

**Bear River Water Conservancy District  
Board Meeting  
Wednesday, September 23, 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, Vice Chairman Ross Rudd, Financial Chairman LaRall Thompson, Brent Baugh, Richard Day, Dave Forsgren, Reese Jensen, Stan Stokes, 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), Marv Allen (Hansen, Allen & Luce), Kendall Morris (Acme Water Company) and Shane Holmgren (Acme Water Company)

Absent: Commissioner Brian Shaffer

**Invocation:** Board Member Charles Holmgren

**Adoption of the Agenda**

The agenda was amended to move an item listed under the General Manager's report to a separate place earlier on the agenda for Marv Allen of Hansen, Allen & Luce to give his presentation regarding the aquifer classification. Mr. Allen's presentation was added to the agenda before the South Willard Project Report.

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

**Adoption of the Minutes for the meeting held Wednesday, July 29, 2009**

A copy of the draft minutes 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 July 29, 2009 as written. Board Member Richard Day seconded the motion and all voted in favor.

**Acme Water Company – Kendall Morris, President**

Kendall Morris representing Acme Water Company approached the Board with a request. He explained Acme Water Company has drilled a new well and they want to get a new pump house and pump to get the water into their reservoir. They have talked to General Manager Jorgensen about the costs for finishing the system and received an estimate from Bill Bigelow for design. They need to have some questions answered before proceeding. Mr. Morris asked for help from the District for some of the funding. Mr. Bigelow has given a proposal outlining the scope of work to do preliminary design work for the system to meet state regulations. General Manager Jorgensen stated she has met with Mr. Morris and explained the District has helped other communities with engineering and inspection. Bill Bigelow would need to do enough work to make sure he can certify the system. General Manager Jorgensen showed the proposal submitted by Bill Bigelow and explained the District has not helped Acme Water Company in the past and they have not requested any help before. General Manager Jorgensen stated there are some funds in our Exploration and Studies line item in the budget this year that could be used. She recommended helping them with engineering of their new pump station so they can get their system on line. Mr. Morris gave an explanation of the location of the well, proximity to the Honeyville reservoir and future plans. He answered questions from the Board regarding size and locations of the current system components. General Manager Jorgensen summarized previous assistance provided by the District to other entities. She explained the District has helped each community as they have requested for various amounts as needed. She asked Mr. Bigelow to speak to the proposal to give ideas and options. He explained an idea to help Acme integrate a new well with existing pipeline. Acme Water Company needs some help to determine what will work for them so some preliminary engineering must be done to answer questions. Chairman Clint Burt stated the District has helped others with engineering but not construction of any infrastructure. General Manager Jorgensen recommended appropriating \$5,300.00 for Acme Water Company for background engineering and preliminary design to answer their questions. The Board discussed whether to cap it at this amount. It was decided to begin with \$5,300.00 and if they need more in the future, Mr. Morris would need to come back for board approval.

Board Member Dave Forsgren moved to appropriate \$5,300.00 for Acme Water Company to be used for preliminary engineering for their pump station. The motion was seconded by Board Member Brent Baugh. A clarification was made that the motion included Hansen, Allen & Luce would be used specifically for the engineering on the project. A vote was taken on the motion and all voted in favor.

Board Member Dave Forsgren asked to be put on the agenda for the Acme Water Company Board meetings to speak to them about the Honeyville reservoir. Mr. Morris stated the meetings are held on the 2<sup>nd</sup> Tuesday of each month at the Bear River Town Hall.

### **Aquifer Classification – Marv Allen**

Marv Allen of Hansen, Allen & Luce gave an explanation of the Aquifer Classification Report he has prepared and submitted to the District Board for review. The report was provided to each of the Board Members in the packet for the meeting. He explained some of the information was taken from the Source Protection Plan that was previously provided by Hansen, Allen & Luce. He stated it is a big concern for a landfill contaminating the aquifer in the Bothwell Pocket. There have been a lot of meetings in the past concerning this issue. The District does not want to have the landfill in White's Valley as Mr. Allen explained, it is the principal recharge area for wells including our Newman Well. He explained the rules and aquifer classification procedures. The goal is to have the aquifer classified as a 1B (irreplaceable ground water). The rule establishes protection levels for ground water. It allows the state, or another entity to petition for classification of a ground water system into one of the five categories. The petition requires a report as he has prepared. The report has been patterned with regard to the regulations and requirements of the Division of Water Quality. Mr. Allen explained the process for the classification. The report must be prepared by a professional engineer. It is then submitted to the Water Quality Board. The state will hold public hearings and based on any comments, the report may be altered and then submitted to the board for approval or disapproval. The water quality side of the regulation does not prohibit a landfill within this classification area but allows it only if it meets specific criteria. In the siting criteria, a landfill cannot be located in the Class 1B area but the regulation will allow for an exemption. If an exemption is granted, it may be based on more stringent design or monitoring requirements. At this time, the area is not classified. A specific petition must be approved by the Water Quality Board to receive the classification status.

