

**MINUTES OF THE TRUSTEES MEETING  
OF THE KEARNS IMPROVEMENT DISTRICT (KID)  
HELD JULY 13, 2021 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/CEO
Greg Anderson	Public Works Director/Engineer
Riley Astill	Finance Director/Controller
Mark H. Anderson	Attorney
Jamie Banh	Executive Administrative Assistant

**Call to Order:**

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

**Public Comments:**

There were no public comments.

**Approval of Minutes (Regular Meeting, June 10, 2021; Special Meeting, June 10, 2021; Special Meeting, June 12, 2021):**

None of the Trustees having any questions about or corrections for the regular Board meeting minutes, it was moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That the minutes of the KID Board meeting held on June 10, 2021 be approved as presented.**

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

Ms. Gill explained that the approval date on both sets of special Board meeting minutes had been corrected. It was then moved by Trustee Christensen and seconded by Trustee Hatch as follows:

**That the minutes of the special Board meetings held on June 10, 2021 and June 12, 2021 be approved as presented, with corrected approval dates.**

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 monthly report, a copy of which was included in the Board Book, including discussing the presentation by Brian Child (with Olympus Insurance) to District employees dealing with preventing and reporting incidents; congratulating Linson Terrell (25 years) Ruben Sanchez (20 years), and Eric Reid (10 years) for reaching critical milestones as valued KID employees; reviewing this summer’s “big push” on water conservation activities; participating in Kearns Hometown Days (about which Chair Monson provided additional information) and the Jordan Valley Water Conservancy District Party at the Park Event at the Jordan Valley Conservation Park; hosting a fall Haunted Garden event at the Sherry and James Hayes Conservation Garden; announcing that Jamie Banh has been selected to replace Ms. Gill as UASD Convention Committee Chair, a position for which Ms. Banh is extremely well qualified as a certified meeting planner; and reviewing the availability of ARPA funds for essential infrastructure. Ms. Gill responded to questions from the Trustees throughout her report and Greg Anderson expanded on the availability of federal infrastructure matching funds in response to a question from Trustee Christensen.

Mr. Astill then reviewed his Financial Administration Report, a copy of which was included in the Board Book. He explained that year-to-date net income is “off the pace” a bit because there were only three billing cycles in May. The temporary shortfall is purely a timing issue, with everything otherwise being in good order. In response to a question from Trustee Christensen, Mr. Astill explained that the District receives approximately \$40,000 to \$60,000 of additional property tax revenue each year due to growth within the District. Greg Anderson explained that the District’s mini dump truck will be used to transport KID’s two new 1,000 gallon emergency use water tanks to where they are needed.

Greg Anderson then reviewed his monthly Public Works Report, a copy of which was included in the Board Book, including a detailed review of each of the District’s currently active construction projects. He also reported concerning the status of two Development Agreements involving Woodside Homes and related developers and property owners. Greg Anderson expects the Development Agreements to be ready for Board consideration by the September Board meeting. During his report, Mr. Anderson responded to questions from the Trustees.

**Public Hearing on a Proposed Boundary Adjustment with Taylorsville Bennion Improvement District that will result in the adjustment in the common boundary between the two Districts:**

At 6:01 p.m., Chair Monson declared the public hearing to be open. Ms. Gill reminded the Trustees that the Taylorsville-Bennion Improvement District (“TBID”) has been working with other entities, including KID, to clean up TBID’s boundaries. TBID identified four properties that

will impact the boundary between KID and TBID. Two properties owned by the Church of Jesus Christ of Latter Day Saints and one property owned by TBID are proposed to be withdrawn from KID and annexed into TBID. The fourth parcel, a significant portion of Southridge Park, is located within TBID but is served by KID. It will be withdrawn from TBID and annexed into KID. Ms. Gill stated that no comments have been received respecting the proposed boundary adjustment, which was properly noticed and has already been approved by the TBID Board of Trustees. Chair Monson asked for public comments and invited members of the public to state their views. There being no public comments, Chair Monson declared the public hearing to be closed.

