

## OPENING

Chairman Merritt brought the meeting to order at 6:10 p.m. welcomes all in attendance and leads the Pledge of Allegiance.

## PRESENT

Chairman Harold Merritt  
Mayor Marty Lisonbee  
Board Member Ross Gregerson  
Board Member Jerry Jorgensen (not present)  
Board Member Dale Beddo

## STAFF

John Barlow (Town Administrator)  
Rod Mills (District Engineer)  
Dale Harris (Water Superintendent)

## CONSENT AGENDA

### A. Board Meeting Minutes for June 11, 2020

**MOTION:** Chairman Merritt moves to approve Board Meeting Minutes of June 11, 2020.

**SECOND:** Mayor Marty Lisonbee

**VOTE:**

Board Member Gregerson	Aye
Chairman Merritt	Aye
Mayor Lisonbee	Aye
Board Member Beddo	Aye
Board Member Jorgensen	Not present

The vote was unanimous of the members present and the motion carried.

### B. July 2020 Expense Report

### C. July 2020 Operational Budget Report

John Barlow notes that there is an error on the agenda items. The Expense Report is for October and November. The Operational Budget is current as of today.

**MOTION:** Mayor Marty Lisonbee moves to accept the financial report corrected to be 10/1/2020 through November 2020 and the expense report for October and November.

**SECOND:** Board Member Gregerson

**VOTE:**

Board Member Gregerson	Aye
Chairman Merritt	Aye
Mayor Lisonbee	Aye
Board Member Beddo	Aye

Board Member Jorgensen Not present

The vote was unanimous of the members present and the motion carried.

## **STAFF REPORTS**

Chairman Merritt: Mr. Mills has an engagement so we'll switch he and the water superintendent.

### **1. Rod Mills, District Engineer**

Rod Mills- Reports there is a small area on Desert Dr. that is still accepting applications in the basin for water rights. Otherwise, the Basin is essentially closed to new applications. This does not affect currently existing water rights, only new rights.

The impact fee study is complete and is now waiting for Town Council approval. In the past, we the board has always looked at these impact fee studies and has chosen to lower the amounts suggested to a more reasonable number. He would recommend that we don't increase impact fees despite what the study shows. He feels the study does not accurately represent the layout of Apple Valley and the areas we serve water too.

Board Member Beddo- What is the current impact fee?

Rod Mills- \$12,000 for residential connection for approximately 1 acre. The commercial impact fees are based on meter size. The minimum impact fee for commercial would be \$12,000.

Board Member Beddo- States that Rod has mentioned before that he finds it wrong for someone to have to pay for a 400 ft extension by themselves. Why do you consider that wrong?

Rod Mills- If it's not adjoining their property and doesn't benefit them specially then it is inappropriate.

Board Member Beddo- Mentions he might have understood what was said differently. Beddo presents an example of a project that would require a hefty connection process. What is wrong with making the developer of that project pay for the entire infrastructure costs to support his development?

Rod Mills- It's based on a case by case basis. If that development is the main reason the infrastructure is required, then there is nothing wrong with charging the full amount on that developer or having them install the infrastructure and have the district maintain and operate it.

Board Member Gregerson- States Rod has mentioned the board should take action on the impact fee study. What action are you referring too? Keeping It the same?

Rod Mills- Legally, the board should adopt the impact fee study to make it a legal instrument. But then the board will have the obligation to set the impact fee. Legally it can be set at or below the suggested numbers.

Chairman Merritt- The Board has already accepted the impact fee study and has forwarded it to the Town Council for review. Just because the impact fees study suggest we charge a specific amount does not mean we have to charge that amount. The Town can decide what the costs can be as long as they are the same as or below what the study shows. Adopting the study allows us to use it in the scenario that someone says we are charging too much for an impact fee. In that scenario we could refer to the study to show that we are charging what was recommended or less than what was recommended.

Mayor Lisonbee- My understanding is that the main complaint the Town Council had was that there wasn't a scope of service. There was nothing written that said this is the service we are paying for and who we are paying it too. We were asking for further explanation to where the money is going and for what services. Rod mentioned that he forwarded the impact fee study to the town, just to clarify, it's the study that we received just some documents stating that you would like this particular company to complete the study. We don't have the actual study. Requests paperwork that states what is being requested to charge and who the charge is going to.

Chairman Merritt- We will work on getting that paperwork.

Board Member Gregerson- Is the town of the district paying for the impact fee study?

Rod Mills- The district would be paying for the impact fee study.

Chairman Merritt- Asks rod if he would have the paperwork requested ready for the next meeting?

Rod Mills- Yes, I could just print out the state code because that's the code we would follow.

Mayor Lisonbee- The scope of service that I'm looking for states what services are being provided, how much it costs, and who is providing these services.

