



APPROVED MINUTES

Administrative Control Board Meeting October 26, 2023

Attendance:

Board:

Karin Wilson
Ian Schofield
Mike Kobe
Joel Fine
Cory Shorkey

Staff:

Andy Garland
Lisa Hoffman
Steve Anderson
Chris Braun
Sam Grenlie
Brian Davenport
Anna Peacock
Jessica DiCaprio

Summit County Attorney:

Dave Thomas

Guest:

Notice is hereby given that the Administrative Control Board of Mountain Regional Water SSD, Summit County, Utah will meet in a Regular Meeting session on October 26, 2023 at the Mountain Regional Water SSD District Office, 6421 N Business Park Loop Rd, Park City, UT 84098, at 6:00 p.m. For those who are interested in attending the meeting remotely, a Zoom link has been provided below.

Join Zoom Meeting:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86352712470?pwd=M0xrcWV3UTFOQmpTWEU0NXd4MnZDZz09>

Passcode: **232882**

Webinar ID: **863 5271 2470**

To Dial in for Audio: **669-900-6833**

1. Call to Order & Public Input:

Karin Wilson called the meeting to order at 6:05 p.m.

No public is in attendance. No public input.

Karin Wilson requested the meeting to move on to the consent agenda item #3 and to go into the Executive Session more towards the end of the meeting.

2. Executive Session – Personnel, Possible Litigation, and Property Acquisition

Mike Kobe made a motion to move into Executive Session.

Ian Schofield seconded the motion.

All were in favor and unanimously approved.

Moved into Executive session at 6:36 p.m.

Ian Schofield made a motion to move out of Executive Session.

Cory Shorkey seconded the motion.

All were in favor and unanimously approved.

Moved out of Executive session at 7:17 p.m.

3. Consent Agenda:

- a. Approval of the September 14, 2023 ACB Meeting Minutes - no comments
- b. Approval of the October 5, 2023 ACB Meeting Minutes - no comments
- c. Approval of the September 2023 Check Register

Karin Wilson inquired about Audie Wheeler check for Sprinkler and landscape repair \$9,834.16. Steve Anderson replied this was for 3 properties for landscape repairs after a leak. One was in Village Round, and two were in Summit Park. Karin Wilson inquired about the check to EDM Partners LLC in the amounts of \$3914.00 and \$4137.50. Steve Anderson replied the checks were engineering fees for Summit Park Woodland Drive Project, for the PRV in Glenwild including the looping of the line. Karin Wilson inquired about the Gokeyless credit card charge for \$1311.95. Chris Braun replied that it was for keypads for the District's remote sites.

Ian Schofield inquired about the Bilco-Amsburytruth for \$1,171.05.

Brian Davenport replied it was for a lid/cover for the Sunpeak Well #2.

Mike Kobe inquired about the checks for \$1500.00 referencing Refund Security Deposit. Steve Anderson replied that when a customer comes and and pays fees to receive their concurrency letter to build, one of the fees is a security deposit, that is refunded to the owner of record upon the final approval and inspection. The District will be seeing quite of few of these refunds in the future due to the amount of impact fees collected in 2021 and 2022.

Ian Schofield made a motion to approve the consent agenda as discussed.

Joel Fine seconded the motion. All were in favor and unanimously approved.

4. Water Impact Fees Facilities Plan Update: Sam Grenlie & Andy Garland

Andy Garland stated that there is not much to update on except that the Summit County Council did approve the IFFP (Water Impact Fees Facility Plan) allowing the District to move forward with the IFA (Impact Fee Analysis). There have been no significant changes since the last presentations.

5. Discussion and Consideration of Approval of Standby Fees Contract for Prepaids Owned by Matt Lowe

Andy Garland briefly discussed the memo in the packet regarding Standby Fees on Prepaid Connections with regard to Release & Settlement Agreement with SCI/Larsen. In 2013, Whitney Peyton acquired the Certificate of Banked Water Right Entitlement (Certificate), and at the determination of District management at the time, a standby fee was not charged.

In December 2021, Peyton sold the Certificate to Matt Lowe of Liberty Capital Lending. After reviewing the Certificate, Andy Garland did not find any reason that the District is not collecting the standby fee. Andy Garland reviewed the document with Dave Thomas

and agreed that the District should be collecting the standby fee. On July 5, 2023, the District notified Matt Lowe that standby fees would be billed. Matt Lowe has been charged the full standby fees for July, August, and September and has paid the July and August bills.

On Monday, October 9, 2023, Dave Thomas, Steve Anderson, and Andy Garland met with Matt Lowe, Lisa Woolsey, and their attorney. Initially, Matt Lowe did not think he should have to pay the standby fee. After discussing the Certificate, it was determined that Matt should be paying a fee but at a reduced rate. Andy Garland proposed that the standby fee represented by the Certificate should follow the current rate schedule, discounted by 50%. If this proposal is accepted, billing will be adjusted to half the Standby Fee for July, August, and September and billed accordingly in October. The payment made already by Matt Lowe will be applied to these new invoices.

Lisa Hoffman inquired if this discussion should be moved into Executive Session. Mike Kobe made a motion to move into Executive Session. See Adgenda item #2.

Ian Schofield made a motion to approve Standby Fees Contract for Prepays Owned by Matt Lowe per the board discussion with the adjusted fee of 50/50%. Cory Shorkey seconded the motion. All were in favor and unanimously approved.

6. Discussion and Consideration for Recommendation of the 2024 Tentative Budget and 2023 Proposed Amended Budget to the District's Governing Board:

Steve Anderson presented the 2024 Tentative Budget and 2023 Proposed Amended Budget.

Ian Schofield made a motion for Recommendation to Approve the 2024 Tentative Budget and 2023 Proposed Amended Budget to the District's Governing Board. Mike Kobe seconded the motion. All were in favor and unanimously approved.

7. Financial Management:

- a. September 2023 financial results
- b. Other

Steve Anderson went over the financial results and highlights from September 2023.

8. General Manager Comments:

Andy Garland stated that he had asked Lisa Hoffman to create a survey and distribute it to the District employees regarding their opinions about the District, benefits, and management. Andy Garland will present the findings to the board next month.

Lisa Hoffman and Andy Garland will be going to an event at the Richins Building next week regarding water and energy savings.

9. Legal: Dave Thomas

Dave Thomas did not have anything new to report.

10. Questions on Department Updates:

Karin Wilson had no questions.

Ian Schofield had no questions.

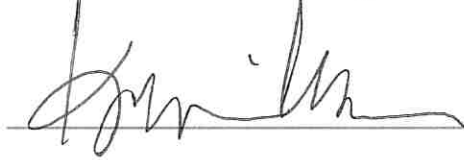
Mike Kobe asked Sam Grenlie what the Brown's Canyon connection was? Sam Grenile responded that this was the Promontory phase 2 expansion. But with regards to the IFFP the District is improving upon what Promontory leaves off at their guard shack.

Cory Shorkey had no questions.

Joel Fine had no questions.

11. Adjourn: Karin Wilson adjourned the meeting at 8:04 pm


Pursuant to the Americans with Disabilities Act, individuals needing assistance attending the meeting on October 26, 2023 should contact Lisa Hoffman at 435-940-1916 Ext. 312 to make arrangements. The next MRW Administrative Control Board Meeting will be held on November 16, 2023.



11/30/2023

Mountain Regional Water SSD ACB Chairperson

Date



11/30/23

Mountain Regional Water SSD General Manager

Date