respecting the amount of water that was purchased from the Jordan Valley Water Conservancy District over the past four years.

**Public Hearing on the 2022 Kearns Improvement District Water Conservation Plan Update:**

It being 6:00 p.m., the advertised time for the public hearing to commence, Chair Hatch declared the public hearing to be open. Greg Anderson briefly explained and reviewed highlights from the Water Conservation Plan, during which there was a back and forth conversation between Mr. Anderson and all three Trustees. During the discussion, Trustee Christensen noted a minor correction in two places within the Plan. Greg Anderson stressed the Per Capita Water Use section of the Report and projected water supplies and water use over the next 40 years. He noted that the cost of water is projected to increase dramatically over that time period. Respecting the Water Loss Control Program, Mr. Anderson noted that KID is a state leader. Mr. Anderson responded to a series of questions from Trustee Christensen relative to KID’s water conservation activities, and there was a lengthy discussion of tiered pricing versus block pricing of water.

Chair Hatch called for public comments and questions. There being none, she declared the public hearing to be closed at 6:26 p.m.

**Consider Resolution 2022-5-1 Approving the 2022 KID Water Conservation Plan Update:**

It was moved by Trustee Monson and seconded by Trustee Christensen as follows:

**That Resolution 2022-5-1 be adopted, thereby approving the District’s 2022 Water Conservation Plan Update with changes as discussed.**

The motion carried with Trustees Hatch, Christensen and Monson each voting “aye”.

**Consider General Manager's Report (including the Administrative/Financial Report and the Public Works Report):**

The discussion returned to agenda item III. B. 2., James Woodruff's Public Works Report, a copy of which was included in the Board Book. Among other things, Mr. Woodruff reviewed the amount of sod at District owned sites that is being replaced with decorative rock and water wise plants. In 2022, Mr. Woodruff expects the reduction or elimination of outdoor irrigation water use on approximately three acres of grass located at the District's office site and the TLA and the Ford Water Tank sites. KID will seek water conservation grants in 2023 to offset the cost of water conservation landscaping. Assuming that the District would use 1.5 inches of water per square foot of grass, the anticipated water savings this year will be 2.6 million gallons. Trustee Monson stated that he likes the fact that KID is setting a water use example. Mr. Woodruff reported that bids from five prequalified contractors for the 4700 South Sewer Outfall Project were opened on April 22. The low bid of \$14,639,040 was presented by Whitaker Construction. During his presentation, Mr. Woodruff responded to questions from the Trustees.

**Consider Check Register:**

The March 2022 Check Register, which is a list of all checks issued and ACH withdrawal payments made during the month, was included in the Board Book. Riley Astill and Greg Anderson responded to questions from Chair Hatch respecting specific payments, after which it was moved by Trustee Christensen and seconded by Trustee Monson as follows:

**That the March 2022 Check Register be ratified and approved as presented.**

The motion carried with Trustees Hatch, Christensen and Monson each voting "aye".

**Consider Financial Report:**

The monthly Financial Report, which consists of a series of individual reports, including the Statement of Net Position, the Statement of Revenues & Expenses, and the Connection & Population Report, was included in the Board Book. Riley Astill presented a brief overview of the Reports, noting that the District has assets totaling \$149,974,271 in value. He also provided details concerning the District's revenues and expenses for March and year to date, responded to questions from Chair Hatch and Trustee Monson, and addressed a discrepancy in one of the Reports that was noted by Trustee Monson.

**Consider Training Requests:**

There were no training requests to be considered by the Board.

**Consider Purchases/Costs Over \$50,000:**

A Memorandum from Mr. Woodruff, respecting an Invoice and Application for Payment presented by Gerber Construction Inc. for work on the Zone D 5MG (million gallon) Tank, was included in the Board Book. Mr. Woodruff recommended that Contractor's Application for

Payment No. 14 presented by Gerber Construction Inc. be approved for payment for work completed and inspected during April in the total amount of \$121,600, less a five percent retention of \$6,080, leaving a net payment amount of \$115,520. None of the Trustees having any questions, it was moved by Trustee Monson and seconded by Trustee Christensen as follows:

**That a payment to Gerber Construction be approved in the net amount of \$115,520 for work on the Zone D 5 MG Tank.**

The motion carried with Trustees Hatch, Christensen and Monson each voting "aye".

