

SPANISH VALLEY WATER & SEWER IMPROVEMENT DISTRICT

Regular Meeting ----- April 13, 1983

The meeting was called to order by Chairman Darwin Gilger at 7:00 P.M. at the District's office, with the following Board of Trustees present: George White, Dan Holyoak and Neal Dalton.

ATTENDANCE

Also present were: Harry E. Snow, attorney, John Hill, Consulting Engineer, A.J. Coffman, Jr., representing Mrs. R.J. Carter of Carter's Trailer Park, Mrs. R. J. Carter, Mr. & Mrs. Sylvan Palmer, Mr. & Mrs. Eugene Brown, Chris Muray, Mr. & Mrs. George Wareham, Ed Goins, Clara Davenport, Malcolm Davenport, Cole & Carolyn Noyes, Narshel Day, Betty Carpenter, Donna Jo Koskinen, Executive Secretary and Roberta R. Highland, Secretary.

The Minutes of the Special Meeting of April 6, 1983, the Minutes of the Regular Meeting of March 23, 1983, and the Minutes of the Regular Meeting of March 9, 1983 were read by Roberta Highland. Chairman Darwin Gilger moved the approval of the Minutes, with one correction to the Minutes of the April 6, 1983 meeting, to change the figure of 90' to the figure of \$6300.00 with regard to the total amount allotted for extra depth on the project. MOTION CARRIED.

MINUTES

- The following bills were presented to the Board:
- | | | |
|-----|--------------------------------|-----------|
| 1. | Continental Telephone | \$ 398.78 |
| 2. | Shirley Lance | 65.00 |
| 3. | KURA Radio | 59.50 |
| 4. | Utah Power & Light | 9.47 |
| 5. | Spencers' Stationery | 38.35 |
| 6. | Grand Co. Water Conserv. Dist. | 1,236.90 |
| 7. | Channel 6 News | 45.00 |
| 8. | City of Moab | 395.00 |
| 9. | Brig's Sporting Goods | 124.32 |
| 10. | Rim Rock Flowers | 13.00 |
| 11. | Times Independent | 29.40 |
| 12. | Office Equipment Co., | 36.00 |
| 13. | W. R. White Co. | 236.80 |
| 14. | Petty Cash | 65.18 |
| 15. | Boise Cascade | 45.90 |
| 16. | Phone Directories | 21.00 |

BILLS

Neal Dalton moved the above bills be paid. Dan Holyoak seconded. MOTION CARRIED.

It was pointed out by Donna Koskinen that the bills approved had not been included in the Minutes of the meeting of March 9, 1983 and March 23, 1983. Roberta Highland then read the following bills:

1.	Ray Townsend,	\$ 825.00
2.	Ray Townsend	324.40
3.	Utah Power & Light	5.10
4.	Dale Pierson,	11.76
5.	City of Moab	65.00
6.	Grand Co. Water Conserv. Dist.	933.80
7.	Grand Co. Water Conserv. Dist.	774.83
8.	David Carr	73.42
9.	City of Moab,	194.13
10.	Petty Cash	47.97
11.	John Hill	800.00
12.	Ray Townsend	825.00
13.	Jim Nelson	475.00
14.	Dr. Paul Mayberry	50.00
15.	David Carr	77.00
16.	FmHA	1,701.00
17.	U.S. Postal Service	61.52
18.	Grand Co. Water Conserv. Dist.	3,734.00
19.	Water and Wastewater Service	2.88
20.	Ray Townsend	825.00
21.	John E. Keogh,	11,207.50
22.	John Hill	2,160.00

Chairman Darwin Gilger moved these bills be included in the Minutes. Neal Dalton seconded. MOTION CARRIED.

Discussion was held on the proposed irrigation line requested by the residents of the Hecla Subdivision. John Hill asked that if an irrigation line was laid, it not be in the same ditch as the sewer line, and recommended that a second trench be made 5 to 6 feet from the sewer line. It was suggested that the matter be delayed until further information is obtained.

HECLA SUB-DIVISION

Chairman Darwin Gilger asked John Hill if we were back on elevation and was informed that we are, and the tractor is happier.

