

**Bear River Water Conservancy District
Board Meeting
Wednesday January 27, 2021 7:00 p.m.
Bear River Water Conservancy District Conference Room
102 West Forest Street, Brigham City, Utah**

**This meeting was held in the downstairs conference room and electronically via
GoToMeeting.com**

Minutes

Present: Trustees: Roger Fridal, Charles Holmgren, Mark Larson, Russ Howe, Neil Capener, Jay Carter, Tyler Vincent, David Forsgren, Jay Capener, Richard Day, Jeff Scott

Absent:

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

Other:

Welcome: Chairman Roger Fridal
Invocation: Jay Capener
Pledge of Allegiance: Carl Mackley

Adoption of the Agenda –Chairman Roger Fridal

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

Declaration of Conflicts of Interest:

Approval of the Minutes for the Board Meeting held December 16, 2020

The minutes of the Board Meeting held December 16, 2020 were included with the packet that was provided to the Board Members.

Board Member Vincent made a motion to approve the minutes of the meeting held December 16, 2020. The motion was seconded by Board Member Larson. All Board Members voted in favor of the motion.

**Financial Business – Charles Holmgren
Approval of Financial Statements**

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

A motion was made by Board Member Day to approve the financial statements as presented. The motion was seconded by Board Member Carter. All Board Members voted in favor of the motion.

Review of Open Account List

A motion was made by Vice Chairman Forsgren to accept the Open Account List for 2021 as presented. The motion was seconded by Board Member Larson. All Board Members voted in favor of the motion.

The Oath of Office was given to the Board Members that were reappointed by the County Commission in December 2020 to server another 4 year term by Jill Jeppsen, a Notary Public. The Board Members are Jay Capener, Richard Day, and Mark Larson

Chairman Fridal opened the **Public Hearing** Water Revenue Bond
PUBLIC HEARING TO ALLOW PUBLIC INPUT REGARDING (A) THE ISSUANCE AND SALE OF NOT MORE THAN \$210,000 AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BONDS, SERIES 2021 (THE “BONDS”) AND (B) ANY POTENTIAL ECONOMIC IMPACT THAT THE PROJECT DESCRIBED HEREIN TO BE FINANCED WITH THE PROCEEDS OF THE BONDS ISSUED UNDER THE ACT MAY HAVE ON THE PRIVATE SECTOR; AND RELATED MATTERS

There were no public comments.

A motion was made by Vice Chairman Forsgren to approve the issuance of the Harper Ward Water Revenue Bond as shown above. The motion was seconded by Board Member Larson. All Board Members voted in favor of the motion.

The Public Hearing was closed by Chairman Fridal.

Chairman Fridal opened the **Public Hearing**, Harper Ward Retail Rates
PUBLIC HEARING TO ALLOW PUBLIC INPUT REGARDING UPDATING THE HARPER WARD RETAIL WATER RATES AND RATE STRUCTURE

There were no public comments.

The motion made to adopt the new Harper Ward rates and rate structure stands from the December 16, 2020 Board Meeting. The rates will become effective beginning February 1, 2021.

General Manager’s Report – Carl Mackley

General Manager Mackley began his report by expressing gratitude for the District, the employees and the board members. He then referred the board members to his written report for a general list of projects outlined for this coming year. The budget amounts for these projects have been set.

Harper Ward Test Wells – We are looking forward to the opportunity to begin the Harper Ward test well project. We have been working with Bill Bigelow and refining how we want to put this project out to bid. We will have a good plan and wisely use the funds that are allocated, both under the bond revenue and from our savings account, for this project. There is significant pre-construction work that needs to be completed. Trevor Nielson, General Manager of Bear River Canal Company and General Manager Mackley took a field trip recently to look at several places where the District and the Canal Company interact on crossings for the Harper Ward wells and the Flat Canyon well pipeline. There is a crossing of the Hammond canal in Harper Ward, the canal is smaller at this location than it is in Deweyville. There are two well pad sites that need to be prepared. There was a short discussion on the location of the well pads and the steepness of the well sites. We are intending to drill the test wells about 600 feet deep. We anticipate about 200 feet of gravel then an open hole in bedrock. We are going to drill and drive casing at the same time, this is something different than we did at the Flat Canyon well. Driving the PVC casing at the same time as drilling will help prevent the gravel from caving in during drilling, which caused us to have to use the drilling mud. This should eliminate some mobilization and waiting times that we had at the Flat Canyon well, this will also save on the cost of the project. The PVC will be 8 inch and they will drill with a 6 inch bit inside of that. We looked at the bids for the Flat Canyon well and the actual cost to help us understand what we can do with the limited amount of funds we have for these test wells. It was noted there is one existing road that goes to the top parcel, we have easements for 3 other roads and the utility easements are in place.

There was a discussion on the process of drilling and driving the casing at the same time. And on the stability of PVC.

We will be required to do an archaeological survey of the area. The survey will have to be completed before we can close on the loan. We did not have to do this with the Flat Canyon well, but the State would not accept the same information for this well. We have contacted a company out of Logan to quote the project. There was a previous survey done in this area, but the State is requiring an updated report. We will start working on everything in the project except the wells until we get the funding. Since we are matching the funds, we can begin on the groundwork. We are getting quotes on the canal crossing.

