

**Bear River Water Conservancy District
Board Meeting
Wednesday, October 27, 2010 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, Dave Forsgren, Charles Holmgren, Brent Rose, Brent Baugh, Richard Day, Bruce Christensen and Commissioner Brian Shaffer.

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

Visitors: Bill Bigelow (Hansen Allen & Luce)
Jeremy Call (Great Basin Development)

Excused: Stan Stokes

Invocation: Vice Chairman Ross Rudd

Adoption of the Agenda

There were no changes to the agenda.

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

Adoption of the Minutes for the meeting held September 22, 2010

A copy of the draft minutes of the meeting held September 22, 2010 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 the meeting held September 22, 2010 as recorded. Financial Chairman LaRall Thompson seconded the motion. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Shaffer, Christensen, Holmgren, Baugh, Rose and Forsgren voted in favor of the motion.

Board Member Reports – Trustees

Ross Rudd: reported he has heard some input from those not involved that they are not happy with the project for Beaver Dam but it is nothing serious.

LaRall Thompson: reported he has spoken with friends from Beaver Dam who think the new project is the greatest.

Brent Baugh: reported he visited with Curtis Marble of West Corinne Water and all is going well for them. They had a goal to get 140 names off their waiting list. Less than 20 actually hooked up to the system and the other 120 declined. So they have no one on a waiting list at the present time. They raised the price from \$5,000 to \$8,000 for a hook up. They thought the growth was really coming and invested money into infrastructure but now the demand has fallen off. They will continue to do improvements.

Bruce Christensen: reported the Intermountain School property has been sold to a new buyer from Boise. He already has several buyers for some of the properties. It will be a big help for Brigham City. Board Member Christensen explained there is a lot of building going on in the south end of Brigham City and outlined some of the projects currently under construction in the city. He gave his appreciation for the expressions of sympathy from the District at the passing of his wife.

Dave Forsgren: reported an update on the Honeyville water project. With the cooler weather now, people have stopped watering lawns so Honeyville has now turned off both pumps. The water is flowing from springs into the new reservoir and transferring up to the north reservoir and still overflowing. They are getting 470 gpm from the springs. The project is working just as designed and is saving the pumping costs for the north well to help pay for the project. He is very happy with the project.

Brian Shaffer: reported the County Commission will appoint or re-appoint members of the BRWCD Board on December 14th at their meeting. He encouraged those up for re-appointment to make their wishes known if they want to continue to serve. Vice Chairman Rudd, Board Member Rose and Commissioner Shaffer's terms will expire on December 31st. He then reported Western Metals is expanding their recovery of precious metals in Plymouth. There is also a new movement with the help of Representative Menlove called an economic incubator that is to help businesses in the community to expand and promote agriculture. Last Tuesday, the final boundaries for the fire district were decided. He is hoping to move forward now with it. The emergency water shed project in the Howell and Blue Creek area is going full force. The contractors are in place moving sediment and rebuilding diversions and waterways.

Commissioner Shaffer stated it is estimated the Ruby Pipeline will generate 6 million dollars per year in taxes to the County and the Rocky Mountain Power line will generate about 1 million dollars. The Great Salt Lake Minerals company plans to do some expansion on the west side of the Great Salt Lake. The Shoshone projects for the landfill and the geo-thermal energy are both dead.

The best prospect for development of geo-thermal energy will come from Procter & Gamble. There was a question about the requirement for fire suppression in homes. Commissioner Shaffer stated this is a state law and there is also a requirement to maintain a road for emergency access to homes.

Richard Day: No report

Charles Holmgren: reported the canal company is cutting back as we get into winter. There is a Bear River Commission Meeting on Tuesday, November 16th in Salt Lake at the Division of Water Quality. Bear Lake is about the same level as a year ago. Rain and recent snow fall have been impressive and we are doing quite a bit better than last year just from this one storm.

