

# SPANISH VALLEY WATER & SEWER IMPROVEMENT DISTRICT

Regular Meeting -----May 20, 1998

The meeting was called to order by the Chairman, Paul J. Morris at 7:01 p.m. at the District office. Other Board members present were Karla VanderZanden and George White.

Others present were Dale Pierson, Mike Shumway, Sunrise Engineering, Marsha Modine, Rhonda Riberia, Don Van Deusen, Joe Holyoak, Edith and Mark Beeson, and Chuck Garlett.

After calling for additions or corrections to the minutes of the meeting of April 15, 1998, and hearing none the Chair declared the minutes approved as circulated to the Board. Motion: George White. Seconded: Karla VanderZanden. MOTION CARRIED.

Check approval: Motion: Karla VanderZanden. Seconded: George White. MOTION CARRIED.

Sewer Project Update - Customer Concerns: **Don Van Deusen** asked how a sewer line would be brought up to his property at the end of Juniper Lane. The sewer is designed to go to the property line, which is still 540' away. Don noted the fact that he was unaware the sewer project was coming when he purchased his property. Sewer service will cost him approximately \$4,000 - \$5,000.00 more than he anticipated when he began to build. Laying 1.25" thrust main in lieu of an 8" main would save from trying to lay the 8" main in rock. The District has agreed to install the 1.25" line. Don asked that either the hookup fee be waived, or he be granted additional time before being charged penalties. Dale responded that the bond documents prevent the hookup fee from being waived. Don agreed to wait to hear what the final word would be.

Don  
Van  
Deusen

**Joe Holyoak** stated he is opposed to paying February and March sewer service charges when the sewer was not available to him at that time. Joe said he asked for assistance in showing him where the hookup was. Mike Shumway of Sunrise Engineering came out and marked the spot with a circle, which after digging 11' down, Joe stated was not the correct spot. Joe called the office, Marsha Modine said she would send Dave Cozzens out to mark the correct spot. When Joe returned home, he found a green X, re-dug and found the sewer, however, after finishing the rest of the trench it was discovered to be too high, 8' fall in 160'. Joe reported the problem to the office, Dave Cozzens was dispatched and arrived 4-5 days later, lowered hookup, and on April 9, Joe was able to actually hookup. Paul asked if Joe had ever received a cutsheet. He replied no. Marsha Modine stated Mike Shumway had faxed a copy to the office, but that it was not picked up by Joe for almost two weeks. Joe stated unequivocally the sheet was wrong. He also added that neither Whipple Plumbing, Cozzens Construction, or Todd Robertson would give him a bid due to the amount of rocks in Joe's area. Joe feels it is not reasonable to be charged \$22.00 per month for a system that was not available, nor should the 1% penalty be levied. Dale recommended waiving the monthly fees for February and March, to which the board agreed. This will result in a credit of \$44.00 on Joe's next bill. Dale explained that the \$2000.00 connection fee was billed to all customers affected as lines became available for service. This is based on a County Ordinance regarding availability of service and billing practices. The decision of whether or not to waive the penalty (which was first charged April 1, 1998) was agreed to be tabled until the next board meeting. Karla stated it sounded as if Joe had another point he was trying to make, and he replied that

Joe  
Holyoak

she was correct. When he spoke to Marsha at the office regarding the penalty and the fact that he didn't wish to pay it, the response was "That's okay. We'll put a lien on your house." Joe felt this is a very sad way to treat customers, and feels better service really needs to be made. Motion to waive two months of service fees: Karla VanderZanden. Seconded: George White. Motion carried.

**Edith and Mark Beeson:** Edith stated that she felt it was wrong to be billed for a connection fee not knowing if they can be hooked up. They are concerned about who will pay to blast/dig up the rocky area between their home and the sewer line. Edith added they had installed a new septic tank in 1994 (which they are still paying for). Mark and Edith felt they had not been informed of an impending sewer project at the time they installed the septic tank. She also stated the office staff was not helpful enough in answering her questions, or in taking action to negate penalties. Dale responded, that he did not recall stating that sewer service would not be available in their area, and if he had, he apologized for being wrong. He also stated this was a difficult project for the office staff, as we are bound by certain rules be it by the Board, the Bonding Company, or the Department of Health both regarding District and County Ordinances that effectively tie our hands in regards to making on the spot decisions of refunding or waiving penalty fees. Dale asked if they had been informed of the CDBG grant which could help pay for installation of sewer lines up to \$2000.00 if they met the financial criteria. Marsha stated most of the money from CDBG was already applied for, but gave the Beesons the necessary paperwork required for submitting an application. The penalties are increasing, along with the monthly service fees which as they are on a fixed income they find difficult to pay. Edith stated she doesn't mind the \$2000.00 sewer connection fee, but the penalties should be waived. Paul recommended if there was any chance, we should revisit extending or increasing the CDBG Grant to cover the people who have not had a chance to apply yet. Dale responded this would be taken care of immediately. Edith asked where the money came from in the first place to fund the project. Paul responded it came from a number of state agencies, with half of the funding coming from grants. Edith reiterated she did not see how they could pay for this, along with the blasting that would be required, which she was leery of. Paul noted that there would be people qualified to blast available during completion of the project, and it would most likely be less costly to be taken care of now as opposed to later. He also reassured her that blasting was able to be done very safely. Edith responded that what she is asking for is more time to be able to pay for the connection fee without having the penalty added to it. George asked how much time; to which the Beesons were unable to respond, stating they were uncertain. Dale noted the Board had agreed to payment plans in the past, but that only special circumstances could warrant this measure. Our loan must be paid back in two years time. Karla recommended tabling this as she felt there were not enough board members to make this type of decision. Paul added we would need to seek the advice of legal counsel, and that we would investigate any other recourse that may help, including possible easements for adjoining properties that could negate having to blast through the rockier sections. He also recommended the Beesons read through the CDBG Grant information, and apply for it if they meet the financial criteria. Edith said if the penalties could be waived now, and the \$22.00 monthly fee waived until they were hooked up, that would help greatly. Karla moved to table the issue. George Seconded. MOTION CARRIED.

