

**MINUTES OF THE TRUSTEES MEETING  
OF THE KEARNS IMPROVEMENT DISTRICT (KID)  
HELD AUGUST 11, 2020 AT THE DISTRICT OFFICE  
LOCATED AT 5350 WEST 5400 SOUTH, KEARNS, UTAH**

**Trustees Present:**

Jeff Monson  
Cheryle A. Hatch  
Gregory R. Christensen

**Staff Present:**

Pamela Gill	General Manager
Greg Anderson	Public Works Director/Engineer
Riley Astill	Finance Director
Mark H. Anderson	Attorney (Via GoToMeeting)
Jamie Banh	Executive Administrative Assistant

**Others Present:**

Bryon Elwell	Elwell Consulting Group
Brian Child	Olympus Insurance
Darrell Child	Olympus Insurance

**Call to Order:**

Chair Monson declared the meeting to be open at 5:32 p.m., at which time he welcomed all those present. The invocation was offered by Cheryle Hatch and the pledge of allegiance was led by Gregory Christensen.

**Public Comments:**

There were no public comments.

**Approval of Minutes (Regular Meeting, July 14, 2020):**

None of the Trustees having any additions or corrections for the minutes, it was moved by Trustee Christensen and seconded by Trustee Hatch as follows:

**That the minutes of the KID Board meeting held July 14, 2020 be adopted and approved as presented.**

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

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

Ms. Gill reviewed her written Report, which was included in the Board Book. She praised her staff, with particular attention to Riley Astill; reported concerning a request by the Police Department for security camera footage; and covered various other matters. There was a back and forth discussion of the Jordan Valley Water Conservancy District and water conservation efforts.

Riley Astill briefly reviewed his Administration/Financial Report, noting the positive trend that was evident in the Financial Summary. He responded to a number of questions from the Trustees and reported that ExecuTech is “doing well”.

Greg Anderson reviewed his written Public Works Report, a copy of which, like the Administrative/Financial Report, was included in the Board Book. He reviewed the status of the District’s various capital facility projects and responded to questions from the Trustees. Of particular note, he reported that the back yard sewer manhole abandonment effort is 100% complete. In response to a question from Chair Monson, Ms. Gill stated that staff is reviewing the removal of the special fee and how it will be reflected in next year’s Budget and that she will get back to the Board concerning the same.

**Consider Check Register:**

The June, 2020 Check Register, which is a list of all checks issued and direct deposits made during the month, was included in the Board Book. Mr. Astill responded to questions from the Trustees respecting specific checks, particularly a \$4,954.00 customer refund check, and Greg Anderson provided specifics concerning some purchases. At the end of the discussion, it was moved by Trustee Christensen and seconded by Trustee Hatch as follows:

**That the June, 2020 Check Register be ratified and approved as presented.**

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

**Consider Financial Report:**

The Financial Report, which consists of a series of reports including the Statement of Net Position, the Statement of Revenues & Expenses, the Investment/Reserves Report, and the Customer Service Report, was included in the Board Book. Mr. Astill responded to questions and discussed highlights from the Reports.

**Consider Training Requests:**

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

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

Greg Anderson reviewed an invoice from Gerber Construction for work on the Zone E 1.5 MG (million gallon) Tank for work completed and inspected during the month of July, 2020, in the total amount of \$349,361.77, less a 5% retention of \$17,468.09, leaving a net payment due of

\$331,893.68. Mr. Anderson recommended that the invoice be approved for payment. It was then moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That the requested payment to Gerber Construction for work on the Zone E 1.5 MG Tank be approved in the net amount of \$331,893.68.**

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

Greg Anderson then reviewed an invoice from FX Construction for work completed and inspected during the month of July, 2020 on the Zone E Booster Pump Station in the amount of \$521,620.00, less a 5% retention of \$26,081.00, leaving a net payment amount of \$495,539.00. Mr. Anderson recommended that the requested amount be paid. It was then moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That the invoice from FX Construction for work on the Zone E Booster Pump Station be approved for payment in the amount \$495,539.00.**

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

Riley Astill explained why a new truck primarily dedicated to exercising fire hydrants should be purchased. Originally, it was budgeted as a lease item, at an expected monthly rental of \$700.00 and a lease buyout after 60 months. Because the truck will require the installation of an industrial service body and will be fitted with a compressor and small crane to hoist fire hydrants and other heavy items, it does not fit well into the leasing model as a procurement mechanism. Two acceptable trucks have been located for purchase under State Contracts. A Ford F-350 XL would cost \$54,230.97 and a Chevrolet 3500 WT would cost \$48,740.20. Those prices include the installation of a service body and equipment (\$17,708.97). Mr. Astill stated that the Chevrolet appears to be the better truck for the intended purpose, and also is the less expensive truck. However, in the event that truck cannot be obtained due to current market conditions, Mr. Astill requested permission to consider the Ford as an alternative. It was moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That the acquisition of a Chevrolet 3500 WT truck for \$48,740.20, fully equipped, be approved but, if the purchase of that truck falls through, that the purchase of a fully equipped Ford F-350 XL truck, at a cost of \$54,230.97, be approved as an alternative.**

