



## Board of Trustees Meeting Minutes

May 6, 2020

Minutes of a virtual public meeting of the board of trustees of the Washington County Water Conservancy District, held on Wednesday, May 6, 2020, beginning at 6 pm. The public was invited to participate in this meeting through Go To Meeting online at <https://global.gotomeeting.com/join/141786853> or via phone 786.535.3211 using access code 141 786 853.

Participating board members included Ed Bowler, Kevin Tervort, Howard Bracken, Chris Hart, and Jon Pike, Ken Neilson and Victor Iverson. Also participating in the virtual meeting were General Manager Zach Renstrom and Associate General Managers Corey Cram and Brie Thompson. Jodi Richins, WCWCD legal counsel, and Roberta McMullin, secretary. Other guests who participated in the virtual meeting were: Lexi Peery, Spectrum Newspaper

Ed Bowler conducted the meeting and welcomed those participating. A roll call vote was taken at the beginning of the meeting, participants are listed above.

**The first item on the agenda was the consideration of approval of an agreement with Sunfire, Inc. for securing project rights of way** – Zach told the board this agreement is for work on obtaining rights of way in Coconino County. The person providing the services is realtor Dirk Clayson (Sunfire, Inc.) from Kanab. Zach said they chose him because he knew most of the landowners personally and has a relationship with most of them. We will use his services and compensate him for the work done. The board has all had a copy of the agreement sent to them for their review. A copy of the agreement is also attached to these minutes. Ed says he thinks it makes sense to use him because he is familiar with the landowners and would be best suited to work with these people in obtaining rights of way. There was some discussion and then then the following motion was made:

***Chris Hart moved to approve the agreement with Dirk Clayson through his company Sunfire, Inc. Ken Neilson seconded the motion. All voted aye.***

**The next item on the agenda was a discussion of the State Auditor Risk Assessment** – Zach explained that this is a new mandate from the state auditor. A copy was emailed to the board members and is attached to the minutes. It is a fraud risk assessment that outlines what he wants districts to do to try and detect

fraud. Zach told the board we are already doing the vast majority of what is in the outline, but there are a few things we would need to start doing. At the end of the year the district would have to hire an outside auditor to come in and basically grade us on how we did. The more things you do, the more points you get and the better the ranking. He said he would like for the district to get the highest ranking possible. The first step is to bring it to the board, so they are aware of it and that it is something new from the state auditor. Zach said one of the biggest things we have to do is come up with a fraud committee. He said we would take a couple of board members and make up a committee. We would also need to set up a “hotline”. Staff or board members can’t take the calls, it must be a neutral party and then they would notify the fraud committee. Zach said there is no action necessary at this time. The district will just need to implement some of these changes, and they needed to be completed by the end of the fiscal year.

**The third item on the agenda was Consideration of approval of scope of work and cost proposal with Bowen Collins regarding Dammeron Valley Sewer IFFP and IFA**

- Zach reminded the board that in Dammeron Valley the district owns and operates a small sewer waste treatment plant. The system is working, but with the growth we need to look at it and come up with an infrastructure plan and then an impact fee plan so that as more homes are connecting to the system the district can get those costs back. He said they went through a competitive bid process and ranked the firms. The committee felt Bowen Collins would be the best firm in developing an infrastructure plan and eventually an impact fee plan for just the Dammeron Valley area. He would like the board’s permission to proceed with the infrastructure plan using Bowen Collins.

***Jon Pike made a motion to approve the district proceed using Bowen Collins for the Dammeron Valley Sewer IFFP and IFA. Kevin Tervort seconded the motion and all voted aye.***

Zach added that the district is responsible for the sewer and septic systems in unincorporated areas of Washington County, mostly west of I-15. The county assigned this responsibility to the water district. Zach said there is presently two developments in Pine Valley that want to put two of these smaller wastewater systems in so the board will be hearing more about this.

**The next two items on the agenda were Personal Policy and Procedures resolutions.**

Zach asked Jodi Richins, district legal counsel, to present the resolutions. Zach said one is regarding powers and duties of the general manager and the other is regarding administration and time-off policies.

