

Spanish Valley Water & Sewer Improvement District

Special Meeting April 15, 2004

The meeting was called to order at 7:00 p.m. at the Agency office, 3025 E Spanish Trail Road, Moab, Utah by Chairman VanderZanden. Other Trustees present were Dan Pyatt, Dan Holyoak, Barbara Morra and Al McLeod. Those in attendance established a quorum. None were absent. Other Agency Board members present were Gary Wilson, Tom Stengel, Jerry McNeely, Rex Tanner, and James Walker.

Others present were Judy Bane, Dave Cozzens, Alex Esquibel, Sam & Darlene Somerville, Chad Nelson, Ned & Carolyn Plasson, Sharee Carlson, Cody Dalton, Michelle Wiley, Stacey Boender, Marsha Modine and Dale Pierson.

Minutes

Motion by Al McLeod to approve the minutes of the meeting of March 18, 2004 with the following correction: Barbara Morra voted nay on the motion to elect Dan Holyoak Vice Chairman. Second by Barbara Morra. Dan Holyoak-Aye, Al McLeod-Aye, Karla VanderZanden-Aye, Dan Pyatt-Aye and Barbara Morra-Aye. MOTION CARRIED.

Consideration of Water Service to Carlson & Plasson Properties Mr. Plasson, owner of 140 and 120 Tera Dr., addressed the board. He stated that he provided the board with a detailed map and a letter from Dale dated June 3, 2003 confirming availability of water from GWSSA. The Board discussed the meaning of the word "adjacent" used in the November 1, 2000 motion by Dan Holyoak. The motion stated "Homes in San Juan County adjacent to the project route will be served." The Board also reviewed a legal opinion on what "adjacent" means by Brent Rose. Chairman VanderZanden said Mr. Rose used the term serviceable in his basis for defining the term adjacent. Dale explained the service criteria that is used system wide was used when the Board originally discussed who would be served by the water project. The criteria holds that a property is serviceable if a single service line from the main is able to provide the water. The difference between the Tera Dr. properties and the Gilmore property is that the Agency would need to install an additional main line to serve the Gilmore property. Al McLeod asked what will preclude others in San Juan County from receiving water. Dale responded that the physical limits of the existing water lines and right of ways required to cross properties in order for a customer to hook up will exclude potential customers. Motion to serve the Plasson and Carlson properties as directed by the GWSSA November 1, 2000 meeting minutes by Dan Pyatt. Second by Dan Holyoak. Dan Holyoak-Aye, Al McLeod-Aye, Karla VanderZanden-Aye, Dan Pyatt-Aye and Barbara Morra-Nay. MOTION CARRIED.

Chairman VanderZanden declared the meeting adjourned. Hearing no objections the meeting adjourned at 7:35 pm.

ATTEST:

Karla VanderZanden, Chairman

Al McLeod, Clerk

San Juan County
Water Service