

**MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT**  
5455 West Old Highway Road, Mountain Green, Utah 84050  
**Minutes of the Board of Trustees Meeting**  
Wednesday, December 1, 2021 6:00 P.M.  
APPROVED

**Board Members Present:** (Chairman) Larry Nance, Zane Gray, Bill Coutts, Nathan Hill, Taylor Nielsen, **Employees Present:** Kent Wilkerson (Manager) Heather Burger (transcriptionist)  
**Guests Present:** Cliff Linford, Jared Anderson

**A. Call to Order:** Chairman Larry Nance welcomed everyone present then called the December 1, 2021, meeting to order at 6:00 P.M.

**B. Prayer:** Larry Nance

**C. Approval of Agenda:** Member Coutts amended item 9 of the agenda from 'Manager goals review to 'Manager 2021 performance'. Member Hill made a motion to approve the agenda as modified. All in favor. Motion passed.

**D. Declaration of Conflicts of interest:** None.

**E. Approval of Minutes:** pg. 8 para 5 'the personal committee will be meeting with the manager in December to go over 2022 performance objectives and in January to cover performance review feedback'. Member Gray made a motion to approve the minutes as corrected. All in favor. Motion passed.

**F. Public Comment:** None

## **Agenda Items**

### **1) Public Hearing for Budgets**

Member Hill made a motion to go into a public hearing to discuss the budgets. Member Coutts seconded the motion. All in favor. Motion passed.

No public comment was received.

Member Hill made a motion to exit the public hearing. Chairman Nance seconded. All in favor. Motion passed.

Chairman Nance made a motion to go back into a regular board meeting. Member Gray seconded. All in favor. Motion passed.

Chairman Nance asked if there was any further discussion about the budget as outlined in the board meeting packet. He suggested that they reduce the amount in 'other income' by \$110,000. There was some discussion about this but Manager Wilkerson and other board members agreed with his decision. Member Hill made a motion to accept the amended budget for 2021 with the changes suggested by Chairman Nance. Member Gray seconded. All in favor. Motion passed.

Member Hill made a motion to approve the 2022 construction budget and the operating budget as published. Chairman Nance seconded. All in favor. Motion passed.

## **2) Public Hearing - Sewer ordinance modification**

Member Coutts made a motion to go into a public hearing for sewer ordinance modification. Chairman Nance seconded. All in favor. Motion passed.

No public comment was received.

Chairman Nance made a motion to exit the public hearing for sewer ordinance modification. Member Hill seconded. All in favor. Motion passed.

Chairman Nance asked if there were any further discussion about the ordinance before making a motion.

Member Coutts made a motion to approve ordinance 21-2 - Illicit discharge. Member Gray seconded. There was a roll call vote. All in favor. Motion passed.

Member Coutts made a motion to go back into an open board meeting. All in favor. Motion passed.

## **3) Plant Expansion**

Approval was given from the facilities committee to move forward with a firm called 'SKM'. Member Coutts made a motion for the Board to approve work with SKM in phase 1 of the SCADA proposal. Member Hill seconded the motion. All in favor. Motion passed.

Cliff Linford gave an update saying that he had received news that it is possible to do two bond closings and close on the Water Quality Board money first. They received confirmation from Candace of the CIB that the CIB would have no problem with that. He said that May 1st should be the goal date for the first closing, and that hearings would begin in January/February to that end. Chairman Nance asked Manager Wilkerson to copy everyone when this information was sent out to Ryan Bjerke and Markus Keller. Mr. Linford also confirmed with the Water Quality Board that receiving ARPA funds would have no negative bearing on the bond agreement.

Jared Anderson gave an update on Nix construction and their discussion with Sunrise and the Facilities Committee regarding the bore drilling. They had discussed several strategies and decided on one to move forward with. Mr. Anderson had asked Nix for details and specifications for the drill to be included in the construction documents. Once the exact specifications are in place then costs and a contract can be finalized. He indicated his goal to get the contract finalized and ready to be approved at the next board meeting. He also confirmed the goal to get the bore completed before spring run-off in April.

## **4) ARPA Grant Agreement**

The final agreement had not been received from the ARPA committee by the time of the meeting so Manager Wilkerson asked the board to authorize the chair to sign the agreement, pending review by the Facilities committee. Member Coutts made a motion to allow the Chair to sign the agreement from the ARPA committee after the facilities committee reviews it. Chairman Nance asked for a hard copy of everything that is received from the ARPA committee going forward.

