

**Bear River Water Conservancy District  
Board Meeting  
Wednesday, February 23, 2011 7:00 p.m.  
Bear River Water Conservancy District Conference Room  
102 West Forest Street, Brigham City, Utah 84302**

**Minutes**

**Present:** Trustees: Chairman Clinton Burt, Vice Chairman Ross Rudd, Financial Chairman LaRall Thompson, Brent Baugh, Richard Day, Stan Stokes, Dave Forsgren, Commissioner LuAnn Adams and Bruce Christensen

Staff: General Manager Voneene Jorgensen, Systems Operator Bob Phippen and Administrative Assistant Judy Hartvigsen

Visitors: Bill Bigelow (Hansen Allen & Luce)

Excused: Board Members Charles Holmgren and Brent Rose

**Invocation:** Board Member Bruce Christensen

**Adoption of the Agenda**

There were no changes to the agenda.

A motion was made by Board Member Richard Day to approve the agenda as presented. Vice Chairman Ross Rudd seconded the motion. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Christensen, Stokes, Forsgren, Baugh and Adams voted in favor of the motion.

**Adoption of the Minutes for the meeting held January 26, 2011**

A copy of the draft minutes of the meeting held January 26, 2011 was included with the packet mailed to the Board Members. There were no changes to the minutes.

Board Member Bruce Christensen moved to approve the minutes as written of the meeting held January 26, 2011. Vice Chairman Ross Rudd seconded the motion. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Christensen, Stokes, Forsgren, Baugh, and Adams voted in favor of the motion.

### **Board Member Reports – Trustees**

**Ross Rudd:** No report

**LaRall Thompson:** No report

**Brent Baugh:** reported he talked to Curtis Marble of West Corinne Water Company. He requested information about the Water Right change that was submitted by Marble Hills. Board Member Baugh referred the matter to General Manager Jorgensen. Chairman Burt asked for information about the progress of the steam well. Board Member Baugh stated the findings from temperature testing of the well showed they only had 210 degrees. 280 degrees is needed for the project to be feasible. He stated they had equipment parked near the Co-op and he noticed the last rig pulled out of there tonight when he came home from work. Board Member Baugh then reported West Corinne Water Company is about finished laying pipe for now and will wait until later spring or early summer before they go under the river at Barkerville. Clint Burt stated he noticed in the paper they had their annual meeting and it stated there would be no waiting for connections. Anyone on the list could sign up for it.

**Bruce Christensen:** reported Brigham City has found that one of their wells by the cemetery has been sucking sand over a period of time and with further investigation it was found that the well was not constructed as it was engineered. It was done in 1992. The contractor did not perforate the casings as required. It will cost Brigham City \$250,000 to fix. All the casings will have to be replaced and perforated again.

**Stan Stokes:** No report

**Dave Forsgren:** No report

**LuAnn Adams:** reported on the issue she brought up at the last meeting regarding Executive Order 3310. The County Commission held a public hearing on February 22<sup>nd</sup> and the County General Plan was amended in order that the County will be able to fight against the new federal policy.

**Richard Day:** reported he attended the public hearing and the planning for the County General Plan amendment was very well done. He stated it is one of those things that if we don't respond, the County will pay the price later.

Board Member Baugh then reported his parents (who are Harper Ward customers) still have air in their water. Board Member Forsgren stated the same thing is happening in Honeyville and they have been flushing their lines and checking the air vacs. General Manager Jorgensen stated the District has flushed the lines several times. She directed System Operator Bob Phippen to flush out the system again in their area and to work with the Baughs to correct the matter.

**Clint Burt:** reported on the large amount of snow at Tony Grove in the absence of Board Member Holmgren. He stated the Canal Company can use water from Blacksmith's Fork and the Logan River

for a long time before they have to tap into Bear Lake with this large amount of snow pack.

General Manager Jorgensen reported that the snow water equivalent at Tony Grove was 34" for January which is 145% of normal and the water year precipitation is 33.8, 143% of normal..

