

**MINUTES OF THE MEETING OF THE  
KEARNS IMPROVEMENT DISTRICT (KID) BOARD OF TRUSTEES  
HELD FEBRUARY 6, 2024 AT THE DISTRICT OFFICE  
LOCATED AT 5350 WEST 5400 SOUTH, KEARNS, UTAH**

**Trustees Present:**

Gregory R. Christensen  
Jeff Monson  
Cheryle A. Hatch

**Staff Present:**

Greg Anderson	General Manager/CEO
Riley Astill	Finance Director/Controller
James “Woody” Woodruff	Public Works Director/Engineer
Mark H. Anderson	Attorney
Jamie Banh	Executive Administrative Assistant
Linson Terrell	Field Manager

**Others Present:**

Alan Packard	General Manager, Jordan Valley Water Conservancy District
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**Call to Order:**

Chair Christensen called the meeting to order at 5:30 p.m. and welcomed all those present. The invocation was offered by James “Woody” Woodruff and the pledge of allegiance was led by Greg Christensen.

**Public Comments:**

There were no public comments.

**Approval of Minutes (Regular Meeting, January 9, 2024):**

Corrections were noted as follows: The spelling of Cheryle Hatch’s name was corrected on page 6 of the minutes, “Trustee Hatch” replaced “Chair Christensen” on page 9, and “Chair Hatch” was corrected to “Chair Christensen” on page 10. It was then moved by Trustee Hatch and seconded by Trustee Monson as follows:

**That the January 9, 2024 KID Board meeting minutes be approved as corrected.**

The motion carried with Trustees Christensen, Monson and Hatch each voting in the affirmative.

**Board Training - “Water Leaks – Saddle Replacements”:**

Linson Terrell presented the monthly Board “snippet” training, discussing water leaks and saddle replacements. Among other matters, he discussed “water hammer” events, tree roots, directional drillers and defective material, all of which can contribute to and cause leaks. He used PowerPoint slides to illustrate his discussion, and showed the Trustees a saddle yoke, with brass that was in good shape, but the other parts had deteriorated and virtually dissolved over the years. Chair Christensen noted that the KID work crew did a “nice job” with repair and replacement activities in his neighborhood a few years ago. At the end of his informative presentation, the Trustees expressed their appreciation to Mr. Terrell.

**Discuss JWCD Potential Water Budget:**

For the convenience of Alan Packard, the General Manager of the Jordan Valley Water Conservancy District, Chair Christensen declared that Agenda Item IV.A. would be considered out of order.

Mr. Packard used a PowerPoint to present water availability budget concepts that originally were presented to the Jordan Valley Executive Committee on January 8, 2024. As he reviewed the slides, there was a back and forth conversation among Mr. Packard, the Trustees, and KID management. Mr. Packard stressed the impact of higher density developments, which result in higher water usage per acre even as per capita water consumption declines. Higher density housing that is designed to help address the current “housing affordability crisis” is expected to have a significant impact on existing and planned water resources. During the discussion, Mr. Packard responded to questions from the Trustees. He explained that, under Jordan Valley’s recommended new policy, lands newly annexed into Jordan Valley and large new developments within Jordan Valley’s current boundaries, such as The Point development in Draper, will be allocated a water availability budget by Jordan Valley of 1.35 acre feet per acre. He explained that, currently, approximately 1 acre foot of water is supplied by Jordan Valley, while municipalities and secondary water system providers provide an additional approximately .5 acre foot per acre, for a combined total of 1.85 acre feet of water per acre of land. Member agencies and developers may supplement the water budgeted by Jordan Valley using their own water supplies; and a request to receive more than 1.35 acre feet of water per acre from Jordan Valley may be accommodated if Jordan Valley receives either replacement water rights or cash in lieu of water rights (at an estimated cost of between \$5,000 and \$7,000 per acre foot). The policy would be updated every one to three years to take into account water usage patterns and costs. The Trustees and KID management expressed their appreciation to Mr. Packard for his time and for sharing the information. Mr. Packard then left the Board room.

