

**MINUTES OF THE EXECUTIVE COMMITTEE MEETING OF THE
BOARD OF TRUSTEES OF JORDAN VALLEY WATER CONSERVANCY DISTRICT**

(Unapproved and subject to change)

Held June 5, 2023

The Executive Committee meeting of the Board of Trustees of the Jordan Valley Water Conservancy District was held in person and electronically on Monday, June 5, 2023, at 3:35 p.m. at JVVCD's office located at 8215 South 1300 West, West Jordan, Utah.

This meeting was conducted electronically in accordance with the Utah Open and Public Meetings Act (Utah Code Ann. (1953) §§ 52-4-1 et seq.) and Chapter 7.12 of the Administrative Policy and Procedures Manual ("Electronic Meetings").

Trustees Present:

Corey L. Rushton, Chair
A. Reed Gibby
Karen D. Lang
Sherrie L. Ohrn
Mick M. Sudbury
John H. Taylor (electronic)
Barbara L. Townsend
Zach Jacob (electronic)

Trustees Not Present:

Dawn R. Ramsey

Staff Present:

Alan Packard, General Manager
Jacob Young, Deputy General Manager
Matt Olsen, Assistant General Manager
Shazelle Terry, Assistant General Manager
Jason Brown, Information Systems Department Manager
Brian Callister, Maintenance Department Manager
Gordon Batt, Operations Department Manager
Shane Swensen, Engineering Department Manager
David Martin, CFO/Treasurer
Brian McLeary, Controller
Mark Stratford, General Counsel
Kurt Ashworth, Human Resources Manager
Beverly Parry, Executive Assistant
Martin Feil, Database Administrator (electronic)
Mindy Keeling, Administrative Assistant
Alicia Sekiller, Administrative Assistant (electronic)
Kelly Good, Communications Division Manager
Cynthia Bee, Public Information Officer
Margaret Dea, Senior Accountant (electronic)
Jeanette Perry, Customer Services Supervisor (electronic)

Also Present:

Jason Helm, General Manager, Granger-Hunter Improvement District (electronic)

Welcome

Mr. Corey Rushton, Chair, called the meeting to order at 3:35 p.m.

**Review agenda
for June 7,
2023, Board
meeting**

Mr. Rushton asked Mr. Alan Packard, General Manager, to proceed with the review of the proposed agenda. Mr. Packard reviewed the proposed agenda for the June 7, 2023, annual Board of Trustees meeting. Some of the topics for discussion and consideration included: consider approval of minutes of the annual Public Hearing/Board meeting held May 10, 2023, and the Trustees expenses report for May 2023; consider adoption of Resolution No. 23-11, "Adopting Jordan Valley Water Conservancy District's Retail Water Rates and Wholesale Water Rates for Fiscal year 2023-2024, and Amending Penalties and Fees for Services", consider adoption of Resolution No. 23-12, "Adopting Jordan Valley Water Conservancy District's Tentative Budget and Financial Plan for Fiscal Year 2023-2024"; consider adoption of Resolution No. 23-13, "Determining and Fixing Jordan Valley Water Conservancy District's Proposed Tax Rate for Fiscal Year 2023-2024"; consider scheduling final approval at the August 9, 2023, public hearing, at 6:00 p.m., to be held in person and electronically at 8215 South 1300 West in West Jordan, Utah, of the following items for fiscal year July 1, 2023, to June 30, 2024: determining, fixing, and adoption of a tax rate; and final adoption of the financial plan and budget; review completed Fraud Risk Assessment for fiscal year ending June 30, 2023; consider authorization to award a construction contract for Southeast Regional Water Treatment Plant Bridging Polymer System Improvements; consider authorization to award a construction contract for 5200 West 6200 South Reservoir Project; consider approval of pipeline crossing agreements with Utah Transit Authority for 3300 South Pipeline Replacement – Phase 2; core mission reports; standing committee reports; and various routine reporting items. A closed session was proposed to discuss the sale or purchase of real property and/or water rights or water shares and to discuss pending litigation.

