

MINUTES OF THE VERNAL CITY BOARD OF EQUALIZATION HEARING
FOR ASSESSMENT AREA 2008-02 HELD OCTOBER 3, 2013 at 6:00 p.m. in
the Vernal City Council room, 374 East Main, Vernal, Utah 84078.

PRESENT: Board members: Bert Clark, Gary Showalter, JoAnn Cowan and Dave Everett.

WELCOME: Gary Showalter welcomed everyone to a special meeting for the Special Improvement District.

PUBLIC HEARING: ASSESSMENT AREA 2008-02 BOARD OF EQUALIZATION: Gary Showalter stated that this hearing is to listen to concerns of homeowner's in Ashley Park Estates who recently received an assessment dealing with the cost of the water line repairs that were done in 2008. He opened the public hearing and asked participants to state their name and unit number they are representing.

Marja Keith, owner of Unit #8, stated that she has lived there since 2000, and the previous owner denied any knowledge of the water leaks. Because of the length of time between the time this project was completed and receiving the assessment, she thought the City would not be sending an invoice. She stated that her statement shows the cost for the construction, hot box, heat tape, pressure reduce and engineering. She asked if a more detailed statement could be provided. The hot box was installed because she did not want a long ditch through the garage where she had just built a pantry and storage with shelving. The plumbing inside the house has also broken many times over the years causing damage. The City's plumbers (contractors) in 2008 were banging on the kitchen wall outside and shook everything. When she went out to see what was going on, they had taken down the fence and were using profane language. Ms. Keith stated she left a note for the contractors asking them to explain how the hot box works and what the function was with no response. A few days later they opened the same trench and did the job a second time. She asked if the bill reflects them doing the job twice. Also the main line in front of her home was repaired and then dug up and repaired again because it was leaking. Darren Anderson, with Engineering Services, stated that the contractor did have problems with the main line that he had to come back and correct. If he had to correct any problems with the service lines, he did it at his own cost. Ken Bassett explained that the property owners are not paying for the main line. The cost of her assessment includes the service line that goes around to the hot box. The extra cost was to change the connection from the garage to the hot box. Keith Despain explained the purpose of the hot box. He noted that the contractor bid price was specific to each unit before he started any work. In the case of Ms. Keith's unit, the original bid was \$2160. When she decided to change it to a hot box, there was an additional cost of \$2846. Bert Clark asked if it was divided equally. Keith Despain answered no; each individual unit was bid as a lump sum regardless of the footage. Marja Keith clarified that there were no itemization as to footage of pipe or labor. Ken Bassett answered that there are no more itemizations than what was shown on the assessment notice as the contractor simply gave a specific cost per unit which is not unusual for jobs to be bid in that manner. Many times contractors will say this is what it will cost to repair your furnace or electrical no matter how many hours it takes, that is the cost to do the job. Gary Showalter asked if any of the interior plumbing was affected by the City project. Keith Despain answered that some of the siding had to be removed to tee into an existing pipe inside the home to connect. Nothing inside the house was affected. Marja Keith stated that

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the plumber she hired found a cracked connection. Keith Despain asked if it was metal or plastic. Marja answered that she did not remember. Keith Despain stated that the reason he asked was there was a point toward the end of the project, where a pipe was found that had cracks in it that belonged to an old line that was no longer in service. JoAnn Cowan asked about the comment that the work was done twice. She wondered if the inspectors were not watching. Keith Despain stated that there was a full time inspector whose job was not to monitor or advise the contractor, only to make sure the work was done according to the specifications and code. Also, if the contractor had to do the work over, it is at his own expense.

Bert Clark asked how big the hot box is. Keith Despain stated they are around three feet wide and tall with a hatch lid and shut off valve. JoAnn Cowan asked what Marja wanted the Board to do for her. Marja Keith stated she got some answers to the amounts on the bill, and there is still a huge water bill and asked what can be done about it. Ken Bassett answered that the Board can only address the assessment. The reason it took so long to bill was due to the contractor filing claims against the City which took three years to resolve. Some property owners and realtors have contacted the City for an estimate of the cost, and the City has tried to explain the situation. JoAnn Cowan stated that if the City did not partner with the HOA, this subdivision would have no water. The Community Impact Board was willing to work with the City to provide relief, and this is the only time they have ever helped a private group.

Ken Bassett explained that after these hearings, the Board will determine if there are any adjustments to the invoices, and then a final assessment will be sent out. The property owners will have fifteen days to pay the assessment in full, or they can pay it over twenty years. There will be no interest charged as the City received a zero interest loan from the CIB. Marja Keith asked what would happen if she moved. Ken Bassett stated that whoever buys your unit can agree to take on the responsibility of the payment or the mortgage company may require it be paid as part of the closing.

There was some discussion regarding the quality of the original development and the current value of the units. Gary Showalter notified Ms. Keith that after she receives her final bill, if she still had any questions, she could talk to him or the staff. The Council discussed the problem with using taxpayer money to provide relief for one development. JoAnn Cowan asked who the inspector on this project was. Daren Anderson stated it was Kent Anderson who works on many City projects. He stated that this project received more attention from many of the engineering staff than most projects. Ken Bassett agreed, and stated that their work was scrutinized during the arbitration. There being no further public comments, the public hearing was closed.

Mayor Gary Showalter

ATTEST:

Roxanne Behunin, Deputy Recorder

(S E A L)