

**Special Board Meeting Minutes  
April 23, 2010**

MINUTES OF THE SPECIAL MEETING  
OF THE BOARD OF TRUSTEES OF  
MAGNA WATER DISTRICT

A special meeting of the Board of Trustees of the Magna Water District was held Thursday, April 23, 2010, at 3:00 p.m. at the District's offices at 2711 South 8600 West, Magna, Utah.

**Trustees Present:**

Hank Johnson, Chairman  
Doug Bezzant  
Mickey Sudbury

**Staff Present:**

Ed Hansen, District Manager  
LeIsle Lane, District Controller  
Brent Williams, Water Operations Supervisor  
Steve Williams, WW Operations Supervisor

**Also Present:**

David Hartvigsen, Smith Hartvigsen, PLLC  
Lisa Henrie, Market Design Strategies, LLC  
Scott Crook, Smith Hartvigsen, PLLC

**Call to Order:**

Hank Johnson called the special board meeting to order at 3:00 p.m. and welcomed the public.

**Motion to approve travel to Washington, DC for Title XVI Water Reuse Project funding and congressional hearings:** Doug Bezzant made a motion to approve travel to Washington, DC for Title XVI Water Reuse Project funding and congressional hearings, the motion was seconded by Mick Sudbury and approved as follows: Doug Bezzant, yea, Hank Johnson, yea and Mick Sudbury, yea.

**Discussion and possible motions for procedures of appointment of general manager and other management positions:** David Hartvigsen indicated to the Board that nepotism will not be an issue and can be handled so as to comply by State statute. State statute says if you have family members in a governmental entity and are there before an event happens they shouldn't be punished. The State law and AR & R's provide that the District can have that type of relationship occur through promotion or an election but not through hiring. It is not allowed to have one relative be participating in influencing decisions that has to do with salaries, wages, benefits, or any special duties of the other relative or in taking any action in regards to discipline. If the situation would occur with the District Manager and other management positions, through promotion the board will have to take over those decisions.

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The District's attorney made the following recommendations for the hiring procedures for the District Manager position and other management positions:

1. The Board needs to make a decision of where the hiring pool is taken from. David indicated to the Board that the AR & R Section 1 covers the appointment of the General Manager. Paragraph 3 in the personnel section, Chapter 8, specifies the preference of hiring within the Company. It's a preference but it does not take precedence over Paragraph 1 that is directly applicable to the District Manager position. The Board may choose the hiring pool of which they desire. A motion was made by Doug Bezzant to search for the General Manager internally within the District. The motion was seconded by Mick Sudbury and approved as follows: Hank Johnson, yea, Mick Sudbury, yea and Doug Bezzant, yea.
2. The Board adopts an application process. David indicated to the Board that there is a statutory requirement that a merit system is followed. The General Manager position and the other management positions are an "at will" position and a merit system still needs to be followed in selecting to avoid any claims of discrimination that may come up from an uneven process.
  - a. Appoint a review board to design and review the application to be submitted for the open positions. The review board will also distribute the applications submitted to the other Board Members. The review committee will inform the other Board Members of their recommendations on the applicants and set up interviews with applicants.

A motion was made by Doug Bezzant to appoint a review committee consisting of Lisa Henrie, Human Resource, Ed Hansen, General Manager, Hank Johnson, Board Member and Scott Crook, District Employer Attorney. The motion was seconded by Mick Sudbury, and approved as follows: Doug Bezzant, yea, Hank Johnson, yea and Mick Sudbury, yea.
  - b. A deadline set to have the design of the application completed and a deadline to have the application submitted by candidates. A motion was made to have the design deadline May 4, 2010 and the submission deadline of the application 5 days after the final application had been agreed upon. The motion also included that if the pool of the applicants were from the outside of the District that the application submission date extended to 30 days after posting the available position. The motion was seconded by Mick Sudbury and approved as follows: Hank Johnson, yea, Doug Bezzant, yea and Mick Sudbury, yea.
3. The attorney recommended to the Board that at the time of interviewing, the interview questions consist of previously prepared questions by the review committee, and that the questions be asked by only one individual.

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Doug Bezzant made a motion to adopt the attorney's recommendations for the application process for District Manager and other management positions. The motion was seconded by Mick Sudbury and approved as follows: Hank Johnson, yea, Doug Bezzant, yea and Mick Sudbury, yea.

**Meet in closed session immediately to discuss personnel issues:** Motion was made to meet immediately in closed session by Mick Sudbury. The motion was seconded by Doug Bezzant. Motion was approved as follows: Doug Bezzant, yea, Mick Sudbury, yea and Hank Johnson, yea at 3:42 p.m.

Chairman entertained a motion to close the closed session and reopen the public meeting at 4:09 p.m. Motion was made by Mick Sudbury, seconded by Doug Bezzant. Motion was approved as follows: Doug Bezzant, yea, Mickey Sudbury, yea and Hank Johnson, yea.

**Consider action on any noticed agenda item discussed in closed meeting.**

None

**Other Business:**

None

**Adjourn:** Motion was made by Mick Sudbury and seconded by Doug Bezzant to adjourn the meeting at 4:10 p.m. Motion was approved as follows: Hank Johnson, yea, Mickey Sudbury, yea and Doug Bezzant, yea.

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Attest

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Chairperson