**Consider Joint Resolution 2021-07-01 Approving an Adjustment to the Boundary of the Kearns Improvement District to Include Certain Areas of Taylorsville Bennion Improvement District:**

A Joint Resolution of the Taylorsville-Bennion Improvement District (Resolution No. 21-08) and of the Kearns Improvement District (Resolution No. 2021-07-01), approving an adjustment of the Districts' common boundary, was included in the Board Book. It was moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That the Joint Resolution, Kearns Improvement District Resolution No. 2021-07-01, be adopted and approved.**

The motion carried with Trustees Monson, Hatch and Christensen each voting "aye". Since TBID has been taking the lead on this boundary adjustment, TBID will provide the requisite Notice and the Final Local Entity Plat to the Utah Lieutenant Governor's office, and will record the Certificate of Boundary Adjustment after it is issued by the Lieutenant Governor, along with the Notice to the Lieutenant Governor, the Joint Resolution, and the Final Local Entity Plat, with the Salt Lake County Recorder.

**Consider Check Register:**

A copy of the May, 2021 Check Register, which is a list of all checks issued and direct deposits made during the month, in the total amount of \$1,828,221.74, was included in the Board Book. It was moved by Trustee Christensen as follows:

**That the May, 2021 Check Register be ratified and approved as presented.**

Mr. Astill, Greg Anderson and Pamela Gill responded to questions from the Trustees respecting such matters as how the District manufactures its own chlorine to treat well water and money that is being saved by bringing weed control "in house". After Trustee Hatch seconded Trustee Christensen's motion, the motion carried with Trustees Monson, Hatch and Christensen each voting "aye"

**Discuss Financial Report:**

The Financial Report, which consists of a series of individual reports, including the Statement of Net Position, the Statement of Revenues & Expenses, the Administrative Service

Report, and the Executive Safety Report, was included in the Board Book. Mr. Astill explained that, due to expenses being slightly lower than expected, the District is doing well financially. There was a brief discussion of a past due account identified in the Customer Service Report that has been brought current.

**Consider Training Requests:**

Ms. Gill explained that the American Water Works Association (AWWA) Intermountain Section Conference “Resilience 2021 Rising Above Everchanging Challenges”, will be held in person at the Zermatt Resort in Midway, Utah on October 6, 7 and 8, with a limited virtual option. She requested that four staff members and any Trustees who are interested be authorized to attend at District expense. Detailed information about the Conference was included in the Board Book. It was moved by Trustee Christensen and seconded by Trustee Hatch as follows:

**That four staff members and three Trustees be authorized to attend the AWWA Intermountain Section 2021 Conference in Midway, Utah at District expense.**

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

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

Documentation respecting three purchases costing more than \$50,000 was included in the Board Book. Greg Anderson explained that the water main and lateral replacement portions of the 4660 West Water Main and Lateral Replacement Project are complete and restoration efforts are now underway. He reviewed bids from three vendors (Miller Paving, Preferred Paving, and Black Forest Paving) for the pavement replacement portion of the Project. The low bid of \$50,997 was presented by Miller Paving. Greg Anderson recommended that staff be authorized to contract with Miller Paving for that work. It was moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That a contract with Miller Paving be approved and ratified for pavement restoration associated with the 4660 West Water Main and Lateral Replacement Project in the amount of \$50,997.**

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

Greg Anderson reviewed and recommended Application for Payment No. 4 from Gerber Construction, Inc. for work on the Zone D 5 MG (million gallon) Tank completed and inspected for the month of June, 2021 in the amount of \$984,710, less a 5% retention totaling \$49,235.50, leaving a net payment amount of \$935,474.50. It was moved by Trustee Christensen and seconded by Trustee Hatch as follows:

**That a payment to Gerber Construction be approved in the amount of \$935,474.50 for work on the Zone D 5 MG Tank.**

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

Whitaker Construction Co., Inc. submitted Application for Payment No. 9 for work on the Cougar Lane Sewer By-Pass & Lift Station. Greg Anderson recommended that the payment request be approved in the amount of \$122,777.50, less a 5% retention of \$6,138.88, leaving a net amount due of \$116,638.62. It was moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That a payment to Whitaker Construction for work on the Cougar Lane Sewer By-Pass & Lift Station be approved in the amount of \$116,638.62.**

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.

