



**BOARD OF TRUSTEES MEETING MINUTES**  
July 8, 2020

Minutes of a public meeting of the board of trustees of the Washington County Water Conservancy District, held on Wednesday, July 8, 2020, at 533 East Waterworks Drive, St. George, Utah, beginning with a work meeting at 4 pm followed by a 6 pm meeting. Those board members present for the meeting were: Chair Ed Bowler, Kevin Tervort, Chris Hart, and Jon Pike, and Victor Iverson. Howard Bracken and Ken Neilson were excused. Also present were General Manager Zach Renstrom and Associate General Manager Brie Thompson. Associate General Manager Corey Cram was excused. Jodi Richins, WCWCD legal counsel, and Roberta McMullin, secretary, were also present. The only guest at the meeting was Marv Wilson.

Ed Bowler conducted the meeting and welcomed those present.

The first item on the agenda for the work meeting was status reports on the following items:

**Lake Powell Pipeline**- Zach indicated that today and tomorrow evening there are public hearings on the Lake Powell Pipeline Environmental Impact Statement (EIS) where people can login and watch. People can submit questions which will be addressed at the virtual meetings. Zach said he thinks this will be an effective way to handle the public hearing and will keep one person from grandstanding at the hearing. The county has also had a link for submitting comments or questions on their website. Zach also told the board that he is very optimistic about the way things are going with the project. The public comment period ends on September 10 and we should have the final EIS around October and a record of decision by January 2021 a. Zach said he has received good feedback regarding the EIS, that is well done and very thorough. He informed the board that the Bureau of Reclamation has been the most efficient, timely and good on getting things done of all the federal agencies he has worked with, and so he has been very impressed with them.

**Sand Hollow Water Treatment Plant** - Zach reported this project is moving forward smoothly. It is under construction and they are presently working through some small change orders. They are completely on schedule. He indicated that with our temperatures going up, at our Quail Creek water treatment plant we are getting close to the capacity of what it can do. This second water treatment plant will relieve some of that pressure and will help Washington City and St. George City get needed water.

**Ashcreek Reservoir** – Zach said in October we reported we would have the permit in two weeks. Then, as this reservoir is located on some dry washes, the question of the definition of the waters of the United States has come up. They had rules for a long time. The Trump administration froze the Obama administration’s rules defining Waters of the US. The Trump administration came up with new rules on this and now those are in a lawsuit, so employees in the federal agencies are afraid to make decisions regarding this. The district has reached out to our congressional delegation and they are trying to help move this along. Zach told the board this really is a dry wash, maybe only having water once every five years. Hopefully we can move forward shortly. The goal is to get this project designed this winter and for construction by next winter.

**Manager’s report** - Zach told the board things are going well. Before this meeting the office staff just finished a great staff meeting. The district is still following virus protocol by limiting field staff from riding together in trucks and spacing in meetings and in the workplace. We have had a couple people that we have worked with for testing. Zach said he wants all employees feeling comfortable. Some stay in their office and work with their door closed.

**Excess water surcharge** – Zach reported that the District has used Bowen & Collins to access actual individual meters at peoples home to see what was going on there. From the process we learned that roughly 20% of these meters in this sample are using 50% of the water. There was discussion among the board regarding water use and the number of gallons used per home. Zach said about 20% of our population is using 30,000 gallons of water per month in the summer months. Since we plan on a certain amount of water being delivered to each home, these excessive water users cause a strain on the system. They have talked about implementing a surcharge for these high-water users. Zach said they would like to set that amount at 25,000 gallons a month with use over that charged at \$1.00 per

thousand gallons. This would show up on bill as “excess water charge”. This would help people realize they are using excess water. This isn’t a money maker, but we would put this money into a conservation account that could be used for conservation and education efforts. He said he wanted to get the board’s feedback before anything is drafted up regarding this. The cities are already set up to do this and we would get the information from them. There was some continued discussion amount water usage and how much is used in the home versus outside use. This would be just for residential accounts at this point. Residential is easier to implement this with than commercial. The level would probably be raised for bigger meters. Mayor Pike said it would be good to know what this would mean to the average home.

Zach told the board he would have the engineers come in at the next meeting and he will have Jodi start to draft up some documents.

