



Board Meeting Minutes

Wednesday February 22, 2023 @ 6:00 P.M.
102 West Forest Street
Brigham City, UT 84302

In Attendance: Vice Chairman David Forsgren, Financial Chairman Charles Holmgren, Board Members Jay Capener, Brodie Calder, Lyle Holmgren, Brodie Calder, Mark Larson, Richard Day, Tim Munns, Boyd Bingham

Staff: General Manager Carl Mackley, Assistant General Manager Jeff Humphrey, Systems Operations Chance Baxter

Other: Jim Flint – Hansen & Associates
Members of the General Public, that signed the roll:

Rich Garrett	Kelly Lemmon	Ryan Stokes
Connie Lemmon	Stacie Maxfield	

Vice Chairman David Forsgren:

Welcome

Invocation and Pledge of Allegiance: Boyd Bingham

Declaration of Conflicts of Interest: None declared.

Adoption of the Agenda

A motion was made by Lyle Holmgren to approve the agenda. The motion was seconded by Tim Munns. The motion passed unanimously.

Approval of the Minutes for the Board Meeting held January 25, 2023

The minutes of the Board Meeting held January 25, 2023, were included with the packet that was provided to the Board Members.

Financial Chairman Charles Holmgren made a motion to approve the minutes of the meeting held January 25, 2023. The motion was seconded by Richard Day. The motion passed unanimously.

Financial Chairman Charles Holmgren – Financial Business

The financial statements for January 2023 were prepared and provided to the Board Members. Board Member/Commissioner Bingham asked where the financial statements are. Due to a temporary staff shortage, they were not included in the packets to review earlier. They were given to the board members at the meeting. Financial Chairman Holmgren has reviewed the reports, found them acceptable and asked for the Board to approve them.

A motion was made by Tim Munns and was seconded by Jay Capener. All members voted in favor.

Public Comment

Richard Garrett, Collinston –District's [2023 unapproved] budget proposed a property tax increase of 56.8%. That's a huge increase. [The District Board did not approve that amount.] Utah State Senator McKay sponsored legislation that is going to [interim] study regarding Utah water conservancy district's use of property tax to fund water supply. Water conservancy districts in the surrounding states of Nevada, Wyoming, and Idaho get 9% or less of their revenue through property taxes. The district

services 400 [retail] connections and is nailing everyone in the county with a tax increase. I don't see how everyone in the county should be paying for those 400 connections. Let growth be funded by those who come. Let the connections cost what it costs to be self-sustaining. It's morally wrong.

Kelly Lemmon, Collinston – Clarification on what Rich Garrett said; 56.7% percent of your [2023] budget is coming from property tax. Senator McKay was concerned with an average of 25%. This is more than double. That is something that needs to be seriously looked at. I know you said no questions, but *“How soon after your board meeting do minutes need to be published?”* December's minutes are not yet published. [Chairman Forsgren and Commissioner Bingham responded, three days after they have been approved.]

Petition for Water in Bothwell – Summerland Ranches

Jim Flint, engineer for the proposed Summerland Ranches Development in Bothwell came seeking approval from the BRWCD Board of Trustees (Board) for Phases 2 and 3 of Summerland Ranches Development. Developers/property owners are Shane Barthlome and Ryan Stokes. The Board approved Phase 1 back in April of 2022. Secondary water will be provided to all three phases by an existing well that produces 2000 gallons per minute (gpm). Each phase consists of 12 lots. They are requesting 0.45 acre-feet of water per year for indoor use only from the District's Bothwell System.

There was a discussion of the location of the proposed project, it's phases and existing BRWCD infrastructure. Maps and aerial imagery were made available to the board to see the locations being proposed and to know what the layout of our Bothwell Water System is like. Board Member Calder asked General Manager Mackley what the water availability is for our Bothwell System. We have a spreadsheet that tracks all our contracts and obligations and that has been used to produce modeling scenarios for the Bothwell System. It shows that our 10-inch pipeline is at capacity when all the existing agreements are fully utilized and that a parallel 12-inch pipeline is needed. The modeling shows that capacity was reached with the selling of additional water to West Corinne Water Company a few months ago.