**Discuss Quarterly Blue Stakes Report:**

The Quarterly Blue Stakes Report was included in the Board Book. Ms. Gill explained that this is an informational item, with no Board action being required.

**Consider General Manager/CEO Appointment:**

Ms. Gill explained that, as of August 16, she will be retired. Following a brief discussion, it was moved by Trustee Hatch and seconded by Trustee Christensen as follows:

**That Greg Anderson be promoted to the position of General Manager/CEO of the Kearns Improvement District starting on August 16, 2021.**

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

**Consider Resolution 2021-07-02 Appointment of F. Greg Anderson to UASD Board of Trustees:**

Ms. Gill explained that the Utah Association of Special Districts Board of Trustees has approved the appointment of Greg Anderson to take Ms. Gill's place on the UASD Board, but the UASD Bylaws require the KID Board, as Mr. Anderson's employer, to consent to the appointment. She stated that having a continuing voice on the UASD Board will be beneficial to KID and to UASD.

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

**That Resolution 2021-07-02 be approved and adopted.**

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

**Discuss/Consider Accessory Dwelling Unit (ADU) Course of Action:**

Chair Monson declared that Agenda Item IV.E would be considered out of order. A memorandum from Greg Anderson respecting accessory dwelling units (“ADUs”) within the Kearns Metro Township was included in the Board Book. Ms. Gill briefly explained H. B. 82, which was passed by the Legislature earlier this year to make internal ADUs a permitted use in areas zoned for single family houses. KID staff and Nathan Bracken, an attorney who represents the Kearns Metro Township, have communicated fairly extensively respecting the Kearns Metro Township’s ADU Ordinance to guarantee good coordination between KID and the Metro Township. Greg Anderson stated that KID is fortunate to have Keith Larson’s (an engineer with Bowen Collins) and Mark Anderson’s expertise, along with that of Nathan Bracken, respecting impact fees and their application to ADUs. Staff has determined that internal ADUs should not require an additional impact fee payment, but that external or detached ADUs should have separate water and sewer service lines and a separate water meter, and impact fees should be charged, with one bedroom units constituting 1/3 of an ERU (equivalent residential unit), two bedroom units constituting 2/3 of an ERU and an external ADU unit with three or more bedrooms constituting one ERU. At the end of the discussion of ADUs and impact fees, the Trustees individually expressed their agreement with the recommended approach.

**Consider Administrative Personnel Policies and Procedures:**

Ms. Gill noted that staff, including Mark Anderson, has reviewed the District’s Personnel Policies and Procedures and that a redlined version of the Personnel Policies and Procedures, with highlighted suggested amendments, was distributed to the Trustees prior to the Board meeting. The Trustees and staff zeroed in on a number of the proposed amendments to the Policy and additional refining edits were noted, including such things as adding “of Trustees” after a reference to the “Board” and changing “supervisor” to “Department Director”. It was then moved by Trustee Christensen and seconded by Trustee Hatch as follows:

**That proposed new Title 2, Chapter 1, of the District’s Administrative Policies and Procedures Manual dealing with Personnel be adopted and approved, including all discussed language changes, and that it replace the District’s prior Personnel Policies and Procedures.**

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

**Central Valley Water Reclamation Facility:**

Trustee Hatch, who represents KID on the Central Valley Board, reviewed a number of items from the June 23, 2021 Central Valley Board meeting agenda, a copy of which was included in the Board Book. The report included a brief discussion of the upcoming Central Valley Golf Tournament at Fox Hollow and a Central Valley Plant tour for all Central Valley Board members and a guest to accompany each Board member. The tour will be held immediately after the August Central Valley Board meeting, and Greg Anderson most likely will participate as Trustee Hatch’s “plus one”. Trustee Hatch also briefly reviewed Central Valley’s ongoing Capital Projects.