**Removal of barn at Anderson Junction** — The district purchased property at Anderson Junction for borrow material and rock for the dam project. There was a home and motor home which were removed, and the board approved that. There is still an old abandoned horse barn there. We have no interest in it and it is not insured. Zach said they would like to send out an RFP to take the barn down but wanted the board’s permission to put this proposal out. The board members agreed this would be a good thing to do. Zach said he would get the process started.

### **Discussion of District Policies**

Zach told the board there were a couple of district policies he wanted to discuss with the board and get their feedback:

Zach said the water district owns Kolob reservoir and has allowed free camping around the reservoir. This year it has been overwhelmed. He has gotten calls from the fire people that there have been illegal campfires going on. People have been using it for canoes and kayaks and now people are going up with motorboats and jet skis and it is causing conflicts and lots of complaints. The problem is getting worse and it isn’t going to get any better. There was discussion among the board regarding this problem. The district is presently managing and cleaning the restrooms up there. Ed said he would prefer to have State Parks take over that recreational part of the reservoir the way they do at Gunlock, Sand Hollow and Quail Creek. They do a good job policing it and regulating it. Zach said they have reached out to the state since they are better equipped to do this. They are

interested and we would have to show them it is cost neutral. We may have to improve the road and add another set of toilets.

There was discussion regarding motorboats. We could say no motorboats or only electric motorboats or let the state decide that issue. Ed said it must be defined so people understand. There are a lot of kayaks and that just doesn't work with jet skis and motorboats. Zach indicated that the 4<sup>th</sup> of July up there was an atrocity because there were so many people and so much going on. He said there is an app that shows free camping around lakes and Kolob Reservoir is the only place left in the Western US where there is free camping around a lake.

Ed said he would prefer to let State Parks take over the recreation and manage that part of it because they have experience. The rest of the board members present also agreed with that.

Zach addressed the camp facility previously managed by the Boy Scouts. The District had an agreement with them on that they would run and maintain it. The district owns the property, facilities and road that goes to it. It has drinkable water, flushable toilets and a pretty nice kitchen. The Boy Scouts have abandoned it now. They were renting it out like an RV park which they weren't supposed to do. They haven't had scouts there for a long time and the district is watering it to keep it alive and no one is using it or maintaining it. Zach said he would like to send notice to the Boy Scouts saying they have breached the contract and abandoned the camp and then let Utah State Parks and Recreation rent it out as a large group camp ground and the state could run it. The board agreed this would be a good idea. It is a nice facility that the public could benefit from. Zach said he will proceed with this.

Chris Hart said he would like to bring up an Ivins reservoir issue. He said when the agreement was signed with the Shivwits Band and the irrigation companies, the concession rights at the reservoir were given to the Shivwits Band. They have been setting up under a canopy selling stuff but now there is an ice cream truck that goes up in there playing loud music. They are getting a lot of complaints from the residents of Kayenta about the ice cream truck and its noise. He said the city thinks anybody going in there to sell stuff is in violation of the agreement unless licensed or agreed upon by the Shivwits Band. They don't know how to enforce this. And, because it is on district property, they would like the district's opinion on handling this. Zach said he will do a little research on this. Mayor Hart said he was wondering if they need to post something to get the ice cream truck gone or at

least turn the music off because of the complaints. Jodi said she will review the agreement with the Shivwits Band.

**Paid time off (PTO)** – Zach told the board there is in our policies a maximum amount of PTO people are allowed to accrue and that is 1800 hours. We have to pay it out when people retire, and he would like to propose to lower that cap. For those that are over the proposed amount we would have to buy some hours to get them below the cap. He is not proposing to change any method of accruing the PTO, but wants the board to be aware that the district would have to buy some hours of a few people to get them below that cap. He would propose to cap the PTO at 900 hours for existing employees and 600 hours for new employees. He said another aspect to is that at the end of the year in December if people are getting close, we could buy back enough to get them 100 hours below before they get a pay increase and that would limit what they could cash out. The board members present thought this was a reasonable concept.

A break was taken before the beginning of the 6:00 pm board meeting.

