

**Bear River Water Conservancy District
Board Meeting
Wednesday March 24, 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 office conference room and electronically via GoToMeeting.com

Minutes

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

Absent: Tyler Vincent

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

Other: Erin Winterton, Child Richards CPAs and Advisors
Buster Marble, Chanshare Farms, Steve Norman, West Corinne Water Company

Welcome: Chairman Roger Fridal

Invocation: Dave Forsgren

Pledge of Allegiance: Jay Carter

Declaration of Conflicts of Interest: None

Adoption of the Agenda –Chairman Roger Fridal

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

Approval of the Minutes for the Board Meeting held February 24, 2021

The minutes of the Board Meeting held February 24, 2021 were included with the packet that was provided to the Board Members.

Vice Chairman Forsgren made a motion to approve the minutes of the meeting held February 24, 2021. The motion was seconded by Board Member Howe. All Board Members voted in favor of the motion.

Financial Business – Charles Holmgren

Approval of Financial Statements

The financial statements for February 2021 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 Larson to approve the financial statements as presented. The motion was seconded by Board Member Carter. All Board Members voted in favor of the motion.

Presentation and Adoption of the 2020 Financial Audit—Erin Winterton, Child Richards CPAs and Advisors. Erin distributed a copy of the 2020 Audit Report to the Board and reviewed various highlights of the document. One finding of the audit showed that there was one Board Member who had not completed all of the annual trainings required. This was a repeat finding from the previous year. However, after the meeting was over, the Board Member produced a printed copy of the training completion. Next year we will get our ducks in a row on that.

A motion was made by Vice Chairman Forsgren to approve the 2020 Financial Audit as presented. The motion was seconded by Mark Larson. All Board Members voted in favor of the motion.

Annual Report – Vice Chairman David Forsgren

A written copy of the Annual Report was provided to the Board Members. Vice Chairman Forsgren reviewed the highlights of the report. He also expressed appreciation for the District Staff and Board Members that serve on this board and their concern for the residents of Box Elder County and helping to provide good drinking water throughout the county.

Election of Officers – Chairman Roger Fridal

A motion was made by Board Member Larson to retain the current officers as presently constituted. The motion was seconded by Board Member N. Capener. All board members voted in favor of the motion.

The officers for the coming year are: Chairman, Roger Fridal, Vice Chairman, David Forsgren, Financial Chairman, Charles Holmgren

Appointment to Tax Entity Committee – Chairman Roger Fridal

Chairman Fridal asked the board members if someone was interested in serving on the Tax Entity Committee. It was noted by Board Member Scott this committee may have been disbanded by the legislature, and the County Attorney is checking into the situation. Board Member Scott mentioned if the requirement to have a committee was removed, it did not mean we could not have a committee if we wanted to. Board Member Day requested Vice Chairman Forsgren serve as our representative if/and when the committee meets. Board Member Scott said he thought the taxing entities should meet and set the criteria for future RDA's/CDA's that are presented, and these criteria should be passed on to the economic development agencies and they should be informed we would not consider any new RDA/CDA that do not fit this criterion. Vice Chairman Forsgren accepted the request to serve on the committee. All board members voted to confirm the appointment.

General Manager's Report – Carl Mackley

Bothwell Water Source Availability – General Manager Mackley gave a presentation to the board members detailing our water rights in Bothwell; how the water is currently allocated to our retail customers and through our wholesale contracts. He also showed how the depletion allotment is reduced when water is exported out of the Bothwell Pocket, and gave some future scenarios of how the water could be allocated. The data shows under our current allocations and contracts we do have some water

available to supply to other entities. He also explained the conditions of approval related to the change application, including monitoring for water quality and not allowing the water quality to be degraded over time.

There was a discussion on the ability to provide water, the water quality in the area, and the definition of the 'pocket'. It was noted that we want to continue to provide water for our current customers and give them top priority at additional water. There was discussion of the infrastructure that will be needed to deliver more water to some entities outside the 'pocket'. The District is doing a great job of monitoring the groundwater resource and staying within its permitted water rights.

Steve Norman with West Corinne Water Company (WCWC) was in attendance to see the presentation given on our Bothwell water availability to see if the District has water available to sell them. He will return to his board to get specifics on how much water they are requesting. Buster Marble with Chanshare Farms, our largest customer, was also in attendance. He expressed interest in continuing to receive water from the District from our Bothwell System.

General Manager Mackley talked to the Board about the need to have an updated Service Connection Policy in Beaver Dam. Because of a proposed development in the area, we have had several current residents purchase connections this month. There is a concern of the developer coming in and taking all the water available on the system. We would like to have a policy to require water rights be brought to the District for anyone wanting more than 2 connections. We also need a policy that gives a timeline to put the purchased connection to use, or to have the customer begin paying the minimum monthly fee after purchase. There was a discussion where this subdivision is in the planning stages with the County Planning & Zoning department.