ELEVATION

Donna Koskinen reported that complaining people on the sewer construction were being asked to call the Sheriff with these complaints as that is the way the specs call for us to handle it.

Donna Koskinen relayed a request from The Industrial Company for water for a project in Lisbon Valley, and the suggestion was made by Dan Holyoak that T.I.C. contact Ollie Knutsen and make arrangements with him to purchase water.

The proposed resolution on behalf of the Carter Trailer Park was discussed and George White suggested that before we considered this resolution, we do a study on the effect of such a change on our revenues. It was stated that this matter of trailer park fees had been re-hashed several times, whereupon Mr. Coffman pointed out the fact that under-occupation was a real problem with trailer parks in this area and while the resolution would result in less

CARTER TRAILER PARK

revenue whiletimes are hard, when the parks were full it would mean more revenues to the District. Neal Dalton moved we table the issue for more discussion and a revenue study. George White seconded. MOTION CARRIED.

A. J. Coffman introduced Malcolm Carpenter, who had had a near accident on the way to town, and who stated there was no barricade or flagman on duty at the time of said near accident, and that his wife had also been involved in a separate near accident at the said site, and that he was getting legal advice on what action he could take, including an injunction against further work on the project until safety precautions were taken. Dan Holyoak stated that this had been brought to the attention of the Contractoor, who had assured the Board there was no problem. The Board agreed to notify the Contractor that safety problems were a problem with the community, as Harry Snow gave the opinion that if there as an injury or death, the District might be liable along with the Contractor. TRAFFIC

John Hill reported that an easement violation had been made on the property of Joe Dowd, that it was a mistake made because of the power lines. Discussion was held on the matter, and Harry Snow said we were in a bad legal position and there was nothing we could do until Mr. Dowd took action. It was stated that Joe Dowd had said he had not decided what action he would take. EASEMENT VIOLATION JOE DOWD

Individual meetings with regard to sewer connection payments were held privately between the Board and the people who had appointments and had attended the meeting for that purpose. Darwin Gilger, Dan Holyoak, Neal Dalton, George White, Roberta Highland and Harry Snow met with the following: EXECUTIVE SESSION

1. COLE AND CAROLYN NOYES, whose account is under the name of Neal Dalton, and showing a balance of \$275.00, stated they needed more time to pay their sewer connection, as they had both been out of work. After discussion of what they could pay, Dan Holyoak moved they be allowed to pay \$50.00 per month, beginning on April 30, 1983. George White seconded. MOTION CARRIED. Carolyn Noyes then asked for a list of the people who signed up for the sewer, so they could contact these people to see if they could get their business of hooking up their sewers. Harry Snow stated that this was a public record, and therefore could be made available. The Board decided such a list should be drawn up and made available to potential plumbers and others.

2. NARSHEL DAY, whose account shows a balance of \$300.00, asked if he could put off making any payments until he could get a job, but agreed that he could pay \$25.00 per month. Dan Holyoak moved that Mr. Day pay \$25.00 per month beginning May 1, 1983. George White seconded. MOTION CARRIED.

3. MR. & MRS. EUGENE BROWN stated they must move the trailer on their lot, and if they cannot hook on to the sewer before the end of the weekd, they will have to wait until fall, beacuse the person who will put in their line free won't be available again until then. Dan Holyoak told them the board would not be hardnosed on problems of this nature. Darwin Gilger stated that technically, we could start charging them when the connection is available. Dan Holyoak moved that the Board give the Browns until October 15, 1983 to hook on without monthly charge, regardless of the situation of the sewer at that time. George White seconded. MOTION CARRIED.

4. MR. & MRS. JACK PALMER, whose account shows a balance of \$200.00, asked when the absolute limit for payment at the old rate was. Dan Holyoak moved the Board allow the Palmers to continue to pay \$100.00 a month without penalty until the balance is paid. Neal Dalton seconded. MOTION CARRIED.

