

**MINUTES OF THE TRUSTEES MEETING  
OF THE KEARNS IMPROVEMENT DISTRICT (KID)  
HELD NOVEMBER 10, 2020 AT THE DISTRICT OFFICE  
LOCATED AT 5350 WEST 5400 SOUTH, KEARNS, UTAH<sup>1</sup>**

**Trustees Present:**

Jeff Monson  
Cheryle A. Hatch  
Gregory R. Christensen

**Staff Present:**

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

**Others Present:**

Linda Townes	Jordan Valley Water Conservancy District (Via Go-To-Meeting)
Julie Burnett	Resident (Via Go-To-Meeting)

**Call to Order:**

Chair Monson called the meeting to order at 5:30 p.m., at which time he welcomed all those present. The invocation was offered by Greg Anderson and the pledge of allegiance was led by Pamela Gill.

**Public Comments:**

There were no public comments.

**Approval of Minutes (Regular Meeting, October 13, 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 on October 13, 2020 be adopted and approved as presented.**

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

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<sup>1</sup> Due to COVID-19 pandemic conditions, masks were required to be worn and in person attendance was limited to 10 individuals, including Trustees and staff, with an overflow room to accommodate additional members of the public at the anchor location. In addition, individuals were able to join electronically, via computer, tablet or phone, and were provided a dial in number and access code.

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

Ms. Gill reviewed her written Report, a copy of which was included in the Board Book. Among other items, Ms. Gill reported on good discussions with representatives of West Jordan City regarding the annexation of land into KID and amending KID’s Interlocal Agreement with the City. She also discussed a possible boundary adjustment with the Taylorsville Bennion Improvement District and responded to questions.

Riley Astill then reviewed highlights from the Financial/Administration Report, a copy of which was included in the Board Book, reporting that the District is doing “very well” financially. There was a back and forth discussion between the Trustees and management staff during which Mr. Astill responded to questions from the Trustees.

Greg Anderson then reviewed the monthly Public Works Report, a copy of which was included in the Board Book, and provided a status report on each of the District’s ongoing construction projects, discussed the development of a residential project by Daybreak Communities and Ivory Homes (formerly the Wood Property), and discussed recent meetings with representatives of the Central Valley Water Reclamation Facility.

**Consider Check Register:**

The Check Register, which is a list of all checks issued and direct deposits made during the month of September, 2020, was included in the Board Book. After Mr. Astill responded to questions from the Trustees, with additional information provided by Greg Anderson, it was moved by Trustee Christensen and seconded by Trustee Hatch as follows:

**That the September, 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 Connection & Population Report, and the Executive Safety Report, was included in the Board Book. Mr. Astill reviewed the various Reports and responded to questions from the Trustees, particularly questions centering on the allocation of the District’s reserve funds and the Executive Safety Report, with Greg Anderson providing additional information.

**Budget Hearing and Fee Increase Hearing:**

It being 6:00 p.m., the time advertised for the budget hearing and fee increase hearing to commence, Chair Monson declared both public hearings to be open.

Riley Astill reviewed the Tentative 2021 Budget in detail, using a power point presentation. Among other items, he reviewed Budget objectives, projected revenues, budgeted costs, cost

saving measures, and operating costs per connection, comparing KID's costs to those of three nearby improvement districts (KID's operating costs per connection were the next to the lowest).

Mr. Astill and Ms. Gill then reviewed and discussed an independent rate study and the fee increases that were recommended in the study. Mr. Astill noted that the Central Valley Water Reclamation Facility sewage treatment plant is now more than 30 years old. The age of the plant, in addition to cost increases attributable to nutrient removal and other regulatory requirements, has necessitated a substantial increase in Central Valley's construction costs to update facilities and resulted in increased repair, replacement and maintenance costs. A portion of those costs are being passed on to KID. Based on the rate study, a minimum net sewage rate increases of \$2.11 per month per residential connection will be needed, which will increase the average residential sewer charge from \$35.55 to \$37.66 per month. This represents an approximately six percent (5.94%) increase.

Ms. Gill provided a detailed history using a power point presentation of the Central Valley Water Reclamation Facility, an Interlocal Cooperation Agency with seven member entities, including KID. She explained that each member entity's share of ongoing Central Valley costs is based upon that member's relative usage of the sewage treatment plant.

A back and forth discussion between the Trustees and staff followed, including issues such as nutrient removal requirements and projects, such as the Biological Nutrient Removal Basins Project; repair and replacement costs; and other Central Valley cost components.

