

Central Iron County Water Conservancy District
Board Meeting Minutes
March 15, 2018



Board Members

Brent Hunter – Chairman
Paul Cozzens
Joe Melling
Tom Stratton
Heath Oveson
Spencer Jones

District Staff

Paul Monroe – General Manager
Mandi Williams-Office Manager
John Juergens - Operator
Tracy Feltner-Operator
Shelby Ericksen-Public Outreach

Curtis Nielson– District Engineer
Kelly Crane-District Engineer
Justin Wayment-District Legal Counsel

Others in Attendance:

Cory Dow
Tom Hale
Evan Vickers
John Westwood

CALL TO ORDER: Board Chairman Hunter called the meeting to order. 6:31 PM
John Juergens led the pledge, Joe Melling offered the invocation. **(0:10)**

SWEARING IN OF NEW BOARD MEMBER: ▪Justin Wayment read the swearing in statement for CICWCD to Heath Oveson, a new member on the Board of Directors. Oveson repeated the statement and signed the Oath of Office. **(11:00)**

DECLARATION OF ABSTENTIONS AND/OR CONFLICTS OF INTEREST BY BOARD MEMBERS: None **(2:00)**

CONSIDER APPROVAL OF MINUTES FROM THE BOARD MEETING HELD FEBRUARY 15, 2018 ▪ Board Member Melling moved to approve the minutes from the meeting held February 15, 2018. Second by Board Member Stratton.
Motion unanimous 6:35 pm (2:45)

BOARD MEMBERS REPORT: ▪Allred said Todd Lloyd is trying to petition the State to transfer his spring water rights to be underground rights ▪Monroe said they changed the statute two years ago where stock in an irrigation company can be transferred out of an Irrigation Company. They must propose the changes with the irrigation company. The irrigation company has 180 days from when they receive the notice to respond. **(4:15)**
▪Monroe said they must go through the process with the irrigation company. I assume the irrigation company will probably oppose it. If they did not oppose it would then go through the normal change application process where anyone who would be an effected party could protest. **(7:00)** ▪Hunter clarified that Lloyd does not have the rights, the irrigation company does, but he has shares. Hunter thanked Allred and said CICWCD will keep their eyes on it. ▪Monroe said

John and Tracy have installed data logger and are monitoring the flows of Kanarra Creek. A concrete structure and weir will be built on Spring Creek to measure the volume there as well. (9:50)

CONSIDER APPROVAL OF PAYMENT OF BILLS AND ADJUSTMENTS FROM FEBRUARY 8, 2018 THROUGH MARCH 2, 2018:

▪Williams- Said reimbursements for travel to the legislature were paid to Paul Cozzens and Brent Hunter. Colt Perkins received the final payment for the fences he installed at Cedar Highlands, North Ridge, and West Slope. John Orton Excavating received a refund for his hydrant deposit. New fire extinguishers were purchased that are up to OSHA Standards. (13:30) Williams referred to the credits and debits page which were typical for the month.

▪Williams went over the financial report. In the capitalized were new RTU's to upgrade our SCADA system at Derby and Spring Creek as well as the fencing. (15:50)

Board Member Stratton moved to approve the payment of bills and the adjustments register from February 8, 2018 through March 2, 2018. Second by Board Member Cozzens. Motion Unanimous at 6:49pm (17:45)

REVIEW 2018 BUDGET- ▪Williams- Said there are a couple lines in the budget that are over 25% for the year. One line is conferences and training and that is because of the Water Users Conference registration for the Board and the RWAU conference for majority of District Staff.

▪Water systems supplies is at 35% and that is for new water meters. (17:05)

GENERAL MANAGER'S REPORT: ▪Monroe- Said he and Wayment have been looking through some agreements. They will sit down with the Cross Hollow Hills HOA to discuss the District taking over their system. (18:50)

▪Monroe said the Board is registered for the Water Users Conference next Tuesday, March 20th in St. George. ▪Williams said she will send out the schedule for that. Monroe said the Board was planning on meeting with Carollo Engineers during a break at the conference, but that has been cancelled and will be rescheduled at a later date. (20:40)

▪Monroe will attend the Soil Conservation Board meeting next week to discuss LESA pivot conservation funding.

▪Juergens said the Three Peaks Tank and Eagle Valley tanks have been cleaned out. The Three Peaks Tank was cleaned out by a diving team. They vacuum the floor and take video of the tank. They will send the video footage back. ▪Oveson asked if the diving team was local. ▪Juergens said they were from back East because they were the low bid.