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

**Consider Bond Releases/Reductions:**

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

**Present Risk and Resilience Assessment – Consider Closed Meeting – Discussion regarding development of security personnel, devices, or systems:**

Ms. Gill explained that Bryon Elwell was in attendance to present his work that has been completed to date on the Risk and Resilience Assessment. Due to the security sensitivity of the information he was expected to present, Ms. Gill requested that the Board go into closed session

for this presentation. It was moved by Chair Monson and seconded by Trustee Christensen as follows:

**That the Board meeting be closed to discuss the deployment of security personnel, devices or systems.**

The motion carried with Trustees Monson, Hatch and Christensen each voting “aye”. Chair Monson declared the meeting to be closed at 6:24 p.m. All three Trustees, Ms. Gill, Mr. Astill, Greg Anderson, Jamie Banh, Mark Anderson and Bryon Elwell remained in the Board room during the closed portion of the meeting.

Chair Monson declared the meeting to again be open at 6:55 p.m. No action was taken during the closed portion of the meeting, other than approval of a motion made by Chair Monson and seconded by Trustee Hatch to end the closed session and return to open meeting.

**Consider No-Fault Insurance Coverage for Water & Wastewater Incidents:**

Ms. Gill explained that District staff, in conjunction with Olympus Insurance, put together a No-Fault Insurance Program for the Trustees’ consideration. The purpose of the Program is to assist in the cleanup of real and personal property and/or compensate persons for the loss of real or personal property that was destroyed or damaged as a result of a backup of KID’s sanitary sewer facilities or a culinary water line leak or break, regardless of fault, with certain restrictions and limitations as provided in the Program. Riley Astill provided a brief overview of the Program and introduced Darrell Child and Brian Child, with Olympus Insurance, who provided additional information and examples of insurance claims that would fall within Program coverage; discussed costs and funding; and responded to questions from the Trustees. In response to a question from Chair Monson, it was explained that ServePro would provide program services under a State Contract. Mr. Astill explained that a \$125,000 fund would be built up over time and replenished as money from the fund is used in furtherance of the Program. At the conclusion of the discussion, it was moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That the No-Fault Insurance Program be approved with a no-fault insurance reserve of \$125,000.00.**

The motion carried with Trustees Monson, Hatch and Christensen each voting “aye”. The Olympus Insurance representatives then left the Board room.

**Consider Wood Ranch Development, LLC Development Agreement:**

Greg Anderson explained that the development of the Wood Ranch property by Daybreak and Ivory Homes has been delayed due to needed approvals from West Jordan City, where a significant part of the project is located. Developers, including Daybreak and Ivory Homes, were notified of the Resolution adopted by the KID Board during the July Board meeting to make them aware of the benefits of entering into a Development Agreement before the end of August. Conversations have been held with Daybreak and Ivory Homes, and the Wood Ranch Agreement has been modified by KID staff and legal counsel. KID staff has not heard from Daybreak or Ivory Homes since they received the edited Development Agreement. Greg Anderson recommended that the Trustees approve the Development Agreement in its current form and authorize staff to

make minor tweaks based on input from the developers. Ms. Gill added information concerning the negotiations. It was noted that any developer who develops property in Zone E who has not entered into a Development Agreement with the District prior to September 1, 2020 will be required to pay all impact fees up front. At the end of the discussion, it was moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That the Wood Ranch Development Agreement be approved, with the caveat that staff will be allowed to negotiate with the developers and include in the Development Agreement additional edits based on the negotiations.**

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

**Consider Personnel Policy & Procedures:**

Ms. Gill reminded the Trustees that state law mandates that KID’s Personnel Policies and Procedures be reviewed annually. Ms. Gill reviewed suggested changes to the sick leave section of the District’s Personnel Policies & Procedures. Following a lengthy discussion, Chairman Monson declared that action on this agenda item would be postponed until next month’s Board meeting.

**Consider Wastewater Service to Terraform Companies:**

The District has been asked to provide sewer service to a new 7-11 convenience store being constructed on the Northwest corner of 4700 South and 5600 West, which is in the Granger-Hunter Improvement District (“GHID”). GHID is not able to provide sewer service to the location, but KID is capable of providing the service and has received GHID’s permission to do so. An impact fee will be paid to KID and GHID will provide water use data to assist KID in determining the appropriate monthly service fee.

