

**Bear River Water Conservancy District  
Board Meeting  
Wednesday, May 26, 2010 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, Dave Forsgren, Charles Holmgren, Bruce Christensen, Richard Day, Stan Stokes and Commissioner Brian Shaffer.

Staff: General Manager Voneene Jorgensen, System Operator Robert Phippen and Administrative Assistant Judy Hartvigsen

Visitors: Bill Bigelow (Hansen, Allen & Luce), Randy Hansen (Elwood Mayor)

Excused: Board Members Brent Rose and Brent Baugh

**Invocation:** Board Member Stan Stokes

Chairman Burt explained Board Member Dave Forsgren will be late to the meeting because of a conflicting meeting.

**Adoption of the Agenda**

There were no changes to the agenda.

A motion was made by Board Member Richard Day to approve the agenda. Commissioner Brian Shaffer seconded the motion. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Stokes, Day, Shaffer, Holmgren and Christensen voted in favor of the motion.

**Adoption of the Minutes for the meeting held April 28, 2010**

A copy of the draft minutes of the meeting held April 28, 2010 was included with the packet mailed to the Board Members. There were no changes to the minutes.

Vice Chairman Ross Rudd moved to approve the minutes of the meeting held April 28, 2010 as recorded. Financial Chairman LaRall Thompson seconded the motion. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Shaffer, Stokes, Holmgren and Christensen voted in favor of the motion.

### **South Willard Project Update – Bill Bigelow, Hansen Allen & Luce**

Bill Bigelow of Hansen, Allen & Luce presented the update of the South Willard project. The tank is primed and ready for the membrane but the primer is not sufficiently dry due to the cool, moist weather. We are waiting and using fans for drying. The factory rep will come on Friday and determine if the primer is sufficiently dry for the application of the membrane. There is slow steady progress in getting the reservoir done. They are also working on the punch list for the pump station.

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

**Charles Holmgren:** reported he attended the water right hearing on May 4<sup>th</sup> for P & G to take water from the Bear River. A number of individuals protested the application and the mitigation of water. Pacificorp withdrew its protest but there were others that were strongly opposed. The Chesapeake Duck Club was disappointed because they will not get mitigation water with this application. The Bear River Club and the Bird Refuge will get the mitigation water. Cache County is adamant that the mitigation of water rights in Box Elder County be held to the same standard that we have required of Cache County. They are suspicious that the water shares are sold off the land but spill water will be used for continued irrigation. The State Engineer is trying to make the canal company the enforcer of making sure water shares are taken off this particular piece of property.

On May 17<sup>th</sup>, he and Dan Davidson attended a meeting at the Farm Bureau offices in Salt Lake City. There is a feeling among irrigation groups that they are not being represented by the Utah Water Users Association in the legislature. A group is being formed that will primarily hire lobbyists to work with the legislature for irrigators. Dan Davidson was nominated to represent Box Elder, Cache and Rich Counties in the new organization.

Board Member Bruce Christensen inquired about the need by P & G for additional water. He believed the water from Brigham City would take them through the second phase. Board Member Holmgren explained P & G will not use the water for several years but they are acquiring water shares to use as mitigation to get protests withdrawn and move ahead with infrastructure for the future. They need to acquire the water right before they invest a lot of money. The Canal Company initially protested the filing in order to get a definition of it but they are not opposing it.

**Richard Day:** No report

**Brian Shaffer:** reported he attended a water hearing with Tremonton City regarding rights for their well. They had some protestors including Garland. The concern seems to be what the new well will do the springs that Garland is using because the depth of the well is about the same as the springs. He attended a meeting with BRAG yesterday where he learned there were 23 new foreclosures in our county last month. The on-going economic downturn is a concern for the county. ATK layoffs of 247 last week affected a lot of our friends and neighbors. Commissioner Shaffer stated there is help for those in jeopardy of losing a home and they should obtain free help. They should get in touch with the County Commissioners. Board Member Christensen mentioned most lenders have federal programs for providing help.