**Review truth-in-
taxation
process**

Mr. David Martin, Chief Financial Officer, reviewed the requirements for the truth-in-taxation process when an increase in property tax is proposed, including Trustee reporting requirements in Utah Code Title 17B Chapter 1 Part 10. He provided a draft letter that will be sent to Trustees' legislative entities, requesting that a report on property tax increase be added as an item on the entity's meeting agenda, as required by the Utah Code. Mr. Martin said the purpose of additional tax revenue is to support the use of bonds/debt to fund large capital projects. Because of continued growth in JVVCD's service area, \$190 million in bonds will be issued over the next four years to pay for increasing the capacity of JVVCD's treatment and transmission system to provide water for the new growth.

**Discuss
proposed
Personnel
Rules and
Regulations
Policy changes**

Mr. Packard said policy changes are being prepared to better align with the Fair Labor Standards Act (FLSA). He also said a there is a proposed administrative leave provision to promote unity, productivity and to lower health care costs. Mr. Mark Stratford, General Counsel, presented the proposed changes to the Sick Leave Policy and Administrative Leave Policy. Sick Leave Policy changes include an 800-hour maximum number of accrued hours, an annual conversion option for unused sick leave accrued during the year of 25% for any number of hours, 50% for 480 hours and above, and 100% for over 800 hours. He said the cash out amount at retirement would remain the same at 25% of the total sick leave balance.

The policy also proposes to grandfather in 32 employees that have more than 800 hours as of December 1, 2022, at their individual current balance.

Mr. Stratford said the current Workers' Compensation coverage does not provide an employee with the full amount of lost wages. Proposed changes would allow an employee on Workers' Compensation to be eligible to use accrued paid leave to supplement the employee's income up to their full wages.

Mr. Stratford then presented a proposed provision to the Administrative Leave Policy which would authorize a non-exempt employee, with the approval of the employee's supervisor, to take up to one hour of administrative leave each week to participate in physical fitness or community service activities, either as an individual or part of a group.

The FLSA implements policies that ensure employees are protected when working more than 40 hours in a week. Mr. Stratford said that JWCD also implements policies to ensure employees are protected and treated fairly. He proposed modifying JWCD policy to align with the Providing Urgent Maternal Protection (PUMP) Act. This policy would provide for a nursing employee to take reasonable break time to express breast milk each time the employee needs.

Mr. Stratford explained the difference between non-exempt and exempt employees. He stressed that the importance of the non-exempt and exempt classifications is due to payment of overtime under federal law, non-exempt employees qualify for overtime and exempt employees do not. Mr. Stratford proposed that the classification of a salaried non-exempt employee is eliminated from current policy.

Mr. Rushton asked if the hour of administrative leave could potentially create inequity between employees. Mr. Stratford said that participation is voluntary and that supervisors will determine what is appropriate. Mr. Rushton also inquired whether JWCD has designated rooms for nursing employees. Mr. Stratford said the PUMP Act requires that an employee has a private, separate space to express breast milk other than a bathroom, and that staff is considering options.

Mr. Gibby inquired whether health insurance costs would go down due to the administrative leave. Mr. Stratford said that additional physical activity can be helpful in influencing health insurance costs.

There was discussion surrounding the variances with sick leave and Mr. Rushton recommended implementing a short-term disability benefit since there currently is not one. Ms. Lang inquired about the level of interest from Trustees in adding a short-term disability benefit. Mr. Rushton said it is important to have when and employee needs it. Mr. Ashworth said JWCD offers AFLAC insurance which offers additional short-term coverage that employees can buy into.

Mr. Stratford said the proposed policy changes will be presented for consideration at the July 12, 2023, Board meeting.

Adjourn

Mr. Rushton called for a motion to adjourn. Mr. Mick Sudbury moved to adjourn. Following a second by Ms. Barbara Townsend, the meeting adjourned at 4:55 p.m.

Corey L. Rushton, Chair of the Board of Trustees

Alan E. Packard, District Clerk