5. DARRYL W. HUNTER, who so far has not signed up, stated that he would like to hook up into the system, but would like to go on the payment plan of \$55.00 per month at the old rate, but that he could not afford \$55.00 per month. Darwin Gilger stated that he did not think that could be done, because of the fact that the date has been moved ahead so many times. Dan Holyoak moved that Mr. Hunter be allowed to pay \$30.00 per month for 24 months, for a total connection fee of \$720.00, plus when a connection is available, he would be required to connect up to the sewer and pay the regular sewer fees. Neal Dalton seconded. MOTION CARRIED.

6. ED GOINS, whose account shows a balance of \$330.00, stated that he could pay only \$50.00 until he gets a job, which he expects within one month. Dan Holyoak moved he pay \$50.00 before May 1, 1983, and the balance on June 1, 1983. George White seconded. MOTION CARRIED.

7. BETTY CARPENTER, who so far has not signed up, stated that she needed more time to pay. Dan Holyoak moved that we allow her to pay \$55.00 per month, beginning May 15, 1983, until paid in full. George White seconded. MOTION CARRIED.

8. MRS. GEORGE WAREHAM, whose account shows a balance of \$350.00, stated that her husband had just taken a pay cut. Dan Holyoak moved that we allow her to pay \$30.00 per month until paid, beginning May 15, 1983. George White seconded. MOTION CARRIED.

9. CHRIS MURAY, whose account shows a balance of \$240.00, stated that he needed more time to pay. Dan Holyoak moved that we allow him to pay \$50.00 per month, beginning May 15, 1983, until paid in full. George White seconded. MOTION CARRIED.

10. CLARA DAVENPORT, whose account shows a balance of \$900.00, stated that she would like to pay nothing, and read an agreement signed by David Bretzke, which she stated indicated she did not have to hook up, and if she did, it would be in exchange for an easement. Copies were made of the agreement and passed to the Board and Harry Snow. It was pointed out to her that if the sewer goes through, she is obligated to hook on, and the agreement did not give her a free hook-up, but merely froze her rate at the present structure. After discussion, the matter was tabled until the Board could discuss the matter with David Bretzke at the next meeting. It was stated to Mrs. Davenport that she had, in their opinion, fulfilled the requirements of the May 1, 1983 deadline.

11. DAN HOLYOAK, ON BEHALF OF RUTH BURRASTON, whose account shows a balance of \$600.00, stated that she could not afford the \$100.00 per month. Neal Dalton moved she be allowed to pay \$30.00 per month for 24 months, plus the regular sewer fees. George White seconded. MOTION CARRIED.

The Board then returned to the conference room and asked John Hill to locate the property of Dlara Davenport with regard to the easement. The property was located on the map and a general discussion was held as to any possible payment schedule, and it was decided to consult David Bretzke when he returns.

RESUME
PUBLIC
SESSION

Dan Holyoak asked how we could get through Ron Dull's property without having a problem as there is a building on the easement *on the property of Robert Stevenson*. After discussion of alternatives, on the advice of John Hill, it was agreed to do the work on the remaining fifteen feet of easement.

EASEMENT
PROBLEM

Traffic control on the sewer project was again discussed, and the Board agreed to contact the Sheriff with regard to violations of the traffic safety code, since Attorney Harry Snow stated in his opinion we were also liable for damages.

Damage to property was then discussed, and John Hill reported that some of the fences were being put back in place in less than perfect condition, because the crew had to come back, and that when the job was done, the fences would be as good as new. It was pointed out that there is no time limit for restoration of property.

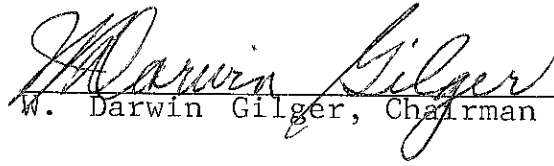
PROPERTY
RESTORATION

The Board was thanked for their consideration by Donna Jo Koskinen, and the Board publicly stated their gratitude to Donna Jo Koskinen for her time and efforts on their behalf.

** addition to Minutes made by John Hill, 5/4/83 *pkh*

Neal Dalton moved to adjourn. Dan Holyoak ADJOURNMENT
seconded the motion and the meeting adjourned at 9:55 P.M.

ATTEST:


W. Darwin Gilger, Chairman


Neal Dalton, Clerk