



Board Meeting Minutes

Wednesday May 22, 2024 @7:00 P.M.
102 West Forest Street
Brigham City, UT 84302

In Attendance:

DJ Bott, Chairman
Jay Capener
Mark Larson
Lesley Kendrick
Boyd Bingham

Board Members

Richard Day, Vice-Chairman
Riggin Holmgren
Joseph Summers
Brodie Calder

Staff:

Interim General Manager, Chance Baxter
Office Manager, Jamie Williams

Absent:

Lyle Holmgren, Financial Chairman
Tim Munns

1-Welcome – Chairman DJ Bott

Chairman DJ Bott welcomed all in attendance and called the meeting to order at 7:00 PM.

2- Invocation & Pledge of Allegiance

Offered by Trustee Mark Larson.

3- Declaration of Conflicts of Interest

No conflicts declared.

4- Consent Agenda

A- Adoption of Agenda
B- Approval of Minutes – April 24, 2024

Vice Chairman, Richard Day made a motion to approve items A and B on the Consent Agenda, seconded by Trustee Riggin Holmgren; all members voted aye, motion passed.

5- Approval of Financial Statements

Vice Chairman, Richard Day made a motion to approve the April 2024 financial statements as presented, seconded by Trustee Mark Larson; all members voted aye, motion passed.

6- Action Items

A- Whites Valley Water/ Change Application – Steve Elliot

Interim General Manager, Chance Baxter explained that Steve Elliot is petitioning the District to lease 8.4 ACFT of water in Whites Valley. Mr. Elliot intends to get a start card to drill a well in Whites Valley to water 400 cattle. Mr. Baxter further explained that this leased water would come from the District's Newman sources in Bothwell.

Trustee Brodie Calder asked if Mr. Elliot intends to secure his own water rights. Mr. Elliot confirmed that he will pursue acquiring his own water rights. Interim General Manager, Chance Baxter asked the board to consider allowing him to come up with a contract that that would allow Steve Elliot to exit the contract early if he is able to acquire his own water rights before the end of the contract term.

Interim General Manager, Chance Baxter stated that in conversations with Skyler Buck from the Division of Water rights, Mr. Buck didn't see any potential problems with this change application. Trustee Brodie Calder asked if there would be any loss/ reduction of the water rights in the change application from municipal use to agricultural use and the reverse. Mr. Baxter explained that none of the water right would be lost/reduced. Mr. Baxter further explained that this agreement would be a take or pay contract at the current wholesale rate and that the water would be metered.

Trustee Riffin Holmgren made a motion to authorize Interim General Manager, Chance Baxter to negotiate and write a water lease agreement for up to 10 years with Steve Elliot and then have that agreement executed by the chairman, seconded by Trustee Boyd Bingham; all members voted aye, motion passed.

B- Selection of subcommittee members for Water Service Policy revisions

Chairman DJ Bott explained the need to form a subcommittee of up to 4 members along with Interim General Manager, Chance Baxter. The purpose of the subcommittee will be to revise the District's water service policies to suite the new direction of the District, including secondary water, getting out of the retail business, requiring developers to work with municipalities of future annexations, and requiring developers that petition the District for water to bring water shares with them for their development. Interim General Manager, Chance Baxter added that the sub committee will also need to discuss rededication of the water shares/rights once a municipality or private company is ready to absorb new developments. Chairman DJ Bott also stated that the subcommittee should consider fashioning these policies in a way that they can become city ordinances that can be shared with the local municipalities.

Trustees Brodie Calder, Lesley Kendrick, Boyd Bingham, Jay Capener, and Interim General Manager Chance Baxter were selected to be on the Water Service Policy Revisions Subcommittee. The board also discussed inviting the Box Elder County Community Development Director, Bear River Canal Company, the District's attorneys and Financial advisor, and Box Elder County's attorneys to attend subcommittee meetings. Subcommittee meetings will be held every other Friday.