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

**That Terraform Companies’ application for sewer service to a new 7-11 convenience store on the Northwest corner of 4700 South and 5600 West be approved as presented.**

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

**Consider Declaration of Surplus Property:**

Riley Astill reviewed his memorandum, a copy of which was included in the Board Book, dealing with declaring listed equipment and vehicles to be surplus and the disposal of the surplus items through public bidding. There was a brief discussion of the need to replace two of the listed vehicles. It was then moved by Trustee Christensen and seconded by Trustee Hatch as follows:

**That the surplus vehicles and equipment list be approved as presented and amended and that the listed vehicles and equipment be disposed of as recommended.**

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

**Consider Extension of Water Right and Water Rights Plan:**

Greg Anderson explained the need to update and extend the District's 40 Year Water Rights Plan. Mark Anderson pointed out that the Plan does not acknowledge that a small portion of Taylorsville City is included in KID's service area. The 40 Year Water Rights Plan was prepared by the Hansen, Allen & Luce engineering firm. Following the discussion, it was moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That the District's 40 Year Water Rights Plan be approved as presented, with the addition of a reference to a small portion of Taylorsville City being included in the District's service area.**

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

**Discuss Consumer Confidence Report:**

Ms. Gill briefly reviewed the Consumer Confidence Report that was prepared by John Lawson, KID's Water Quality Technician. The Report is an annual requirement that provides information to the public regarding KID's water quality, including both Jordan Valley Water Conservancy District and KID water quality test results performed between January 1 and December 31 of 2019. The Report is on KID's website and an EPA required notice of the Report has been sent to customers on their billing statements.

**Central Valley Water Reclamation Facility:**

A copy of the July 22, 2020 Central Valley Water Reclamation Facility Board meeting agenda was included in the Board Book. Trustee Hatch, who represents KID on the Central Valley Board, briefly reviewed current Central Valley activities, including a blood drive; a public hearing; and construction projects. She reported that only one bid was received on a particular construction project, which will not move forward at this time.

**Jordan Valley Water Conservancy District:**

The agenda for the August 12, 2020 Jordan Valley Water Conservancy District Board of Trustees meeting was included in the Board Book. Trustee Christensen, who also serves on the Jordan Valley Board, noted that the Jordan Valley Board will consider KID's Water Conservation Grant Request and KID's Pump Station Lease. He also discussed difficulties encountered in Jordan Valley annexations due to the checkerboard nature of land ownership. Finally, he displayed a rebranding proposal that is being considered by Jordan Valley.

**Utah Association of Special Districts:**

Ms. Gill, who serves on the UASD Board, reported that the Association was able to shift its contract with the Provo Marriott Hotel to November of 2021, which enabled the Association to cancel its 2020 Convention due to the coronavirus pandemic. She briefly discussed a federal legislative effort to qualify special districts, including Utah's local districts and special service districts, for future COVID-19 federal funds. She also mentioned upcoming interim sessions of the Utah Legislature.

**Kearns Metro Township Council:**

Trustee Hatch reviewed current Kearns Metro Township Planning Commission activities, including the consideration of a Transportation Plan; a request from St. Francis for a dedicated area to drop off and pick up children; and plans for accessory dwelling units.

**Kearns Community Council:**

There was nothing new to report concerning the Community Council.

**Trustee Per Diem Report:**

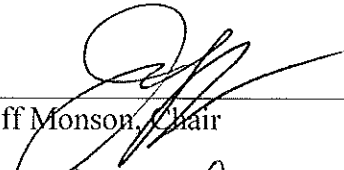
No changes were reflected in the Trustee Per Diem Report that was included in the Board Book.

**Adjourn:**

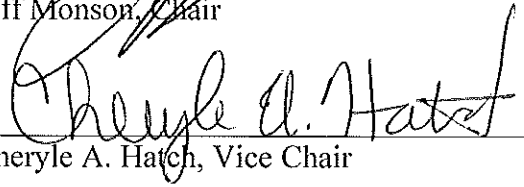
There being no further business to come before the Trustees, Chair Monson declared the meeting to be adjourned at 8:36 p.m.

Approved by the Board of Trustees on the 8<sup>th</sup> day of September, 2020.

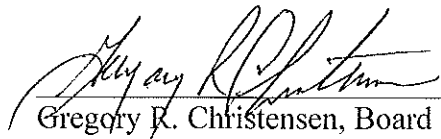
Date: 8 September 2020

  
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Jeff Monson, Chair

Date: September 8, 2020

  
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Cheryle A. Hatch, Vice Chair

Date: 8 Sept 2020

  
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Gregory R. Christensen, Board Clerk