

**Public Hearing Meeting Minutes  
August 1, 2013**

MINUTES OF THE  
PUBLIC HEARING REGARDING THE IMPACT FEE  
FACILITY PLAN AND IMPACT FEE ENACTMENTS  
OF THE BOARD OF TRUSTEES OF  
MAGNA WATER DISTRICT

A public hearing of the Board of Trustees of the Magna Water District was held Thursday, August 1, 2013, at 3:00 p.m. at the District's offices at 2711 South 8600 West, Magna, Utah.

**Trustees Present:**

Hank Johnson, Chairman  
Mick Sudbury  
Doug Bezzant

**Staff Present:**

Brent Williams, General Manager  
LeIsle Fitzgerald, District Controller  
Kim Bailey, Water Operations Manager  
Steve Williams, Wastewater Operations Manager

**Also Present:**

David Hartvigsen, Smith Hartvigsen, PLLC  
Don Olsen, Epic Engineering

**Call to order and welcome the Public and Guests:** Hank Johnson called the regular board meeting to order at 3:00 p.m. and the public was welcomed.

**Presentation of the impact fee facility plan by Epic Engineering:** Don Olsen presented to the Board the proposed draft of the impact fee facility plan. The purpose of the hearing is to explain the process of producing the impact fee facility plan. A master plan that goes through and analyzes the existing system for deficiencies and then all of the future connections are added that is projected over the next 20 years, and analyze the system of what the deficiencies are once the connections are added to it. Anything that exists that we have problems with is not funded by impact fees. Anything that is growth related, in other words anything different between existing and 20 years in the future is analyzed and funded by the impact fees. The report goes through that sometimes projects are funded by a certain percent by existing to fix and then increase to handle future, therefore the project is funded by existing and impact fees. The goal is to get all of the projects in the impact fee facility plan that you can use impact fee money for. If tomorrow you have some project that you want to use impact fee money for that is not on this list you cannot use impact fee. The only projects that can be funded by impact fees are the ones listed in the impact fee facility plan. The facility plan can be amended as long as a public hearing is held before it is amended. The District Staff then uses this impact facility plan to help budget and determine when projects need to be completed.

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**Public Hearing Procedure:** David Hartvigsen explained some procedures that may be followed during the public comment period. When in the public comment period, the public can be talking primarily to Don and Brent, asking questions, the Board is listening and gathering information seeing what the public concerns are and their responses are. The Board does not have to be answering questions; they are here to evaluate the public comments. After each public comment period the Board has an opportunity to have a discussion and then make a motion based on the Board's decision.

**Open public comment period regarding the impact fee facility plan:** A motion was made by Doug Bezzant, seconded by Mick Sudbury, to open the public comment period regarding the impact fee facility plan. The motion was approved as follows at 3:12 pm: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.

There weren't any public in attendance and no comments were made.

**Close public comment period comment period regarding the impact fee facility plan:** A motion was made by Doug Bezzant, seconded by Mick Sudbury, to close the public comment period regarding the impact fee facility plan, the motion was approved as follows at 3:13 pm: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.

**Discussion and possible motion to approve the impact fee facility plan:** A motion was made by Doug Bezzant, seconded by Mick Sudbury, to approve and adopt the impact fee facility plan. The motion was approved as follows: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.

**Explanation of culinary water impact fee enactment by Epic Engineering:** Don explained that from the impact fee facility plan the projects are listed and the impact fee is calculated based on a current balance of culinary impact fees as of today of \$668,000 and projecting \$16,000,000 projects that will be built. Left to finance is \$15,596,000 which would create a new impact fee of \$3,603 which includes a buy in amount of \$342.

**Open public comment period regarding the culinary water impact fee enactment:** A motion was made by Doug Bezzant, seconded by Mick Sudbury, to open the public comment period regarding the culinary impact fee enactment. The motion was approved as follows at 3:23 pm: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.

There weren't any public in attendance and no comments were made.

**Close public comment period comment period regarding the culinary water impact fee enactment:** A motion was made by Doug Bezzant, seconded by Mick Sudbury, to close the public comment period regarding the culinary impact fee enactment. The motion was approved as follows at 3:24 pm: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.

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**Discussion and possible motion to approve the culinary water impact fee resolution:** A motion was made by Doug Bezzant, seconded by Mick Sudbury, to approve the culinary water impact fee resolution/enactment in 2013, establishing a culinary impact fee of \$3,603 per residential equivalent. The motion was approved as follows: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.

**Explanation of sewer impact fee enactment by Epic Engineering:** Don explained that from the impact fee facility plan the projects are listed and the impact fee is calculated based on a current balance of sewer impact fees as of today of \$385,000 and projecting \$13,399,000 projects that will be built. Left to finance is \$13,014,000 which would create a new impact fee of \$3,080 which includes a buy in amount of \$361.

**Open public comment period regarding the sewer impact fee enactment:** A motion was made by Doug Bezzant, seconded by Mick Sudbury, to open the public comment period regarding the sewer impact fee enactment. The motion was approved as follows at 3:38 pm: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.

There weren't any public in attendance and no comments were made.

**Close public comment period comment period regarding the sewer impact fee enactment:** A motion was made by Doug Bezzant, seconded by Mick Sudbury, to close the public comment period regarding the sewer impact fee enactment. The motion was approved as follows at 3:39 pm: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.

**Discussion and possible motion to approve the sewer impact fee resolution:** A motion was made by Doug Bezzant, seconded by Mick Sudbury, to approve the sewer impact fee resolution/enactment and allow the implementation of a recalculated impact fee of \$361, establishing a culinary impact fee of \$3,080 per residential equivalent in 2013. The motion was approved as follows: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.

**Explanation of secondary water impact fee enactment by Epic Engineering:** Don explained that from the impact fee facility plan the projects are listed and the impact fee is calculated based on a current balance of secondary water impact fees as of today of \$70,000 and projecting \$10,894,000 projects that will be built. Left to finance is \$10,824,000 which would create a new impact fee of \$2,261 for the entire District and will remove the two different phases and two different impact fees currently being implemented.

**Open public comment period regarding the secondary water impact fee enactment:** A motion was made by Doug Bezzant, seconded by Mick Sudbury, to open the public comment period regarding the secondary water impact fee enactment. The motion was approved as follows at 3:45 pm: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.

**Close public comment period comment period regarding the secondary water impact fee enactment:** A motion was made by Doug Bezzant, seconded by Mick Sudbury, to close the public comment period regarding the secondary water impact fee enactment. The motion was approved as follows at 3:46 pm: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.

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There weren't any public in attendance and no comments were made.

**Discussion and possible motion to approve the secondary water impact fee resolution:** A motion was made by Doug Bezzant, seconded by Mick Sudbury, to approve the secondary water impact fee resolution/enactment establishing a secondary water impact fee of \$2,261 per residential equivalent. This will also establish one single secondary water impact fee for the entire District. The motion was approved as follows: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.

Brent questioned the engineer regarding notifying contractors and builders of the increase. The impact fee will be effective November 1, 2013. The District will post notice in the District offices and on the website and mention it in construction meetings and anyone inquiring regarding the impact fee.

**Adjourn:** Motion was made by Mick Sudbury, seconded by Doug Bezzant, to adjourn the meeting at 3:55 p.m. Motion was approved as follows: Hank Johnson, yea, Doug Bezzant, yea and Mick Sudbury, yea.

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Attest

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Chairperson