Brent Rose: No report

Clint Burt: No report

Harper Ward Fire Flow Project – Contract Award

General Manager Jorgensen explained the bid opening for the fire hydrant project was held today. The bid amounts were listed on the board for the review of the trustees. A construction company called Great Basin Development came in at \$82,415.00 as the low bid. The high bid was Ormond Construction at \$131,850.00. The second low bid was from Clayton Grover. His bid was \$84,020.00. We have two really competitive bids to look at. Great Basin Development is almost four years old and is owned by Cory and Jeremy Call. They have been in business about four years and worked with Wilk-N-Son Construction prior to starting their own business. They are just finishing up a project for the County in South Willard. They have a list of about 14 jobs they have done that have to do with water. Great Basin Development has obtained their bonds and she spoke with Jeremy Call today. She believes the company is qualified and the references were good. Tavis Timothy of Hansen Allen & Luce opened the bids and checked with some of the references. Board Member Day stated he was pleased with the work they did in South Willard. Jeremy Call arrived at the meeting during the discussion. Bill Bigelow will review all of the bid documents. General Manager Jorgensen recommended awarding the project to Great Basin Development dependent on their meeting all qualifications. If they are found to be unqualified, the project would be awarded to the next lowest bidder.

Commissioner Brian Shaffer moved to award the contract to Great Basin Development pending review by Bill Bigelow or a contractor committee. The motion was seconded by Board Member Richard Day. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Shaffer, Christensen, Holmgren, Baugh, Rose and Forsgren voted in favor of the motion.

Chairman Burt recognized Jeremy Call of Great Basin Development and asked if he wanted to speak to the Board. He stated he came to answer any questions they might have. Mr. Call stated

his company felt it is about a 2 ½ week project and they would be ready to start in about 10 days. He would like to have the project completed by the end of November.

The discussion continued with the funding for the project. General Manager Jorgensen referred the Board Members to the balance sheet and explained the available funds. She had consulted Marc Edminster regarding whether to bond or use available District funds. Mr. Edminster analyzed the financial statement and recommended using the funds the District has available that would save all of the bonding expenses and the interest we would pay. General Manager Jorgensen recommended using the available District funds.

Vice Chairman Ross Rudd moved to use the District's own funds for the Harper Ward Fire Hydrant Improvement Project. The motion was seconded by Financial Chairman LaRall Thompson, Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Shaffer, Christensen, Holmgren, Baugh, Rose and Forsgren voted in favor of the motion.

General Manager Jorgensen reported there will be a bid opening tomorrow for the portion of the project that is being shared by the District, the LDS Church and Honeyville City. Board Member Forsgren explained the process for a check valve on the line to allow water to Harper Ward and the remainder of the project that includes extension of the pipelines, bores under the highway, PRVs, and air vacs.

Board Member Bruce Christensen reported that Brigham City is in the process of replacing all water meters in a \$4,000,000 project to make them all radio read. The meters will be read automatically by passing garbage trucks.

General Manager's Report – Voneene Jorgensen

General Manager Jorgensen told the board that Randy Marble of Chanshare has brought in three checks of \$12,000 each. He is now caught up on payments for the retrofit. He is making a good faith effort to get all of Chanshare's payments current and is working with the Bank of Utah to pay off all the creditors. He has pledged to pay \$12,000 per month until he is caught up. She will make sure the taxes get paid on the property. She gave the Board an explanation of all the payments required from Chanshare to the District.

She then reported the District has received the draft report from the geological survey on the water quality in the Bothwell Pocket. She explained when the District asked for the classification of the aquifer as an irreplaceable source from the Division of Water Quality, they only classified the Bothwell Pocket and wanted to wait for this report to classify the White's Valley area. She had read the draft report stating the water is flowing from the north. This is what it needed to say for the classification of White's Valley. The District will now go back to the DWQ to have White's Valley classified.

General Manager Jorgensen advised the Board of the annual District Christmas Dinner that will be held on Saturday, December 4th at Maddox Ranch House and encouraged the member's attendance.

The Utah Water Summit Conference will be held on November 30th in Provo. The registration and information was provided to the Board Members at the meeting. She stated one of the discussions will be the conversion from ag water to municipal water and there will be input from both perspectives so it should be quite entertaining. The Board Members received information on dates for the conferences for Rural Water and the Utah Water User's Workshop to be held in March 2011. She encouraged the Board Members to put these dates on their calendars.

