

MINUTES

WOLF CREEK WATER AND SEWER IMPROVEMENT DISTRICT May 11, 2023

In accordance with the requirements of Utah Code Annotated Section 52-4-7(1)(d), the District records in the minutes the names of all citizens who appear and speak at an open Board of Trustees Meeting and the substance "in brief" of their comments. Such statements may include opinions or purported facts. The District does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State Law.

***This meeting is recorded.** The recording of this meeting can be found on the Public Notice Website at utah.gov/pmn. Within three working days after the meeting date.*

A regular meeting of the Board of Trustees of Wolf Creek Water and Sewer Improvement District (WCWSID) was held Thursday, May 11, 2023, at 8:00 a.m. in the business office located at 2580 N. Highway 162, Suite A, and via web conference on Zoom

Board Members Present: Miranda Menzies, Don Stefanik, Jon Bingham, Pam Young, Bud Huchel

Board Members Absent:

Others Present: Rob Thomas, General Manager, Annette Ames, Controller/Recorder, Jon Schutz Esq-District legal counsel, Maybe, Wright & James PLLC, Brad Rasmussen-Aqua Engineering, Jon Lewis, Shane Dunleavy, and Eric Householder – Lewis Homes, Chris Zarek – Cowboy Partners-Zoom, Orluff Opheikens – R&O Construction, Cass Butler – Legal Counsel for Opheikens, Russ Watts – Watts Enterprises, Ron Gleason, a member of the community-Zoom

The regular meeting was called to order at 8:01 a.m. by Miranda Menzies

NEW BUSINESS

1. Rob Thomas reported that everything is quiet at the Osprey Ranch work area, due to the flooding issues in the area. Shane Dunleavy reported that Geneva Rock and Gardner Engineering came and did an inspection to evaluate the stormwater plan and make recommendations on changes that would help with erosion that occurred in the subdivision. He reported that no damage was done to the sewer lines and manholes structurally.
2. Shane Dunleavy reported on the Developer's efforts to obtain an ARPA Funds grant from Weber County. Mr. Dunleavy stated that the Eden Sewer Service Area sewage infrastructure construction that the Developer's group in building fits into the county's timeline and that they would like to expand it to water also. Mr. Dunleavy passed out an excerpt from the Eden Sewer Service Area Agreement, that states, "(5) District acknowledges developers are investing a large sum into the acquisition, construction, and development of said sewage infrastructure. The district agrees to allow a developer to attempt to recoup said investment via grants or pioneering agreements with future users above the district's usual connection and impact fee and assist as needed. Such efforts shall

not conflict or detract from the District's efforts to obtain grants for its projects." Mr. Dunleavy stated that Weber County has given a short timeline to apply for this grant and has come to the District for support in this effort. Mr. Dunleavy wondered why the District was fighting this proposal. The Developers have reviewed this through the County and through the Attorney General's office. Miranda Menzies explained that the District's understanding of the ARPA Funding didn't allow for projects for new development such as this, and this construction is not the District's project. Jon Schutz asked if there was anything in writing from the County or the Attorney General's office indicating their support and that it does follow ARPA rules. Mrs. Menzies expressed that the District is not sure how the accounting process would work, when the District does not have a construction contract on this project and isn't receiving invoices in the District's name to submit for payment. John Lewis expressed his disappointment with the District, he has worked with the District for land for the reuse pond and many other projects. He wondered why the District is being so difficult to work with. He would like to find an environment where we all work together. A small disturbance arose in the meeting, and Mr. Dunleavy left the meeting. Cass Butler, Legal Counsel for Opheikens, wanted to address any concerns the board may have about these funds being in compliance with the ARPA regulations. He has spoken with the Assistant Attorney General's office and is fairly confident that what is being asked is in compliance with the ARPA rules. He would be happy to provide documentation in writing. Jon Schutz stated that the County should be spearheading this project. We need the County to put something in writing if the District is being asked to move funds through the District accounts for a project that is not theirs. This document should detail the projects being proposed and the accounting processes necessary to complete them.

