

SPANISH VALLEY WATER & SEWER IMPROVEMENT DISTRICT

Regular Meeting and Budget Hearing-----December 13, 1995

The meeting was called to order by the Chairman, Paul J. Morris at 7:00 P.M. at the District office. Other Board members present were George White, Dan Holyoak, and Karla VanderZanden.

ATTENDANCE

Others present were Dale Pierson, Marsha Modine, and Jan Harston

Minutes were mailed to Board Members for their review for the meeting of November 8, 1995. Karla made a motion that the minutes be approved as recorded. Motion: Karla Seconded: George MOTION CARRIED

MINUTES
APPROVED
NOV.8TH

Minutes of the Public Hearing held on November 14, 1995, were mailed to Board Members for their approval. There were three corrections to the minutes:
Pg.7, paragraph 4 - \$600.00 rather than \$6000.00
Pg.12, "MOORE" rather than "FISHER".
Pg.13, "MORRIS" rather than "MOORE".
Motion to approve minutes as corrected. Motion: Karla Seconded: Neal MOTION CARRIED

MINUTES
APPROVED
NOV.14TH

LIEN LETTERS REGARDING SEWER FEES:

LIEN
LETTERS
SEWER FEES

OSUSKY, REGINA: Ms. Osusky stated to the Board that it was her understanding that unless her septic tank failed, that she was not required to hook-up to the sewer. She stated that she had contacted the district office as well as replied to an inquiry from the district's auditor, and had never received a reply. She also stated that wanted information regarding a "grandfather clause", which she assumes gives her the right to utilize her septic tank as long as it is functioning correctly.

OSUSKY, ADELE E.: (REGINA'S SISTER) Ms. Osusky spoke on behalf of Regina Osusky stating that the sewer had not been available to Regina when the house was built and that it would be a financial hardship on her to have to pay for connection and back fees, as well as having a lien placed against her property. She asked that the district consider a fourth option: hookup people now at the 1983 rate of \$600.00 forgive the back fees and let people begin paying fees now.

OSUSKY

DISTRICT REPLY: Bills have been sent continually since 1983 to R. Osusky. There was a note in the customer file showing that it was arranged with the customer to bill for the sewer hookup separately. The district is offering to hook up

individuals in this situation at the \$600.00 fee which was applicable in 1983. The district has few options as there are the majority of people in Spanish Valley who have been paying their monthly fee. There are basically three options:1) Let the lien go into place and accrue continued

monthly charges 2) hookup at today's connection price (\$2000.00), pay current monthly fees and let the lien go into effect; no additional monthly charges would accrue on the lien. 3) Pay the connection fee at 1983 rates plus the past due. The district has no knowledge of a "grandfather clause" regarding septic tanks, and requested any written information that customers may have regarding such. The district is unable to make exceptions since it would then be open to suit from others who have paid their fees.

LIEN
LETTERS
CONTINUED

OSUSKY

JERRY STOCKS: He had delivered an "ATTACHMENT" to the district office staff which was to be revised by the district's attorney. This document outlined several exceptions to the district's "SEWER AGREEMENT" form. Mr. Stocks felt that exceptions should be made when it is a hardship financially for people to hookup. He also questioned how the sewer connection fee has been raised, and if that meant that he was being asked to pay for other people getting hooked up.

STOCKS

STAFF/BOARD REPLY: Part of the reason for the increase in the fee is due to the road patch costs increasing since the County no longer does this for the district. Connection fees are based on an average cost since some customers have the sewer on their side of the street and others will have to go under the street. The fee of \$2000.00 is expected to increase. The district's enforcement of the law must be equitable. It was explained that the district prefers not to put a lien against anyone's property.

ATWOOD, VON: Mr. Atwood stated that he has no objection to the new sewer system being developed, but that he too understood there had been exceptions made. He also requested information regarding payment plans, penalties, interest fees. He also asked if there was a "grandfather clause". Another question was what impact the lien would have against his credit, and if there were ramifications against him if he allowed a lien to be filed.

