Minutes for SMSSD Public Hearings and Board Meetings

December 28, 2023

Fairview Senior Citizens Center

6:00 PM Meeting called to order and welcome by Craig Godwin

Opening Prayer: Gene Nielsen

Those in attendance from the Board: Craig Godwin, Beca Mark, Gene Nielsen, Trent Anderson, on Zoom, Don Hunter. Water superintendent: Roy Fox, Certified water operator: Jeremy Fox, Water Attorney: Craig Smith.

Public hearing and board action on Impact Fee enactment and resolution 2023-2.

Impact fee resolution was read defining the $10,000.00 fee to be collected when a building permit is applied for seeking the construction of a habitable building. Directionally, any development which will receive water service from SMSSD through hauling or direct connections is also subject to the total impact fee.

Craig Godwin explained that the process began in 2021 with the employment of HAL to complete a water master plan for the Skyline Mountain Resort. The master plan was a requirement for the undertaking of the impact fee study which was completed in the spring of 2022. With that information an Impact Fee hearing was held in July of 2022 seeking and receiving input from the members. With that, the board acted to set impact fees at $10,000.00. A delay required us to wait until now to hold this hearing and seek further public input on the written resolution before board action.

Impact fees are designed for those newcomers and new building owners to share the costs of water infrastructure with those who have contributed to building the system over many years.

Opportunity was then provided for members to come to the microphone and make comments, provide opinion, and/or ask questions. One of the reasons for Craig Smith’s attendance was to be able to provide perspective based on his experience with impact fees and their application and answer questions of a legal nature.

Many members came forward expressing support, but several had questions pertaining to their own personal situations. They were reassured that the board could make exceptions where fairness would prevail as long as the core principle of the impact fee resolution was not compromised.

Trent Anderson expressed concern about certain wording and phrases and requested we delay action. Craig Godwin said that because of the lengthy process to get to this point and the legal expertise sought in crafting this resolution that we press forward with board action and if passed could be discussed in a future executive session, and if changes were deemed advisable, action could be made in a future board meeting to amend the wording.

Craig requested a motion to vote on the resolution. Motion made by Beca, seconded by Gene. Craig, Don, Beca, and Gene vote yes, Trent votes no. Motion passes; Impact Fee Enactment Resolution 2023-2 enacted.

In the process of the open floor comments on the IFR, many comments not centered on the Impact fees, but centered on the significant legal expenses that had been amassed by SMR in confronting SMSSD and SMSSD’s legal expenses in a necessary response were made. Craig Godwin indicated and documented the numerous times that SMSSD had attempted to meet or requested meetings to resolve whatever issues might be there. SMR Board members by show of hands indicated their desire to arrange for that meeting. SMSSD Board members are anxious for that meeting ASAP.

Motion made to close the IFR hearing and open the Budget Hearing by Beca, seconded by Don. Motion passes.

Budget hearing opened. With final entries for the year having been made since our emergency meeting on December 19, 2023, the 2023 budget can now be finalized. Don makes a motion to approve the final year end budget for 2023. Seconded by Gene. Motion passes. Final 2023 Budget approved.

Motion to close the budget hearing and open SMSSD board meeting made and seconded. Motion passed. Budget hearing closed and board meeting opened.

By state statute, we must have a 2024 budget in place before the year end. With the rate increase hearing scheduled for January 24, 2024, it is necessary for us to create a basic tentative budget for approval. Roy has done that using historical revenues from 2023. Do I have a motion to approve this 2024 tentative budget? Gene motions, Beca seconds. Motion passes. 2024 Tentative budget approved.

You have received previous meeting minutes and financials via email prior to the meeting for your review and any additions or corrections. Any questions or discussion? Do I have a motion for the approval of the minutes for the meetings of May 11, 2023, and December 19, 2023? Motion to accept both meeting’s minutes made by Don, seconded by Gene. Motion passes. Minutes accepted.

Roy reviews the financials that came in an earlier email. Any questions? Motion made by Beca to accept the financials as read seconded by Craig. Motion to accept the financials as read, passes.

Roy updates us on our process in staying up to date on issues of State compliance.

Completed the state required independent audit.

Completed our input into the Utah Census

We are in the process of updating our website.

Report from SMR/SMSSD Liaison. Trent had nothing to communicate with.

Motion made by Gene to adjourn the meeting. Motion passed.

Meeting adjourned.