



MOUNTAIN REGIONAL WATER
SPECIAL SERVICE DISTRICT

APPROVED MINUTES

**Administrative Control Board Meeting and Public Hearing
December 10, 2020**

Attendance:

Board:

Mike Kobe
Bob Neumeister (absent)
Karin Wilson
Tim Dougherty
Ian Schofield

Staff:

Scott Morrison
Lisa Hoffman
Steve Anderson
Chris Braun
Brian Davenport
Anna Peacock
Sam Grenlie

Summit County Attorney:

Dave Thomas - absent

Public: Darin Palmer from the Local Governments Trust

Notice is hereby given that the Administrative Control Board of Mountain Regional Water SSD, Summit County, Utah will meet in Regular Session on December 10, 2020 via Zoom at 6:00 p.m. Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. §52-4-207(4), the Chair of the Administrative Control Board (the "Board") of Mountain Regional Water SSD, has issued a written determination supporting Mountain Regional Water SSD decision to convene electronic meetings of the Board without a physical anchor location. Due to the health and safety risks related to the ongoing COVID-19 pandemic and considering public health orders limiting in-person gatherings, members of the public should not attend Board meetings in person. However, members of the public are invited and encouraged to view and participate in the Board's electronic meetings as described in the Memorandum entitled Determination Regarding Electronic Meetings Without an Anchor Location, dated October 30, 2020. All participants and public wishing to attend should do so via Zoom using the following information:

Join Zoom Meeting:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88605240098>

To Dial in for Audio: 346-248-7799

Webinar ID: 886 0524 0098

- 1. Call to Order:** Mike Kobe called the meeting to order at 6:02 PM.
Public attending was Darin Palmer from the Utah Local Governments Trust attending and stated he had no public comments. Other attendees who entered the meeting after the Public Comment period was closed: Gary , Brian, Ryan Hatch- Public attendees were given instructions to raise their hand if they have a comment or question as the Public Comment portion of this meeting has passed.

- 2. Public Hearing - Consideration of Approval of the District's 2020 Water Conservation Plan**
Scott Morrison reviewed the memo briefly regarding the District's 2020 Water Conservation Plan and explained the revisions. Scott Morrison further explained the conservation goals that the District has created. There was no discussion for the Board. Mike Kobe opened the Public Hearing. There were no public comments. Mike Kobe closed the Public Hearing. Tim Dougherty made the motion to approve the District's 2020 Water Conservation Plan. Ian Schofield seconded the motion. All voted in favor of the motion. Motion passed.

- 3. Executive Session – Personnel, Possible Litigation, and Property Acquisition: (6:10 pm)**
Mike Kobe inquired if the board should move to the Executive Session.
Tim Dougherty made the motion to move into the Executive Session.
Ian Schofield seconded the motion. All voted in favor of the motion. Motion passed.
Moved to Executive Session.
Tim Dougherty made the motion to move out of the Executive Session.
Ian Schofield seconded the motion. Board meeting moved out of Executive Session.

- 4. Consent Agenda: (6:18 pm)**
 - a. Approval of the November 12 2020 ACB Meeting Minutes: Karin Wilson inquired about Docuware from Les Olson. Chris Braun explained it was going to be our new document management software.
 - b. Approval of the November 2020 Check Register: Tim Dougherty had a question about the Wheeler rental fee? Steve Anderson explained that it was a year lease for equipment and asked Brian Davenport for further explanation. Brian

Davenport explained that the lease is yearly for the compactor, a mini excavator and anr attachment for the mini. Tim Dougherty also questioned the repairs for the truck. Steve Anderson explained this was related to the employee accident. Tim Dougherty also inquired about Aqua Engineering referencing a capital V. What was the V reference? Steve Anderson explained those entries were due to voiding in the accounting software. Tim Dougerty inquired about the Summit Electrical check for the Community Water construction project and was this a contract bid or competitive bid? Steve Anderson explained that this was not a contract or competitive bid but MRW did review all the electrical work for this project and determined this bid was appropriate for the work to be performed. Chris Braun confirmed this.

- c. Consideration of Approval of P.O.: There were no P.O.s up for consideration
- d. Other:

Ian Schofield made the motion to approve the Consent Agenda.

Karin Wilson seconded the motion. All voted in favor of the motion. Motion passed.

5. Financial Management: Steve Anderson (6:24 pm)

- a. Update Regarding the Billing Adjustment for the Utah Olympic Park

Steve Anderson explained that the adjustment was made and included in the November financials. Steve Anderson further explained his memo in the packet. Tim Dougherty asked how the credit would show on the account.

Steve Anderson explained the credit is placed on the account as a credit adjustment. The monthly billings will be deducted from this credit until the credit is used or they request a check. Tim Dougherty asked if this credit adjustment would show up on the audit? Steve Anderson replied yes, this is part of our paper trail. Scott Morrison further explained that he is working with Dave Thomas on the Letter Agreement with the UOP regarding this matter.

- b. Consideration of Approval of the District's Updated Rate Schedule

Steve Anderson shared his screen to display. The administrative staff has reviewed the updated Rate Schedule and would like to start using it at the start of 2021 for the back of the monthly bills and post on our website.

Karin Wilson asked if the common wall rate was being revised for consistency throughout the rate schedule? Steve Anderson replied that was correct.