General Manager Mackley stated that the existing capacity of the 10-inch pipeline is 1400 gpm based on modeling. However, this capacity does not meet minimum pressures everywhere. General Manager Mackley also stated that the modeling accounts for retail uses surpass the existing five-year average, but the pipeline is considered to be at capacity to meet existing obligations.

A previous development north and west of Summerland Ranches installed a portion of 12-inch pipeline along the west side of Summerland Ranches Phase 1. There was a discussion regarding whether the developers would be required to install the remainder of the 12-inch line and what infrastructure they would be responsible for installing to supply the development. Members of the Board questioned whether there is water available. General Manager Mackley said although other areas are limited in sources, Bothwell is limited in distribution, not sources; Bothwell has 2 wells that can deliver 3,000 gpm each.

After discussion Board Member Lyle Holmgren made a motion to authorize Hansen & Associates, Ridley Griggs, and General Manager Carl Mackley to meet to come up with a plan and bring to the Board for a vote; and for the developer to incur the cost of a study to determine the capacity of the system, seconded by Board Member Tim Munns, all members vote aye; motion passed.

General Manager's Report

Office Manager Position –

General Manager Mackley informed the Board that the recently hired Office Manager, Keely Draper was no longer employed by BRWCD. Mackley and Assistant General Manager Jeff Humphrey had a discussion and felt it was in the best interest of the district to go in another direction. Mackley

has reached out to Jamie Williams who has experience with another district, her hire date will be 3/13/2023.

BRWCD Mission Statement –

General Manager Mackley read the BRWCD Statement as a reminder as to why the district was created.

Water Right Appropriations Policy for Area 29, Bear River Basin in Box Elder County –

General Manager Carl Mackley and the Board discussed concerns with the Water Right Appropriations Policy for Area 29. Mackley doesn't feel that it makes sense to implement the policy as proposed. He feels the policy is shortsighted and Bear River Canal Co. is most vulnerable. Financial Chairman Charles Holmgren made a motion that the board members schedule a work session to discuss the District's policy stance regarding the State Engineer's declaration or future declaration of appropriation policy for area 29 of Bear River Valley, seconded by Brodie Calder, all members vote aye; motion passed.

County-Wide Water Master Plan –

After discussion of Water Right Appropriation Policy for Area 29, General Manager Mackley suggested to the Board that BRWCD implement a County-Wide Water Master Plan (CWMP). Mackley is confident that we can get matching grant money to implement the plan. Financial Chairman Charles Holmgren made a motion authorize Mackley to pursue the CWMP contingent on securing funding. An amendment was made by Board Member Boyd Bingham to invite all the other entities who have water rights to be invited to have a seat at the table to discuss the CWMP because their water rights are far senior than any of the water rights the Conservancy District has. The motion and amendment were seconded by Richard Day, all members vote aye, motion passed.

Upcoming Water Conferences –

General Manager Mackley discussed some upcoming water conferences; the Rural Water Conference and the Northern Utah Water Conference.

Trustee Reports

Charles Holmgren – Financial Chairman Holmgren thanked Carl Mackley and Trevor Nielson for being the only defense for water rights and legislation in Northern Utah. Charles talked about legislative bills that were being considered and the impact they have on Box Elder County, the Bear River Canal Co., and individual shareholders.

Jay Capener – Board Member Capener informed the Board that he and Mitch Hancock have been re-elected to the Bear River Canal Board. He also expressed his disappointment in Senator Sandall running Senate Bill 277. Capener felt that the Bear River Canal Co. was left out of important discussions that largely affect them.

Brodie Calder – Board Member Brodie Calder met with Riverside North Garland Water Company (RNG). They presented a problem with multiple people asking for water connections. The District has already made increasing water available to RNG. However, RNG does not have capacity for that water in some of its existing pipelines.

Lyle Holmgren – Board Member and Tremonton City Mayor Holmgren met with General Manager Carl Mackley, Tremonton City Manager Shawn Warnke, and Public Works Director Paul Fulgham. They discussed the wheeling of water through Tremonton. He shared with the Board, the city's involvement in developing an aquifer storage and recovery area in Cedar Ridge area, near the Bear River.