▪Monroe said they have had some problems with vandalism at the Three Peaks Tank. A new fence with razor wire on top has been installed. A couple years ago, trail cameras were installed on the tank to try and catch thieves stealing our solar panels and trail cameras were stolen. (25:10)

▪Monroe- Ericksen has been working on a developer's policy and asked her to go over the changes. ▪Ericksen- Turned to page three and read the enforcement clause. The Board said it would be hard to enforce at last meeting, so it was determined that it may be best to implement a conservation rate schedule just for those subdivisions. Discussion on the policy continues for several minutes. (31:10) ▪Jones said in St. George, if the developer and the builder are the same, there is a deed restriction put on the lot. It makes it so a specific amount of green space cannot be exceeded. (32:20) Jones said St. George has a GIS team that monitors those lots.

▪Wayment said the tiers would need to be steeper. ▪Monroe suggested an additional tier or escalated tier. (36:25) ▪Stratton suggested that instead of penalizing those wasting, to reward those who are conserving.

▪Oveson said that Google Earth only updates the images every four or five years. He asked if there is any exit strategy for people who would move into the house years down the road. (39:15) Oveson suggested considering an escape clause where someone can transfer additional water rights to get out of the stricter schedule. (40:25) ▪Jones agreed with Oveson and suggested a deed restriction for each lot of how many square feet. He suggested a note on the plat and a deed restriction template.

▪Stratton asked if there will be multiple billing schedules in one subdivision. Monroe said that would not be a big issue for the current billing system. It is a matter of setting up the rates and selecting what rate schedule they would be on. (44:45) ▪Jones said if someone wanted to add more green space, they could transfer more water rights and not be on the conservation schedule. ▪Hunter said if they wish to acquire more green space, they can transfer more water. ▪Monroe thought that was a good idea. (48:40)

PUBLIC COMMENT: ▪Tom Hale- Brought some rocks to show to the Board. He said there are four roads: 5500, 5550, 5700, and 5900. The system used to be called the Angus Water Company before CICWCD took them over following their well collapse. Hale said a contractor came in and tore up the roads, put in the lines, etc. Angus Water Company took out the encroachment permit. Hale said they cannot find who signed off on the completed project. The roads are not to County road standards.

Hale asked why he pays taxes and does not have roads maintained by the County. Hale said he was able to get speed limit signs and grading done on the roads. He said CICWCD hired the contractor that ruined the roads. Hale said has tried with the Commissioners about not accepting the roads into the County. He said if subdivision becomes 51% full, the County is required to take them over. Hale said he is frustrated that the people pay taxes and do not have good roads. (1:15:25)

▪Crane said that was about ten years ago, but he remembers when CICWCD took over Angus. He believes that he submitted the permit for the roads. It was part of the Phase II project. The County waived the fees for the encroachment. They gave the instructions for the encroachment permit and that was signed by David Yardley. The project was put out to bid for local contractors. Crane said all the water lines and fire hydrants were replaced. About \$600,000 was invested in that subdivision. In the specifications it reads, "Restoration of the existing roads will be equal or better roads than they were previously". Crane said at the end of the project, Neil Forsyth was taken out to look at every road and he signed off on all of the roads. Crane said the roads were never built to County standards, but CICWCD put them back into better shape than they were originally. The \$600,000 was put into the subdivision to improve their systems and roads at no cost to the users. (1:19:05)

▪Hale said Forsyth was supposed to look at the roads throughout the project. Hale said he spoke with a lot of the homeowners and they said the road base was never brought back up to standards. Hale said the Iron County Engineer has driven on the roads, but has not inspected them physically. Hale said there are two avenues left. ▪Hunter said he would like to consider the road issues in a closed session. He said he appreciates the Board paying attention to it. (1:22:05) ▪Wayment asked when the subdivision was built. ▪Allred said he remembers those roads and houses going in when he was a child. ▪Hale said the roads were built in 1972. 7:55 pm (1:23:30)

CONSIDER THE APPROVAL OF AMENDMENTS AND ADJUSTMENTS TO PURCHASING POLICY:

▪Monroe- Said Williams and Monroe have been working on updating the Purchasing Policy. It is now against the law to bid against a State bid contract, so that needs to be removed. Monroe said they can do an RFP. ▪Cozzens asked if it gives local preference. ▪Monroe said that is on page seven under item F. It says local preference will be given. One page 10, there is a policy specifically for vehicles. He said the District would like a local incentive or match. It is 1.5% which is the same as Cedar City's policy. (1:26:55) Cedar City has a 5% match for construction, but 1.5% for vehicles. ▪Stratton asked if "Time of delivery" can be listed as a ninth bullet point. ▪Oveson said "completion of a job" is listed under bullet number two. ▪Stratton would like to see a time bullet point. (1:28:55) ▪Wayment asked about the \$10,000 limit. ▪Monroe said that mirrors Cedar City's policy. ▪Wayment asked how the policy works with not being able to bid against the State bid and suggested they must have an issue policing that. (1:31:15) ▪Monroe said Williams has done a good job and has an RFP when they are ready. Monroe said the County was able to get the lowest bid for their vehicles from Cedar City companies. (1:32:05)

▪Hunter asked if the Board is prepared to vote on the Purchasing Policy.