Jodi told the board the first reason for addressing these policy and procedures is in light of current circumstances and new legislation, and we wanted to make sure we were prepared. The board was emailed copies to review and the resolutions are attached to these minutes.

Jodi said a clause was added to give the general manager authority, in his discretion, to make temporary modifications to the administrative policy in urgent or emergency circumstances. Zach added that Ron was already doing this, but he would rather have it set out in the policy.

Jodi said some updates were also made to the policy regarding administration and time-office policies. She said they also took the opportunity to look at FMLA and made some updates there and throughout the policy to clarify and update personal leave, medical leave and personal leave without pay. There was some discussion on the policies and then a motion was made as follows;

***Ken Neilson made a motion to approve the Resolution Updating Administrative Policy & Procedures Regarding the Powers and Duties of the General Manager. Victor Iverson seconded the motion and a roll call vote was taken.***

Ken Neilson	Yes
Victor Iverson	Yes
Howard Bracken	Yes
Chris Hart	Yes
Jon Pike	Yes
Kevin Tervort	Yes
Ed Bowler	Yes

A motion was made on the secondary resolution regarding administration and time-off policies as follows:

***Kevin Tervort made a motion to approve the Resolution Updating Personnel Policy and Procedures Regarding Administration and Time-Off Policies. Howard Bracken seconded the motion and a roll call vote was taken as follows:***

Ken Neilson	Yes
Victor Iverson	Yes
Howard Bracken	Yes
Chris Hart	Yes
Jon Pike	Yes
Kevin Tervort	Yes
Ed Bowler	Yes

The next item on the agenda was **status reports on the following projects:** **Lake Powell Pipeline** – Zach said things are moving at a rapid pace which the district is happy about. The Bureau of Reclamation is still on par for getting a draft EIS out the first part of June and there will be a lot of activity with that.

Zach told the board that there was a lot of publicity recently about Kane County dropping out of the project. We have always had population projections for this area. The Kem C. Gardner Policy Institute came out with projections of growth in Kane County and Wash. Co. a couple of years ago. Everything showed Washington County would have a 300% population increase by 2060. It showed Kane County's increase only at 50%. During the environmental review process, they looked at growth, how much water we have, etc. It showed that Kane County didn't have the

need for the pipeline in the reasonably foreseeable future. Zach said they are putting a big T in the pipeline so if the need arises in Kane County they could do a small NEPA analysis and then connect to the pipeline in the future. They were expecting to get about 4000 af of water and the water is still there, they are just not building that part of the pipeline to Kane County. Kane County was only about 5% of the project and repayment doesn't change much because they were such a small part. Kane County is going to remain as a partner in the project and they are very adamant about having that T put on the pipeline because they feel they will have additional growth too and want to keep that option open. It will lower project costs about 30 million dollars and they can get water when and if they need it. Zach told the board this really confirmed the process, and this is how it should work. The process still shows that Washington County will definitely need the water.

***Sand Hollow Water Treatment Plant (WTP)*** – Corey Cram gave this status report. He told the board that they are seeing some good construction progress. The foundation and floor for the WTP has been poured. One big milestone is the pressure vessel has been delivered. This is the biggest piece of equipment and they got it ahead of time and it is on site. The sludge basins represent a lot of concrete construction and those are almost finished. The clarifier tank is under construction now. There is lots of rebar and conduit pipe in the ground. We have staff inspecting the job and they are doing a good job. The contractor has been a little difficult to work on some items with, but they are working their way through that.