Chair Monson opened the hearing to comments from the public, after which he read a written question from Julie Burnett. For the record, Ms. Gill responded to the question and Chair Monson added additional information. Mr. Astill noted that the fee increase being recommended by management is less than the increase recommended by an independent consultant. It was also noted that the consultant recommended a three percent (3%) water rate increase in 2021. However, because of existing economic conditions, management recommended that consideration of any water rate increase be postponed until 2022.

Ms. Gill reviewed a recommended revision to the District's water service reconnection fees and a recommended increase in the military benefit. Management recommended that the reconnection fee be increased by \$10.00 from \$40.00 to \$50.00; that a customer be charged a \$20.00 fee if a technician is dispatched to disconnect the water, regardless of whether the water is disconnected, as a "collection fee", and that a second fee of \$20.00 be charged if a technician has to return to reconnect the service due to such factors as a car being parked over the meter or a faucet left on in the home. Ms. Gill noted that the military benefit program was implemented in 2007, with a monthly benefit of up to \$45.00, with no increase since that date. She recommended that the benefit be increased to a maximum of \$55.00 per month. A copy of the District's Deployed Military Benefit Program was included in the Board Book.

Greg Anderson then used a power point presentation to explain a proposed increase in engineering fees, to commence in January of 2021. He noted that KID's engineering fees were last increased in 2015.

During their respective presentations, Ms. Gill, Mr. Astill and Mr. Anderson responded to questions from the Trustees. In particular, Greg Anderson responded to questions from Trustee

Christensen concerning how the District's engineering fees compare with those of other entities and to a question from Chair Monson respecting grease traps.

Ms. Gill explained that the Board was not being asked to take any action on either the budget or the proposed fee increases tonight. Formal action will be deferred until the December Board meeting. Chair Monson again called for public comments and, there being none, it was moved by Chair Monson and seconded by Trustee Christensen as follows:

**That the combined public hearing be closed.**

The motion carried with Trustees Monson, Hatch and Christensen each voting "aye", after which Chair Monson declared the Public Hearing to be closed at 6:49 p.m.

**Consider Training Requests:**

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

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

Greg Anderson reviewed an Application for Payment from Gerber Construction, Inc. for work on the Zone E 1.5 Million Gallon (MG) Tank for \$343,868.22, less a 5% retention (\$17,193.41), leaving a net payment of \$326,674.81. None of the Trustees having any questions, it was moved by Trustee Christensen and seconded by Trustee Hatch as follows:

**That the Application for Payment submitted by Gerber Construction Inc. for work on the Zone E 1.5 MG Tank be approved for payment in the net amount of \$326,674.81.**

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

Greg Anderson then reviewed an Application for Payment submitted by FX Construction for work on the Zone E Booster Pump Station and the Zone D Booster Pump Station Renovation in the amount of \$426,741.67, less a 5% retention (\$17,011.10) on the Zone D Booster Pump Station portion of the payment request, leaving a net payment of \$409,730.57. None of the Trustees having any questions, it was moved by Trustee Christensen and seconded by Trustee Hatch as follows:

**That the Application for Payment submitted by FX Construction for work on the Zone E Booster Pump Station and on the Zone D Booster Pump Station Renovation be approved for payment in the net amount of \$409,730.57.**

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 considered by the Board.

**Consider Resolution 20-11-1 Approving the First Amendment to the Water and Sewer Interlocal Cooperation Agreement with West Jordan City:**

Ms. Gill reviewed discussions with West Jordan City. Developers are requesting the City's permission to annex land into KID (part of the Daybreak Community/Ivory Homes development) located in the City and the City has suggested amending and updating an existing Interlocal Agreement between KID and the City that was entered into by the parties in the year 2000 to resolve issues respecting the City's annexation of Oquirrh Shadows and other lands within KID's boundaries. The Interlocal Agreement secures KID's right to continue to provide water and sewer service to areas within West Jordan City. Ms. Gill explained that staff supports making minor modifications to the Interlocal Agreement to reflect current practices respecting KID obtaining permits for infrastructure repair and replacement and the City's approval of KID's engineering plans. By adopting Resolution 20-11-1, a copy of which was included in the Board Book, the Board will approve the proposed First Amendment to the Interlocal Agreement. A copy of the First Amendment was also included in the Board Book. Mark Anderson has worked with one of the City's attorneys to prepare the First Amendment to the Interlocal Agreement.