Edith  
&  
Mark  
Beeson

**Chuck Garlett:** Chuck said his problem was the water bill for the vacant lot he owns across the street. No one has resided there for a very long time, yet his April water bill

Chuck  
Garlett

was over \$200.00. He stated there obviously there was a leak, and he understood that this was his responsibility, however, had the meters been read during the winter, he would have been alerted to the problem sooner, which would have resulted in a much lower water bill. Chuck asked whether the meters were not read due to a labor issue? Dale apologized first for not being aware that Chuck was coming to the meeting, had he known research into this problem could have been completed. Dale went on to explain that during the 1980's we learned that meters keep a warm vault of air, and if you open them to read them, cold air enters causing the meters to freeze, and crack. Dale also stated that a labor issue was not part of the decision to not read meters. Paul asked if Chuck had found the leak yet. Chuck responded no, but that he had shut the meter off. Dale stated the board had made the policy of no adjustments for water leaks, but recommended looking into clarifying that policy to read except during winter no-read period. Further discussion offered the possibility of basing the overuse on an average of a years usage, and payment of the resulting figure being based on our cost to GCWCD as opposed to normal billing amounts. George suggested the policy also needed to include verbiage that this would be a situation the office staff could determine, and make the necessary adjustments to without waiting for board approval. Dale suggested we also revisit whether or not winter reads should be done or not. A final decision was tabled until the proposal could be made to the entire board, and until the research had been completed. Chuck stated this would be acceptable to him. Motion: George White. Seconded: Karla VanderZanden. MOTION CARRIED.

Water System Upgrade: Dale stated he had had two meetings with the County Council, one regarding the water system upgrade only, the other the interlocal agreement. There is a second workshop set for May 27, 3:30 p.m. at the Courthouse that Dale recommended all Board members attend. John Chartier, Sunrise Engineering, will be at the meeting to discuss engineering, and Corky Brewer, Moab Fire Chief will discuss existing problems regarding fire prevention issues. This workshop has been set up to help further explain how the project is set up, funding, potential for funding, and how it relates to growth. Clarification on loan and grant packages based on the number of current connections is also required. Likewise that a raise in monthly fees would not be the same as charging current residents for the project. Impact fees from new development not only helps with this, but ultimately helps to keep monthly charges from increasing.

Water  
System  
Upgrade

Glenn Henry: Glenn was unavailable for the meeting, but the upcoming decision regarding Chuck Garret's winter leak will likewise answer Glenn's question.

Glenn  
Henry

Response to Change Order Requests from Jacki Olsen: Dale stated that at the time of termination of Olsen Construction, 34 Change Orders were submitted to the District. Each Change Order has been addressed, letter and synopsis written, evaluated by engineers, and includes a recommendation or denial of payment. A letter to Jacki Olsen to state what the board has decided is the next step in the process. Mike Shumway, Sunrise Engineering was on hand to answer questions. Karla asked how many man hours were required by Sunrise to complete this. Mike responded he spent a month, plus additional time with Val Koeboed. Mike also noted that none of the Change Orders were submitted in the proper manner. When extra work arises, the contractor has up to 7 days to notify the owner in writing, explaining the reason for the extra work and extra cost. According to Mike's research, in his opinion, very few of the

Change  
Order  
Requests

Change Orders are legitimate. George commented that of the over \$8000.00 total, if we owe any of it, that is the amount that we should pay. This issue will be tabled until more of the Board can be present to discuss it further. Motion: George. Seconded: Karla. MOTION CARRIED.

Financial Statement: Statements were presented for February through April.

Items from Board Members: Paul Morris brought to the table the reimbursement for his phone bills incurred while at the Water Environmental Association Conference. Paul feels calls made during these trips that are business related should be reimbursed. Other types of expenses were discussed. Karla suggested checking with the City to see how they handle it. Dale stated there is a current policy, that he will locate. Further discussion resulted in the decision to pay for all calls that were District business related, personal business calls would not be reimbursed. Paul will note on the bills which should be excluded. It was also decided that a policy either needs to be written, or clarified regarding travel expenses. This issue is to be revisited at a future date. Motion: George White. Seconded: Karla VanderZanden. MOTION CARRIED.

Travel  
Reimburse-  
ment

Meeting adjourned at 9:00 p.m.

ATTEST:

  
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Paul J. Morris, Chairman

  
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Neal K. Dalton, Clerk