

**MINUTES OF THE MEETING OF THE
KEARNS IMPROVEMENT DISTRICT (KID) BOARD OF TRUSTEES
HELD JULY 12, 2022 AT THE DISTRICT OFFICE
LOCATED AT 5350 WEST 5400 SOUTH, KEARNS, UTAH**

Trustees Present:

Cheryle A. Hatch
Gregory R. Christensen

Trustee Excused:

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 (via ZOOM)
Jamie Banh	Executive Administrative Assistant

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 Greg Anderson and the pledge of allegiance was led by Trustee Christensen.

Public Comments:

There were no public comments.

Approval of Minutes (Regular Meeting, June 7, 2022 and May 31, 2022 Special Meeting):

None of the Trustees having any questions respecting either set of minutes, copies of which were included in the Board Book, it was moved by Trustee Christensen and seconded by Chair Hatch as follows:

That the minutes of the June 7, 2022 regular Board meeting be approved as presented.

The motion carried with Trustees Hatch and Christensen voting in the affirmative.

It was moved by Trustee Christensen and seconded by Chair Hatch as follows:

That the minutes of the May 31, 2022 special Board meeting be approved as presented.

The motion carried with Trustees Hatch and Christensen voting in the affirmative.

Board Training – KID Backflow Prevention Program:

Using a power point to illustrate the discussion, James Woodruff provided the monthly “snippet” training regarding the District’s backflow prevention program. Among other issues and activities, Mr. Woodruff discussed public awareness, cross connection and operator certification requirements regarding backflow prevention; training for staff members; record keeping; and ongoing enforcement. Greg Anderson provided additional information during the presentation and there was a back and forth discussion between the Trustees and staff.

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. He noted that, as of July 1st, KID’s new “take or pay” water purchase contract with the Jordan Valley Water Conservancy District went into effect. Mr. Anderson played new water conservation video clips for the Board and responded to a number of questions from the Trustees. Among other things, he noted that KID customers are using 18% less water this year as compared to 2021; stated that four KID vehicles, with informative banners, will be entered in the Kearns Parade and invited the Trustees to participate in the parade; directed the attention of the Trustees to a flyer for this year’s employee holiday party; explained a \$500 safety grant received by KID from the Workers Compensation Fund; and reported that a \$1,760,000 grant through the Federal Community Planning Grant Program has been approved by the House Appropriations Committee and now must go through the United States Senate Appropriations Committee.

Riley Astill then reviewed his monthly Financial Report, a copy of which was included in the Board Book. He stated that, overall, KID’s finances are doing very well. As Mr. Astill reviewed his report, Greg Anderson provided additional information. Mr. Astill highlighted a graph in the Report that reflects KID’s water purchases from the Jordan Valley Water Conservancy District, which he described as “tracking well”.

James Woodruff then reviewed his written monthly Public Works Report, a copy of which was included in the Board Book. As he reviewed the status of KID’s ongoing capital projects, Mr. Woodruff responded to questions from the Trustees and Greg Anderson provided additional information.

Consider Check Register:

A copy of the May, 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. Following a brief discussion, it was moved by Trustee Christensen and seconded by Chair Hatch as follows:

That the May, 2022 Check Register be ratified and approved as presented.

The motion carried with Trustees Hatch and Christensen voting in the affirmative.

Consider Financial Report:

A copy of 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 briefly reviewed highlights from the various Reports and responded to questions from the Trustees.

Consider Training Requests:

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

Consider Purchases/Costs Over \$50,000:

Mr. Woodruff reviewed Contractor's Application for Payment No. 16 presented by Gerber Construction Inc. for work on the Zone D 5 MG (million gallon) Tank, a copy of which was included in the Board Book. Mr. Woodruff recommended that the payment be approved in the amount of \$79,490, less a 5% retention of \$3,974.50, leaving a net amount due of \$75,515.50. Mr. Woodruff stated that 89% of the contract has been completed. It was then moved by Trustee Christensen and seconded by Chair Hatch as follows:

That a payment to Gerber Construction Inc. for work on the Zone D 5 MG Tank be approved in the amount of \$75,515.50.

The motion carried with Trustees Hatch and Christensen voting in the affirmative.

Mr. Woodruff then reviewed Application for Payment No. 10 submitted by Whitaker Construction Company, Inc. for work completed on the 6200 South Booster Pump Station totaling \$258,473.22, less a 5% retention of \$12,923.66, yielding a net payment due of \$245,549.56, which reflects 96% completion of the contract. The Application for Payment and a Memorandum from Mr. Woodruff were included in the Board Book. Mr. Woodruff stated that the water line is being chlorinated and power and electrical work is progressing. He recommended approval of the payment request.