Mr. Allen explained Box Elder County does not have a plentiful supply of good water. It is vital this aquifer be protected. He explained the geology of the well in Bothwell and stated the prime recharge is in fractured limestone formations extending north to the White's Valley area and surrounding mountains. The State Engineer agrees with this and will not allow more water rights or wells in the area. He explained the report consists mostly of the existing information. There has not been many detailed studies done so he has relied extensively on existing reports. He feels we have a good chance of getting the classification to 1B approved. Mr. Allen explained the difficulty of estimating the travel time for water in a fractured limestone bedrock formation and gave an example of a dye study that was done in the sink area above Mantua. They injected dye into some of the run-off that was going down in one of the sinkholes. They monitored a spring and found the dye showed up within a five day period from a site that was 2 ½ to 3 miles away. He explained solution channels form and function as a pipeline. In that case, a spill from a landfill could possibly reach our well very quickly. The opposing side will argue that the landfill is lined and they put in precautionary systems to eliminate precipitation from getting in. The classification will be a deterrent to locating a landfill in White's Valley. They would be required to get an exemption and go through a process that would require more safety features in the design. The technology is there to minimize the hazard to the aquifer with triple lining systems and leak detection sensors but the hazard won't be completely eliminated. General Manager Jorgensen stated she does not know the current status of NURLA. NURLA provided the County with a letter wherein they requested outlining the real reasons White's Valley is not an acceptable landfill site. It has always been the preferred site of Wasatch Integrated.

A motion to move forward with the petition for the classification of the aquifer and accept the draft report was made by Board Member Dave Forsgren. Vice Chairman Ross Rudd seconded the motion and all voted to approve the motion.

General Manager Jorgensen stated she believes we are wise to want to protect the area. She was very interested in the maps contained in the report and stated we are in a very unique setting. She was appreciative of the effort put forth in the report and stated is in our jurisdiction and our stewardship to protect the water.

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

Bill Bigelow gave a report on the South Willard Project. He stated we now have power at the pump station and explained some of the problems with getting the power. All of the meter stations with South Willard Water Company have been installed as well as the hook up to the pipeline for the Church. The tank is complete and waiting for water. The pump station is almost ready for start up. General Manager Jorgensen explained the process to get the power to the pump station. The boring under the canal failed so a field change was allowed by Rocky Mountain Power instead of starting the process from the beginning. The conduit was placed above the canal where it drops underground beneath the road into our project and the gravel pit. The easements had to be altered slightly but Staker | Parsons was very cooperative. Build Inc. will be coming back within a week or two and install pipelines from the pump house to the reservoir.

System Operator, Bob Phippen presented a slide show of photos showing the completion of the pump house, piping inside the vault, control panels, the finished reservoir, chlorine room equipment, and the meter stations on Highway 89.

Vice Chairman Rudd asked about the financials in regards to the project. General Manager Jorgensen indicated there may be enough money left to drill the back-up well.

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

**Brent Rose:** No report

**Charles Holmgren:** reported the level of Bear Lake at 5,910.73 feet. We have used about 50,000 acre feet of storage water this year. That is extremely low. The Canal Company got notice that the moss control product they use has been pulled off the market. Dan Davidson is currently working with another product that they hope will work as effectively and economically. The west canal will tentatively be dried up by the end of October. Pacificorp will be doing a major construction project on their wooden flumes in the canyon. He is not sure when the east side water is scheduled to come out. Two weeks ago he went to Garden City for meetings on water quality issues. There was a lot of discussion on pollution trading to save taxpayer money in cleaning up the Bear River. Research is being done on the field drains and water quality in the Bear River.

**Richard Day:** reported he was approached by Jerry Cook of the 5 C Trailer Court in South Willard who complained that his well was being drawn down. This could not be a result of our project because we have not pumped any water as of yet. Mr. Day was asked to check to see when we will be pumping. General Manager Jorgensen stated the District has been monitoring wells and springs in the South Willard area according to our monitoring plan to see any effect on local wells. Mr. Cook was one who did not want any monitoring of his well. Board Member Day stated Mr. Cook does have connections but chooses not to use South Willard water.

**Dave Forsgren:** reported the bids for the Honeyville water project were opened on July 30<sup>th</sup>. The bids came in \$450,000 below the engineer's estimate so they felt good about that. The million gallon reservoir will be done for \$525,000. ABCO was awarded the reservoir contract. ABC and Ormond Construction were awarded the other projects. They are now awaiting the bond closing.

**Stan Stokes:** thanked the board for flowers sent to him during his illness. He has been traveling to Logan and noticed the District property in Cache Valley looks good.

**Reese Jensen:** reported Brigham City has finalized the purchase of the West Corinne water line west of the city on Forest Street. Residents in the area will all be serviced by Brigham City water as far out as there are homes on Forest Street and on 2600 West north to the Corinne highway. They will be turning the valve next week to begin the service. Some of those served will be inside the city limits and some will not. The water rate will be different for those outside the city limits. There will now be water for future development. West Corinne has had a waiting list for water service and those on the list will be able to buy connections. New hookups for those not on the list will have to be annexed into Brigham City. The south side of Forest Street was annexed into Brigham City previously but the north side was not.