Mark Larson – No Report

Richard Day – Board Member Richard Day updated the Board on the current snowpack in the mountains southeast of Willard.

Tim Munns – Board Member Tim Munns had questions as to his responsibilities to the district and the area that he represents. General Manager Carl Mackley told him he serves western Box Elder County (anything west of and including Howell). The district helps small systems with legitimate projects. Past projects include Park Valley and Grouse Creek.

Boyd Bingham – Board Member Bingham had questions for the Board and General Manager Carl Mackley regarding studies and monitoring of Pack Barnard Springs. Bingham wanted to know if BRWCD was willing to measure and monitor the springs. Mackley told him yes, they had offered three times, but the shareholders wanted the state to do it, the state declined. BRWCD also offered to pay for a third party to monitor.

David Forsgren – No Report

Operations Report – Chance Baxter

- **Systems Operations.**

The operations side of things has ran quite smooth since we last met. We have been busy with general maintenance projects when weather conditions allow. We were very fortunate to only have 3 freeze ups during the last cold snap. All were in Collinston where we had reports of -19 degrees one morning.

- **Collinston Aquifer testing.**

Tuesday Morning at 8am we began the aquifer test in Collinston. The test requires that we pump 200 GPM into the overflow pond at our South Tank site for 102 hours. We are using the South Booster Station to pump 250 GPM into the South Tank. We've done the calculations on the Collinston system and have figured out that the Collinston system uses roughly 50 GPM. By pumping 250 gpm into the Collinston system we are able to overflow the south tank at 200 GPM. The test is running smoothly and will continue until Saturday afternoon at 4PM.

- **UKON Blending Vault. "UPDATE"**

Following last month's meeting we began working more closely with UKON Water concerning the blending vault issues. On 1-27-23 Kylee Jeppsen and myself met some of the board for UKON water. We decided to snowmobile into their springs above the old Hansen Dairy. They were hoping to find where the debris is coming from. We didn't find anything that seemed to be the issue. The next week we met them again at the Blending Vault. We helped them to turn out one of their springs that they suspected to be the cause of the debris. This seemed to remedy the issue. Our operators haven't had any problems with plugged screens in the blending vault since we've done this. I'm hopeful they have resolved their issues.

- **Collinston Water Leak.**

On 2-6-23 at 4pm we began getting low level alarms from the South Tank in Collinston. Kylee and Richard headed that way. Richard discovered that the fire suppression system in the Rupp Recycling building had burst due to freezing. Shortly after Blaine Rupp the Owner Arrived. He helped Kylee and Richard find the isolation valve out on the street for the suppression system. They shut it down. A 4

Inch Valve froze and burst during the last cold spell that we experienced. By our rough calculations we lost nearly 300,000 gallons during this event.

- **Tremonton City Leak.**

On 2-1-23 Tremonton experienced a leak down in the river bottom east of the high school. We supplied them 1300 GPM out of our Bothwell System For 3 days while the repairs were made. This was no issue due to the lower usage we experience during the winter months on the Bothwell system.

- **Wholesale Connections Current Usage February 2023.**

WCWC – 200 gpm from our Bothwell system.

Tremonton Connections - Ranges from 0 to 1300 gpm

UKON blending. – 40 gpm

- **New Connections Installed.**

No new Connections installed since our last meeting.

Closed Meeting to discuss the purchase, exchange, lease or sale of real property

A motion was made by Financial Chairman Holmgren to enter into a closed meeting. The motion was seconded by Board Member Lyle Holmgren. A roll-call vote was taken. All board members in attendance signified “aye”. At the completion of the closed meeting, a motion was made by Financial Chairman Holmgren to enter back into an open meeting. The motion was seconded by Board Member Richard Day. A roll-call vote was taken. All board members in attendance signified “aye”.

A motion was made by Board Member Lyle Holmgren to sell Matt Baxter the portion of the District’s water right that he is currently leasing for the agreed upon price. The motion was seconded by Board Member Mark Larson. All board members in attendance voted in favor of the motion. None opposed.

A motion was made by Board Member Mark Larson to adjourn the meeting. The motion was seconded by all.

The meeting adjourned at 8:50 PM.