***Ashcreek Reservoir*** – Corey reported that this project is still in the permitting phase. Previously the BLM permit was the big thing they were focused on and that is now coming together. He told the board they have had to have some additional surveys done to refresh this such as the tortoise present and absence survey for the footprint of the reservoir, even though they fully expect to not find any tortoises. They also have to do a raptor survey and migratory board survey. Corey said regardless of the outcome of those surveys, they can deal with whatever they find there. The Army Corp of Engineers submitted our application materials and they were posted online. The EPA came back with a bunch of comments and they are asking us to revisit the purpose and need for the NEPA. They didn't accept the BLM's purpose and need. There is a lot of analysis they are asking for that is burdensome so there is quite a list of things to do to there. We also have a list of things to do to satisfy the Corp. That is the path forward. We also need to obtain a 401 water quality permit. We have completed our package and they will be advertising our project for comments for 30 days. We have obtained the state's street alteration permits and are working with SITLA to purchase a little property where the pressure regulating pond will be located for Pintura Irrigation system and SITLA has been very good to work with. He said they are also working on rights of way for private land in the Pintura area. Corey said they have also reviewed engineering proposals for the piping of the project and are sitting down with consultants and working on the scopes of work and budgets. There are lots of moving parts to this project and a lot of things to still satisfy.

**Coronavirus response** – Zach said he wanted the board to know what we had done at the district. He said most employees worked from home for a period of time in April but now everybody is back in the office. We have masks for anybody that wants to use them. We are adhering to social distancing in the office. We have cleaning supplies and disinfectants for use on every floor. Our field guys are being kept separate. Zach said he worked with Dr. Blodgett from the Southwest Utah Health Department to answer questions and get advice. We are still not allowing the public in the office. They either have to call in or work through email or set an appointment. We will follow the county and other cities lead in reopening the office.

Zach gave his **Manager's Report** and covered the following items:

**Darrin Prince and fence damage** – Zach told the board the District owns land in Toquerville next to Davis Pond. In the past we have leased that land out and different farmers have leased and farmed it. The last time we put it out for lease no one bid on it, so the ground went unused. When it was not being used a fire started. They think tourists smoking on the side of the road possibly started it. It burned through about half of the district field and got to the adjoining property owned by Darrin Prince. It got to his fence and melted it and he has approached the district, first through Ron and now Zach, asking for some reimbursement for a portion of the fence. Ron told him no since we didn't start the fire. Darrin talked to Zach and wanted him to bring it before the board. Zach said he would like feedback from the board on how to handle this. Ed Bowler said he would like to take a closer look at it and think about it. He doesn't see how it is our responsibility. Zach said he doesn't think legally we have any responsibility. Zach said he was courteous and just asking for help. Ed asked if we could think about it and discuss it at the next board meeting. Zach said the goal is to get this land back into production. We are treating the weeds but will put out a lease again. Darrin Prince is interested in the leasing of the property.

Zach will take some pictures and bring it back to the board. Ed said we can't patrol every bit of property the district owns and if we compensate him, we may be opening a door we don't want to open. Chris Hart agreed and said if the district isn't liable, he doesn't believe we should pay for any of it.

**Gunlock Falls** – Zach reminded the board that the district, along with St. George City, manage Gunlock reservoir. The land around it is patrolled by Utah State Parks Dept. There was a lot of negative press this last weekend because the number of people there and how it got trashed. They removed over 20 big bags of garbage after the weekend. The vast majority of license plates on the cars were from Nevada. The Coronavirus played a large part in this as most of their recreational and state facilities are still closed in Nevada. We are now coming towards the end of the runoff. Zach said he feels like we need to work with state parks and come up with a management plan to avoid problems like this in the future. State Parks put out a press release about this and included the district's name in it. Corey and Ed said the reservoir will probably quit spilling this evening.

The *minutes of the board meeting of March 4, 2020* were reviewed by the board and a motion was made:

*Ken Neilson moved to approve the minutes of the board meeting of March 4, 2020. Jon Pike seconded the motion. All voted aye.*

*Public comments* – Ed Bowler asked for any comments. Lexi Peery from the Spectrum had joined the meeting but said she had just been listening and didn't have any comments or questions.

Another roll call vote was taken to close the meeting and the following board members were still present: Ed Bowler, Kevin Tervort, Ken Neilson, Chris Hart, Howard Bracken, Jon Pike and Victor Iverson.

*The meeting was adjourned upon motion.*

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Secretary