

BOARD OF TRUSTEES MEETING MINUTES

July 17, 2023
** District Office**
5:00 p.m.

I. CALL TO ORDER

The July 17, 2023, Board of Trustees meeting was called to order by Chair Jan Wilking at 5:00 p.m. Other Board members in attendance were Robert Richer, Richard Pick, and Ryan Dickey. Mary Ann Pack was excused. Staff in attendance were Mike Luers, Dan Olson, Chad Burrell, Kevin Berkley, Bryan Steele, and Kim Dudley. Also, in attendance was Craig Ashcroft, Carollo Engineers.

II. CONSENT AGENDA – Approval of Board Meeting Minutes for June 26, 2023

Mr. Richer made the motion to approve the Consent Agenda, Mr. Dickey seconded the motion carried with Mr. Pick, Mr. Dickey, Mr. Richer, and Mr. Wilking voting in the affirmative.

III. PUBLIC INPUT – There was no public input.

IV. APPROVAL OF EXPENDITURES – Bills in the Amount of \$465,245.77 – Mr. Luers reported the expenditures were in the amount of \$465,245.77 with an entry for about \$47,000 to Deer Valley for escrow. The check was lost, and we had to re-issue the check. Mr. Luers asked the Board to consider approving the Expenditures.

Mr. Pick made the motion to approve the Expenditures, Mr. Dickey seconded the motion carried with Mr. Richer, Mr. Pick, Mr. Dickey, and Mr. Wilking voting in the affirmative.

V. SUBDIVISION PROJECTS

Estimated LEA REs Year to Date: # Above Splitter 0; # ECWRF 5.68; # SCWRF 67; Total 72.68
Proposed this Meeting: # Above Splitter 0; # ECWRF 0; # SCWRF 0; Total 0

VI. DISTRICT MANAGER

A. Information Items

1. Financial Statement
2. Impact Fee Report – Mr. Luers stated that we had 67 RE's for the month which is fairly strong. Mr. Luers asked Mr. Berkley what the next month or two looks like. Mr. Berkley responded good. He said that we have three projects that will come in the next month or two with about 360 RE's. Mr. Wilking asked which projects. Mr. Berkley replied Sommet Blanc, The Yard, and Liberty Apartments.

3. Annual Comprehensive Financial Report 2022 – Mr. Luers stated that the Annual Comprehensive Financial Report 2022 was included in their packet. This is a reference document for the audit and budget.

Mr. Pick revealed this is an excellent document asking if we are required to submit this information to the state. Mr. Steele responded that we file it with the State of Utah.

VII. FUTURE AGENDA ITEMS

- A. Projects
- B. Operations
- C. Finance
- D. Governmental Matters

VIII. CLOSED SESSION – Discuss pending or reasonable imminent litigation – Mr. Luers said we did not have to go into a closed session. He updated the Board on the permit issue we are working on. We have hired the same firm that wrote the original TMDL back in 2010 and they are working on it.

Mr. Wilking asked what are they doing for us. Mr. Luers replied the State of Utah has a model that they use that determines what our discharge limits should be. We think they have used the wrong model. Even their own regulations say they should use a different model. We think some of the assumptions in their model are incorrect. We are gathering up all the information to send a letter to the State of Utah with our calculations on the discharge limits. Mr. Wilking asked if this was an engineering firm. Mr. Luers said that they are an environmental consulting firm. Mr. Wilking stated that we talked about having a law firm come in and asked if we had done that. Mr. Luers responded yes, and that information has been passed on to the environmental consulting firm.

Mr. Richer asked when we needed a response, think we'd get a response and if this was an ongoing discussion. Mr. Luers said that was a very good question. He said that there is an issue that we will be bringing up in the letter to the state and that historically the state has not issued an approval of our documents to proceed with construction until the final permit numbers are finalized. That presents a problem because we would like to bid this project out and get it going and the permit issues may take a while. We are going to ask if we agreed to comply with ultimate permit numbers that we negotiate or what becomes of the lawsuit could we proceed. If they do not allow us to proceed it could become a big issue. Mr. Luers stated that he understands why the State of Utah requires the permit numbers and we would like to give them assurance that we will comply with it whether we like it or not but, in the meantime, we would like to continue the bidding process.

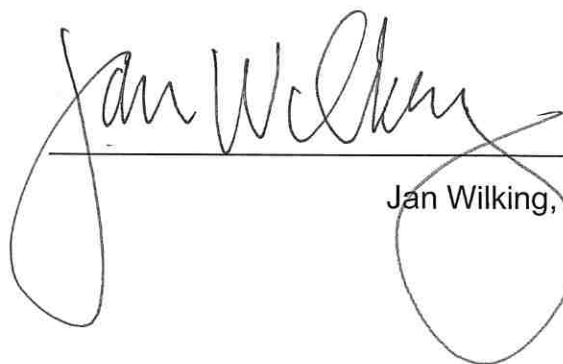
Mr. Wilking asked where we are in the design phase. Mr. Ashcroft responded that we are about 80-85% and are looking to finish the design in a couple of months and submit plans and specs for permitting to Summit County and the Division of Water Quality. Mr. Luers mentioned that Carollo Engineering will be meeting with SBWRD tomorrow to go over the plans.

We will have a review of the project at the next meeting in September.

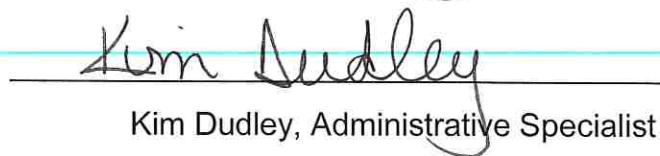
IV. ADJOURN

Mr. Dickey made the motion to adjourn at 5:12 p.m., Mr. Richer seconded the motion carried with Mr. Pick, Mr. Dickey, Mr. Richer, and Mr. Wilking voting in the affirmative.





Jan Wilking, Chairman



Kim Dudley, Administrative Specialist