Stratton motioned to approve the Purchasing Policy with the changes discussed and authorized Paul and Mandi to make changes. Second by Cozzens. Motion Unanimous at 8:05pm. (1:33:15)

AQUIFER RECHARGE: UPDATE AND DISCUSSION:

▪Monroe- Said they have been working on the Schmidt pit and making it more operational. More of a weir needs to be built. ▪Nielson said the Schmidt pit was reading about 7-8cfs, but that may not be the most accurate. ▪Monroe explained how the data logger works and how it needs to be moved to improve accuracy. ▪Nielson estimates about 20 acre-feet is going in every five days. (1:35:30)

WATER CONSERVATION: UPDATE AND DISCUSSION:

▪Monroe- Said the 4th Grade Water Fair was on Monday and Tuesday. Joe Melling and Paul Cozzens visited the Fair. The 4th Graders liked going through the Fair. He appreciates everyone who comes from the State agencies to teach classes as well as staff. (1:37:00)

WAH WAH AND PINE VALLEY:

▪No updates (1:37:30)

GROUNDWATER MANAGEMENT PLAN AND LOCAL WATER RIGHTS CHANGES:

▪Melling- Said he would like the committee to get together and work on the draft. ▪Monroe- Said he contacted Tom Baker and the Committee can visit his farm which has low elevation sprinklers on his pivots. (1:38:50)

UTAH LEGISLATURE:

▪Monroe- Introduced Representative Westwood and Senator Vickers and thanked them for their work in acquiring \$220,000 for Cedar Valley to make pivots more efficient and hopefully save 4,000-6,000 acre-feet per year. (49:45) ▪Westwood- Said they appreciated Paul Monroe and Paul Cozzens for explaining the need to the legislature.

▪Vickers-Said the presentation was well-received and the project was at the top of the list. They grant money will be administered through the Department of Ag and ARDL program. The money will be earmarked for the Valley. Vickers said the District and Commissioners will need to get together to write the rules. (52:50)

▪Westwood- Said \$20,000 is there for reporting. It will be really important and looked at closely for other areas. If the money is used well this year, Vickers and Westwood think they will be able to get more money next year. ▪Vickers said Mike Styler suggested \$220,000 was a good amount for a pilot program. ▪Monroe asked about the funding for the program by HB 381 by Rep. Hawkes. ▪Vickers said he wants to study the same kind of thing, but that has been gone through for the Cedar Valley basin. (57:00)

▪Cozzens said he was asked today why they don't just get loan money for this. Cozzens said he wants farmers to be incentivized to make changes and jumpstart the program. ▪Melling asked if the labor can be part of the grant money. ▪Vickers said it could be, it will just need to be written into the rules. (57:50) ▪Melling asked if CICWCD could buy some parts in bulk to help bring down the cost. ▪Vickers said he it could probably be written into the rules. (58:50)

▪Westwood- Said he looked through the bills and many water bills were not passed. ▪Vickers said about 1500 bills were there and only about 750 bills were heard. ▪Monroe said one bill that they didn't see that they usually do is a bill trying to take tax money away from Districts. (1:01:10)

Discussion of bills continues for several minutes. (1:07:00)

▪ Monroe pointed out the bill by Senator Hinkins. The bill is important for irrigators. It cleaned up the language where landowners can start the process to adjust a canal. (1:09:50)

ENGINEERING REPORT: ▪Nielson- Attended a USDA training on American Iron Steel. If the District receives funding through the USDA, every nut and bolt needs to be accounted for. Nielson said the tracking and documentation is very intense. (1:40:55) Nielson said Crane and Monroe will go check water levels in the West Desert the first part of April. (1:41:20)

▪Monroe-Said he has been thinking of how to fund the West Desert. He has been looking at how SUU funds builds and such. He attended a class on P3's, public-private partnerships. An engineering firm out of North Dakota issues mini bonds on projects, about \$500 a piece. They were hoping to sell them in three days and they sold all in three hours. A place in Connecticut also did the same thing and it was successful. Monroe said the bonds worked well as a public campaign. (1:45:05)

Next meeting date: May 17, 2018

Board Member Jones motioned to close the regular session and go into a closed Session.

Second by Board Member Allred.

Motion unanimous at 8:17pm (1:45:30)

Roll Call as follows:

Cozzens-Aye

Oveson-Aye

Melling-Aye

Hunter-Aye

Stratton-Aye

Allred-Aye

Jones-Aye

Board Member Stratton motioned to adjourn the closed session and resume regular session board meeting. Second by Board Member Melling. Motion Unanimous at 8:31 PM

**Board Member Stratton motioned adjourn the regular meeting. Second by Board Member Cozzens.
Motion unanimous at 8:31 PM**