It was moved by Trustee Christensen and seconded by Chair Hatch as follows:

That a payment be approved for Whitaker Construction for work on the 6200 South Booster Pump Station in the amount of \$245,549.56.

The motion carried with Trustees Hatch and Christensen voting in the affirmative.

A Memorandum from Mr. Woodruff regarding work by Bowen Collins & Associates on the SCADA Upgrade Project completed in May at a total cost of \$107,481.03 and a copy of the supporting Invoice were included in the Board Book. Mr. Woodruff recommended approval of the payment request. After a brief back and forth conversation between Trustee Christensen and Mr. Woodruff regarding the Project, it was moved by Trustee Christensen and seconded by Chair Hatch as follows:

That a payment to Bowen Collins & Associates for work relating to the SCADA upgrade project completed during May be approved in the amount of \$107,481.03.

The motion carried with Trustees Hatch and Christensen voting in the affirmative.

Riley Astill then reviewed two Invoices (Invoice # 8185 and Invoice # 8196) from MeterWorks for replacement water meters, in the total amount of \$255,352.80. The Invoices, along with a Memorandum from Mr. Astill, were included in the Board Book. Mr. Astill explained the purchase and responded to questions from the Trustees. Greg Anderson provided additional information during the discussion.

It was moved by Trustee Christensen and seconded by Chair Hatch as follows:

That the Invoices presented by MeterWorks for replacement water meters be approved for payment in the amount of \$255,352.80.

The motion carried with Trustees Hatch and Christensen voting in the affirmative.

Consider Bond Releases/Reductions:

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

Quarterly Blue Stakes Report:

The Blue Stakes Report for the second quarter of 2022 was included in the Board Book.

Discuss/Consider Declaration of Vehicles as Surplus:

A Memorandum prepared by Mr. Astill recommending that the District's 1998 Ford camera van be declared to be surplus (with an estimated value of between \$6,500 and \$15,000) and that staff be authorized to dispose of it through Enterprise, Public Surplus or another commercially reasonable means, was included in the Board Book. Greg Anderson explained that, due to KID having purchased a new camera van, the old van is no longer needed. Mr. Anderson noted that a possible buyer is located in Denver Colorado.

It was moved by Trustee Christensen and seconded by Chair Hatch as follows:

That the District's 1998 Ford E 350 box camera van be declared to be surplus and be disposed of as recommended by management.

The motion carried with Trustees Hatch and Christensen voting in the affirmative.

Discuss/Consider Title 1 Chapter 4 – Administrative Policies and Procedures Records Access and Management Policy Edits:

Greg Anderson explained that, as a result of recently adopted legislation that was spearheaded by the Utah Association of Special Districts, critical water and sewer infrastructure may be protected from disclosure under the Government Records Access and Management Act (GRAMA). A copy of proposed new Section 1.4.18, Critical Infrastructure Records, which may be added to the District's Records Access and Management Policy, was included in the Board

Book. Trustee Christensen suggested a slight change to Subsection 1.4.18.B.3 by adding “Any and” in front of “all engineering” on the fourth line.

It was moved by Trustee Christensen and seconded by Chair Hatch as follows:

That the District’s Records Access and Management Policy be amended by adding new Section 1.4.18, Critical Infrastructure Records, with one minor change as noted.

The motion carried with Trustees Hatch and Christensen voting in the affirmative.

Discuss/Consider the Edits to the Kearns Improvement District Bylaws:

Greg Anderson reminded the Trustees that edits to the Kearns Improvement District Bylaws have previously been reviewed by the Board, with the request that the Bylaw amendments be brought back for further consideration upon finalization of Section 6.2.1 dealing with payment procedure methods that include alternative means of payment, in addition to the use of checks. The resulting updated Bylaws, with proposed amendments highlighted in redline, were included in the Board Book. Staff was instructed to search for words in parentheses and correct them for uniformity, and one minor typo was noted and corrected in Subsection 3.2.2. At the end of the discussion, it was moved by Trustee Christensen and seconded by Chair Hatch as follows:

That the updated Bylaws be approved with adjustments as discussed.

The motion carried with Trustees Hatch and Christensen voting in the affirmative.

