

**Bear River Water Conservancy District
Board Meeting
Wednesday, September 28, 2016 7:00 p.m.
Bear River Water Conservancy District
102 West Forest Street, Brigham City, Utah**

Minutes

Present: Trustees: Chairman Clinton Burt, Vice Chairman David Forsgren, Financial Chairman Charles Holmgren, Tyler Vincent, Roger Fridal, Richard Day, Jay Carter and Jeff Scott

Staff: General Manager Voneene Jorgensen, System Operators Robert Phippen and Robert Thayne and Administrative Assistant Cassee Harper

Visitors: Bill Bigelow, Hansen Allen and Luce
Lance Nielsen, Hansen Allen and Luce
Josh King, The Landgdon Group
Mark Anderson, Fabian VanCott

Absent: Neil Capener

Excused: Russell Howe

Invocation: Board Member Day

Pledge of Allegiance: Lead by Chairman Burt

Adoption of the Agenda – Chairman Burt

A motion was made by Financial Chairman Holmgren to approve the agenda. The motion was seconded by Board Member Day. Chairman Burt, Vice Chairman Forsgren, Financial Chairman Holmgren and Board Members Vincent, Fridal, Day, Carter and Scott voted in favor of the motion.

Approval of the Minutes for the Board Meeting held August 31, 2016.

The minutes of the Board Meeting held August 31, 2016 were included with the packet that was provided to the Board Members.

A motion was made by Board Member Scott to approve the minutes for the meeting held August 31, 2016. The motion was seconded by Financial Chairman Holmgren. Chairman Burt, Vice Chairman Forsgren, Financial Chairman Holmgren and Board Members Vincent, Fridal, Day, Carter and Scott voted in favor of the motion.

District Bylaws – Mark Anderson

Mark Anderson went through the newly written Bylaws and explained to the Board all the changes that have been made. There was a suggestion that the board consider whether to continue with an eleven-member board or change to a nine-member board and discontinue the representatives from the Bear River Canal Company and the Independent Water Companies. Many of the board members felt that having the Bear River Canal Company here is a huge benefit and there are a lot of Independent Water Companies in the county and it improves the District's relationship with them by having a representative on the board.

A motion was made by Board Member Vincent to adopt the Bylaws for the Bear River Water Conservancy District as presented. The motion was seconded by Board Member Day. Chairman Burt, Vice Chairman Forsgren, Financial Chairman Holmgren and Board Members Vincent, Fridal, Day, Carter and Scott voted in favor of the motion.

Board Member Forsgren made a motion to maintain an eleven-member board with a representative from each of the eight geographical areas and with one representative from the Box Elder County Commission, one representative from the Bear River Canal Company and one from Independent Water Companies. Board Member Vincent seconded the motion. Chairman Burt, Vice Chairman Forsgren, Financial Chairman Holmgren and Board Members Vincent, Fridal, Day, Carter and Scott voted in favor of the motion.

2015 Master Plan – Lance Neilsen, Bill Bigelow

Lance Neilsen and Bill Bigelow of Hansen, Allen and Luce, and Josh King of the Langdon Group gave a slide show presentation on the progress of the Master Plan. They explained the process as to how information was obtained through interviews with all the Public Water Suppliers and Stakeholders in the County; how that information was compiled to project where and when increases in water needs will be. This will help the District to be prepared to meet and assist in the water needs of the county now and in the future.

Trustees Reports

Dave Forsgren – No report

Charles Holmgren – The pumps have been turned off at Bear Lake and is running on natural flow. We have gone from too dry to too wet in just a few days and onion harvest and corn silage harvest have come to a screeching halt.

A week ago the Canal Company Board met regarding the lining project on the Hammond East Canal. JUB Engineering did a seepage loss test and we are losing one-third of our water in that section. We are constrained to only borrow an additional \$200,000 from the Board of Water Resources, which we are planning to do. We are going to line that section of the canal with EDPM liner as opposed to concrete. The EDPM liner is a 20-year fix as opposed to a 50 to 75-year fix with concrete. The canal company has entered an agreement with JUB Engineering do a more extensive study of the entire canal system to identify areas where we are losing water. They will help us apply for Water Smart grant money, which is a 2-year process, but the shareholders on the Hammond East can't wait that long.

At last board meeting Commissioner Scott mentioned he had attended a Bear River Management Plan meeting identifying sovereign lands along the shores of the Bear River. The Bear River Water Users and PacifiCorp met a few weeks ago and they are trying to get a meeting set up to find out some better ways around this procedure. It seems far-reaching for the government to take over private property rights.

Tyler Vincent – The last few weeks have been very dry and now we have gotten all the rain at once. Brigham City is doing well as far as water. I hope this rain is a sign of a good wet winter. Peach Day's is over and it was a great success.

Roger Fridal – In Tremonton we talk about water related issues every week. Tremonton appreciates the District because we use a lot of their water. The only problem is it costs Tremonton a lot of money. We are dependent on the Conservancy District because we can't drill new wells in the Bothwell pocket. The need to increase the capacity from the Bothwell pocket to Tremonton should be put at the top of the list of priorities. Tremonton is trying to get businesses to come but most of them require more water than we can deliver right now. We have used a terrific amount of water this year. At our last city council meeting we talked about initiating a conservation rate which people won't like. Conservation is a great thing but it is very difficult to do. The only way people will conserve is if you put a price on it.