Mr. Woodruff then reviewed a payment request from Whitaker Construction Co., Inc., Invoice # 32041, for work on the 6200 South Booster Pump Station that was completed and inspected during April in the total amount of \$1,153,756.11, less a five percent retention of \$57,687.81, leaving a net amount due of \$1,096,068.30. A Memorandum from Mr. Woodruff and a copy of the Invoice were included in the Board Book. Mr. Woodruff noted that approximately half of the cost was for a generator, pumps and other equipment.

It was moved by Trustee Christensen and seconded by Trustee Monson as follows:

**That a payment to Whitaker Construction for work on the 6200 South Booster Pump Station be approved in the net amount of \$1,096,068.30.**

The motion carried with Trustees Hatch, Christensen and Monson each voting "aye".

Finally, Mr. Woodruff reviewed a Memorandum, a copy of which was included in the Board Book, outlining four bids that were received for a new 8,000 gallon double walled above ground fuel tank, having a capacity of 6,000 gallons for diesel fuel and a separate capacity of 2,000 gallons for unleaded fuel. The tank is expected to provide opportunities for the District to save on fuel costs and to provide fuel reserves in the event of an emergency. KID employees will perform limited work on the project, including excavation and pouring concrete slabs. Mr. Woodruff explained that the District will contract out the purchase and installation of the main fuel tank and appurtenances, along with electrical work, footings, block wall work and an electric gate. He recommended that the lowest cost bid, presented by Westech Equipment, be approved in the amount of \$75,449.76. He noted that there was a broad range among the bids, with a high bid of \$146,192.44.

It was moved by Trustee Christensen and seconded by Trustee Monson as follows:

**That the bid to supply and install the doubled walled above ground tank be awarded to Westech Equipment in the amount of \$75,449.76.**

The motion carried with Trustees Hatch, Christensen and Monson each voting "aye".

**Consider Bond Releases/Reductions:**

There were no bond releases or reductions to be considered by the Board.

**Discuss/Consider the Revisions to the KID Approval of Purchases Policy:**

Greg Anderson noted that edits to the District's Approval of Purchases Policy prepared by Mark Anderson were included in the Board Book. Greg Anderson explained that the proposed amendments will bring the District's Policy into line with historic practice relative to the approval of payments to the Jordan Valley Water Conservancy District and the Central Valley Water Reclamation Facility, and Mark Anderson provided additional information.

It was moved by Trustee Christensen and seconded by Trustee Monson as follows:

**That amendments to the District's Policies and Procedures governing the Approval of Purchases be approved as presented.**

The motion carried with Trustees Hatch, Christensen and Monson each voting "aye".

**Discuss/Consider the Revisions to the KID Application For Services Form**

A redlined copy of the District's Application for Service form, with proposed amendments highlighted, was included in the Board Book. Greg Anderson explained that the amendments will require KID customers to comply with the Jordan Valley Water Conservancy District Water Efficiency Standards and also, on the advice of Mark Anderson, bring the Application for Service in line with statutory requirements.

It was moved by Trustee Monson and seconded by Trustee Christensen as follows:

**That amendments to the Kearns Improvement District's Application for Service form be approved as presented.**

The motion carried with Trustees Hatch, Christensen and Monson each voting "aye".

**Discuss/Consider the Revisions to the KID Request For Letter of Availability for Water and Sewer Services Form:**

A redlined copy (with proposed revisions highlighted) of the District's Request for Letter of Availability for Water and Sewer Services form was included in the Board Book. The Trustees and staff briefly discussed the proposed changes. During the discussion, Mark Anderson recommended a few additional minor edits and Trustee Monson expressed a concern about KID becoming the "water police". Mark Anderson was instructed to prepare additional edits and bring the document back to the Board for consideration during a subsequent Board meeting.