Board Member Christensen reported on a problem with the Ruby Pipeline. They checked all the pipe welds before covering it but apparently they used the wrong covering material and with later testing, 72 of the welds failed. They will have to excavate it again.

### **General Manager's Report – Voneene Jorgensen**

General Manager Jorgensen reported on the question regarding the water right change submitted by Marble Hills. She stated they are requesting to segregate the water right. They have a certain amount of water and have proved up on part of it because it has been put to beneficial use so it can be certificated. The other portion that has not been put to beneficial use is being segregated out so they can file for a time extension to put it to beneficial use. It is not an enlargement of the right. General Manager Jorgensen asked for Bill Bigelow to give the status reports of the projects.

#### **Status Report:**

##### **South Willard Project**

Mr. Bigelow stated the District received the operating permit for the South Willard system this last month. We are getting ready to deliver water. The LDS Church and the South Willard Water Company are the only connections we will have at this time. The reservoir contractor was pretty slow getting us his final numbers but we are now closing out his contract. All three contracts will then be closed out.

##### **Beaver Dam Project**

Mr. Bigelow reported on the Beaver Dam project that over the last month we have been working on a NEPA study. The same firm that did NEPA for Honeyville will be doing it. We have found the NEPA write up for the Army Corps of Engineers is a lot more involved than the NEPA write ups for the State of Utah. Most of the NEPA work has already been done but the write up has to be done according to the Corps specifications. Dennis Wenger of Frontier Corporation will be doing the write up.

The water rights work is continuing. Most of the rights have been documented enough to turn over to the District. Those are in the name of the Beaver Dam Water Company. There are a few, however, that were owned by people who are deceased and they have never been transferred to the current heirs. The process of finding the heirs and getting the water rights signed over the Beaver Dam Water Company and then to the District is taking some work. General Manager Jorgensen explained the remaining water rights that are being worked on but there has been a lot of progress made considering the water rights have not be updated for a couple of generations. She stated we did not know it would be this complicated. Mr. Bigelow explained there is a possibility that some of these may take too long and we may reach a point where we have sufficient water rights successfully transferred to move forward. The goal is to change the rights to municipal and operate a public water system with them. There are over 50 homes in Beaver Dam with only 20 using the current system. When the project is completed it will be offered to all residents in the area.

Mr. Bigelow stated he is moving forward with the engineering issues. His goal was to go to bid in the early spring and begin construction in the summer but it looks like neither the water rights nor the NEPA will be completed in time to go to bid in the spring. General Manager Jorgensen stated there is one person with the Army Corps of Engineers and we are at the mercy of his schedule. Dennis Wenger with Frontier Corporation has told us he will work as quickly as he can. We received the bid from Frontier for Dennis's work for the NEPA. The bid was \$23,775.00. She asked the Board to authorize Chairman Clint Burt to sign the contract.

Board Member Dave Forsgren made a motion to authorize Chairman Clint Burt to sign the contract with Frontier Corporation. The motion was seconded by Commissioner LuAnn Adams. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Christensen, Stokes, Forsgren, Baugh, and Adams voted in favor of the motion.

### **Harper Ward Fire Flow Project**

This item was not discussed.

### **Collinston Project**

Mr. Bigelow stated two good meetings were held this month. One was with the representatives of the Riverside/North Garland Water Company. They are going to take the proposal to their board but those at the meeting were anxious to subscribe for 100 additional acre feet of water. Ukon Water Company is also desirous of taking an additional 100 acre feet of water. These subscriptions are in addition to the water they are already taking from the District. With these confirmations we are ready to move forward with the preliminary design, choosing a tank site and submitting funding applications to the Drinking Water Board and/or Rural Development. We did submit an application to the Army Corps of Engineers two years ago but the project was not funded.

General Manager Jorgensen stated she has looked at the previous survey and responses that was used before for the Collinston area. We are ready to send a new letter out to the residents to determine the interest in the system at this time.

