

**Bear River Water Conservancy District
Board Meeting
Wednesday, June 26, 2013 7:00 p.m.
Bear River Water Conservancy District Conference Room
102 West Forest Street, Brigham City, Utah**

Minutes

Present: Trustees: Chairman Clinton Burt, Vice Chairman Ross Rudd, Financial Chairman LaRall Thompson, Charles Holmgren, LuAnn Adams, Roger Fridal, Brent Baugh, Dave Forsgren, Tyler Vincent and Jay Carter

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

Visitors: Bill Bigelow – Hansen Allen and Luce
Nate Spackman – Deweyville Town
Steve Woerner – Elwood Town
Lance Postma

Excused: Board Member Richard Day

Invocation: Board Member Charles Holmgren

Adoption of the Agenda – Chairman Clint Burt

A motion was made by Vice Chairman Ross Rudd to adopt the agenda as written. The motion was seconded by Board Member Roger Fridal. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Holmgren, Fridal, Vincent, Adams, Baugh, Carter and Forsgren voted in favor of the motion.

Approval of the Minutes for the Board Meeting held May 22, 2013

The minutes of the meeting held May 22, 2013 were included with the packet that was mailed to the Board Members.

A motion was made by Board Member Dave Forsgren to approve the minutes for the meeting held May 22, 2013. The motion was seconded by Vice Chairman Ross Rudd. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Holmgren, Fridal, Vincent, Adams, Baugh, Carter and Forsgren voted in favor of the motion.

Trustee Oath – Jay Carter – Western Box Elder County

The Box Elder County Commission appointed Jay H. Carter of Park Valley to the Board of Trustees of the BRWCD at the meeting held June, 19, 2013. Board Member Carter will replace Brent Rose whose resignation was accepted at the last meeting. Board Member Carter was sworn into office by Administrative Assistant Judy Hartvigsen who is a notary public.

Request from Deweyville Town – Nate Spackman

Nate Spackman representing Deweyville and Steve Woerner representing Elwood addressed the board and requested assistance to pay for engineering for the re-development of a spring that is co-owned by both entities. Mr. Woerner provided a hand out to the board members showing the amount of water flow from the spring since 2007. The flow has been as high as 200 gpm. The average over the years has been 120 to 140 gpm but now it is down to about 13 or 14 gpm. He gave some of the history of the spring development. Mr. Woerner stated a bid has been obtained from Sunrise Engineering for \$30,000. The towns do not have the funds to do the project at this time but would like to get the engineering part completed in order to present the project to the state for funding. The board members reviewed the flows shown for the spring and discussed reasons for the low flow. Mr. Woerner stated the engineering bid was complete for the entire project not just a feasibility study. General Manager Jorgensen explained the District assistance is on a reimbursement basis. She recommended the board support the request from Deweyville and Elwood. She stated they could also get a bid from Hansen Allen & Luce. Board Member Forsgren stated \$10,000 would be close to the amount we have helped other cities. Vice Chairman Rudd stated the amount should be advanced to \$15,000. General Manager Jorgensen stated there are funds available in the budget.

Board Member Tyler Vincent moved to provide the assistance when the bids are known. The motion was seconded by Vice Chairman Ross Rudd.

The discussion continued with Board Member Forsgren stating they need to know for their planning purposes and proposed assistance at \$10,000. Board Member Adams agreed they should not have to come to the board again. General Manager Jorgensen stated the bids should not concern the District but is the business of the towns. The District would reimburse them to a certain amount when invoices that have been paid are presented.

Board Member Holmgren stated the cap should be \$10,000 and amended the motion to provide assistance up to \$10,000. The amendment to the motion was accepted by Board Member Vincent. A vote was taken on the motion. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Holmgren, Fridal, Vincent, Adams, Baugh, Carter and Forsgren voted in favor of the motion.

BRWCD Cache Valley Property – Lance Postma

Lance Postma addressed the board stating he has a business in Cache Valley and saw the sign advertising the property for sale in 2008. He is interested in purchasing the property in Cache Valley owned by the District and asked if it would be for sale again. He proposed agricultural, recreation and business use for the property. He currently leases a building in downtown Logan where he has an archery business. The building owners have decided to sell the building he is using. He would like the property to build an outdoor recreational facility.

Chairman Clint Burt gave some history of the property. General Manager Jorgensen described the property as including 18 shares of Logan Cow Pasture Irrigation Water and undeveloped artisan wells that have no water rights attached to them. The property consists of 18.15 acres with agricultural zoning and electrical service nearby. The board discussed reasons to retain the property. It is an asset and can be used to offset debt. The property was appraised for \$196,000 and the board considered selling it in 2008 but the value dropped with the economic decline and it was decided to hold on to the property until the value came back up. The property is currently leased by the District for agricultural use. The board and Mr. Postma discussed options for the property. Mr. Postma stated he would consider a ten year lease that would include a lease/purchase agreement. Mr. Postma will check with UDOT regarding the access to the property. He is willing to put improvements on the property for his business with the lease option. Leasing the property would give the District time to find other property that would be usable for the District and could be purchased with money from the sale of the Cache Valley property. Chairman Burt stated the District will research a long term lease option but is not ready to commit to a sale at this time.