The county is moving ahead using the 6 million dollar grant we received. It will end up being about 8 million spent in our county in Hansel Valley, Howell and Blue Creek areas for re-building of the water shed. It is coming from NRCS and the county will bid contracts in June or July.

**Dave Forsgren:** No report

**Stan Stokes:** No report

**Bruce Christensen:** reported there have been 300-400 rental unit building permits applied for in the south area of Brigham City. There are 82 units of low income housing to be built behind the old Kmart on the Indian School Property. He wondered where there will be people to fill them. Brigham City has approved in the budget a water loop line on 1200 West. They intend the road to be a belt route in the future that will connect to 1100 South. The first secondary line ever in Brigham City will be installed with that line and secondary water lines will continue with all new projects. The new loop line will give redundancy for the northwest industrial area for business such as Gem, Vulcraft, etc. as well as Procter & Gamble. It is a major investment for Brigham City and there are future plans for a sports park.

**LaRall Thompson:** No report

**Ross Rudd:** reported there are a few in the county that are not happy with our negotiations with our renters but he believes we are on the right track.

**Clint Burt:** No report

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

General Manager Jorgensen explained the board members received a new "Travel Reimbursement Form" in their packet showing the current rate for reimbursements of mileage and per diem. The rates are from the State Division of Finance. She asked for a motion to approve the form.

Board Member Bruce Christensen moved to approve the form and the amounts approved as shown on the form but are subject to change when rates change. The motion was seconded by Board Member Richard Day and approved by Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Forsgren, Day, Christensen, Shaffer, Holmgren and Stokes.

The Board Members were also provided an updated list of members and term expirations. The District received a letter giving the reconciliation of the Weather Modification program with the total cost as \$43,548.50. The estimated cost was \$49,250.00 for this year. The District received 75% of the state's participation in December. They will be invoiced for the final 25% of their participation of \$3,300.00.

### **Retail Rules and Regulation**

The Board Members received a draft of the updated “Rules and Regulations for Retail Water Service” in their packet a few months ago and a final draft last month. General Manager Jorgensen stated the document has been reviewed and updated and is ready for approval. Judy Hartvigsen explained the changes and updates that were done. General Manager Jorgensen explained some of the confusing language has been corrected.

Vice Chairman Ross Rudd moved to approve the updated Rules and Regulations for Retail Water Service. The motion was seconded by Board Member Dave Forsgren. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Shaffer, Stokes, Forsgren, Holmgren and Christensen voted in favor of the motion.

General Manager Jorgensen reported on the water rights public hearing on May 5<sup>th</sup> for our filing for an additional 1500 a/f in the South Willard area. The District believes the water is available from the disallowed water rights after the adjudication of the area. Lance Nielsen and Bill Bigelow from Hansen Allen & Luce were there to give a presentation. Hopefully, the State Engineer will approve the filing for us.

### **Capital Facilities Plan and Impact Fee Analysis**

General Manager Jorgensen reported the District received a new draft of the Capital Facilities Plan. We were happy with the changes that were made. There still needs to be a correction to one assumption. The assumption was that we would use 670 connections before drilling the second well and there would be 134 homes built every year for the next five years. With the current economy, this would not be realistic. She believes 10 homes per year would be a better assumption. The Division of Drinking Water will require us to drill a new well after there are 100 homes. We do have a grant that can be used to drill the well. The change in the assumptions will not change the impact fee analysis. The plan is not ready for approval at this time. There are also some minor typographical corrections to be made. The plan will be refined and then brought back to go through the approval process.

### **Proposed Project Updates:**

#### **Collinston Project**

General Manager Jorgensen reported the District is moving forward on the Collinston Project. She toured the well drilling sites with Bill Bigelow and Bob Phippen. We have compiled a list of all property owners in the area to be contacted and polled for support. We will meet with Tremonton City and Deweyville to inform them of what we are doing and give them the opportunity to have system back up. We are trying to get commitments to see if the project is feasible. She has met with representatives of Ukon Water Company and Riverside/North Garland. They are very interested and supportive. She will request a letter of intent from these entities.