## 5) Fraud Risk Analysis

Manager Wilkerson presented a possibility of including 3rd party entities in the broad meaning of “management team” for the fraud risk analysis. Examples include Child Richards auditing firm, and Ron Haws CPA as payroll. There was some discussion about this. “Management team” is not clearly defined either by the District’s or the State’s documents. The decision was made to include those 3rd parties as discussed. Member Hill made a motion to approve the 2022 Fraud Risk Analysis as amended by member Coutts. Member Coutts seconded. All in favor. Motion Passed.

## 6) By-laws Update

Member Coutts made a motion to amend the by-laws of the board of trustees section 17a and 17b (ii) in the following manner. “All board compensation shall be paid once per year after the last board meeting in December, and such compensation shall be *deemed that of independent contractors (1099 forms). No URS benefits are to be provided by the district.*” The board Chairperson's compensation was also adjusted from \$500 to \$750 annually in the by-laws. The motion was seconded by Chairman Nance. All in favor. Motion passed.

## 7) Email Policy

Manager Wilkerson presented some information to the board regarding board member email correspondence. He reminded the board that all board member emails are subject to GRAMA records requests and that emails involving 3 or more board members (constituting a quorum) should be sent to all and archived.

Chairman Nance asked Manager Wilkerson to create a board group and copy all board members in all email correspondence going forward.

Member Coutts made a motion to address item 9 on the agenda before item 8. All in favor. Motion Passed.

Member Coutts made a motion to delete item 9 on the agenda and move back to item 8, based on an email received from Manager Wilkerson tendering his resignation.

## 8) Reports

Auditor: Nothing radical happened in November financially. There were some major payments made to Sunrise and Kastle Rock. There was also a payment made to Lincoln Hill. All reports are up-to-date. A few other items will be added to be tracked by the auditor for 2022. i.e. ARPA - DDW- CIB

Finance:

Personnel: Member Gray made a motion to put changes in the employee handbook into effect January 1, 2022. Member Coutts seconded. All in favor. Motion Passed.

## Manager:

The Manager has created a simpler version of his monthly report. He will include both the simplified version and the longer version going forward.

At the bottom of Whisper Ridge a pipe was damaged and has been taking on groundwater. It will be fixed and can be charged to the responsible party.

Manager Wilkerson gave an update and presented a map of Wasatch Peaks Ranch's sewer development plans. He discussed some concerns with the number of lift stations and manholes in their plans. He has asked Sunrise to address this concern and come up with possible solutions. Because the maintenance of the sewer lines will eventually be the District's liability, the manager suggested that if Wasatch Peaks does not want to change their plans and reduce lift stations then the cost per home should go up. Member Coutts emphasized that their fees should be assessed carefully based on the risk to the District imposed by their design plan.

Snowbasin would like to consider 3 routes for service. The Sunrise task order has been signed. The Manager is waiting for a macro schedule from Snowbasin.

Member Nielsen to follow-up with Sunrise about the 30% review which was meant to be complete in October.

Chairman Nance asked who made the GRAMA request to the Manager. Manager Wilkerson said Kathy James made the request. Chairman Nance asked Manager Wilkerson to get approval from the board on all GRAMA requests.

## **9) Executive Session**

Member Coutts made a motion to go into an executive session to discuss Manager Wilkerson's performance review/resignation. Chairman Nance seconded. All in favor. Motion passed.

Member Coutts made a motion to go back into a public meeting. Member Gray seconded. All in favor. Motion passed. Member Gray made a motion to accept the resignation from Manager Wilkerson. Member Coutts seconded. All in favor. Motion passed.

Chairman Nance asked member Nielsen to reach out to Sunrise and let them know about Manager Wilkerson's Resignation. Member Coutts to speak to the Manager and report back to the board. Chairman Nance wanted to make sure that all constituents were informed of the Manager's resignation and that the ARPA fund agreement was resolved before the Manager's departure.

Member Hill made a motion to approve the 2022 meeting dates as the 1st Wednesday of every month. Member Gray seconded. All in favor. Motion passed.

## **10) Board New Business**

- Notify stakeholders of Manager's departure.

- Verify 2022 meeting schedule (members to notify Manager Wilkerson of any conflicts)

**11) Motion to Adjourn** the meeting made by Chairman Nance. Member Gray seconded. All in favor. Meeting was adjourned at 8:50pm.