

**Bear River Water Conservancy District
Board Meeting
Wednesday February 19, 2020 7:00 p.m.
102 W Forest Street
Brigham City, UT 84302**

Minutes

Present: Trustees: Roger Fridal, David Forsgren, Charles Holmgren, Mark Larson, Neil Capener, Russ Howe, Jay Carter

Absent: Jeff Scott, Richard Day, Jay Capener, Tyler Vincent

Staff: General Manager Carl Mackley, Systems Operator Robert Thayne, Administrative Assistant Jill Jeppsen

Other: Mitch Zundel, Box Elder County Economic Development
Stuart Clason, Utah Association of Counties

Welcome: Chairman Roger Fridal

Invocation: Robbie Thayne

Pledge of Allegiance: Jill Jeppsen

Declaration of Conflicts of Interest: None

Adoption of the Agenda –Chairman Fridal

A motion was made by Financial Chairman Holmgren to approve the agenda. The motion was seconded by Board Member Larson. All Board Members voted in favor of the motion.

Approval of the Minutes for the Board Meeting held January 22, 2020.

The minutes of the Board Meeting held January 22, 2020 were included with the packet that was provided to the Board Members.

Vice Chairman Forsgren made a motion to approve the minutes for the meeting held January 22, 2020. The motion was seconded by Board Member N. Capener. All Board Members voted in favor of the motion.

Solar Interlocal Agreements

Stuart Clason from the Utah Association of Counties and Mitch Zundel from Box Elder County Economic Development answered questions from the board members and gave clarification of the Interlocal Agreement for the two (2) Solar Community Reinvestment Project Areas (CRPA) as presented at last month's board meeting. The 10% for housing comes out of 70% not the 30% going back to the taxing entities. It is estimated to be 9 to 12-month project once they break ground. As governed by HB 25, the County will collect the taxes then remit to the agency 100%, the agency will

then remit payment back to the county for taxing entity's portion. The developers have 5 years to trigger the CRPA.

General Manager Mackley added the Interlocal Agreements need to be reviewed and signed by an Attorney representing the District finding the agreements are in proper form and are in compliance with applicable state law. The District's attorney has a conflict of interest due to her firm representing the developers. We contacted a different attorney today. According to his email correspondence, David Church is ready to sign off that the agreements are in proper form.

A motion was made by Board Member Larson to accept the terms of the Solar Interlocal Agreements with the stipulation the attorney representing the District attest to the form and substance of the agreements and sign them as such. The motion was seconded by Board Member Carter. A roll call vote was taken David Forsgren, aye; Charles Holmgren, aye; Mark Larson, aye; Neil Capener, aye; Russ Howe, aye; Jay Capener aye; Roger Fridal, aye.

Financial Business – Charles Holmgren

The financial statements for January 2020 were prepared and provided to the Board Members. Financial Chairman Holmgren has reviewed the reports. He asked for the Board to approve the financial reports.

A motion was made by Vice Chairman Forsgren to approve the financial statements as presented. The motion was seconded by Board Member Howe. All Board Members voted in favor of the motion.

Approval of Merit Increase for General Manager

There were several comments from the board members on the job performance of the General Manager and the consensus of the board was the General Manager was deserving of a 3% merit increase.

A motion was made by Financial Chairman Holmgren to approve a 3% Merit Increase for the General Manager. The motion was seconded by Board Member Larson. All Board Members voted in favor of the motion.

Systems Operations – Robbie Thayne

South Willard Water Company had their main waterline broken by the Dominion Energy gas line installers. They lost approximately 1.5 million gallons before they were able to get it turned off. We have been giving them water all night to refill their tank. Once again, proves that the connections we have with the other water companies in the county are so beneficial.

We have been fixing several leaks around our systems. It seems to be the time of year for them due to continual freezing and thawing. We are trying to locate one on the Beaver Dam system at the home of Kelly Hansen. We will be working with him again tomorrow.

We are continuing to locate more system points with GIS for the asset management system.

It was noted that our Bothwell well turns on about every 3 days and runs for almost 2 hours to refill the tank. The tank level drops about 6 feet when it turns on.

