

MINUTES

WOLF CREEK WATER AND SEWER IMPROVEMENT DISTRICT September 14, 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, September 14, 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, ShyAnna Chambers, Office Assistance, Jeff Reece – Lendor for Lewis Homes, Brooke White – Maybe, Wright & James, District Legal Counsel

The regular meeting was called to order at 8:03 a.m. by Miranda Menzies

NEW BUSINESS

1. Miranda Menzies reviewed the Disposal Report from Brad Rasmussen-Aqua Engineering. She pointed out the new cost estimate for a new RIB (Rapid Infiltration Basin) which is for an additional 1000 units. The report stated that as Developers look to develop new properties in the District, we should assess these properties to look for RIB and storage sites. There are a lot of critical questions that still need to be asked of Mr. Rasmussen and Dan White from Gardner Engineering about this process. The District also needs answers from DWQ to be able to move the process forward financially.
2. Robert Thomas reported on the Reuse Pond and Pipeline. The District is waiting for reports on the wetlands and on the soil testing. AECOM has sent the soil request to an additional lab for testing to confirm their findings. The District is waiting for a report from the Corp of Engineers on the wetlands. It may take up to 60 days to receive the report. Right now, everything is on hold until the reports come back. There was discussion as to whether or not Pam Young should begin to put together a grant request from the Bureau of Reclamation for the Reuse Pond or are the requirements too encumbering before even beginning the project. After discussion, it was decided to submit the application just for the Reuse Pond and if the timing issues did not work out the District would then withdraw the application. Bud Huchel made a motion to apply for the grant from the Bureau of Reclamation, Jon Bingham duly seconded the motion, and the vote was as follows:

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

3. The District has received proposals for the IFFP from Gardner Engineering and the IFA from Lewis, Young, Robertson, and Burningham. The Board felt that the annexation area should only pertain to the area that the Sewer Treatment Plant can handle. The map in the proposal outlining the area indicates a larger area than anticipated. Jon Bingham and Bud Huchel stated they thought the IFFP should only refer to the ESSA area or the area that we have contracts for. Mrs. Menzies would like to include the Old Eden area even though the financing isn't available yet, because there are impact fees that could help pay for that sewer line. Jon Bingham made a motion to accept the proposals from Gardner Engineering and Lewis, Young, Robertson, and Burningham, but there should be clarification on the annexed area, Don Stefanik duly seconded the motion, and the roll call vote was as follows:

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

Pam Young reminded the Board, that there will need to be changes to the existing Wolf Creek customers IFFP and IFA, because of the changes in the Sewer Plant capacity that were brought to light in Brad Rasmussen's report. Miranda Menzies said the District will request a new IFFP and IFA will be requested and reviewed at the next meeting.

4. Miranda Menzies accepted a motion to enter into a Closed Session. Bud Huchel 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 8:59 a.m. Pam Young duly seconded the motion, and it was unanimously approved. Jon Bingham made a motion to reopen the regular meeting and Bud Huchel duly seconded the motion, and it was unanimously approved. The regular meeting reconvened at 9:55 a.m. Jon Bingham made a motion to accept the items discussed in the Closed Session. One vote was taken relating to the discussion of property, the roll call vote was as follows:

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

A second vote was taken in regard to Personnel matters, the roll call vote was as follows:

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

5. Jason Fuller’s Attorney Jonathan Clyde sent a letter requesting the District accept some water rights from a well that Mr. Fuller is a part owner. Jon Bingham recused himself from the vote because Mr. Fuller is a member of his family, and his wife is also part owner of that well. Mr. Clyde also asked if the District would issue a feasibility letter as an interim step toward Mr. Fuller’s desired project and ultimate receipt of a will-serve letter. His intent would be to take this letter to the County to obtain preliminary approval prior to going to the full expense of paying for the requirements from the District. Rob Thomas stated that Mr. Fuller is offering irrigation water in exchange for culinary water, and the well is not drilled to culinary specifications. The District is aware of other issues regarding the well in question. As far as a feasibility letter is concerned, the District’s policies state all impact fees, connection fees, and other related requirements paid for, prior to giving a Can and Will Serve Letter. We do not issue feasibility letters. Mr. Fuller has illegally connected to the District water and sewer systems and is trying to maneuver around having to take care of the situation. The Board stated that he would need to solve the problem and pay the fees prior to asking for further consideration.

6. Miranda Menzies and Annette Ames reported on the East Well property and the funds that are due on the property to Russ Watts. Mr. Watts owes the connection fees on the remaining lots he has activated. Bud Huchel stated that it would be easier if we paid for the lot, then he could pay for the connections, which keeps all transactions clean and transparent. Rob Thomas will contact Mr. Watts and request a Title Abstract and Warranty Title to purchase the property. Jon Bingham made a motion to purchase the property at the agreed amounts, Bud Huchel duly seconded the motion, and the roll call vote was as follows:

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

7. Annette Ames presented Resolution 23-5 to Cancel the Election for 2023. Three positions were available, and three candidates filed a Declaration of Candidacy. No election is necessary. A roll call vote was taken, and all votes were in favor.

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

8.

9. The minutes from the August 10, 2023, regular meeting, August 22, 2023, emergency meeting, and the August 30, 2023, special work session were presented. Pam Young made a motion to approve the minutes from August 10, 2023, August 22, 2023, and August 30, 2023. Bud Huchel duly seconded the motion, and the roll call vote was as follows:

Miranda Menzies	Aye
Jon Bingham	Aye
Don Stefanik	Aye

Henry Huchel Aye
Pam Young Aye

10. The August 2023 Financial Report, A/P & A/R, and aging had been sent to the Board previously for review Bud Huchel made a motion to approve the \August 2023 Financial Report, A/P & A/R, and aging, and Jon Bingham duly seconded the motion, the roll call vote was as follows:

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

11. Rob Thomas reported to the Board that he has been receiving reports that the Duel Flush Toilets are not as popular as originally thought. Is it possible to change to another low-flow option? The Board agreed that this is a Developer issue, and doesn't need to be mandated by the District.

There being no further business Don Stefanik made a motion to adjourn, Miranda Menzies duly seconded the motion, and it was unanimously approved. The meeting adjourned at 10:48 a.m.

The next meeting will be a regular meeting and is scheduled for Thursday, October 12, 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