Project Updates – Bill Bigelow and Bob Phippen

Bob Phippen presented slides showing the completed booster station improvements for Riverside/ North Garland and Ukon that will allow the District to monitor it with our SCADA system and it will be remotely operable. Slides also showed the completion of the restoration of Earley Park in Beaver Dam after the spring development. New sod has been laid in the collection area and sprinklers repaired for the ball diamond. Mr. Phippen explained the overflow box will collect water to be used for irrigation of the park.

Collinston Project

Bill Bigelow of Hansen Allen & Luce explained the progress in Collinston stating the District is moving forward with obtaining funding for the project. The District will meet with the State Drinking Water Board on July 12th. He estimated the cost of project to be 3.7 million dollars. He will have the results of the funding application at the next board meeting. Mr. Bigelow reported he has been working on the blending plan that will add water from the District's system to Ukon's water supply to dilute the arsenic and bring their system into compliance with EPA regulations. He has been working with data provided by Ukon regarding arsenic levels in their water supply. Almost all of Ukon's water supply is above the arsenic limit most of the time. All of Deweyville's water is significantly below the limit. The District's system includes laying a line to the Ukon tank and blending the water before it goes into the tank. He

has also been working on property descriptions for obtaining an easement for access to the Ukon tank and for the purchase of property for the District's tank. General Manager Jorgensen stated the District has received contracts signed for 32 connections to the Collinston system. Cindy Tugaw came to the office and is willing to help with contacting those who have not signed up. Ms. Tugaw has put articles in The Leader giving information about the project. The community is giving good support. General Manager Jorgensen stated she would like to have 50 connections by the July 12th meeting with the DDW Board. Bill Bigelow stated he would like to see the completion of the project in the fall of 2014. General Manager Jorgensen stated 2 connections have been purchased in Beaver Dam at the special price. The deadline for Beaver Dam is July 31st and we will wait until after that date and install all the new connections at once.

The board discussed fire protection in the Collinston area. Fire hydrants will be part of the system but additional hydrants should be provided by developers for new development in the future. The county requires fire protection as a stipulation to obtain a building permit. Nate Spackman stated a recorded subdivision plat must have a signature of the County Fire Marshall stating fire protection is adequate and hydrants are shown as part of the development.

Trustee Reports – Board Members

Ross Russ: expressed his appreciation for the general manager and the staff. He stated he supports the general manager and she does a good job.

LaRall Thompson: asked Commissioner Adams a question about the County Fair having only Coca Cola drinks available at the fair and wondered if that is certain. She responded that the County has signed a contract with Coca Cola but also had Pepsi bid on it. Coca Cola gave the County a better deal. General Manager Jorgensen stated the District has talked with Coca Cola to supply the water for our Fair booth and the cost will be \$4.75 per case for water. We could have purchased a case of 24, with the same size bottles for \$1.99 per case. General Manager Jorgensen stated the District does not sell the water, it is given away and it is not Ok for the District to spend that much for the water. Commissioner Adams stated she will work with Coca Cola on a better price for the District or smaller bottles and stated the benefit for the County is money from Coca Cola to provide amenities at the fairgrounds and the County agreed to an exclusive contract for beverages at the fair.

Brent Baugh: No report

Tyler Vincent: reported the proposed chicken plant is moving ahead. The developer has overcome some hurdles and is continuing with the proposal. Board Member Baugh reported the Reeders have a signing for the property scheduled in July.

Roger Fridal: reported all his water issues are taken care of. He attended a meeting on Monday with the Department of Justice. He had a comment about the Cache Valley property. He is thinking it is across from the shooting range near the sewer plant and he cannot see there being much value for property in that location. He can see potential for recreational use for Mr. Postma

but he could not see any use for the District to have property there. It would be better to use the money to pay down debt or purchase property the District would be able to use.

Dave Forsgren: No report

Charles Holmgren: reported on a meeting with the Bear River Water Users Association this morning. They are working on how the Bear Lake water will be used for the remainder of the season. The State Engineer believes we will make it to the end. The Canal Company is being charged for more water this year than last year. They are running in crisis mode and taking about 1200 to 1300 acre feet per day of Bear Lake water. He reported the Canal Company is using 900 cfs constantly with 170 cfs on the Hammonds and 730 cfs on the West Canals.

Jay Carter: reported they got some timely rain storms that improved the grass and the creeks have run better than last year but they are done now.