ATWOOD

STAFF/BOARD REPLY: By putting a lien against the property the district is just insuring that the fees will be collected upon the sale of the property. The current laws support the necessity of people hooking up when sewer is available. Clearly there is a misunderstanding about an existing "grandfather clause". The Board is now charged with the responsibility of carrying out the law regarding enforced sewer connections. District policy has been if you pay

regular payments against this debt, your property will not have a lien filed against it. General rule is to pay double the current monthly fee in an effort to pay the back fees. If a person takes more than 6 months to pay the \$2000 connection fee an additional \$100.00 is charged, if he takes more than a year, another \$100.00 fee is charged. This is not interest, it is a penalty.

PAUL MORRIS EXITED THE MEETING BECAUSE OF PRIOR COMMITMENTS AND IN HIS PLACE GEORGE WHITE CHAIRED THE BALANCE OF THE MEETING.

CHANGE OF
CHAIR

DAVE ADKISON, C.P.A.: Dave submitted a letter requesting that he be hired to complete the 1995 audit. The estimated fee will not exceed \$2,750.00. Motion to have Dave Adkison complete the district audit for 1995. Motion: Neal Seconded: Dan MOTION CARRIED

ADKISON, CPA

WATER QUALITY BOARD - HARDSHIP GRANT: Motion was made to direct Neal and Paul to sign the grant papers for W.Q.B. Motion: Dan Seconded: Karla MOTION CARRIED

WATER QUALITY BOARD

R.E.C.D. LOAN: Motion was made by this Board to enter into the loan with R.E.C.D. Motion: Karla Seconded: Dan MOTION CARRIED

RECD

PUBLIC HEARING ON SEWER RATES INCREASE AND 1995 BUDGET: After discussion a motion was made to approve new rates, (See attached Rate Schedule). Motion: Karla Second: Dan MOTION CARRIED
PUBLIC MEETING CLOSED AT 8:24 P.M.

PUBLIC HEARING SEWER RATES INCREASE

AMENDED 1995 BUDGET AND PROPOSED 1996 BUDGET:

After discussion a motion was made to accept the 1995 budget as amended. Motion: Dan Seconded: Neal MOTION CARRIED

BUDGET AMENDED 1995 PROPOSED 1996

A motion was made to adopt the 1996 Budget as presented. Motion: Karla Seconded: Neal MOTION CARRIED

FINANCIAL STATEMENT: Financial Statement was prepared for review by Board Members.

FINANCIAL STATEMENT

PERSONNEL HOURS REPORT: This report will be prepared for Board consideration January 17, 1995.

PERSONNEL HOURS

ITEMS FROM BOARD: Dan Holyoak requested that the district approve extending a sewer line and water line up to private property on Jackson Street, approximately 90 feet. After discussion regarding the responsibility of the district up to private property, a motion was made to take the line to the individual's property line so that he could then connect. Motion: Neal Seconded: Karla MOTION CARRIED

BOARD ITEMS

CHECK APPROVAL: Motion was moved to approve checks as presented to the board. Motion: Dan Seconded: Karla MOTION CARRIED

CHECK APPROVAL

3928	Zions First National Bank (monthly bond)	\$5993.64
3929	City of Moab (Nov Sewer Treatment)	4029.08
3930	State of Utah (annual bond payment)	14,000.00
3931	City of Moab (tapping machine)	96.28
3932	Utah Dept of Health (samples)	40.00
3933	Sam Tangreen (curb keys)	30.00
3934	C & C Improvement (concrete)	65.00
3935	Keogh Surveying (easements)	50.00
3936	Glen's Welding (manhole cover)	154.72
3937	Southern Paving (cold mix & gravel)	781.30
3938	Turner Lumber (parts)	81.90
3939	Riverside Plumbing (parts)	7.85
3940	Times-Independent (legal notice)	13.80
3941	Clyde, Snow & Swenson (professional fees)	105.26
3942	RWAU (membership dues)	350.00

3943	Joyce Robertson (refund acct 500/overpay)	45.00
3944	W. R. White (parts)	1,169.32
3945	Dave Cozzens Constr. (M&O, W&S, New W&S connections)	8,953.25
3946	GCWCD (adm fees/salaries/benes/office expenses, tele./m&o vehicle, travel/office heating, line locators)	<u>6,546.47</u>
		\$25,343.57

CHECK
APPROVAL

Meeting adjourned at 9:00 P.M.

ADJOURNMENT

ATTEST:

Paul J. Morris, Chairman

Neal K. Dalton, Clerk
12-13-95.MIN:jsh