

**Bear River Water Conservancy District  
Board Meeting  
Wednesday, June 24, 2009 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, Brent Baugh, Richard Day, Dave Forsgren, Reese Jensen, Stan Stokes, Commissioner Brian Shaffer, Brent Rose and Charles Holmgren.

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

Visitors: Bill Bigelow (Hansen, Allen & Luce)

Excused: Vice Chairman Ross Rudd and Financial Chairman LaRall Thompson

**Invocation:** Board Member Dave Forsgren

Chairman Burt explained Vice Chairman Ross Rudd was operated on for a hip replacement last Wednesday and is doing well. Financial Chairman LaRall Thompson is still recovering from heart surgery.

**Adoption of the Agenda**

There were no changes to the agenda.

A motion was made by Board Member Charles Holmgren to adopt the agenda as written. The motion was seconded by Board Member Reese Jensen. The motion was unanimously approved.

**Adoption of the Minutes for the meeting held Wednesday, May 27, 2009**

A copy of the draft minutes was included with the packet mailed to the Board Members. There were no changes to the minutes.

Board Member Richard Day moved to approve the minutes of May 27, 2009 as written. Board Member Charles Holmgren seconded the motion and all voted in favor.

**South Willard Project update – Bill Bigelow and Bob Phippen**

Bill Bigelow gave an overview of the progress of the project in South Willard. The reservoir has the roof on. The tank (reservoir) is all but done. Pipelines are all completed and the asphalt has

been patched along the area of the pipeline installation. The tank and pipelines are ahead of schedule but the pump station is behind schedule. It will be a while before we have water for filling the tank and pressure testing the pipelines. They are making good progress and are almost ready to put the roof on the pump station. The pump has been installed. Mr. Bigelow stated everything is coming along nicely. He asked for questions from the Board Members. Rocky Mountain Power was notified early and we have been working with them for over a year regarding the power supply to the pump station. They have not given us a date yet for setting the transformer. We have had to bore under the canal for the power line. We are still looking at a completion date in August. There was a question about change orders. Mr. Bigelow explained at the time of designing the pump station, it was unknown that the power line would necessitate a boring under the canal. This will cost approximately \$11,000. There has been an addition for the material brought in to bed the pipeline. That price was determined with the bidding process but we will end up spending \$20,000 to \$30,000 for the material because of the large amount of rock and not much dirt excavated. It was a quantity change rather than an actual change order. Asphalt repairs were also not planned. The District was asked to repair the asphalt road near the pipeline because the developer is not going to develop the property for a while. There were also some deducts. We decided to put one ladder into the reservoir instead of the two that were bid. There was a question as to why the pump station is behind schedule. Mr. Bigelow explained the pump station contractor held off for a month at the beginning of the project to allow the tank contractor to complete all the heavy earth moving before starting. We agreed to the delay up front. Also, the meter station was redesigned and parts needed to be ordered. Mr. Bigelow has contacted Rocky Mountain Power concerning the placement of the PRV and meter stations on the west side of Highway 89. The power company does not have an issue with how close they are to the poles.

Systems Operator, Bob Phippen presented a slide show of current construction pictures in South Willard that included finishing of the tank, installation of the pump, building and roof of the pump station and boring for the power line.

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

**Reese Jensen:** No report

**Stan Stokes:** No report

**Dave Forsgren:** No report

**Richard Day:** No report

**Charles Holmgren:** reported with all the rain, there is not much demand on the canal system. Flow into Bear Lake is 1600 cfs and flow into Cutler is between 3500 and 4000 cfs. The Canal Company is still working out easement agreements with Rocky Mountain Power. Ruby Pipeline is working with us on crossing agreements. There has been some discussion that they may buy water from the Canal Company to pressure test their line. The Bear River Commission will be having a

tour tomorrow morning at Bear Lake. Clint Burt mentioned the large amount of flow from the river into Bear Lake. The lake is higher now than it ever got last year. It is looking good for finally adding some water to the lake after several years.

**Brent Rose:** reported he is concerned about the amount of trucks hauling pipe for the Ruby Pipeline and asked how far along they are. He was concerned about the destruction of county roads and areas where they will be hauling where there are no roads. He gave the example of damage caused by fire trucks during range fires in the west part of the County because the soil is chalky. He asked what the County will require them to do for maintaining the roads they use. Commissioner Shaffer will bring the issue up to the County Commission.