Richard Day – No report

Jay Carter – Park Valley needed rain and we received a good one. My rain gauge read 1.9 inches.

Jeff Scott – This rain has been good. It is nice to see water in dry lake for a change.

Clint Burt – No Report

General Manager's Report – Voneene Jorgensen

Robbie Thayne gave a slide presentation on Beaver Dam. The board was informed last month that there had been roots discovered in a spring collection box in Beaver Dam. The barrier had been put in four years ago and tree roots have found their way over the top of the barrier. We dug out each side of the barrier to see what had happened. We had an arborist come

to look things over and said once the roots from the trees are severed on the collection side of the barrier they will not continue to grow and will die off. He also gave us some options of trees that would work better for our situation. The barrier is a 30-mil solid piece of plastic that is buried 9-feet down. We are going to have to keep the top of the barrier exposed all the times to keep the roots from continuing to grow across the barrier. We have been talking about putting a boardwalk over the top of the barrier so we can keep it exposed and can inspect it regularly to keep the roots from growing over to the collection area again. We also need to extend the barrier to give the collection area more protection.

Last month Neil Capener reported we needed to have the Riverside/North Garland Meter Station fixed and that has been done.

I have provided the Board with my written report tonight which includes a list of meetings I have been to this past month. We had a great presentation and update on the Masterplan tonight. Robbie and Bob are busy testing the Districts fire hydrants in all the systems. We need to test them regularly and every three years ISO does an audit.

I have an update on the new truck purchase and after going through everything I found out we don't qualify for a fleet number. I talked with the State Purchasing Agent at Young Chevrolet and they have one truck leftover. The cost would be \$26,827. The retail on this truck is over \$35,000. I would like the board to approve the amount so we can pick it up on Friday. We need a new truck as quick as we can get it

A motion was made by Board Member Fridal to purchase a new truck. Board Member Vincent seconded the motion. Chairman Burt, Vice Chairman Forsgren, Financial Chairman Holmgren and Board Members Vincent, Fridal, Day, Carter and Scott voted in favor of the motion.

Our telephone system is over 20 years old and is outdated. 1Wire is the company that has replaced the phones in the County. It will be \$850 for wiring and programming; 1Wire will provide all the phones; we already have UTOPIA wired into the building and will use that and the monthly fee \$285. Nate Hammer has worked with them and has had a positive experience with them for over a year.

Some dates for you to remember:

Board Member Training is on October 6th in the County Commission Chambers
Utah Water Users Utah Water Summit is on October 25th in Provo
UASD Annual Conference is on November 2 - 4th in Ogden
Christmas party is on December 8th at 7:00 pm at Maddox

I have a meeting with Chanshare tomorrow to work on the land and water use plan for 2017 and get the contract signed and I will also be visiting with Steve Taylor tomorrow about listing the Cache Valley property.

The Box Elder County Planning Commission approved the site plan for the South Willard C-Store as it was presented. The public hearing wasn't properly noticed per Utah Code; it wasn't put on public notice website. I wrote a letter expressing our concerns and to encourage the planning commission to uphold the Drinking Water Source Protection Rule and Ordinance. The C-Store will have a septic tank, drain field and gas tanks 272 feet up-gradient from a public

water system water source. There are 45 homes and families that receive water from that system and it was approved with no conditions or restrictions. I have filed an appeal application and turned it in to the county today.

Jeff Scott said that there has been litigation threatened and, even though it sits in zone 2, none of the adjacent property owners were not notified when the Drinking Water Source Protection Plan was filed and all the adjacent property owners would have to agree that their property was ok to be affected. So, basically it can adversely affect the property rights of all the adjacent owners and it can't condemn the surrounding properties because of the drinking water well.

General Manager Jorgensen spoke with the District's attorney about this and he said it isn't a taking, it is for public health and welfare and is reasonable regulation. The Drinking Water Source Protection Rule came down from the EPA and the State established those zones. It will go before a hearing officer and see if the appeal has merit.

Financial Business – Financial Chairman Holmgren Approval of Financial Statements

The financial statements for August 2016 were prepared and provided to the Board Members. Financial Chairman Holmgren asked for the Board to review the financial statements and approve them.

A motion was made Board Member Vincent to approve the financial statements as presented. The motion was seconded by Board Member Fridal. Chairman Burt, Vice Chairman Forsgren, Financial Chairman Holmgren and Board Members Vincent, Fridal, Day, Carter and Scott voted in favor of the motion.

Public Comment

There was no public comment.

Adjourn

A motion to adjourn the meeting was made by Financial Chairman Holmgren. The motion was seconded by Board Member Vincent. Chairman Burt, Vice Chairman Forsgren, Financial Chairman Holmgren and Board Members Vincent, Fridal, Day, Carter and Scott voted in favor of the motion.

The meeting adjourned at 9:35 p.m.