Board Member Forsgren asked about the Cedar Ridge residents and whether we have heard anymore from them. General Manager Jorgensen explained the situation with their well being sold to Tremonton City and some residents have approached the District for help. She stated she was advised by our attorney that we should not get involved with paying for any legal services for them and there is really nothing the District can do because they are a private water company. When the Collinston project is completed the District may be able to give them connections if the private water company petitions for it or if it is turned over to an HOA that petitions the District for water. She did give them names of attorneys who could help them determine their options.

General Manager Jorgensen then reported that the audit has been keeping her very busy. There are a few more hours of work needed on the audit but it will be ready to be presented at our annual meeting in March. Board Member Christensen asked about how often we send the audit out for bids. She stated this was the third year for Wood Richards to do audit since bids were accepted and they were given the audit engagement. Board Member Christensen stated that any professional contracts should be reviewed from time to time. Brigham City does it every three years. Commissioner Adams stated it would be good to have a policy that the audit will be bid every so

many years. General Manager Jorgensen suggested doing that every five years considering the work and expense of the bidding process and that our District is very small.

Commissioner LuAnn Adams moved to review the audit contract every five years. The motion was seconded by Chairman Ross Rudd, Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Christensen, Stokes, Forsgren, Baugh, and Adams voted in favor of the motion.

General Manager Jorgensen then reported the Rural Water Conference will be held in St. George next week. She will be attending along with our operator, Bob Phippen and some of the Board Members. She will then be back for a week and then gone to the Utah Water User's Workshop beginning March 15<sup>th</sup>. The Board Members indicated if they will be attending the conferences.

### **Financial Business – LaRall Thompson Approval of the Financial Statement**

The financial statements were prepared and included with the packet mailed to the Board Members. General Manager Jorgensen explained she made some notations on the check register indicating the large amounts that were for our loan payments. Board Member Christensen asked about interest rates with PTIF. He suggested shopping for bank services. He stated Brigham City invested funds in certificates of deposit and received higher interest rates. That would be a good option if the money is not needed for 6 or 12 months. Financial Chairman Thompson asked if the board had reviewed the statements and called for a motion of approval.

Vice Chairman Ross Rudd made a motion to approve the financial statements as presented. The motion was seconded by Board Member Brent Baugh. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Baugh, Stokes, Forsgren, Christensen, and Adams voted in favor of the motion.

### **Unfinished Business – Chairman Clint Burt**

There was no unfinished business to be discussed.

General Manager Jorgensen continued her report and wanted the Board to be aware of an issue regarding the classification of the aquifer in the Bothwell Pocket and White's Valley. She informed the Board that when the District met with the Board of Water Quality for the classification of the aquifer, there were two documents they wanted to have completed before they would classify White's Valley. At that time, the board classified the Bothwell Pocket but not White's Valley. The study they were waiting for has now been completed. The other document was a map that will be finished in the fall. The District will return to the Board of Water Quality then to complete the

aquifer classification of White's Valley. In the meantime, she has reviewed the County Land Use Management and Development Code. She is requesting that the County amend this code to include the language regarding construction waste in Part 2 be included in Part 3 regarding municipal waste. The language prevents the construction waste from being placed in an area over an aquifer recharge area. She would like the same language preventing municipal waste from being placed in such areas. The code should be consistent in both places. She has drafted a letter to the County Commissioners requesting the change. Commissioner Adams stated the letter should be addressed to the County Planner, Kevin Hamilton. General Manager Jorgensen stated all of the County's ground water needs to be protected and she asked the Board to authorize her sending the letter. The Board had no objections.

### **Public Comment**

There were no public comments.

### **Adjourn**

Board Member Dave Forsgren moved to adjourn the meeting. The motion was seconded by Vice Chairman Ross Rudd. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Christensen, Baugh, Stokes, Forsgren and Adams voted in favor of the motion.

The meeting adjourned at 8:14 p.m.