**Brian Shaffer:** No report

**Clint Burt:** reported on his trip over to Bear Lake and saw Stewart Dam. It is pretty full.

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

General Manager Jorgensen reported that Vice Chairman Ross Rudd had his hip replaced with surgery last Wednesday and is doing well. Financial Chairman LaRall Thompson is continuing to recover well from his heart surgery. She reported attending the funeral for Merlin Tanner in Grouse Creek with Chairman Clint Burt and Assistant Judy Hartvigsen. It was an awesome service and she enjoyed listening to his family speak about him. She appreciated the support of the board in attending his service. The family spoke about how much he loved coming to board meeting and being a part of the District for twenty years.

She reported on a meeting with Terel Grimley of Pine View. A date will be set for a meeting to get the committee members together and educate them before they can go out to residents asking for support of the secondary water system. Board Member Day asked about a list of names of people who want to sign up for secondary water that Terel Grimley has. Board Member Day has been talking to a few people. We will call Mr. Grimley tomorrow for his list of those who will help.

General Manager Jorgensen will be attending the Bear River Water Quality Tour of the Upper Bear River Basin tomorrow beginning at Bear Lake that was mentioned by Board Member Holmgren.

The annual barbeque will be held during the Board Meeting on July 29<sup>th</sup> at Chairman Burt's home. The Board Meeting scheduled for August 26<sup>th</sup> will be during the Box Elder County Fair.

Board Member Richard Day moved to cancel the August 26<sup>th</sup> Board Meeting in order to resolve the conflict with the Box Elder County Fair. The motion was seconded by Board Member Dave Forsgren and unanimously approved.

A notice will be sent to the paper regarding the meeting cancellation.

General Manager Jorgensen expressed her concern on proposed legislation that would require a move towards special and local districts having appointed boards to change to elected boards in

order to preserve their taxing authority. The Utah Association of Special Districts is presenting an option called the “Back Door Referendum”. This would give an option to allow appointed boards but if the tax rate is to be increased, the district would go through the “Truth in Taxation” process and after the board votes to approve the increase, the public will have a right to file a petition to have a referendum on the ballot to vote on the tax increase. She explained she was very disappointed at the legislators actions during the presentations on this issue at the committee meeting she attended.

Commissioner Shaffer suggested working with the Utah Association of Counties and he will bring it up to them. General Manager Jorgensen felt we should talk with our representatives. Commissioner Shaffer suggested talking to Representative Ben Ferry. There has not been legislation drafted yet but it will be a proposed bill taking away taxing authority of districts with appointed boards. The concern is with large districts and environmental groups that could buy elected seats. Traditionally, water was such an important resource that it was felt boards should be appointed with people who don’t have special interests, will work fairly and give representation where it is needed. Another concern is the cost of an election taking a large portion of a small district’s budget. She will be following this issue.

General Manager Jorgensen then reported a proposal for sale of the Cache Valley property was received. She expressed concern with keeping the property as long as we have the water rights filing that has not been given a ruling. She feels we should not let that go. She does not want to give up the filing and the priority date. She explained the filing was done in 1990. We may need this water right filing for the future and have it as a back up to be replaced with water from the Bear River Development. That filing prompted Cache County to develop a water management plan. Having the property in Cache County gives us a purpose of keeping the filing. Board Member Forsgren stated the proposal to drag out the payments over a year is not acceptable. Board Member Holmgren explained the grant he spoke about at the last meeting for pressurizing the Logan Cow Pasture Irrigation water is not going to be forthcoming. The Board discussed some of the terms of the property sale proposal and agreed to let it lapse and not respond.

### **Financial Business – La Rall Thompson**

Chairman Clint Burt explained he has been approving the expenditures and co-signing the checks in the absence of Financial Chairman LaRall Thompson. He recommended approval of the financial statement and called for a motion.

Board Member Dave Forsgren moved to approve the financial statements as presented. The motion was seconded by Board Member Richard Day and all voted in favor.

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

There was no unfinished business discussed.

**Public Comment**

There were no public comments.

**Adjourn**

Board Member Richard Day made a motion to adjourn the meeting. The motion was seconded by Board Member Reese Jensen. All Trustees voted in favor of the motion.

The meeting adjourned at 8:10 p.m.