LuAnn Adams: reported there will probably be a press release tomorrow that the unincorporated areas of Box Elder County will have a ban on fireworks. Our county is the driest in the State of Utah. She also reported there is some good economic development potential coming to the Tremonton area with some good companies and the county is excited to work with Tremonton City on these projects. Board Member Fridal agreed there is some good potential but they cannot disclose any information at this time. Board Member Vincent stated there are also some good things going on with Brigham City. Board Member Adams stated she is thrilled about what has been done with the improvements at the fairgrounds and she is grateful for all the support from Nucor and other companies and all the volunteerism that has been going on. She stated the money has been saved, no taxes are being raised and there has been a lot of contributions from the community.

Clint Burt: No report

General Manager's Report – Voneene Jorgensen

General Manager Jorgensen reported the District has received the new Certified Tax Rate for 2013 from the County Auditor which is a rate of .000198 and it will provide revenue of \$646,745.00. She asked for a motion from the board to accept and approve the Certified Tax Rate as proposed. She stated it would provide about \$4,900 more than last year.

Board Member Roger Fridal moved to approve the Certified Tax Rate as presented. The motion was seconded by Vice Chairman Ross Rudd. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Holmgren, Fridal, Vincent, Adams, Baugh, Carter and Forsgren voted in favor of the motion

General Manager Jorgensen stated a notice has been provided to the Board Members at the meeting inviting them to the annual barbeque on July 31st. The Board Members were also provided with updated board member list of addresses and phone numbers and terms of office with the addition of our new board member, Jay Carter. These are to be added to the Board Member's binder.

The packet mailed to the Board Members included the list of the meetings for the Governor's incentive water initiative. She asked the board members to attend the meeting for our area on August 15th in Logan. It will be the last meeting held by the Gang of 6.

She then reported the District received the last payment from the State for their portion of the cloud seeding program and it has been closed out for 2012-2013 year. The total cost was only \$40,000. It was less than the estimated cost of \$51,000 because there were less storms seeded and less generator hours used. The District will be receiving the final report from North American Weather Consultants in the near future.

She reported she attended the State Water Task Force and the State Water Development Commission meetings. The Board Members were provided with copies of some information from the meetings that included a statement from the Farm Bureau and a testimony from the National Ski Areas Association. She explained last year the Forest Service tried to get land owners to sign over water rights in order to obtain grazing permits. The Supreme Court has ruled they do not have the authority to do that but they continue to try getting the water rights. Now the federal government is moving into the ski industry and trying to force ski resorts to sign over water rights to them in order to obtain permits. The Farm Bureau and Ski Areas Association have asked for support of a resolution directed to congress. The Board Members were asked to read the information at their leisure. The Task Force and the Water Development Commission both support the resolution. Senator Van Tassel has opened two bills, one for livestock and one for the ski industry to write legislation for support. There was also a joint resolution and a Senate Bill written to strengthen Utah laws that the state is responsible for water and has jurisdiction over our water rights.

General Manager Jorgensen then reported the Newman Well is now back in service and pumping. It is working beautifully and sometimes producing 3100 gpm.

She will be attending the NCRS Board Meeting tomorrow to help update canal and irrigation company contact information. The District will be sending letters to them and working with Debbie Roper to get alignments of ditches completed so they can come off the non-compliant list with canal safety. Because of the break in the South Jordan canal, it has come to the attention of the legislators. Box Elder County is being pro-active in getting all of the irrigation companies in compliance with the laws so that harmful legislation will not come down on them. It starts communication between irrigation companies and cities or counties so that there is knowledge of the locations of the ditches and canals. Board Member Holmgren explained the Bear River Canal Company has canals in several cities and towns and throughout many areas of the county so they need to review what they have submitted now they have a new manager and make sure they are in compliance. General Manager Jorgensen stated letters need to be sent to the cities and towns also educating them that when they get the GIS information from the canal companies that it is used when approving new development or buildings. It is a problem with development encroaching on easements of the canals weakening the banks. The canal companies need to take responsibility to make sure the alignments are submitted and risk areas are identified.

Commissioner Adams commented that Ruby Pipeline has appealed their property taxes which will cost the District some money but the County has retired two RDAs that will add some revenue back in. General Manager Jorgensen stated she has talked to the County Treasurer about this and understands the change. She appreciated the retiring to the two RDAs.

**Financial Business – LaRall Thompson
Approval of Financial Statements**

The financial statements for May 2013 were prepared and provided to the Board Members in the packet that was mailed to them. Financial Chairman Thompson asked for the Board to review the financial statements and approve them.

A motion was made by Vice Chairman Ross Rudd 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 Holmgren, Forsgren, Vincent, Fridal, Baugh, Adams, and Carter voted in favor of the motion.

Unfinished Business – Chairman Clint Burt

There was no unfinished business discussed.

Public Comment

There were no public comments.

Adjourn

A motion to adjourn the meeting was made by Vice Chairman Ross Rudd. The motion was seconded by Financial Chairman LaRall Thompson. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Holmgren, Fridal, Adams, Baugh, Vincent, Carter and Forsgren voted in favor of the motion.

The meeting adjourned at 8:55 p.m.