

GRAND WATER & SEWER SERVICE AGENCY
Full Board Meeting
December 8, 2011

The meeting was called to order by President Dan Pyatt at 7:21 p.m. at the Agency office, 3025 East Spanish Trail Road, Moab, Utah. Other Agency Board Members present were: Pat Holyoak, Jerry McNeely, Preston Paxman, Rex Tanner, Gary Wilson, Tom Stengel, John Hartley, Mike Holyoak, and Dale Weiss. Those present established a quorum. Absent were: Kyle Bailey and Brian Backus.

Others present were: Mark Sovine, Dana Van Horn, Marsha Modine, George Carter, and Fred Powell. Mr. Carter and Mr. Powell left the meeting at 8:18 p.m. following the discussion of MIC bylaw changes.

Minutes – Board Meeting 11-17-11 Motion to approve the minutes for the meeting of 11-17-11 as presented by Tom Stengel. Second by Rex Tanner. Dan Pyatt-Aye, Gary Wilson-Aye, Pat Holyoak-Aye, Jerry McNeely-Aye, Preston Paxman-Aye, Rex Tanner-Aye, Tom Stengel-Aye, John Hartley-Aye, Mike Holyoak-Aye, Dale Weiss-Aye. MOTION CARRIED.

Citizens to be heard George Carter spoke regarding the changes to the Moab Irrigation Company bylaws that were requested by the Agency. Chairman Pyatt chose to move agenda item #19 to item #14 to facilitate the discussion of the bylaw changes.

(Moved from item #19) Consideration and recommendation of MIC bylaw changes The proposed bylaw changes were presented to the board. The Moab Irrigation Company board met in November and voted against recommending the proposed changes to their stockholders. The MIC board felt that there were more potential concerns raised over the changes than issues solved. The Agency requested the changes to the bylaws specifically so that a representative of the Agency who does not personally own MIC stock could run for a Moab Irrigation Company board position. Although the MIC board recommended some additional verbiage with the intent of clarifying the issue; the deadline of December 1, 2011 has passed and the proposed changes cannot be altered and resubmitted. The board discussed the proposed changes at length with Mr. Carter and Mr. Powell. Motion to recommend MIC bylaw changes as originally requested by the Agency by Gary Wilson. Second by Dale Weiss. More discussion followed regarding the proposed changes and it was determined that only the changes to *Article 3 – Directors, Section 2 Qualifications* were necessary. Gary Wilson withdrew his original motion and made a new motion to recommend only the proposed changes to Moab Irrigation Company bylaws *Article 3 – Directors, Section 2. Qualifications* “No person shall be elected, nor shall be competent to act as Director of this Company unless they are at the time of his election the holder or certified representative of a holder of record of at least one full share of stock.” (Changes underlined above.) Dale Weiss seconded the motion. Dan Pyatt-Aye, Gary Wilson-Aye, Pat Holyoak-Aye, Jerry McNeely-Aye, Preston Paxman-Aye, Rex Tanner-Aye, Tom Stengel-Aye, John Hartley-Aye, Mike Holyoak-Aye, Dale Weiss-Aye. MOTION CARRIED.

Check approval Motion to approve checks in the amount of \$464,550.79 by Tom Stengel. Second by John Hartley. Discussion of the privacy of the residents of Spanish Valley regarding the impact fee refunds was discussed. Dana advised the board that she would research whether or not the names of the recipients of the refunds were a public record. Dan Pyatt-Aye, Gary Wilson-Aye, Pat Holyoak-Aye, Jerry McNeely-Aye, Preston Paxman-Aye, Rex Tanner-Aye, Tom Stengel-Aye, John Hartley-Nay, Mike Holyoak-Aye, Dale Weiss-Aye. MOTION CARRIED.

Public hearing – 2011 amended and 2012 budgets President Pyatt opened the public hearing at 8:30 p.m. There was no public comment. President Pyatt closed the public hearing at 8:30 p.m.

Approval of 2011 amended and 2012 budgets The board discussed the budget. Motion to approve the 2011 amended and 2012 budgets as presented by Tom Stengel. Second by Rex Tanner. Dan Pyatt-Aye, Gary Wilson-Aye, Pat Holyoak-Aye, Jerry McNeely-Aye, Preston Paxman-Aye, Rex Tanner-Aye, Tom Stengel-Aye, John Hartley-Aye, Mike Holyoak-Aye, Dale Weiss-Aye. MOTION CARRIED.

Approval of 2012 meeting schedule Motion to approve the 2012 meeting schedule as presented by Tom Stengel. Second by Mike Holyoak. Dan Pyatt-Aye, Gary Wilson-Aye, Pat Holyoak-Aye, Jerry McNeely-Aye, Preston Paxman-Aye, Rex Tanner-Aye, Tom Stengel-Aye, John Hartley-Aye, Mike Holyoak-Aye, Dale Weiss-Aye. MOTION CARRIED.

Consideration and approval of 2011 policy changes (Resolutions 2011-12-8 and 2011-12-8a) The board was presented with the final changes to the Agency and Board Rules, Regulations, and Policies. Several changes were made after board discussions. The resolutions in both redlined and final form are maintained by the Agency as an official record of the changes made to the official Rules, Regulations, and Policies. Motion to approve Resolutions 2011-12-8 and 2011-12-8a by John Hartley. Second by Mike Holyoak. Dan Pyatt-Aye, Gary Wilson-Aye, Pat Holyoak-Aye, Jerry McNeely-Aye, Preston Paxman-Aye, Rex Tanner-Aye, Tom Stengel-Aye, John Hartley-Aye, Mike Holyoak-Aye, Dale Weiss-Aye. MOTION CARRIED.

Financial Statement The financial statement was not available.

Lake/snow report The lake has 1525 AF in storage. The snow – water equivalent is at 93 percent of average and the ytd precipitation is at 108 percent of average. Soil moisture is at 36 percent saturation.

Committee report(s) There were no committee meetings to report.

Items from staff None.

Items from Board Members None.

Closed session as needed None.

President Pyatt declared the meeting adjourned. Hearing no objections; the meeting adjourned at 9:08 p.m.

ATTEST:

Dan Pyatt, President

Gary Wilson, Vice President