

Ash Creek SSD

Board Meeting

January 27, 2022

Present: Richard Hirschi, Kelly Wilson, Justin Sip, Nanette Billings, David Hirschi, and Keen Ellsworth.

Staff: Michael Chandler, Fay Reber, Matt Goodrich, Heath Ruesch, Kim Spendlove, Gary Wilcox, Logan Murphy, and Mario Campos

Audience: Karl Wilson and Randy Zolinger.

Prayer and Pledge: Michael Chandler

Public comments: None

The minutes from the December 14, 2021, meeting were discussed.

Motion by Kelly Wilson to approve the December 14, 2021, minutes as written. Second by Richard Hirschi. Motion carried with yes votes by Kelly Wilson, Richard Hirschi, Nanette Billings, David Hirschi, and Justin Sip. Keen Ellsworth abstained from voting since he was not at the meeting.

The board discussed a change in the board chair. The chairman position normally changes every two years with each city taking a turn. Lynn Chamberlain from Toquerville was the chair for the previous two years. It would be LaVerkin City's turn to chair.

Motion by Nanette Billings to have Kelly Wilson to be the board chair with Richard Hirschi to act as chair pro-tem when Kelly is not present. The term will be for two years. Second by David Hirschi. Motion carried by unanimous vote.

Mike talked about the make up of the board. Each of the cities appoints the board members each year with the mayor and a member of the city council. He felt the board make up had been good for the district and the cities.

Fay talked about the cities adopting the district's rules and regulations. This helped the district and the cities have the same rules when it comes to wastewater. The city can help with district's enforcement if there is an issue. The board talked about the district's authority. Fay said the county gave the district authority to oversee certain things. The county commission is still the ultimate authority over the district.

Mike talked about a resolution with Apple Valley requesting annexation of the city into the district. They are receiving many requests for community wastewater systems. The mayor of the town is concerned that they do not have the staff or expertise to review or operate the individual wastewater systems. There are currently two large developments that are requesting approval. Mike felt that annexation is the best option because it allows the cities to adopt the district's rules and do the monthly billing for the district. The initial work for the town will be to take care of the community systems built by developers. Mike talked about requiring people to connect to the sewer system. Most people who are already on a septic tank do not want to go to the expense of connecting to the sewer system. In the past, the district has granted a variance by not requiring people to connect but still requiring the monthly fee be paid. This has led to some frustration when new homeowners find out they are not connected to the sewer and have been paying the

monthly fee. Mike would like to change the rules to allow the variance if the homeowners are willing to sign an agreement stating connection will be made if the home sells, the septic tank fails, or ten years passes. This would force the homes to eventually connect to the sewer instead of an unconditional variance being given. Justin asked if a lien could be placed on the home. Mike said a lien would work, but feels an agreement presented to the homeowners when the wastewater lines are constructed would work. The agreement would give them the variance, list the requirements to connect to the sewer, and be recorded against the property. Nanette asked if this would only be for Apple Valley or for all the communities. Mike felt the district's rules should be the same for all the communities served. It will affect the towns being annexed into the district more than the three current cities. Mike talked about the dangers of large concentrations of septic tanks and felt it was the district's responsibility to help reduce them when possible. The board talked about the need for additional employees. Mike felt like the district will need a septic specialist and additional inspectors. The board talked about fees for new cities. Mike liked having a unified fee for all member cities. He felt like they should be paying the same fee the three cities. Mike felt there were five things that needed to happen for them to be annexed into the district,

1. They be willing to adopt the district rules of operation and construction standards,
2. They collect the monthly fees.
3. Establish a building permit process to guarantee payment of impact fees, and ensure inspections are done before occupancy is granted.
4. A plan review process to allow the district to approve the plans of new developments before the city gives approval.
5. Address an additional seat on the board.

The board talked about the additional board members. Justin asked about needing more employees and if the new areas should be paying a higher monthly fee for the added costs. Mike talked about the plan review fee being charged to help pay for costs. The county area is charged a larger fee because they do not pay a monthly fee. The board felt the fee should be looked at to make sure enough is charged and the three cities are not subsidizing areas coming into the district.

The board talked about the possibility of the district taking over all the unincorporated areas of the county. Mike talked about some of the things that need to be taken care of before that could happen. The main consideration being ensuring that the three current communities are not subsidizing other areas of the county.

Mike talked about a receiving center the county is building near the fairgrounds. The facility will give the police a place to take people with emotional/mental problems. This will keep them out of jails or hospitals. The county has asked that the impact fees be waived. The impact fee would

be about \$16,000. The board talked about what the facility would be used for and how long people would be staying. Mike felt like this was different from other requests because they are providing a service and are a government entity.

Motion by Nanette Billings to approve waving the impact fee up to \$16,000.00. Second by Keen Ellsworth. Motion carried by unanimous roll call vote.

Mike talked about a wage increase for Amber Gillette, the District's engineer. She has recertified as a professional engineer. Mike requested a \$1.50 an hour raise to move her into the P.E. range.

Motion by Kelly Wilson to approve the wage increase of \$1.50 an hour for Amber. Second by Richard Hirschi. Motion carried by unanimous roll call vote.

Mike requested that PTO accumulation rates be adjusted for employees who are coming to the district with multiple years of experience. Mike asked change to rules to allow new employees to be allowed to accumulate PTO at a rate that meets the experience they are bringing into the district instead of starting over with the minimum accumulation. Nanette felt it should be changed in the personal policy to allow the flexibility when hiring new people. Mike said he could rewrite the policy.

Motion by Nanette Billings to change the policy of the district to allow the PTO accumulation of new employees be based on the amount of experience they are bringing to the district. Second by David Hirschi. Motion carried by unanimous roll call vote.

Mike talked about some financial information for the state and Washington County.

Mike talked about the regional wastewater reuse plan that is being discussed by the Water Conservancy District. The conservancy district has put together plans of where treated wastewater could be used. Mike talked about the cities being the owner of the water rights. The district does not own the water right if the water is reused. Mike was concerned that he was being included in the discussions about reuse when the cities own the water. He wanted the city officials to know what was being proposed and make sure they were protecting their water rights. The board talked about some of the difficulties the Lake Powell Pipeline will face. Mike wanted the cities to be involved to make sure they get credit for their water rights that are being reused after treatment and that they are represented on the decisions being made.

Mike talked about preliminary plans for the Confluence Park treatment plant have been made to the state. The state will have 60 days to review the plans. Mike his hoping to start the bidding process in the fourth quarter of this year. Mike explained the treatment process being proposed. The initial cost of construction will be higher, but a lower power cost will be a long term benefit. The district is currently having an impact fee study done that will include the treatment plant is almost complete. The initial indications are the fee will be about \$3,200.00 when the study is

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complete. Mike talked about the growth of the cities and the need to be planning for not only the Confluence Park treatment plant but also a treatment plant to replace the lagoons. If the cost of the lagoon replacement plant is included in the impact fee window the fee could be \$3,600.00.

Motion to adjourn the meeting was made at 7:50 PM.