Rod Mills- Discusses the Canaan springs project. Expresses things have gone really well. The project is not anywhere near finished. We have completed stabilizing the spring development itself and now we have to work on getting pipes connected and getting water back into the system. We have sufficient budget for all of that. Explains this is a grant for rehabilitation from damages caused by a catastrophic event. We are currently waiting on one piece of paper from the contractor stating all equipment is American made only. Waiting for that document could

hold up other parts of the project. The contractor has followed every instruction and been careful with their work. We are getting 40 gallons per minute. As stabilized, we might get a little more. We need to get some additional storage in that area so we are capturing the water. Carolee Farrar has contacted me regarding the infrastructure needed to service their property. They need to cross the road to meet fire codes. Others will be benefitted when that happens. How do you fairly pay for this infrastructure? We are talking about the nature of pioneering agreements.

Chairman Merritt: Have we contacted adjacent property owners to see if they are interested in participating in this.

Mayor Lisonbee: We could look at Rocky Mountain Power and the pioneering agreements with someone paying for an extension. You get some back but it is limited. Could also look at Ash Creek sewer district.

Rod Mills: I do not want to increase the district's liabilities – not be financially obligated with two private property owners.

Chairman Merritt: advise to go with Mayor's suggestion to look at other agreements.

Board Member Beddo: I am involved in pioneering agreements. Pioneering agreements with teeth are moved back to development agreements. Regarding obligations, whoever provides will-serve letters is responsible for distribution, it goes back to the server of the development agreement.

## **2. Dale Harris, Superintendent**

Dale Harris: I would like to elaborate a little bit about the spring. Before the slide came, that spring was feeding since it was built, perking from the bottom with no pipe coming in. The work has cleaned up the water source and I don't have to do as much flushing to keep the water clean. The Cook well is complete. We have all our draw-down information. It is pulling at 35 gallons a minute. The equipment we have now helps us considerably. The Jepson well is done too. We have a 15 horsepower in there. It has cleared up. We are getting solid 35 gallons a minute. I have samples to take for all three systems. Things are running smooth. We have a lot of development coming. It's been busy. The district is growing.

Chairman Merritt: Have you heard anything of the pipeline going down Coyote?

Dale Harris: No

Mayor Lisonbee: I can talk to them. We do have a developer agreement, first round. I feel there should be something from the district in this agreement. How many units can we build without

worrying about prior service? UDOT's going to require an acceleration lane. The original plan was 100 units on 50 acres. We might put verbiage in the agreement that this is subject to the district's discretion on water needs. It comes back to the pioneering agreement. Hooking onto the pipeline – we talked about connecting two systems for the fire flow. This needs to be communicated.

Dale Harris: It would be a great idea to get all parties into one room to talk.

Mayor Lisonbee: At what point?

David Zolg Jr: The problem I see is access and I don't know if that has been brought up. I haven't spoken to them. They have to have fire roads.

Mayor Lisonbee: Black top along their property line at least. A deceleration lane. They know they need to do fire access all along the way.

Chairman Merritt: They will most likely need a tank over there for more storage. The springs will cover all of Apple Valley when they're hooked together. But the springs need to run 24 hours a day to fill storage and then in the daytime the tanks go down a bit. We need enough tanks to gather the water produced by the springs at night.

Dale Harris: We did a study for when Eckhart's were going to be able to do their project. Hydraulically it showed we would be able to meet fire code with pumps on. Anything over 500' has to go to the state engineer. The study will be done or checked by the state.

Mayor Lisonbee: These guys want to build 40 to 50 units in the first phase. The first stage may be to approve his first request so he knows he has an agreement to move forward and then go the developer agreement with the hydraulic study. We need break points at which we need improvements to the system.

Board Member Beddo: As someone comes here and does development, there is some pioneering that goes with their projects. Want to know they can do a project before spending a bunch of money but at the same time, we want to know the impact fees will be there to help build the community.

### **3. DISCUSSION AND POSSIBLE ACTION ON IMPACT FEES**

Chairman Merritt: the impact fees are going to stay where they are at.

### **4. DISCUSSION AND POSSIBLE ACTION ON THE PURCHASE OF STANDBY GENERATOR**

Chairman Merritt: After looking for a generator for a month, and sending info to Ross, he got tired of it and said, "I have one."

Board Member Ross Gregerson: I just need to work on it. It's 130 kw – little bigger than what we need but is the right voltage.

Chairman Merritt: the maintenance on it is exhaust gaskets.

Board Member Beddo: What is the weight on it?

Board Member Ross Gregerson: About 8,000. 7 or 8 feet long. About 6 feet high.

Board Member Beddo: I may have a trailer I could donate.

Chairman Merritt: We'll have a standby generator. If power goes out, we can keep Cedar Point and Apple Valley in water.

#### **ADJOURNMENT**

**MOTION:** Chairman Merritt moves to adjourn tonight's meeting.

**SECOND:** Board Member Gregerson

<b>VOTE:</b>	Board Member Gregerson	Aye
	Chairman Merritt	Aye
	Mayor Lisonbee	Aye
	Board Member Beddo	Aye
	Board Member Jorgensen	Not present

The vote was unanimous of the members present and the motion carried.

Meeting adjourned at 6:50 p.m.

Date approved: \_\_\_\_\_

\_\_\_\_\_  
Harold Merritt, Chairman

ATTEST BY: \_\_\_\_\_  
Michelle Kinney, Recorder