C- Moratorium on all water sales pending the approval and adoption of revised Water Service Policy

Chairman DJ bott explained that the Executive Committee and Interim General Manager, Chance Baxter would like to put a moratorium on all future water sells pending the revision and approval of the District's Water Service Policies. Mr. Baxter said he received a letter from the District's attorney encouraging the board to go on a moratorium until there is a policy in place to guide the District going forward. Mr. Baxter explained that the Summerland ranches and McFarlane developments have already been board approved and will not be subject to the moratorium or new policies. Danny McFarlane backed out of the McFarlane subdivision and did not attend the last board meeting to petition the board for water so that agreement may be invalid. The board directed Interim General Manager, Chance Baxter, to work with the District's attorney regarding the McFarlane subdivision agreement.

Trustee Riffin Holmgren made a motion to put a moratorium on all future water sales for up to 6 months until the approval and adoption of a revised water service policy, seconded by Trustee Boyd Bingham; all members voted aye, motion passed.

D- Flat Canyon Well – Update and Engineering Study

Interim General Manager, Chance Baxter stated that Trustee Brodie Calder had asked him to gather all the information the District and the District's Engineers had on Flat Canyon Well. After gathering and reviewing the information Mr. Baxter explained that he and the District's engineers are of the opinion that mistakes were made in the drilling of Flat Canyon Well that has caused it to be a poor well. Mr. Baxter explained that Flat Canyon well was originally drilled to be a test well. Past management decided to make the test well a production well. During the process of turning the production well into a test well a large amount of grout was lost down the hole. Mr. Baxter and the District's engineers speculate that Flat Canyon Well is plugged. Data from monitoring equipment in Flat Canyon Well supports this theory.

Interim General Manager, Chance Baxter stated that he has been working with the District's engineers to explore options to support the Collinston System. The District has roughly 1750 ACFT of water available in Deweyville. Mr. Baxter proposed to drill a 2" test well within 100ft of the existing Flat Canyon Well and do test pumping. Mr. Baxter stated that after drilling this test well if additional water is found the District could pursue drilling a replacement production well within 150ft of the original Flat Canyon Well. Or the District could keep the water in the "bank" and wait to drill a well until the need arises. Mr. Baxter sought bids to drill the test well, he received two bids for this project one for \$70,000 and the other for \$140,000. Mr. Baxter clarified that he is not stating that the District should pursue drilling a second production well at Flat Canyon but that he thinks it would be a good idea to drill the test well and see what water is available.

The board asked Trustee Lesley Kendrick if Deweyville town has additional capacity from their well that the District could use. Mrs. Kendrick stated that Deweyville does have additional capacity, but she is not sure of the exact amount. Trustee Brodie Calder questioned why the District should pursue drilling a well if there is additional source capacity in Deweyville well. Mr. Calder also asked how Interim General Manager, Chance Baxter, came to the knowledge about the mistakes with Flat Canyon Well and why the District's engineers never informed the board of these mistakes. Mr. Baxter stated that he only came to the knowledge of this information about a month ago. Mr. Baxter further stated the District's engineers, in their words, said they were not involved whatsoever but that the General Manager of the District made a decision and didn't seek their council and once the mistake was made, he didn't seek council from them of how to ratify it. Mr. Baxter said he would be sending out an email to the board about everything that he has found and compiled regarding Flat Canyon Well.

Chairman DJ bott asked the board about Trustee Brodie Calder's idea of moving additional water rights to Deweyville's well. Trustee Boyd Bingham said moving in the direction of having municipalities being the source providing water is a better way. Trustee Mark Larson asked if the board is sure that there is enough water in Deweyville's well. Mr. Larson further explained that a few years ago Deweyville gave notice of ending their water purchase agreement with the District. Trustee Lesley Kendrick said she would need to get more information on the available capacity that Deweyville Well has and confirmed that notice was given to the District to terminate the water purchase agreement but that this was withdrawn after one year. The board discussed that if additional water rights were to be moved to Deweyville it would require a long-term contract.

Trustee Mark Larson said that he agrees with Interim General Manager, Chance Baxter that it might not be a bad idea to drill the test well and find out what water is there. Mr. Baxter said that funding for the Flat Canyon Test Well could come from the Bureau of Reclamation funds the District currently has. Mr. Baxter explained that if the District chose to drill another production well within 150ft. of the current Flat Canyon Well it couldn't be contested whereas moving additional water rights to Deweyville Well can be contested. Mr. Baxter also pointed out that having additional sources is always a good idea and that with an additional source the District could provide a backup source for Deweyville.