A motion made by Financial Chairman Holmgren to implement a policy that one individual will be limited to no more than two connections on the Beaver Dam system. The motion was seconded by Board Member Day. No vote was taken.

There was a discussion regarding the legality of such a policy and it was suggested that we consult our legal counsel to draft a policy.

The motion was amended by Board Member Larson to table the item until legal counsel has been consulted on the policy. The motion was seconded by Board Member Day. Jay Capener abstained from the vote. Chairman Fridal, Vice Chairman Forsgren, Financial Chairman Holmgren and Board Members Scott, Carter, Howe, and N. Capener voted in favor of the motion.

South Willard Well- General Manager Mackley reported back to the Board on potential sources of funding for drilling a new well in South Willard. Possible locations include within 150 feet of the existing well or on property that we own down on the elk farm. He reported that it may be possible to use an explosive at the junction of the well shaft in order to sever the pump column from the pump beneath it. If successful, the lower portion of the well would be abandoned to just above the pump and a new pump installed above there. There is risk that this method may not be successful and will only cost more money.

General Manager Mackley reported that he had met with South Willard Water Company (SWWC) to discuss the present well situation and to discuss options for a future water supply for both water systems. A few years ago, SWWC purchased the Mund Well as a source of water for their culinary system. It seems to be a great source with potential to share among both systems. However, after the well was drilled, a subdivision was built within what would be Source Protection Zone 2. The well was drilled to culinary standards but has only been used to irrigate an orchard thus far. It appears that unless the existing subdivision was connected to a sewer system, the Mund Well may not be able to be used as a culinary source. General Manager Mackley asked the Board for approval to enter a 5-year agreement to continue to purchase water from South Willard Water while we work to develop our own source.

Board Member Larson made a motion to authorize the General Manager to enter a 5-year agreement with South Willard Water Company and to get quotes to abandon the existing well, quotes to salvage some usage of this well, and to get quotes on drilling a new well, either 150 feet from this well or on the property the District owns below this location. The motion was seconded by Board Member Day. All Board Members voted in favor of the motion.

Closed Meeting: Purchase, exchange, lease or sale of real property

Board Member Scott made a motion to enter a closed meeting. The motion was seconded by Board Member Larson. There was a roll call vote: Jeff Scott, aye, Jay Carter, aye, Richard Day, aye, Russ Howe, aye, Mark Larson, aye, Neil Capener, aye, Jay Capener, aye, Charles Holmgren, aye, David Forsgren, aye, Roger Fridal, aye.

Board Member Scott made a motion to end the closed meeting and return to the open meeting. Board Member Day seconded the motion. All Board members voted in favor of the motion.

A motion was made by Board Member Scott to authorize the General Manager to negotiate with the landowner of the Flat Canyon well property up to the amount discussed in the closed session. The motion was seconded by Board Member Howe. All Board members voted in favor of the motion.

Billing Software Upgrade Presentation – Jill Jeppsen presented information for a new billing software, Pelorus Methods, that can consolidate the billing software and accounting software into one program. She listed some of the benefits and features of the proposed software. It was noted a budget amendment would have to be done to cover the change and the funds would come from additional income that was not in last year's budget.

Vice Chairman Forsgren made a motion to authorize \$7500.00 for the purchase of the new billing software as presented. The motion was seconded by Neil Capener. All Board Members voted in favor of the motion.

System Operations – Robbie Thayne

We have been doing routine maintenance on the systems.
We are working on getting a new truck.

We installed a culvert at Harper Wart to be able to cross the canal to begin site prep work for the test wells.

Trustee Reports

Jeff Scott – The Commissioners met with Congressmen Moore at Willard Bay this week. There were also some people from Weber Water Conservancy. The biggest concern right now is the need for more water. It is reported that the soil is only about 40% hydrated. They are predicting 40% of this year's runoff will go straight into the soil.

Jay Carter – We need some more rain, other than that things are good.

Richard Day – No Report

Russ Howe – No Report

Mark Larson – No Report

Neil Capener – No Report

Jay Capener – No Report

Charles Holmgren – We had a Board of Water Resources meeting last week and found out they did not properly notify the public of the electronic meeting access for the January meeting, and we had to repeat any business that motions were made on in the March meeting. There was discussion on raising the elevation of Bear Lake an additional 3 feet. The people who will gain the most from this elevation change would be Rich County, Utah and Lincoln County, Wyoming.

I had an opportunity to help another ditch company due to development going on in Elwood, with legal and engineering. Elwood is annexing down close to Bear River City to provide water service to additional homes in that area. There are several homes northwest of Bear River City that are on shallow wells, still. It is unclear if these homes will be annexed in the near future into Elwood.

Dave Forsgren – Honeyville was awarded first place in the State Water Taste Test at the Rural Water Convention earlier this month. This makes two years in a row. Last year Honeyville was also second in the nation.

Roger Fridal – No Report

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

The meeting adjourned at 10:00 PM.