**Brent Baugh:** reported Corinne City is replacing their water line through the valley. They are drilling under the freeway. There was a question about a water line going in east of the airport. Board Member Jensen was unaware of a line going there. He will find out about it.

**LaRall Thompson:** appreciated flowers he received and reported on his health issues.

**Ross Rudd:** reported he also appreciated flowers he received and the work being done by the District. Things are pretty quiet in his country. There are several people who had some plans and he is not sure what is happening with the big subdivision that is supposed to be going in now. Board Member Holmgren stated the Canal Company gets input on development when they come to get secondary water from them. Vice Chairman Rudd stated he is still trying to work on reserve in the recharge area of the Bothwell pocket. He explained some of the situations with animals and the bear situation in Yellowstone Park. He believes there may be problems from environmentalists with the Washakie project.

General Manager Jorgensen explained that Bill Bigelow did a presentation for AWWA on aquifer recharge. She suggested having him give the presentation to the board. It would be great to take some of the Bear River water from Washakie and store it in the aquifer.

**Clint Burt:** reported on the taxing entity meeting he attended on Monday regarding an RDA for Great Salt Lake Minerals. They are trying to expand their process in Weber County and they want to dike it off and have settling ponds in Box Elder County on the west side of the lake. They only want the RDA for a five-year period. It won't generate enough revenue to count right now. They plan to spend \$100,000,000 in the next two years to get it going. It will be 3 to 5 million in revenue when it gets into production. The county will get 30%. The property has been leased from the state and federal government and consists of 33,000 acres. Chairman Burt explained the composition of the Taxing Entity Committee. He then asked a question regarding the density of South Willard development and whether they would put in a sewer or all develop with septic tanks. Board Member Day explained his belief was that they would put the sewer in because the sewer was up-sized through Willard City for that purpose. Developers will then want to develop smaller lots and there will be trade offs for open space.

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

#### **Weather Modification**

Information was included with the packet regarding the weather modification program for the next year. We have a standing motion that we participate in the program with Cache County and the state funds 50% of the cost. Our estimated cost would be \$24,625.00 which is the same as last year. It may not be that much because it is always an estimate of generator hours used.

Vice Chairman Ross Rudd moved to support the weather modification program. Board Member Stan Stokes seconded the motion. All voted in favor.

The summary report of last year's weather modification program was also supplied to the Board Members in the packet. The analysis of the enhancement shows it is usually between 10% and 17%. That is equal to approximately \$1.00 in cost per acre foot of water. Board Member Brent Rose stated he takes care of one of the cloud seeders. He made suggestions for operation that they have current phone numbers and good communications.

General Manager Jorgensen asked the board to indicate on their calendars that the annual Christmas Party will be held on December 12<sup>th</sup> at 6:00 p.m. The party will be held at Maddox.

#### **Aquifer Classification**

This item was discussed earlier in the meeting with a presentation by Marv Allen.

#### **UASD Board Membership**

General Manager Jorgensen stated she received a call from LeGrand Bitter asking if she would allow her nomination to the Utah Association of Special Districts Board. She asked for the Board's support.

Vice Chairman Ross Rudd moved to give Board support for her to accept the nomination. Financial Chairman LaRall Thompson seconded the motion and the motion was unanimously approved.

The annual conference for the UASD is coming up November 5<sup>th</sup> and 6<sup>th</sup>. The Board Members were asked to let the staff know if they are interested in going so the registration can be sent in before any late fees apply.

General Manager Jorgensen gave a report on the Legislative issues. The committee is still working with canal safety. The Association of Conservation Districts is assisting with this issue and taking the lead. There are many concerns expressed by the Governor and legislators and we want to take care of these from the ground up to avoid a heavy hand on the canal companies. They want to be able to do the risk assessments using UGS mapping to determine high risk areas. Bob Fotheringham has been instrumental in this and she feels he has the best interest of the canal companies at heart.

General Manager Jorgensen reported on the Legislative Task Force. Several of the bills with the Revenue and Tax Committee are going back and forth and decisions on the wording are at issue. She is unsure of the result. The committee does not like the back-door referendum. The proposal that will help our District allows for an appointed board to go through Truth in Taxation with a requirement for approval by the County Commissioners. She believes we have the support of the County Commission so that we could keep our appointed board with our taxing authority. She has talked with Senator Knudsen and received his advice on this issue. The other bills that have to do with change applications and priorities are still being worked on and there is no consensus of opinion.

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

The financial statements were sent with the packet to the Board Members. Financial Chairman Thompson asked if the board had reviewed the reports and asked for a motion of approval.

Vice Chairman Ross Rudd moved to approve the financial statements as presented. Board Member Richard Day seconded the motion. 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 Dave Forsgren made a motion to adjourn the meeting. The motion was seconded by Board Member Richard Day and it was unanimously approved.

The meeting adjourned at 8:55 p.m.