

**Bear River Water Conservancy District  
Board Meeting  
Wednesday, September 28, 2011, 7:00 p.m.  
Bear River Water Conservancy District Conference Room  
102 West Forest Street, Brigham City, Utah 84302**

**Minutes**

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

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

Visitors:

Excused: Brent Rose

**Invocation:** Board Member Charles Holmgren

**Adoption of the Agenda**

There were no changes to the agenda.

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

**Approval of the Minutes for the Board Meeting held August 31, 2011**

There were no changes to the minutes.

A motion was made by Board Member LuAnn Adams to approve the minutes as written for the meeting held August 31, 2011. The motion was seconded by Financial Chairman LaRall Thompson. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Stokes, Baugh, Holmgren, Day, Christensen, Forsgren and Adams voted in favor of the motion.

## **Beaver Dam Water System Improvement Project Project Update – Bill Bigelow**

General Manager Jorgensen excused Bill Bigelow of Hansen Allen and Luce from the meeting. She explained he is doing a presentation in Delta and is unable to attend. General Manager Jorgensen gave an update on the Beaver Dam project. The bond closing with the Division of Drinking Water was held on September 13<sup>th</sup>. The FONSI (Finding of No Significant Impact) report has been signed by the Army Corps of Engineers for the project. The General Manager had received a letter from John Derinzy in the Bountiful office of the Corps stating we were being required to submit a plan. This issue had been addressed in the formal EA. This was a misunderstanding that was worked out with our engineer, Lance Nielsen along with Dennis Wenger, who completed the EA study. Rather than spending another six weeks to submit and have the mitigation plan reviewed, they were able to get this resolved in two weeks. All of the easements have been signed for the Erickson properties. The District is waiting for the LDS Church easements to be approved in committees but we have been told to expect these to be signed by October 11<sup>th</sup>. The easements from the Beaver Dam Water Company have been conveyed to the District.

The Notice of Award has been issued to the two contractors. A pre-construction meeting was held on Tuesday morning with Clayton Grover of Grover Excavation who will be constructing the pipelines, pump station and spring development portion of the project. The meeting was attended by Bob Weyland of Rocky Mountain Power, Scott Stoddard of the Corps of Engineers, Bill Bigelow of Hansen Allen and Luce, Systems Operator Bob Phippen, Chairman Clint Burt, General Manager Voneene Jorgensen, Scott Erickson and Charlotte Nelson. Mr. Erickson was very cooperative and stated he would have his animals moved out of the way when needed. Bob Phippen was able to contact the Early Park missionaries and has obtained the access through Early Park for construction. The attorney fees have been high but we think it has been worth it. All of the requirements were met by Grover Excavation. The surveyor has been engaged and the pipe has been ordered. There will be a meeting with Bill Gilson from Box Elder County Roads Department to obtain the consent to put the pipeline along the Beaver Dam Road.

A pre-construction meeting will be held with Dale Cox Contracting next Wednesday. General Manager Jorgensen received a good recommendation for Dale Cox from Chuck Jeffs of Rural Water when he was here working on the Consumer Confidence Report for the Beaver Dam System.

The Army Corps of Engineers has reserved the right to do inspections at any time during the project. There is a list of requirements from them that must be done as the construction proceeds and this is being provided for the contractors.

## **Board Member Reports – Trustees**

**LuAnn Adams:** reported on the meeting held in Park Valley regarding the Coordinated Research Management Plan. There was very good attendance from land owners and state agency representatives. Representative Menlove and Senator Knudson were speakers. The plan will cover a lot of different aspects of management of the resources in western Box Elder County. Brent Rose and Ross Rudd attended representing our Board and water issues. She felt the meeting was very beneficial.

**Charles Holmgren:** reported things are winding down with the Canal Company. They are going to be invited to participate with the Bear River Development Project planning. The Canal Company is trying to get Pacificorp to make a change in the contract that was signed in 1912 restricting the amount of land that can be irrigated from water out of Bear Lake. Pacificorp has changed attorneys so it is like starting at square one in the negotiations. He spoke to Will Atkin of the Utah Division of Water Rights who indicated they did not even run the model that accounts for the water use by the canal out of Bear Lake so there was no storage water used this year. The current level of Bear Lake is at 5920. There is just under 200 cfs going in and about 650 cfs going out and he heard they are running one pump. Vice Chairman Rudd inquired about the current price of a share in the Canal Company and Board Member Holmgren advised that it is about \$3,000. When we start calculating what Bear River Development water could be, the Canal Company water could go a lot higher than that. One question that has come up is whether Bear Lake water can be used for anything besides agriculture. In the Bear Lake Settlement Agreement it was stated there are only two purposes it can be used for, power generation and agriculture. The Canal Company is trying to get a change in the language to allow some industrial use. The sugar factory used water for many years for sugar production so we thought industrial uses were allowed. Procter & Gamble is still looking for another source and purchased water shares for mitigation and donated them to the Bear River Refuge and one of the duck clubs to get them to withdraw protests. They would be used as irrigation in theory so it would not conflict with the Bear Lake Settlement Agreement.