**Jordan Valley Water Conservancy District:**

A copy of the agenda for the July 14, 2021 Jordan Valley Water Conservancy District Board meeting was included in the Board Book. Trustee Christensen, who also serves on the Jordan Valley Board, reviewed a number of current items involving Jordan Valley, including a proposed 9.4% property tax rate increase; conservation agreements and grants; and a tour of facilities that provide water to the Jordan Valley Water Conservancy District. Trustee Christensen indicated that water supplies should be adequate for at least one more year but, if the drought doesn't abate, there could be future water shortages. Trustee Christensen reported the proposed Jordan Valley property tax increase to the Salt Lake County Council as required by law. Trustee Christensen stated that water from the Bear River Project is projected to be needed by the year 2045.

**Utah Association of Special Districts:**

Ms. Gill, who serves on the UASD Board, reported that Legrand Bitter is working closely with the National Special Districts Coalition, which is holding approximately two meetings per month, respecting federal legislation that may provide funding and otherwise benefit special districts nationwide. She also briefly discussed an open meetings Bill that is being proposed by Senator Thatcher. His Bill is expected to include contract negotiation closed meeting language desired by UASD.

**Kearns Metro Township Council:**

Copies of the June 14, 2021, June 24, 2021 and July 12, 2021 Kearns Metro Township Council meeting agendas were included in the Board Book. Trustee Hatch discussed a number of issues that are being considered by the Metro Township Council. Among other things, she discussed walking/travel patterns that are being reviewed by Travel Wise; overpasses that are being considered; a report concerning the United Police Department's need for additional funding; a report by Trustee Hatch to the Metro Township Council dealing with KID; the adoption of a new parking ordinance that prohibits parking within five feet of a mailbox; the approval of more than \$8,000 in COVID-19 related expenses; and a special meeting during which increasing the stipend for the Mayor and other Council members will be considered.

**Kearns Community Council:**

A copy of the July 6, 2021 Kearns Community Council meeting agenda was included in the Board Book. Chair Monson reported concerning the Community Council, noting that community activities, such as the Jr. Jazz Program, are increasing; more youth are utilizing the new Kearns Library; and the successful Night Against Crime Program. He explained that many of the reports given to the Community Council overlapped with reports that were provided to the Kearns Metro Township Council.

**Trustee Per Diem Report:**

The Trustee Per Diem Report through June, 2021, was included in the Board Book. Trustee Hatch noted that she is pulling out of the WEFTEC Convention in Chicago due to safety concerns, but Chair Monson will attend the Convention.

**Discuss the Character and Professional Competence of an individual(s) – possible closed meeting:**

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

**That the Board go into a closed meeting to discuss the character and professional competence of one or more individuals.**

The motion carried with Trustees Monson, Hatch and Christensen each voting “aye”. Chair Monson declared the meeting to be closed at 7:59 p.m., with Trustees Monson, Hatch and Christensen, along with Pamela Gill, remaining in the Board room during the closed portion of the meeting.

Chair Monson declared the meeting to again be open at 8:50 p.m. No action was taken during the closed portion of the meeting, other than the approval of a motion made by Trustee Christensen and seconded by Trustee Hatch to end the closed meeting and return to open session.

**Adjourn:**

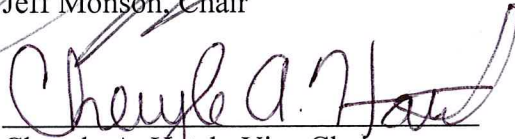
There being no further business to come before the Board, Chair Monson declared the meeting to be adjourned at 8:51 p.m.

Approved by the Board of Trustees of the Kearns Improvement District on the 10<sup>th</sup> day of August, 2021.


Date: 14 September 2021

  
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Jeff Monson, Chair

Date: 14 Sept. 2021

  
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Cheryle A. Hatch, Vice Chair

Date: 14 Sept 2021

  
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Gregory R. Christensen, Board Clerk