**Discuss the General Manager’s Report:**

A copy of Greg Anderson’s monthly General Manager’s Report was included in the Board Book. Among other things, Mr. Anderson reviewed activities of the Senate Bill 34 Study Group regarding the potential of eliminating property taxes that “subsidize” water and sewer rates, and mentioned having been interviewed by David Robertson, with LRB Public Finance Advisors, for a survey dealing with infrastructure funding strategies. The survey will be used to compile a report

that will be presented to the Legislature. Some of the fiscal difficulties being encountered relate to the doubling of costs for specialized water and sewer infrastructure and materials and delays of up to nine months in acquiring those items. Some major capital projects doubled in cost as reflected in a comparison of 2021 engineering cost estimates to actual bidding results in 2022.

**Discuss the Public Works Report:**

A copy of Mr. Woodruff's monthly Public Works Report was included in the Board Book. Mr. Woodruff used PowerPoint slides to illustrate his presentation. He reviewed a Whitaker Construction project that involves diverting the Jordan River and excavating the riverbed to prepare for the installation of three siphon pipes beneath the River. This work will be completed in four weeks when Jordan River flows are at their lowest level. The slides showing the river crossing work were particularly interesting. Mr. Woodruff also discussed lead/copper field inspections to identify the type of pipe material in the District's water system and in the service lines running from water meters to homes. Approximately 100 random sites have been inspected so far. Ultimately, 352 random sites will be inspected. Mr. Woodruff does not expect to find any lead in the system. Mr. Woodruff showed the Trustees a door hanger that will be delivered to 5,000 homes that were built before 1986 in conjunction with the lead/copper inspections, in English on one side and Spanish on the other side. Mr. Woodruff also provided an update regarding material from Hexcel that got into a storm drain, as well as into KID's sewer line. Greg Anderson added that Hexcel has been using KID water and sewer services outside KID's boundaries (one Hexcel building is partially in and partially out of the District), and Hexcel has not paid impact fees for that increased usage.

**Discuss the Administrative and Financial Reports:**

A copy of Mr. Astill's monthly Administrative/Financial Report, which consists of the number of individual reports, including a Financial Summary, an Investments/Reserves Report, a Customer Service Report, and an Executive Safety Report, was included in the Board Book. Mr. Astill noted that the Financial Summary for the month of December, 2023 reflected a significant variance in net income, whereas the year-to-date numbers reflect the District's strong financial position. He explained that a few final year end adjustments must be made, which he expects to be positive.

Respecting the Jordan Valley Water Conservancy District Water Purchase Summary, Chair Christensen requested a running total, in addition to the monthly numbers. It was noted that Hexcel discharges approximately 1,000,000 gallons of wastewater per month into the District's sewer collection system. In response to a question from Chair Christensen, management explained that KID is contractually obligated to purchase 7,750 acre feet of water from the Jordan Valley Water Conservancy District each year. It was noted that, in November of 2023, the amount collected at the front counter totaled \$430,383, whereas the total amount collected in December of 2023 was \$1,245,292. The difference was attributed to impact fee payments.

**Consider the Check Register:**

The December 2023 Check Register, which is a list of all expenditures made during the month, was included in the Board Book. None of the Trustees having any questions regarding individual payments, it was moved by Trustee Monson and seconded by Trustee Hatch as follows:

**That the December 2023 Check Register be ratified and approved as presented.**

The motion carried with Trustees Christensen, Monson and Hatch each voting in the affirmative.

**Consider Training Requests:**

There were no training requests to be considered.

**Consider Purchases/Costs Over \$50,000:**

Mr. Woodruff reviewed Application for Payment No. 14 from Whitaker Construction Co., Inc. for work completed and inspected for the month of January 2024 on the 4700 South Outfall Sewer in the total amount of \$285,201.15, less a 5% retention of \$14,260.06, leaving a net payment due of \$270,941.09. He noted that part of the work was for the benefit of and will be reimbursed by the Utah Transit Authority (UTA), with the total reimbursement to be approximately \$153,000. A Memorandum from Mr. Woodruff regarding the payment request, along with Application for Payment No. 14 and backup documentation, was included in the Board Book.

Based upon Mr. Woodruff's recommendation, it was moved by Trustee Hatch and seconded by Trustee Monson as follows:

**That Application for Payment No. 14 submitted by Whitaker Construction Co., Inc. for work on the 4700 South Outfall Sewer be approved for payment in the amount of \$270,941.09.**

The motion carried with Trustees Christensen, Monson and Hatch each voting in the affirmative.