At the end of the discussion it was moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That Resolution 20-11-1, adopting and approving the First Amendment to the West Jordan City Interlocal Agreement, be adopted.**

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

**Discuss/Consider 2021 Board of Trustees Meeting Calendar:**

A suggested 2021 Board meeting schedule was included in the Board Book. The Trustees reviewed the proposed meeting schedule. Trustee Hatch requested one date change to avoid a conflict. It was then moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That the District's 2021 Board meeting schedule be as follows: January 12, February 9, March 9, April 13, May 11, June 10, July 13, August 10, September 14, October 12 (Tentative Budget), November 9 (Budget Hearing) and December 14, 2021; with all meetings to commence at 5:30 p.m. at the District's administrative offices located at 5350 West 5400 South, Kearns, Utah.**

The motion carried with Trustees Monson, Hatch and Christensen each voting "aye". Depending upon the status of the COVID-19 pandemic and other matters, some meetings may be held electronically.

**Discuss EPA WaterSense Conservation Program Recognition:**

Ms. Gill explained that Abby Williams, the District's Conservation Coordinator, applied for the EPA WaterSense Partner of the Year award on behalf of KID. While KID was not selected for the award, the District was recognized with a letter and a certificate for Going Above and Beyond Expectations for WaterSense Partners. Ms. Gill was very pleased with staff's work and this recognition, a copy of which was included in the Board Book.

**Consider Closed Meeting – Discussion regarding deployment of security personnel, devices, or systems:**

Ms. Gill recommended that the Board go into closed session to discuss site specific security changes management would like to implement in response to the independent Risk & Resilience Assessment. It was moved by Trustee Christensen and seconded by Trustee Hatch as follows:

**That the Board go into closed session to discuss the deployment of security personnel, devices or systems.**

The motion carried with Trustees Monson, Hatch and Christensen each voting “aye”. Chair Monson then declared the meeting to be closed at 7:06 p.m.

Chair Monson declared the meeting to again be open at 7:50 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 Christensen to end the closed meeting and return to open session.

**Central Valley Water Reclamation Facility:**

Trustee Hatch, who represents KID on the Board of the Central Valley Water Reclamation Facility, reviewed highlights from the October 28, 2020 Central Valley Board meeting agenda, a copy of which was included in the Board Book. Among other matters, Trustee Hatch reported concerning a meeting to discuss Central Valley cost increases and a decision to increase Central Valley’s excess liability insurance coverage at a minimal premium cost increase. At Trustee Hatch’s request, Ms. Gill discussed the calibration of flow meters that are used to measure the wastewater flow from each of the Central Valley member entities to the Central Valley sewage treatment plant. Billings to the member entities are based, to a significant degree, on the flow measurements. It was determined that some meters were reading high and some were reading low. In response to the test results, the meters were recalibrated and, instead of using 12 month rolling metered flow averages, Central Valley is looking at the meter readings a month at a time to make sure the meters have all been recalibrated and are now correctly measuring the flows. Central Valley will watch the meters closely for the next ten months, after which 12 month rolling averages may again be used. Since the recalibration of its meter, KID’s flow numbers have been lower, which is good.

**Jordan Valley Water Conservancy District:**

A copy of the November 12, 2020 Jordan Valley Water Conservancy District Board meeting agenda was included in the Board Book. Trustee Christensen, who also serves on the Jordan Valley Board, reported that nothing spectacular is currently going on.

**Utah Association of Special Districts:**

The UASD October 9, 2020 Board meeting agenda was included in the Board Book. Ms. Gill, who serves on the UASD Board, reported on the UASD Board meeting, which was held 100% electronically. In particular, Ms. Gill explained that some developers would like to see the Public Infrastructure District (PID) Act amended in a way that will limit, or in some circumstances eliminate, PID oversight by the creating county or municipality. So far, that effort has met with resistance from the Utah League of Cities and Towns and the Utah Association of Counties. Ms.

Gill added that UASD is working on legislation that will move the PID Act from Title 17B to new Title 17D Chapter 4 of the Utah Code.

**Kearns Metro Township Council:**

A copy of the October 22, 2020 Kearns Metro Township Council special meeting agenda was included in the Board Book. Trustee Hatch mentioned that the Metro Township Council was meeting at the same time as the KID Board meeting. Trustee Hatch briefly reported concerning the Kearns Metro Township General Plan and other Metro Township activities.

**Kearns Community Council:**

No Community Council meeting agenda being available, there was no report on current Kearns Community Council activities.

**Trustee Per Diem Report:**

The Trustee Per Diem Report, reflecting no new activity since last month, 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 8:00 p.m.

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

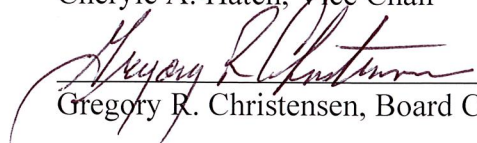
Date: 12 January 2021

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Jeff Monson, Chair

  
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Cheryle A. Hatch, Vice Chair

  
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Gregory R. Christensen, Board Clerk