Beaver Dam Water System

General Manager Jorgensen then reported on a meeting she attended concerning the water rights for Beaver Dam that was held with the Division of Water Rights, Bill Bigelow, Lance Nielsen, Kelly Hansen and Chris Biens, attorney for Beaver Dam. They were given a lesson on sole supply and quantifying of supplemental rights. The sole supply process is very complicated to work through. Some titles on the supplemental rights need to be updated. At the meeting, an agreement was reached with an understanding the District will need 40 acre feet of the water for the operation of the system. This amount will be stated in the agreement with Beaver Dam. The contract can now be completed by Craig Terry. It will be reviewed by Chris Biens and given to Kelly Hansen to be signed and then it will need to be signed by our Chairman, Clint Burt.

Bill Bigelow gave an update on the progress of the engineering and design for the Beaver Dam system. He explained the requirements that had to be met and tasks to be done early. Some of the surveying has been done. The wetlands delineation has been completed. The plan is to get the design completed and be able to go out for bid in January. He is working on getting all the easements taken care of. He has met with representatives from the LDS Church regarding their participation. They will be looking at it and another meeting is scheduled for Friday. The design is now 30-50% complete and he is doing what he can to accelerate the process to begin construction in spring. Mr. Bigelow then gave some history of the Beaver Dam system and explained problems and difficulties they have been dealing with. The system has never been approved by the State and they are now being given an ultimatum make improvements or be shut down.

General Manager Jorgensen explained the report from the Cloud Seeding (Weather Modification) program for the previous year. The Board Members received a summary of the report in the packet that was mailed to them.

Board Member Richard Day asked about back flow problems with fire hydrants and whether the flow would be restricted. Bill Bigelow addressed these concerns. He believes the plumbing code requires back flow devices and they must be approved as trustworthy but the flow restriction is minimal. System Operator Bob Phippen explained the backflow device must be sized correctly for the system. There was a discussion about metering the fire flow and functioning of the system.

BRWCD and Brigham City Surplus Water Agreement

General Manager Jorgensen explained the contract with Brigham City has been reviewed and signed for another five years. The cost of the water is \$266.00 per acre foot for water used in the

Harper Ward system. She stated she understands that an increase is warranted and appreciated Bruce Leonard from Brigham City working with us to supply this water and signing the contract.

Board Member Richard Day moved to ratify the contract with Brigham City. The motion was seconded by Vice Chairman Ross Rudd, Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Shaffer, Holmgren, Baugh, Rose and Forsgren voted in favor of the motion. Board Member Christensen abstained from voting on the motion.

South Willard Culinary Water System

Bill Bigelow reported on the South Willard Culinary Water System Project. The contract for the pump station with Counterpoint Construction has been closed out. The only remaining item for Build Inc. the reservoir contractor is to install the gate. He has completed the paperwork for obtaining the operating permit. He only needs water sample results to submit it. System Operator Bob Phippen has seeded the property with grasses and wild flowers.

General Manager Jorgensen stated she received a call from the County regarding an amendment to their land use ordinances to protect any aquifer recharge areas from contaminants. She will be working on language of an amendment to the Municipal Landfill Ordinance that will make it the same as the ordinance regulating construction waste. She believes the change will be useful for the White's Valley area that is worth protecting and is a large, valuable water source.

Financial Business – LaRall Thompson Approval of the Financial Statement

The financial statements were prepared and included in the packet that was mailed to the Board Members. Financial Chairman LaRall Thompson asked if the Board had reviewed the financial statements and requested a motion to approve them.

Vice Chairman Ross Rudd made a motion to approve the financial report as presented. The motion was seconded by Board Member Brent Baugh. Chairman Burt, Vice Chairman Rudd, Financial Chairman Thompson and Board Members Day, Shaffer, Holmgren, Baugh, Christensen, Rose and Forsgren voted in favor of the motion.

Public Comment

There were no public comments.

Adjourn

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

The meeting adjourned at 8:10 p.m.