**Consider Bond Releases/Reductions:**

There were no bond releases or reductions to be considered by the Board.

**Purchase of Real Property – Possible Closed Meeting:**

It was moved by Trustee Monson and seconded by Trustee Hatch as follows:

**That the Board go into closed session to discuss the purchase of real property.**

The motion carried with Trustees Christensen, Monson and Hatch each voting in the affirmative.

Chair Christensen declared the meeting to be closed at 7:11 p.m., with all three Trustees, along with staff members Greg Anderson, Riley Astill, James Woodruff, Mark Anderson, and Jamie Banh, remaining in the Board room during the closed session.

Chair Christensen declared the meeting to again be in open session at 7:22 p.m. No action was taken during the closed portion of the meeting, other than the approval of a motion to end the closed meeting and return to open session.

**Consider the Purchase of Real Property:**

This agenda item was tabled.

**Review of Select Proposed Legislation:**

A copy of the January 29, 2024 UASD Legislative Session Summary was included in the Board Book. Greg Anderson reviewed seven Bills, which were selected in consultation with Mark Anderson, that are under consideration by the Legislature:

- H.B. 13, Infrastructure Financing Districts;
- H.B. 36, Open and Public Meetings Act Amendments;
- H.B. 280, Water Related Changes;
- H.B. 289, Property Rights Ombudsman Amendments;
- H.B. 354, Truth in Taxation Revisions;
- S.B. 98, Online Data Security and Privacy Amendments; and
- S.B. 145, Utility Easements Amendments.

Mark Anderson provided supplemental information during Greg Anderson's review of the Bills.

**Central Valley Water Reclamation Facility:**

A copy of the January 24, 2024 Central Valley Water Reclamation Facility Board meeting agenda was included in the Board Book. The first order of business on that agenda was to welcome new Board member Kim Galbriath, representing the Cottonwood Improvement District, to the Central Valley Board. Many years ago, Mr. Galbriath served as a KID Trustee.

Trustee Monson reviewed highlights from the Board meeting and from recent Central Valley activities. Among other things, he noted that, for three years in a row, there have been no reportable injuries among Central Valley's employees; Rocky Mountain Power finally replaced a conduit; and Central Valley's activities, including capital projects, are moving forward.

**Jordan Valley Water Conservancy District:**

A copy of the agenda for the January 10, 2024 Jordan Valley Water Conservancy District Board meeting was included in the Board Book. There was a brief discussion regarding coordinating meetings.

**Utah Association of Special Districts:**

A copy of the January 11, 2024 Utah Association of Special Districts Board meeting agenda was included in the Board Book. Greg Anderson indicated that the primary focus of the Association is the current session of the Utah Legislature, which was discussed during his review of selected legislation.

**Kearns Metro Township Council:**

The Metro Township Council meeting will be held next week. Consequently, an agenda was not available.

**Kearns Community Council:**

The Community Council meeting was taking place at the same time as the KID Board meeting, so it was not possible for a KID representative to attend the Community Council meeting.

**ChamberWest – Board of Directors, Board of Governors & Legislative Affairs:**

There was no report.

**Trustee Per Diem Report:**

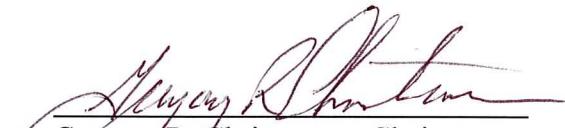
A copy of the February 2024 Trustee Per Diem Report was included in the Board Book. Trustee Monson noted that he will not be able to attend the KID Board meeting in April.

**Adjourn:**

There being no further business to come before the Board, Chair Christensen declared the meeting to be adjourned at 8:12 p.m.

Approved by the Board of Trustees of the Kearns Improvement District on the 12<sup>th</sup> day of March, 2024.

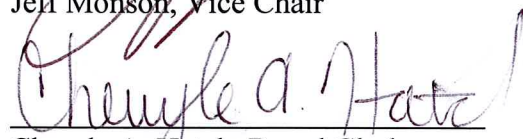
Date: 14 May 2024

  
Gregory R. Christensen, Chair

Date: 14 May 2024

  
Jeff Monson, Vice Chair

Date: May 14, 2024

  
Cheryle A. Hatch, Board Clerk