Mike Kobe commented that there needed to be a date added to the document. Scott Morrison recommended using tonight's date as the adoption date. Karin

Wilson made the motion to approve the Updated Rate Schedule. Tim Dougherty seconded the motion. All voted in favor of the motion. Motion passed.

c. Consideration of Approval of Insurance Provider for 2021

Steve Anderson explained the background. The quotes received have differences in coverage that leads to a 10% difference in premium, which equates to approximately \$12,000.00. Steve Anderson asked for consideration to give management the authority to proceed with either Olympus or the Utah Local Governments Trust based on a final review of the bids.

Tim Dougherty made the motion to give decision authority to the staff for the Consideration of Insurance Provider for 2021 upon completion of their review of the 2 provider's bids. Karin Wilson seconded the motion. All voted in favor of the motion. Motion passed.

d. Other:

6. General Manager Comments: Scott Morrison (6:42pm)

a. Presentation of the Draft Water Sales Contract with Weber Basin Water Conservancy District for Regional Water Supply and Settlement Agreement Water for Years 2021-2025

Scott Morrison shared the Memorandum of Agreement with Weber Basin. This is our standard agreement. There is no action needed by the board.

Karin Wilson asked about the peak delivery clause in the agreement. Scott Morrison explained that if Weber Basin has not taken their allotted amount of water in the month they expected they can take it in another so long as peak delivery limits are not exceeded.

b. Consideration of Approval of a Merit Increase for the General Manager

Tim Dougherty made the motion to approve a 4% Merit Increase for the General Manager (which was previously discussed in the executive session). Ian Schofield seconded the motion. All voted in favor of the motion. Motion passed.

c. Other: Scott Morrison wanted to extend a thanks to the Operations staff for their preventative maintenance achievements in 2020 and to remind the board of the board term expirations at the end of the year.

7. Presentation of the 2020 Fraud Risk Assessment: Lisa Hoffman (6:53 pm)

Lisa Hoffman shared her screen and presented the Fraud Risk Assessment Memo.

Lisa Hoffman explained that this questionnaire will not take the place of our current

audit proceeding but will be used in addition to. This will help in determining any changes we would like to make to our current internal policies. The questionnaire will then be submitted to the State Auditor by June 30 2021. Out of 395 points possible, MRW received 330 points, which equates to a low risk category. There were a couple of items noted that MRW could improve upon which would increase our rating to the very low category.

#2 on the questionnaire which we do not currently have in place is a policy for reporting Fraud. District staff will work with the Summit County legal department to draft language and include it as an update to the Personnel Policies in early 2021.

#7 on the questionnaire which we do not have currently in place is a fraud hotline. But we do have a hotline for Discrimination/Harassment in place and we feel confident that the Fraud Hotline can be placed along side the hotline for Discrimination/Harassment and will be directed go to the same place which is currently the HR Director's office at Summit County.

The board feels MRW should definitely have both those items #2 & #7 implemented for the future.

Another item on the questionnaire that we do not have currently is a formal Audit committee. We could implement one similar to our other Board committees such as Fiance and Conservation by designating 2 people for Audit / Fraud.

8. Consideration of approval of the District's 2021 Administrative Control Board Meeting Schedule: Lisa Hoffman (7:19 PM)

Lisa Hoffman showed the proposed calendar and explained the date changes were due to conflicts in the County Attorney's schedule. With this change he can attend without as many conflicts. Karin Wilson made the motion to approve the District's 2021 Administrative Control Board Meeting Schedule Schedule. Tim Dougherty seconded the motion. All voted in favor of the motion. Motion passed.

9. Legal: Dave Thomas (0 minutes-absent)

- a. Other:

10. Questions on Department Updates: (7:25 pm)

Karin Wilson did not have any questions. Tim Dougherty did not have any questions. Ian Schofield asked Scott Morrison if he had any insight on the Tom Ward discussion regarding Sandy City. This was in regards to the Pine Meadows request regarding MRW delivering a portion of their source water. Scott Morrison replied that he has reached out to some Salt Lake City companies to understand general practices.

Ian Schofield asked Anna Peacock about the Badger Critical Leaks and if these were ongoing? Anna Peacock explained that they are not typically a consistent leak. The leaks are typically on and off again. The critical type of leak is typically a residential customer that has had an irrigation leak due to their system not being properly winterized. Ian Schofield thanked the operations department for their work in 2020. Ian Schofield asked Sam Grenlie about the groundwater sampling equipment purchased and if these are hand held meters. Sam Grenlie confirmed that yes these were hand held due to the inline meters being expensive. Ian Schofield asked Chris Braun about the Colony 5 warranty period. How long is it and do we audit? Chris Braun responded that Brian Davenport might have better information but typically the warranty period is 1 year and we have a punch list / checklist that must be completed before we release the warranty bond and issue the Final System Acceptance Letter. Brian Davenport confirmed that this was correct.

Scott Morrison commented on Bob Neumister's absence and does the board want to consider an interim vice-chair and if not an official interim is there a board member that would like to attend the leadership meetings. Ian Schofield replied he would like to attend and if he could not attend, Karin Wilson was willing to attend as well. This vice chair vacancy was in part due to the board term expirations at the end of the year. Scott Morrison commented to the board about filling the vacancy.

Scott Morrison thanked the Board for their service. Chris Braun thanked Ian Schofield for signing up on our notices website and asked if the rest of the board would do so as well.

11. Adjourn: Mike Kobe adjourned the meeting at 7:35pm

Pursuant to the Americans with Disabilities Act, individuals needing assistance attending the meeting on December 10, 2020 should contact Lisa Hoffman at 435-940-1916 Ext. 312 to make arrangements. The next MRW Administrative Control Board Meeting will be held on January 21, 2021.