### **Fire Flow to Harper Ward Area**

The District is making progress on providing fire flow to Harper Ward. There has been some progress made. We have compiled a list of residents and we will send letters to obtain support from them. We need to have Bill Bigelow verify that we will have fire flow to the end of the project. She has talked to several Harper Ward residents and they seem to be very interested and positive. She has talked to Jon Bronson at Zions Bank and he believes we can get an equipment lease/loan at 4.4% interest to purchase the fire hydrants. It is basically like a signature loan. It would require an opinion from our attorney and we would show that we can pay the money back. It looks like it would raise the water bill for the customers by \$8.50 per month in order to have the project pay for itself. Brian Bott (architect for the LDS Church) called and she told him the Board has authorized \$75,000 to participate in the project. He did not know how the Church would respond. The cost to the District would be approximately \$100,000 with engineering, legal and administrative costs. Mr. Bott will get back to us after talking to Bob Favero (LDS Church representative).

### **Marble Hills Proposed Project**

General Manager Jorgensen reported she met with Randy Marble. They need a second source and a future source of culinary water. It will about a 3 ½ mile pipeline project. She explained the vicinity where the new West Corinne Reservoir is located and other property owners who have petitioned the Board for water service in the past. Randy Marble will be talking to the landowners. We will plan on sending out letters to residents in the area explaining that a project is proposed and asking if they are interested. Marble Hills Water System has a well but not enough water for build out. There are also other subdivisions in the area and land that could be developed. Marble Hills has talked to West Corinne about an emergency source. The District would be able to provide back up to Marble Hills and West Corinne.

General Manager Jorgensen then gave an update on the proposed secondary water system in South Willard. She has received additional information from Terel Grimley of Pine View Water Systems and we have prepared an information sheet to send out to the residents. We will hold a meeting that is tentatively scheduled for June 24<sup>th</sup> depending on Mr. Grimley's schedule. The culinary water is designated for indoor use only in South Willard. A secondary system needs to be installed as the property is developed. The District must have policies in place to provide for the secondary water infrastructure.

A meeting was held at our office with the Bear River Development Work Group this morning that included representatives from the State and their engineers. The group looked at the alignment options for the pipeline and we were able to choose Option #2 that will be in the best interest for our County and Cache County. This option is centrally located for us to take water on the east and west. General Manager Jorgensen feels we are making progress and we are getting cooperation from the state. We were able to extend the study area at the beginning to go all the way to the Washakie site and now we were able to choose the best pipeline alignment for our county. There was one scenario that used Bear River Canal Company Water to be acquired by the State or District be used during years of shortage. If there is a shortage in the Bear River Development Project, it should be shared by all of the entities not just using Box Elder County water. We have been able to eliminate that scenario and it is not part of the project. Our allocation from the project is

60,000 acre/feet and any water from the canal company is not part of this project. General Manager Jorgensen showed the map of the pipeline alignment, explained the location and answered questions from the Board Members. This is the last source of water for Jordan Valley and Weber Basin and they are putting the timeline projection out as far as possible. There is talk of phasing the project in order for Box Elder County to have water first but right now we are still in the discussion phase. Our county is supportive in using this water for agriculture and eventually industrial use.

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

The financial statements were prepared and included in the packet that was mailed to the Board Members. Financial Chairman LaRall Thompson asked if the Board had reviewed the financial statements and requested a motion to approve them.

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

**Public Comment**

There were no public comments.

**Adjourn**

Board Member Dave Forsgren moved to adjourn the meeting. Vice Chairman LaRall Thompson seconded the motion. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Stokes, Shaffer, Forsgren, Day, Holmgren and Christensen voted in favor of the motion.

The meeting adjourned at 8:27 p.m.