We need to have an overflow pond of our own in the near future. Currently goes into Krys Oyler's fishpond. The State has been asking us to fix the pipe that the overflow comes out due to lack of air clearance space. We are going to extend and lift the end of the pipe to meet the requirement of 1.5 to 2 feet air space.

Trustee Reports

Jay Carter – Asked if someone had the latest information on what the snowpack is. SNOTEL shows the raft river at 112%.

Russ Howe – Reported that things are good in Thatcher; the snow is still a foot deep.

Neil Capener – No report.

Mark Larson – Stated that he is surprised at how many housing starts are going in the middle of winter around the area.

Charles Holmgren – Reported there is a Bear River Commission 2-day meeting April 20th and 21st. The first day is mainly for people in water quality and the second day is a regular Commission meeting. The meetings will be held at the Bird Refuge building with 30 or 40 people in attendance. People from Cheyenne and Boise, Idaho Falls, Pocatello, Salt Lake and Cokeville will be in attendance. The last time it was held in Brigham City, the District sponsored a meal the night before. He asked the board members to consider sponsoring a meal again, either a dinner or a lunch on one of the days.

There will be a Bear Lake Preservation Advisory Meeting in Cache Valley on April 22nd.

Trevor Nielson and Charles Holmgren testified to the House Natural Resources and Agriculture Committee last Friday, opposing HB130, which is referred to as a 'split season irrigation' bill. It would allow farmers to irrigate part of their farm and then won't be using water the rest of the season, you can rent water to someone else. Charles understands that the State Engineer is not happy about the proposal. When he attended a Bear River Distribution System meeting a couple of weeks ago, the State Engineer staff were quite opposed to it. The committee said they will pass it anyway. In their testimonies they pointed out their concerns regarding the depletion increasing on Bear Lake and other storage reservoirs in the state, there will be a net increase in water depletion. There was a discussion about the details of the bill, one being that Bear Lake water can only be used for irrigation. Other systems in the state do not have that limitation on their water right. The mineral industry on the Great Salt Lake is looking at getting some extra water, the environmental community is looking to get some extra water. It is unsure if Bear Lake water or Bear River water would qualify to be available for this purpose. It looks like it will be difficult for the State Engineers office to keep track of. The sponsor was Tim Hawkes, presented as a real benefit for farmers that want to take a rest and instead of holding their water for next year, being able to sell, or rent, it. The discussion continued about water storage at Bear Lake.

The Canal Company held its annual meeting, Mitch Hancock replaced Curtis Marble on the board of directors, Jay Capener was re-elected to the board, Jeff Hardy is acting as president until the next board meeting.

David Forsgren – No report.

Roger Fridal – Nothing to report.

General Manager's Report – Carl Mackley

Began his report by thanking the board for the merit increase, and stated it is nice to be appreciated by the Board. He said he enjoys this job, even with all its craziness.

There are a couple of bills before the legislature that small water systems need to be aware of. They both have to do with the Division of Drinking Water (the Division). One allows the Division to fine systems (penalize with fees), which can put a burden on small systems that are already struggling. It is set up to compensate the Division for the time they are spending working with these systems. The other bill was introduced to give the Division additional authority to do things. Some of the things are to allow them to require minimum tank sizes for all public water systems, not just public water suppliers. Any 25 persons or over 7 connections equal a public water system, if you must meet a minimum storage requirement, it could cause a lot of problems for small water systems. General Manager Mackley is opposed to both these bills. There are a lot of water bills out there this year. Some are good, some are over-reach. We will be watching these bills.

Our District and the Cache Water District team up and sponsor a Northern Utah a Mini Water User Conference each year. This year is set to be held Tuesday March 31st in Logan at the new Fair Grounds facility. Attendance is typically between 80 and 120. There will be a lot of talk about the Bear River Development Report released earlier this year.

There was an update given on the Flat Canyon Well and what is happening now as the development process continues. The static water level has not changed, it is at around 122 feet. At this time, we do not know the quantity the well will produce.

Governor Gary R. Herbert has appointed Teresa Wilhelmsen, P.E., as new State Engineer and Director of the Utah Division of Water Rights, pending approval by the State Senate.

A motion was made by Board Member Carter to adjourn the meeting. The motion was seconded by Board Member Larson. All Board Members voted in favor.

The meeting adjourned at 8:10 P.M.