Flat Canyon Well – General Manager Mackley reported he has secured a one-half mile long easement for the pipeline from one of the landowners that he has been working with for a long time. There was a discussion on the cost to get the water from the Flat Canyon well to install the pipeline to connect to our system. The distance is about 1 mile and it will be a 6 inch pipe. There is a list of improvements that we will be working to complete this year in the General Manager's written report.

South Willard Well – Renovations continue. Rod Mund contacted Jones Excavation that has a vibratory hammer to try and remove the pump. They quoted \$9,500.00 for the labor and mobilization of the hammer rig. We are going to have to amend the scope of work and maybe we won't do as much re-development of the well after the pump is removed. This is a 9 inch pump in a 10 inch casing, gravel has been lodged between the pump and casing causing the pump to be stuck. They have about 50 feet more to get the pump loose. We are hopeful; this has been a real challenge. South Willard Water

Company has been good to work with us. We need to have an idea soon if we are going to have our well back online before summer.

Drought Planning – There was a discussion about the first regional planning meeting that was held with the Bothwell area. It was noted that it was informative and those that attended appreciated the meeting because it was guiding them in a direction they had not thought about. It was good so many were in attendance to discuss the water/drought situation in the area. We were pleased with the attendance. We will be updating our Master Plan and adding a chapter for Drought Planning. It is good to include the other entities and getting their ideas on projects. General Manager Mackley appreciates the support of these meetings and encouraged the board members to follow up with those that attended. In order to get any federal funding, there has to be some planning done first. Through these planning meetings, we can help identify projects that the other entities are wanting and needing. This is a good way for the District to best serve the county.

Bothwell – we replaced the transducer in the well and the water level is back up to about 113 feet. The transducer was faulty. We do not know exactly what happened, there were so many things that happened at the same time, with water quality changing and the drastic drop in level and other entities running out of water, too. It was a good experience because it helped shape how we deal with Chanshare going forward. They are going to have a 1/3 reduction in water this year. In the past they were guaranteed 1800 a/f, now they will be guaranteed 1200 a/f. This includes the irrigation wells, not just the Newman. It is also opening a door to renegotiate our agreement with Chanshare. There was discussion on the current agreement that goes through 2026 and how renegotiating in 2022 to the end of the agreement would be beneficial to both parties.

Secondary Irrigation – We are talking about this because of some of the comments that have been made since our last board meeting and in the first regional planning meeting we had. We can all see that growth is starting to accelerate in some areas of the county. The District and the public water suppliers all have a limited amount of water. First there is the ‘paper’ water, what the water rights say, then you also have the ‘wet’ water, which drought can affect, then we have a growth challenge. There are different concepts that we can talk about. We would like to see more planning and zoning policies related to water use. Scott Lyons, from the County, attended the drought planning meeting. Weber Basin WCD released a study on the Bear River Development project that involved conservation goals. If these goals were met it would push the Bear River Development project back even further, in every area except the Salt Lake Valley, where Jordan Valley WCD has an allocation in the project. Weber Basin WCD has taken some impressive steps towards conservation in the last 10 or 15 years, and they have spent a lot of money to do it, but they are saying that, among other things, this Bear River Development is so expensive that it is worth it to do more conservation and push the project back. Box Elder County cannot afford their portion of the development, so this means had we better have a backup plan and smaller scale projects and good water policies to make thing work for us over the next 50 years. The Bear River Canal Company will also play a large part in this. The canal company is concerned about when land in their service area is developed, how do they make their water right whole, and not let it diminish. The District would be interested in knowing what the canal company’s plans are as land is developed.

There was a discussion on what happens to the canal company water rights as land is developed.

General Manager Mackley referred board members to a list of possible policies to consider for development in the county. It was mentioned that some of these items may have unintended consequences. The discussion continued regarding preserving the irrigation water and farmland. Some parts of the county, like South Willard, require the developer to provide secondary water for new subdivisions. The District is concerned that the culinary supplies are finite. We need to have policies that will require developers to have secondary water. It is important that the County has policies in place for secondary water. It should also include running the secondary waterlines even if water is not yet available for secondary. Each water company in the county can set policies for developers to provide secondary water in their service area, as the municipalities do.

Board Member Scott said the County is currently working on the General Plan update. Any policies for secondary water would need to be by geographic area, where it makes sense. One problem they have encountered is being able to apply the policies across the board, so it does not appear as cronyism, especially in areas that will never have secondary water available. General Manager Mackley suggested that the policies be applied by the size of the development, or density of the homes. This might be the most beneficial.

There is currently a developer that has purchased 120 acres of land in the Riverside North Garland (RNG) service area, he wants to build 75 houses but there is a limited amount of water RNG can sell. He has made the comment that if RNG does not want the money for the water connections (about \$750,000.00) he is going to drill wells and sell his houses anyway. He would have to have the State's approval and water rights to drill wells.

