

## Spanish Valley Water & Sewer Improvement District

### Special Meeting September 15, 2003

The meeting was called to order at 4:03 p.m. at the Agency office, 3025 E Spanish Trail Road, Moab, Utah by Chairman Holyoak. Other Trustees present were Karla VanderZanden, Al McLeod, and Barbara Morra (arrived at 4:10 p.m.). Those in attendance established a quorum. Neal Dalton was absent.

Others present were Dan Pyatt, Rex Tanner, James Walker, Jerry McNeely, William McDougald, Ron Flanders, Karl Tangren, Sena Hauer, Bill Love, Ed McElhaney, Lisa Church, Judy Bane, Geoff Freethey, John Chartier, Brent Rose, Stacey Boender, Marsha Modine, and Dale Pierson.

#### Minutes

Motion by Karla VanderZanden to approve the minutes of the meeting of August 21, 2003 and August 28, 2003. Second by Al McLeod. Dan Holyoak-Aye, Al McLeod-aye, Karla VanderZanden-Aye. Barbara Morra absent for vote. MOTION CARRIED.

**Consideration of Annexation and Water Service Commitment to the Gilmore Property** The Spanish Valley Board members read a memorandum prepared by Mr. Rose regarding the legal implications of a service commitment to the Gilmore property. Though the memo was distributed to the Board in an open meeting, Mr. Rose explained that as an attorney, he had the right to present undisclosed information to his client.

Gilmore Propre

Mr. Rose also explained the applicable statutes allow Water & Sewer Improvement Districts to serve outside of their boundaries without annexation. Karla VanderZanden suggested requiring annexation and promising service on a case by case basis for San Juan County properties requesting service.

Mr. Flanders stated that his lawyer was working on the annexation process. However, he wanted to know before he went through the expense of annexation if he would receive water service once annexed. Motion for Spanish Valley Water & Sewer Improvement District to commit to provide culinary water service to the Gilmore property following annexation approval applicable to this case only by Karla VanderZanden. Second by Dan Holyoak-Aye. Karla VanderZanden-Aye, Dan Holyoak-Aye, Al McLeod-Nay, and Barbara Morra-Nay. MOTION FAILED.

Sena Hauer asked why Mr. McLeod and Ms. Morra voted against the service commitment. The members stated they did not believe data showed there was enough water for future use in Grand County. In response to a question from Rex Tanner, Dale stated that the Utah Division of Water Rights will not award additional water rights to the District until the existing water rights have been used to capacity. Karl Tangren pointed out that as the agricultural areas are converted into housing, Ken's Lake water can be turned into a drinking water source, as well. Karla VanderZanden requested the Consideration of Annexation and Water Service Commitment to the Gilmore Property item be added to a future Improvement District meeting agenda.

**Work Session: Moab City - Improvement District Sewer Agreement** After discussion, the Board decided to appoint a committee to work on the details of the agreement, while Mr. Rose prepares a revised draft from the Improvement District's point of view. Once the Improvement District Board approves a draft, it will be submitted to Moab City. The committee members include John Chartier, Brent Rose, Dale Pierson, Bill Love, Barbara Morra, Al McLeod, and Judy Bane. Other people from the community may be asked to join the committee.

Sewer Agree

**Consideration  
of Increase  
Water Hoo**

**Fees** Dale explained that an increase in water hookup fees for a ¾" connection is necessary to cover the cost of the new radio read meters as required in the amended Water & Sewer Construction Standards. The change will result in an increase of \$153; bringing the total culinary water hook up fee to \$1078. Motion to increase the culinary water hookup fee from \$925 to \$1078 per connection to cover the cost of new meters by Al McLeod. Second by Karla VanderZanden. Dan Holyoak-Aye, Al McLeod-Aye, Karla VanderZanden-Aye, Barbara Morra-Aye. MOTION CARRIED.

Chairman Holyoak declared the meeting adjourned at 5:45 p.m.

ATTEST:

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A. Dan Holyoak, Chairman

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Neal Dalton, Clerk