Discuss/Consider the District’s Administrative Policies and Procedures Personnel, Section 2.1.17 Holidays Leaves Section I – Sick Leave:

A Memorandum from Greg Anderson reviewing and explaining the proposed sick leave policy change was included in the Board Book. Mr. Anderson also used a power point to demonstrate how the proposed changes will protect the District’s employees and, at the same time, remove a large contingent liability from the District’s books. During his presentation, Mr. Anderson responded to questions from the Trustees. A copy of the proposed changes, highlighted in color, was included in the Board Book.

It was moved by Trustee Christensen and seconded by Chair Hatch as follows:

That updated and amended Policies and Procedures Manual § 2.1.17.I, Sick Leave, be approved as presented.

The motion carried with Trustees Hatch and Christensen voting in the affirmative. A date and signature line will be added to the amended Policies and Procedures, to serve as a historical record of the date when each policy was most recently updated.

Consider Closed Meeting – Discuss the Purchase, Exchange, or Lease of Real Property:

Chair Hatch declared that agenda item IV.F would be considered out of order. It was then moved by Trustee Christensen and seconded by Chair Hatch as follows:

That the meeting be closed to discuss the purchase, exchange, or lease of real property.

The motion carried with Trustees Hatch and Christensen voting in the affirmative. Chair Hatch declared the meeting to be closed at 7:31 p.m. Trustees Hatch and Christensen, along with staff members Greg Anderson, Riley Astill, James Woodruff, Mark Anderson and Jamie Banh, remained in the closed meeting, which was held in the KID Board room.

Chair Hatch declared the meeting to again be open at 7:44 p.m. No action was taken during the closed portion of the meeting, other than the approval of a motion made by Trustee Christensen and seconded by Chair Hatch to end the closed meeting and return to open session.

Consider the Purchase of the Zone D Pump Station Parcel from Northrop Grumman Systems Corporation:

It was moved by Trustee Christensen and seconded by Chair Hatch as follows:

That the purchase of the Zone D Booster Pump Station parcel from Northrop Grumman Systems Corporation be approved as discussed and that the General Manager be authorized and empowered to finalize and sign the Purchase Agreement.

The motion carried with Trustees Hatch and Christensen voting in the affirmative.

Central Valley Water Reclamation Facility:

The agenda for the June 22, 2022 Central Valley Water Reclamation Facility Board meeting was included in the Board Book. In Greg Anderson's absence, Riley Astill attended the meeting, and he reported on current Central Valley activities.

Jordan Valley Water Conservancy District:

A copy of the agenda for the July 13, 2022 Jordan Valley Board meeting was included in the Board Book. During a general discussion of a number of the agenda items, Trustee Christensen discussed Jordan Valley's push to raise its property tax rate to the maximum allowable level of .0004 without approving double digit increases. This year's Jordan Valley property tax increase will be approximately 8%. It was noted that a number of taxing entities are increasing their property tax rates.

Utah Association of Special Districts:

A copy of the agenda for the July 7, 2022 UASD Board meeting was included in the Board Book. Greg Anderson, who serves on the UASD Board, reviewed highlights from the meeting and current UASD activities. Among other things, he noted that Heather Anderson became an employee of UASD effective July 1st, and expressed his appreciation for the resources and expertise UASD brings to the table to assist Utah's districts. He noted that there are a lot of issues out there, including a desire by Senator Dan McCay and other legislators to limit or remove the power of taxation for water service, which could be detrimental to Utah's communities.

Kearns Metro Township Council:

A copy of the June 13, 2022 Kearns Metro Township Council meeting agenda was included in the Board Book. Chair Hatch reviewed and discussed current community and civic issues. She explained that the Unified Police Department will begin utilizing an unmarked police vehicle in Kearns, and also talked about parking issues that are being experienced in the community.

Kearns Community Council:

A copy of the agenda for the Kearns Community Council Executive meeting held on July 5, 2022 was included in the Board Book.

Chamber West – Legislative Committee:

A copy of the agenda of the June 9, 2022 Chamber West Chamber of Commerce Water Conservation and Development Subcommittee meeting was included in the Board Book, along with a well written 5 point position statement dealing with water-related issues including conservation, planning, development and funding. Greg Anderson, who chairs the Subcommittee, stated that he had nothing to add to the written materials in the Board Book.

Trustee Per Diem Report:

A copy of the June 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 8:14 p.m.

Approved by the Board of Trustees of the Kearns Improvement District on the 9th day of August, 2022.


Date: August 9, 2022


Cheryle A. Hatch, Chair

Date: 9 Aug 2022


Gregory R. Christensen, Vice Chair

Date: 9 August 2022


Jeff Monson, Board Clerk