3. Brad Rasmussen from Aqua Engineering to put together a cost estimate for expanding the Willowbrook Lane Sewage Treatment plant by an additional 1000 units with an additional expansion available for 1000 units. Mr. Rasmussen will have the costs next month.
4. Miranda Menzies reported that the Weber Basin Reuse Authorization Contract has been signed and approved.
5. Miranda Menzies reported on the Reuse Pond and Pipeline projects. There is a possibility that the pond will need to be moved to the top portion of the property and may need to be smaller than originally proposed, because there may be wetlands on the property. The wetland study will be conducted in the next week. Miranda and Rob will have a meeting with AECOM next week.
6. Miranda Menzies accepted a motion to enter into a Closed Session. Jon Bingham made the motion to go into a Closed Session to discuss the purchase or Ownership of Water Rights, Land or Other Real Property, Personnel Matters, Imminent Legal Action, or Loan Applications at 9:32 a.m. Bud Huchel duly seconded the motion, and it was unanimously approved. Pam Young made a motion to reopen the regular meeting and Don Stefanik duly

seconded the motion, and it was unanimously approved. The regular meeting reconvened at 10:45 a.m. Don Stefanik made a motion to accept and take action on the items discussed in the closed session. Bud Huchel duly seconded the motion, and the vote was as follows:

Miranda Menzies Aye
Jon Bingham Aye
Don Stefanik Aye
Henry Huchel Aye
Pam Young Aye

7. There was a discussion about Addition Dwelling Units (ADU) in the District, in particular those that are detached from the primary dwelling. At this time, they are not allowed as rentals in the Weber County Short-Term Rental Requirements. It was suggested that a District Policy should be written regarding connection costs for detached ADUs, and this item was tabled to the next month's meeting.

8. Resolution 23-2 Acquisition of Water Shares was presented, Miranda Menzies read the Resolution. A roll call vote was conducted, and all votes were in favor:

Miranda Menzies Aye
Jon Bingham Aye
Don Stefanik Aye
Henry Huchel Aye
Pam Young Aye

9. Resolution 23-3 Municipal Wastewater Planning Program was presented. A roll call vote was conducted, and all votes were in favor:

Miranda Menzies Aye
Jon Bingham Aye
Don Stefanik Aye
Henry Huchel Aye
Pam Young Aye

10. Miranda Menzies made a motion to thank the Staff for all they do to keep the District running well and compliant with the state rules and for their diligence in watching over the District so that there is a minimal amount of flooding, during this unusual run-off season. Jon Bingham duly seconded the motion, and the vote was as follows:

Miranda Menzies Aye
Jon Bingham Aye
Don Stefanik Aye
Henry Huchel Aye
Pam Young Aye

11. The minutes from April 13, 2023, regular meeting were presented. Jon Bingham made a motion to approve the minutes from April 2023, Pam Young duly seconded the motion, and the vote was as follows:

Miranda Menzies Aye
Jon Bingham Aye
Don Stefanik Aye
Henry Huchel Aye
Pam Young Aye

12. The April 2023 Financial Report, A/P & A/R, and aging had been sent to the Board previously for review Don Stefanik made a motion to approve the April 2023 Financial Report, A/P & A/R, and aging, and Jon Bingham duly seconded the motion, the vote was as follows:

Miranda Menzies Aye
Jon Bingham Aye
Don Stefanik Aye
Henry Huchel Aye
Pam Young Aye

13. Annette Ames reminded the Board that they need to take the required Board Training from the State of Utah. <http://training.auditor.utah.gov>. All members need to take the Open Public Meeting Training (taken every year).
14. Miranda Menzies accepted a motion to enter into a further Closed Session. Jon Bingham made the motion to go into a Closed Session to discuss the purchase or Ownership of Water Rights, Land or Other Real Property, Personnel Matters, Imminent Legal Action, or Loan Applications at 11:21 a.m. Bud Huchel duly seconded the motion, and it was unanimously approved. Don Stefanik made a motion to reopen the regular meeting and Pam Young duly seconded the motion, and it was unanimously approved. The regular meeting reconvened at 11:26 a.m. The items discussed in the Closed Session were informational only, no vote was necessary.
15. Iris Hennon, Code Enforcement Officer from Weber County Planning Division has asked if it would be all right to use the District's Short-Term Rental Will Serve Letter, as a template for other water companies in the County. She would also like to compliment the District at the next County Commissioners meeting on June 6th, on its thoroughness in researching this subject, and for being easy to work with during the setup of this new process.
16. The office rental agreement is up for renewal, Rob Thomas asked the board if they wanted to renew. The consensus was yes to the renewal.
17. Network Solutions has offered a security process to make our website secure. Miranda Menzies stated that it is a simple decision, in these critical times, to take advantage of this type of security.
18. Annette Ames reminded the board members that are considering running for re-election, that June 1 -June 7, are the dates for filing a Declaration of Candidacy.

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There being no further business Don Stefanik made a motion to adjourn, Bud Huchel duly seconded the motion, and it was unanimously approved. The meeting adjourned at 11:40 a.m.

The next meeting will be a regular meeting and is scheduled for Thursday, June 15, 2023, at 8:00 a.m. by web conference on Zoom or in person at the business office located at 2580 N. Highway 162, Suite A, Eden, Utah.

Annette Ames
Secretary of the Meeting