Board Member Day inquired about converting canal water for use in subdivision developments. He stated it could be converted for secondary water and still be used for irrigation. Board Member Christensen asked about expansion by Procter & Gamble. Board Member Holmgren stated representatives from Procter & Gamble came to the Bear River City Council a few months ago and indicated they were anticipating going to another phase but have not been given the go ahead from the company.

**Richard Day:** reported the South Willard Water Company has signed an agreement with the Bureau of Reclamation to go ahead and move on with the feasibility study for the secondary water in South Willard.

**Dave Forsgren:** No report

**Stan Stokes:** No report

**Bruce Christensen:** No report

**Brent Baugh:** No report

**LaRall Thompson:** No report

**Ross Rudd:** commended Board Member LuAnn Adams for taking the responsibility of the Co-Chairman of the Coordinated Regional Management Plan. He has seen three or four places for reservoirs there and hopes the District will be actively working with this committee on water issues. It is a very dry area and any little reservoir like the one in Portage, which could be a model, would be beneficial.

**Clint Burt:** reported he is pleased with the progress of the Beaver Dam project. He has been skeptical in the past but it looks like it is going to begin and he is excited about it. Vice Chairman Rudd suggested writing a letter of appreciation to Kelly Hansen for bearing the responsibility for all of the corrective action from the EPA and being very diligent in getting the resolution signed and gaining the cooperation of the water users. General Manager Jorgensen stated all the system violations must be remedied by October 2012. It was a serious situation and there has been a lot of work and patience going into the project

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

### **Weather Modification**

General Manger Jorgensen reported the Cache County Council voted to participate in the Weather Modification Program. The total cost is \$102,200.00. The District and Cache County will each participate with \$25,550.00 and the State of Utah will pay the other 50%. Last year the District paid only \$22,000.00 because the estimated amount of generator hours were not all used. She asked the Board to authorize the signing of the contract for the Weather Modification Program for the 2011-2012 year. Board Member Holmgren informed the Board that he may have a conflict of interest because he is a cloud seeder operator for the program and receives \$5.00 each time his is required to operate it.

Board Member Bruce Christensen moved to approve the contract for the Weather Modification Program. The motion was seconded by Vice Chairman Ross Rudd. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Stokes, Baugh, Holmgren, Christensen, Day, Forsgren and Adams voted in favor of the motion.

### **Collinston Project**

The District has received a letter of commitment from Ukon Water Company. We now need to meet with Riverside/North Garland and get another letter from them. We are meeting with Mark Larson and Ukon Water Company next Wednesday to discuss the results of the modeling study for the management of our booster station.

General Manager Jorgensen then reported the Systems Operator, Bob Phippen has completed installation of the equipment for the new radio read system for the water meters and Judy Hartvigsen has been working on converting the billing system. It will be wonderful when it is finished. When we read the meters at the end of this month, we will be using the new system.

### **Park Valley School Water System**

General Manager Jorgensen explained the District is waiting to meet with Brent Rose about the water storage project for the school.

### **Bothwell Water Company Meter Re-location**

General Manager Jorgensen reported she is waiting to hear back from Clayton Grover to see if he has all the information he needs to give us a quote for the meter re-location project.

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

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

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

Vice Chairman Rudd inquired about Chanshare meeting their financial obligations. General Manager Jorgensen reported she received a call from Brett Marble and the District is expecting another check from them any time. She explained they have had plenty of sales but their contracts are net 90 days. When they receive payments, they will then pay the District.

**Unfinished Business – Chairman Clint Burt**  
**Closed Session to Discuss the Purchase of Property**

Vice Chairman Ross Rudd moved to close the regular meeting and go into a closed session to discuss the purchase of property. The motion was seconded by Financial Chairman LaRall Thompson. A roll call vote was taken. The vote was as follows:

Ross Rudd – Aye	LaRall Thompson – Aye
Brent Baugh – Aye	Bruce Christensen – Aye
Stan Stokes – Aye	Dave Forsgren – Aye
Richard Day – Aye	Charles Holmgren – Aye
LuAnn Adams – Aye	Clint Burt – Aye

The regular meeting was re-convened after the closed session by a unanimous roll call vote.

A motion was made by Board Member Dave Forsgren to make an offer to the South Willard Water Company as discussed in the closed session to purchase the 8” water line that extends from 8100 South as written in the official offer letter. Board Member Bruce Christensen seconded the motion. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Stokes, Baugh, Holmgren, Christensen, Day, Forsgren and Adams voted in favor of the motion.

General Manager Jorgensen gave the official offer letter to Richard Day, President of the South Willard Water Company. Board Member Day stated he would present the letter to his Board and then get back to the District.

## **Public Comment**

There were no public comments.

## **Adjourn**

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

The meeting adjourned at 8:15 p.m