Trustee Mark Larson made a motion that the District move forward with drilling a 2" exploratory (monitoring well) on Flat Canyon and inquire about the capacity of Deweyville's well, seconded by Joe Summers; all members voted aye, motion passed.

E- Ratification for Public Comment Policy (discussed in 4/24/2024 meeting)

Chairman DJ Bott reviewed the parameters for public comment determined at the last board meeting:

- 3 minutes per person.
- A maximum of 30 minutes (room for 10 individuals total).
- A sign-up sheet.
- Public comments are held at the end of the meeting if time allows. (Up to the discretion of the Chairman).

Trustee Riggan Holmgren made a motion to adopt the public comment policy with the parameters discussed; seconded by Vice Chairman Richard Day; all members voted aye, motion passed.

7- Project updates – Interim General Manager, Chance Baxter

A- Harper Ward

Interim General Manager, Chance Baxter gave the following update on the Harper Ward Project:

Drilling of Harper Ward Well #2.

We began drilling harper ward well #2 last December. We are using Water Well Services out of Willard as our drilling contractor. The well will have a final depth of 420 feet. As of today, they've achieved a depth of 390 feet. I predict within one month the drilling process will be completed; we will then move forward with development of the well. This consists of perforating the casing at the desired locations. Following Water Well Service will begin an extensive test pumping program to discover the maximum capacity of the well. We are hopeful that this well will provide around 500 gpm.

Pipeline and power line.

This portion of the project went out to bid on May 15th, 2024. We had a Prebid meeting with potential contractors on the 21st. Bidding will be closed on June 4th, 2024. The pipeline and powerline consist of roughly 2900 feet of 12-inch c900 PVC as well as 2900 Feet of 4-inch conduit for the power line. As part of the bidding process, we've included the opportunity to purchase most of the materials separately. BRWCD has great purchasing power along with not having to pay sales tax on materials. This may be an option to combat increasing construction costs.

500,000-gallon tank and Overflow Pond.

This portion of the project went out to bid on May 21st, 2024. There will be a Prebid meeting on May 30th. The bidding process will close on June 13th, 2024. I don't anticipate a lot of bidders for this project. Water Tank building is a specialized trade. Once under construction the project will take a year or slightly more to complete.

Well Pumphouse

This project will go out to bid sometime this summer. We need the well drilling and test pumping to be completed so that we know exactly how to size things within the pumphouse. I will update the board later when I have more information on the timeline.

8- Trustee Reports

Boyd Bingham –Box Elder County has been discussing and will continue to discuss secondary water.

Lesley Kendrick- Satisfied with Ormond Construction's clean up.

Joe Summers- I was not able to talk to Thatcher-Penrose. Interim General Manager, Chance Baxter stated that Thatcher-Penrose is still waiting to get their well in. Their pump got lost coming from California. They have everything they need to go back in and be operational, but they can't find the pump.

Mark Larson- none

Brodie Calder- none

Riggin Holmgren- none

Jay Capener – There is water in the canal. I would like to publicly thank Commissioner Bingham for helping. There was a bridge failure and a little push back from the road department. I understand that you helped.

Richard Day- Willard city is looking at and talking to South Willard about annexation. I think it has to happen but it's going to take its time getting there.

DJ Bott – Brigham city is paying for a study of the secondary irrigation system in Brigham City. Brett Jones is doing that for us, and I saw their mappers out with the sticks doing elevations on all the canals and ditches. So that is ongoing, and I think moving forward well. We've had a meeting with Whitaker Construction that is going to be replacing the aquifer or penstock lines that run Mantua to Brigham City with our water both secondary and irrigation. I don't know that they've got a date yet when they are going to start. I think they are trying to figure out sequences.

9- Public Comment

none

10 - Adjournment

Trustee Boyd Bingham made a motion to adjourn, seconded by Trustee Riggin Holmgren; all members voted aye, meeting adjourned at 8:15 pm.