General Manager Mackley concluded his report by thanking the board members for the good discussions on these important subjects.

System Operations – Robbie Thayne

Richard Williams was involved in an auto accident and the new truck (2019 Ford) has been damaged. It will probably be a total loss. Richard will be ok.

Water use is down everywhere. It is typical of this time of year.

The backup well enclosure at the Bothwell site is almost complete. There is some electrical work that needs to be complete and the siding and roofing need to be installed.

We are renting a generator about once a month to pump water into our tank in South Willard. We put about 8 feet of water in the tank. It has been good to work with South Willard Water Company. We are investigating the purchase of a portable generator that we can use here and at our other systems.

We are finally going to move the South Willard fire hydrant. It seems like it has been a long time coming, but it is going to take place next week.

We are getting some electrical training from Bridgerland Applied Tech. We use a lot of power in a lot of places and it would be helpful for all of us to have some additional training.

The operators have been working to replace leaking air vacs and helping Krys Oyler with the back up well enclosure, to save on labor charges.

On December 28, 2020, the transducer was changed out in Bothwell, at that time the well level was 113.4, today it is 114 so we have gained a little water in a month.

The Beaver Dam spring has gone down about 2 gallons, we are down to about 17gpm. We are losing some spring water; the problem is there has not been any precipitation. The question was asked if we have water available in Beaver Dam. We currently only use about 1/3 of our water right on this system.

Trustee Reports

Jay Carter – Received a little snow today in Park Valley.

Russ Howe – No report

Richard Day – No report

Tyler Vincent – There was a good amount of snow near Snowville last weekend. We just need to hope and pray for more. Generally, the cabin at Island Park has 12 ½ feet of snow this time of year, this year there was about 4 ½ feet.

Jay Capener – No report

Neil Capener – Riverside North Garland is checking again on the water rights for Steve Welling's well. It is a big well, it has 640 acre feet. Riverside North Garland would have a hard time making that project work.

Mark Larson – No report

Charles Holmgren – Just a follow up on the comments about Weber Basin WCD, they are able to give the report they did because they have 3 giant reservoirs and half a dozen small reservoirs. We do not have any and Jordan Valley has none, Cache has none.

There was a Lower Bear River Distribution meeting today in Logan. The River Commissioner, Jim Waterson, announced that he is retiring at the end of this year. If anyone in this group has suggestions for a new commissioner, that would be helpful. This covers the Bear River from the state line to the bird refuge. There is a salary and benefits for the position.

Water Resources is meeting tomorrow, online at 1:00PM.

The Governor has decided he does not want the Director of Water Resources to be the commissioner on the Colorado River. This seems like a mistake. The Director of Water Resources will remain as the Interstate Stream Commissioner on the Bear River and will be in an advisory position on the Colorado.

We measured about .5 inches of water this past weekend at the farm.

Dave Forsgren – Reported he spoke with Troy McNeely with Honeyville City, their springs are running about 320 gpm. They are still having trouble with the bacteria in the new line they put in last year. The well east of town is not running, but the one north of town is. This time of the year is normally a low time for the springs.

Roger Fridal – Tremonton is doing well. This is not a high demand season. We are working hard to prepare for 20 or 30 years in the future or more.

Jeff Scott – A follow up to the earlier discussion about the county planning and zoning. He just heard back from Scott Lyons and they are in the process of updating the planning and zoning code. They are going to be looking for code that is similar to what we talked about from other counties to try and get a template for a policy for developers and secondary water requirements. Then they will schedule a work session with the planning commission and could have a new policy in place in the next 2 or 3 months for secondary water, based on subdivision size and/or density.

The weather reports say this next storm should deliver a good amount of water.

Closed Meeting - Purchase, exchange, lease, or sale of real property, including any form of a water right or water shares.

A motion was made by Board Member Larson to open a closed meeting to discuss the Purchase, exchange, lease, or sale of real property. The motion was seconded by Board Member Vincent. Roll call vote: Jay Carter, aye, Russ Howe, aye, Richard Day, aye, Tyler Vincent, aye, Jay Capener, aye, Neil Capener, aye, Mark Larson, aye, Charles Holmgren, aye, Dave Forsgren, aye, Roger Fridal, aye, Jeff Scott, aye.

A motion was made by Vice Chairman Forsgren to end the closed meeting and return to an open meeting. The motion was seconded by Board Member Day. Roll call vote: Jay Carter, aye, Russ Howe, aye, Richard Day, aye, Tyler Vincent, aye, Jay Capener, aye, Neil Capener, aye, Mark Larson, aye, Charles Holmgren, aye, Dave Forsgren, aye, Roger Fridal, aye, Jeff Scott, aye.

A motion was made by Financial Chairman to authorize the General Manager to enter negotiations for a lease of the Collinston well in the amount specified. The motion was seconded by Board Member Larson. All Board Members voted in favor.

A motion was made by Board Member Vincent to adjourn the meeting. The motion was seconded by Board Member N. Capener. All Board Members voted in favor.

The meeting adjourned at 9:30PM.