



BIG PLAINS WATER AND SEWER SPECIAL SERVICE DISTRICT MEETING

BOARD OF DIRECTORS, REGULAR MEETING

1777 N Meadowlark Dr, Apple Valley

Thursday, January 27, 2022 at 6:30 PM

AGENDA

Notice is given that a meeting of the Water District of the Town of Apple Valley will be held on **Thursday, January 27, 2022**, commencing at **6:30 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Chairman | Andy McGinnis

Board members Kevin Sair | Robin Whitmore | Mason Walters |

Pursuant to the Executive Order issued by Governor Gary Herbert on March 18, 2020 regarding Electronic Public Meetings, please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting:

<https://us02web.zoom.us/j/84816055713>

if the meeting requests a password use 1234

To call into meeting, dial (253) 215 8782 and use Meeting ID 848 1605 5713

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

WATER SUPERINTENDENT REPORT – Dale Harris

ENGINEERING

DISCUSSION AND ACTION

1. DISCUSSION AND POSSIBLE ACTION ON JOINT RESOLUTION BPW-R-2022-01: JOINT RESOLUTION OF THE TOWN COUNCIL OF APPLE VALLEY, UTAH AND THE ADMINISTRATIVE CONTROL BOARD OF ASH CREEK SPECIAL SERVICE DISTRICT REQUESTING ANNEXATION OF PROPERTY WITHIN THE BOUNDARIES OF APPLE VALLEY INTO ASH CREEK SPECIAL SERVICE DISTRICT
2. DISCUSSION AND POSSIBLE ACTION ON RESOLUTION BPW-R-2022-02: APPOINTMENT OF ADVISORY BOARD MEMBERS

REQUEST FOR A CLOSED SESSION

ADJOURNMENT

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this meeting notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town Website www.applevalleyut.gov, and at mailboxes on January 13, 2022.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS

In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should call 435-877-1190.

Resolution No: BPW-R-2022-01

A JOINT RESOLUTION OF THE TOWN COUNCIL OF APPLE VALLEY, UTAH
AND THE ADMINISTRATIVE CONTROL BOARD OF ASH CREEK SPECIAL SERVICE
DISTRICT REQUESTING ANNEXATION OF PROPERTY WITHIN THE BOUNDARIES
OF APPLE VALLEY INTO ASH CREEK SPECIAL SERVICE DISTRICT.

WHEREAS Ash Creek Special Service District (hereafter “the District”) is a Utah special service district created by the Washington County Commission under the Utah Special Service District Act for the purpose of providing sewage collection, treatment and disposal services to the residents of Hurricane, LaVerkin and Toquerville, as well as to certain other unincorporated areas of Washington County, Utah; and

WHEREAS the Washington County Commission has delegated certain power and authority to said district’s Administrative Control Board, while at the same time having retained authority as the governing authority of said District to expand the boundaries of the District through annexation; and

WHEREAS the Town of Apple Valley (hereafter “the Town”) anticipates an increase in demand for commercial and residential development of property within the Town, which, in turn, will require the establishment, operation and maintenance of a system or systems for collection, treatment and disposal of sewage materials; and

WHEREAS the Town Council of Apple Valley desires to avail itself of the experience and expertise of the District in matters pertaining to collection, treatment and disposal of sewage materials and has engaged in discussions with the Administrative Control Board of the District regarding the desirability of annexing property included within the boundaries of the Town into the boundaries of the District for the purpose of providing sewage collection, treatment and disposal to property in the Town; and

WHEREAS the Administrative Control Board of the District is supportive of the annexation of property within the boundaries of the Town into the District, provided that the Town and District enter into a written agreement whereby the Town shall agree to: (1) be responsible for billing and collection of fees and charges for services provided by the District, (2) adopt by ordinance and incorporate into the Apple Valley Municipal Code the District’s Rules of Operation and Construction Standards as presently constituted or as may be amended from time to time, and (3) comply in all respects with said District’s rules, regulations, policies and procedures; and

WHEREAS Utah Code Ann. §17D-1-401(1)(a) provides that the governing authority of a special service district has authority, in accordance with the procedure outlined in §17D-1-201 et. seq., to annex an area into an existing special service district to provide to that area a service that the special service district is authorized to provide; and

WHEREAS the Town Council of Apple Valley and the Administrative Control Board of Ash Creek Special Service District believe that it is in the best interest of the health, safety and welfare of the residents of Apple Valley that property within the boundaries of the Town of Apple Valley be annexed into Ash Creek Special Service District,

BE IT HEREBY RESOLVED by the Town Council of Apple Valley, Utah and the Administrative Control Board of Ash Creek Special Service District that the Washington County Commission, as governing authority of Ash Creek Special Service District, be requested to commence the process outlined in Utah Code Ann. §17D-1-201 et. seq. for annexation of property within the boundaries of the Town of Apple Valley into the Ash Creek Special Service District, subject to the Town and District entering into a written agreement whereby the Town shall agree to: (1) be responsible for billing and collection of fees and charges for services provided by the District, (2) adopt by ordinance and incorporate into the Apple Valley Municipal Code the District's Rules of Operation and Construction Standards as presently constituted or as may be amended from time to time, and (3) comply in all respects with said district's rules, regulations, policies and procedures.

BE IT FURTHER RESOLVED that this Resolution shall be submitted to the Washington County Commission upon execution of the agreement described herein between the Town of Apple Valley and Ash Creek Special Service District.

APPROVED AND ADOPTED this ____ day of _____, 2022.

TOWN OF APPLE VALLEY

Dina Mason Walters, Mayor

Attest:

Town Clerk

APPROVED AND ADOPTED this ____ day of _____, 2022.

ASH CREEK SPECIAL SERVICE DISTRICT

Lynn Chamberlain, Chairman

Attest:

Darrel Humphries, Secretary

BIG PLAINS WATER AND SEWER SSD

RESOLUTION BPW-R-2022-02 APPOINTMENT OF ADVISORY BOARD MEMBERS

WHEREAS, Resolution 2021-18 assigns all responsibility for the Special Service District to the Town Council as the legislative body for the Town; and

WHEREAS, the Town Council has determined that the Big Plains Water and Sewer Special Service District will benefit by having the experience and knowledge of prior board members to assist in the continuation of current and future SSD projects; and

WHEREAS, the Town Council has determined that Harold Merritt and Ross Gregerson are qualified prior board members.

NOW, THEREFORE, BE IT RESOLVED by the Apple Valley Town Council:

1. Harold Merritt and Ross Gregerson are hereby appointed as Advisory Board Members.
2. With the advice and consent of the Town Council, Harold Merritt and Ross Gregerson have the authority to represent the District on current and future District projects.
3. With the advice and consent of the Town Council, Harold Merritt and Ross Gregerson can exercise signing authority as currently authorized.

ATTEST:

APPLE VALLEY TOWN COUNCIL:

Jenna Vizcardo, Town Clerk

Dina Mason Walters, Mayor

COUNCIL VOTE TAKEN:

Council Member Sair	voted _____
Council Member Whitmore	voted _____
Council Member McGinnis	voted _____
Council Member _____	voted _____
Mayor Walters	voted _____