**Discuss/Consider the Revisions to the KID Bylaws:**

A redlined copy of the District's Bylaws, with recommended amendments highlighted, was included in the Board Book. The Trustees and management staff reviewed the proposed amendments. It was agreed that Riley Astill would prepare a list of payment mechanisms that

might be used and management will check with the District's insurance company. Once the desired information has been obtained, the Board will consider revisions to the Bylaws.

**Discuss/Consider the Annual Water Quality Report – Reporting Year 2021:**

A copy of the Annual Water Quality Report was included in the Board Book. Greg Anderson explained some of the federal water quality requirements that are applicable to KID. During a back and forth discussion between the Trustees and Greg Anderson, Mr. Anderson responded to questions and stated that, after the Board has approved the Water Quality Report, the Report will be posted.

It was moved by Trustee Monson and seconded by Trustee Christensen as follows:

**That the Annual Water Quality Report for reporting year 2021 be approved as presented.**

The motion carried with Trustees Hatch, Christensen and Monson each voting "aye".

**Discuss/Consider the Award of Bid and Issuance of the Notice to Proceed for the 4700 South Sewer Outfall Line Project:**

A Memorandum from James Woodruff respecting 4700 South Sewer Outfall Line Project bids was included in the Board Book. Five prequalified contractors submitted bids. The low bid of \$14,639,040 was submitted by Whitaker Construction. The highest bid totaled \$21,878,865. Mr. Woodruff recommended that the contract be awarded to Whitaker Construction. It was moved by Trustee Christensen and seconded by Trustee Monson as follows:

**That a contract be awarded to Whitaker Construction for the construction of the 4700 South Sewer Outfall Line Project in the amount of \$14,639,040, that the General Manager be authorized to sign the contract documents, and that a Notice to Proceed be issued.**

The motion carried with Trustees Hatch, Christensen and Monson each voting "aye".

**Discuss/Consider the Cottonwood Improvement District Cooperative Agreement:**

A discussion concerning the Cooperative Agreement between KID and the Cottonwood Improvement District ("CID") was included in the Board Book. Pursuant to the Cooperative Agreement, KID will relocate CID's eight inch sanitary sewer line, including acquiring new easements and paying for the installation of the sewer line, in return for which CID will abandon a portion of its sewer line to enable KID to install a major sewer outfall line. Mr. Woodruff and Mark Anderson will continue to work on the Cooperative Agreement and bring it back to the Board for further consideration.

**Discuss/Consider processing accounts payable payments electronically through a third-party vendor:**

A Memorandum from Riley Astill, recommending that the District look into a service that will process payments to KID's vendors electronically, rather than continuing to print and mail paper checks, was included in the Board Book. Paymerang is one entity that provides that service. A document outlining services provided by Paymerang was included in the Board Book. Paymerang would receive a portion of the Visa transaction fees collected from vendors that choose to be paid via a virtual credit card, but there would be no cost to KID. Riley Astill discussed internal controls and payment alternatives. At the end of the discussion, the Trustees expressed approval for Mr. Astill to continue to investigate using a third party to process payments to KID's vendors.

**Consider Closed Meeting – Discuss the Character and Professional Competence of an Individual(s):**

It was moved by Trustee Monson and seconded by Trustee Christensen as follows:

**That the meeting be closed to discuss the character and professional competence of an individual.**

The motion carried with Trustees Hatch, Christensen and Monson each voting "aye". Chair Hatch declared the Board meeting to be closed at 7:56 p.m. The closed session was held in the Board room, with Trustees Hatch, Christensen and Monson, along with Greg Anderson, Riley Astill, James Woodruff, Mark Anderson and Jamie Banh, remaining in the closed session.

Chair Hatch declared the meeting to again be open at 8:09 p.m. No action was taken during the closed portion of the meeting other than the approval of a motion to end the closed session and return to open meeting that was made by Trustee Monson and seconded by Trustee Christensen.

**Central Valley Water Reclamation Facility:**

A copy of the agenda for the April 27, 2022 meeting of the Central Valley Water Reclamation Facility Board was included in the Board Book. Trustee Monson, who is KID's representative on the Central Valley Board, reported that a number of Central Valley employees were recognized with awards at the recent WEAU (Water Environment Association of Utah) Conference; provided an update regarding Capstone Strategies lobbying work to obtain money for wastewater projects; provided a capital projects update (including value engineering to get the cost of a new biosolids dewatering building closer to the budget amount); and provided information relative to the land application of biosolids.

**Jordan Valley Water Conservancy District:**

A copy of the May 11, 2022 Jordan Valley Water Conservancy District Board meeting agenda was included in the Board Book. Trustee Christensen reported concerning an upcoming public hearing, after which Jordan Valley's tentative wholesale and retail water rates will be set,

noting that KID's wholesale water rate will increase by 3.8%, compared to an average increase of 2.5%, and that Jordan Valley is trying to equalize its wholesale water rates. A new Water Purchase Agreement between KID and Jordan Valley will be considered by the Jordan Valley Board during its May 11 meeting. Finally, Trustee Christensen reported on an overhaul of Jordan Valley's Water Treatment Plant located in Herriman that will enable the Plant to treat significantly more water.

**Utah Association of Special Districts:**

A copy of the agenda for the Utah Association of Special Districts Board meeting held on May 5, 2022 was included in the Board Book. Greg Anderson, who serves on the UASD Board, explained his role with the National Special Districts Coalition coordinating the activities of fire protection and water service providers. Federal grant money is being sought to assist with fighting wild fires where the infrastructure is inadequate. In that regard, Greg Anderson reported that he had a very positive meeting with the Unified Fire Authority Chief. Mr. Anderson recommended that training dealing with preparing and presenting grant applications and coordination between fire districts and water districts be provided during this year's UASD Convention.

**Kearns Metro Township Council:**

A copy of the agenda for the May 9, 2022 Kearns Metro Township Council meeting was included in the Board Book. Chair Hatch noted that the Metro Township Council is now meeting in person at the Kearns Library. An automated warehouse that will be 75 to 100 feet tall has been proposed for the Camp Kearns area. Local residents have come out in opposition to the proposal. The Unified Fire Authority will hold a pancake breakfast on June 4. Chair Hatch also discussed a flag retirement ceremony and the availability of landfill vouchers.

**Kearns Community Council:**

A copy of the agenda for the May 3, 2022 Kearns Community Council Executive Meeting was included in the Board Book. Trustee Monson provided a brief overview of Community Council activities and interests and reported that the Community Council's trailer, including all of its contents, was stolen.

**Chamber West – Legislative Committee:**

A copy of the agenda of the May 5, 2022 Chamber West Legislative Affairs Committee meeting was included in the Board Book. Linda Cook has resigned so, going forward, Greg Anderson will chair the Committee.

**National Special Districts Coalition:**

Greg Anderson shared National Special Districts Coalition information dealing with water infrastructure needed for firefighting earlier during the meeting, and additional information was included in the Board Book.



**Trustee Per Diem Report:**


A copy of the April 2022 Trustee Per Diem Report was included in the Board Book.

**Adjourn:**

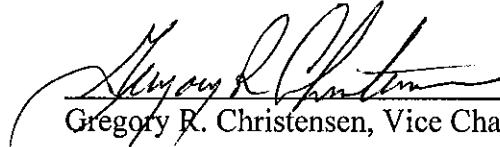
There being no further business to come before the Board, Chair Hatch declared the meeting to be adjourned at 8:37 p.m.

Approved by the Board of Trustees of the Kearns Improvement District on the 7<sup>th</sup> day of June, 2022.

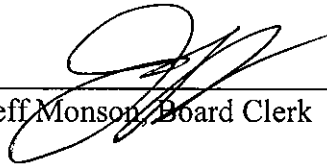
Date: 7, June 2022

  
Cheryle A. Hatch, Chair

Date: JUNE 7, 2022

  
Gregory R. Christensen, Vice Chair

Date: 7 June 2022

  
Jeff Monson, Board Clerk