### **6:00 pm PUBLIC MEETING**

Ed Bowler **opened the public hearing to levy the annual contract assessment within the Kolob Water Service area.**

Zach told the board we have a small water company up at Kolob with wells, tanks, and pipes. We collect a fee and we don't meter it. It is mostly cabins which have the water turned on in mid-May and turned off about mid-October. If somebody gets connected to the system, they pay \$320 per connection, or if they are on standby, they pay \$250. We are required by law to have a public hearing on the assessment every year. There is no change proposed this year and it hasn't changed since 2008, but next year we may have to bump it up. For now, he recommends keeping it the same.

There was no one present in the audience to comment and so Chair Ed Bowler closed the public hearing.

The next item on the agenda was **consideration of resolution to levy the annual contract assessment with the Kolob Water Service Area.** The following motion was made:

*Jon Pike made a motion to keep the same fees for this year of \$320 per connection and \$250 for a standby fee. Chris Hart seconded the motion and all voted aye. A roll call vote was taken as follows:*

<i>Ed Bowler</i>	<i>Yes</i>
<i>Kevin Tervort</i>	<i>Yes</i>
<i>Howard Bracken</i>	<i>Absent</i>
<i>Jon Pike</i>	<i>Yes</i>
<i>Ken Neilson</i>	<i>Absent</i>
<i>Chris Hart</i>	<i>Yes</i>
<i>Victor Iverson</i>	<i>Yes</i>

The next items on the agenda were *consideration of a Resolution Updating Personnel Policy & Procedures Regarding Drug & Alcohol Testing Policy and consideration of Resolution Adopting a Supplemental Drug and Alcohol-Free Workplace Policy for Employees and Other Individuals Subject to DOT Regulations.* – Jodi Richins presented the two items relating to this to the board. Jodi explained there are two policies. The first one applies to all employees and is already in the personnel and policy procedures manual but needed some updating as they have been trying to update various policies. The other resolution applies to the policy for individuals subject to DOT regulations which would be our staff with CDL licensing.

The board has a copy of both proposed policies. She explained some of the proposed changes, including when to test after accidents. With drug panel testing they have changed the recommendation for the drugs you test for. It also provides what levels are in violation of this policy and trigger a violation. With DOT the requirement is a five-panel drug test, but we have a 10-drug panel test recommended in this policy. Some of the drugs that were crossed out are going from name brand to generic names. Jodi indicated there are two levels in the test and if they test positive on the first one, they will do the second level test. She told the board these are well defended standards across the nation. With the policy applicable to individuals subject to DOT regulations, another district provided a sample which Jodi and Sherrie adapted to the District's needs.

Zach added that the 2<sup>nd</sup> page of the Personnel Policy clarifies when we can ask for drug testing. There was some discussion of applicability to board members as well as hile using district property and Jodi will look into these items and bring it back to the board.

*A motion was made by Victor Iverson to approve the Resolution Updating Personnel Policy & Procedures Regarding Drug & Alcohol Testing Policy. Kevin Tervort seconded the motion and a roll call vote was taken as follows:*

<i>Ed Bowler</i>	<i>Yes</i>
<i>Kevin Tervort</i>	<i>Yes</i>
<i>Howard Bracken</i>	<i>Absent</i>
<i>Jon Pike</i>	<i>Yes</i>
<i>Ken Neilson</i>	<i>Absent</i>
<i>Chris Hart</i>	<i>Yes</i>
<i>Victor Iverson</i>	<i>Yes</i>

*A motion was made by Christ Hart to approve the Resolution Adopting a Supplemental Drug and Alcohol-Free Workplace Policy for Employees and Other Individuals Subject to DOT Regulations. Jon Pike seconded the motion and a roll call vote was taken as follows:*

<i>Ed Bowler</i>	<i>Yes</i>
<i>Kevin Tervort</i>	<i>Yes</i>
<i>Howard Bracken</i>	<i>Absent</i>
<i>Jon Pike</i>	<i>Yes</i>
<i>Ken Neilson</i>	<i>Absent</i>
<i>Chris Hart</i>	<i>Yes</i>
<i>Victor Iverson</i>	<i>Yes</i>

The next item on the agenda was *consideration of road dedication to the City of La Verkin* – Zach showed the board a map of the area being discussed. La Verkin City came to the district requesting the district to dedicate a small portion of a road on our property. It is by the hot springs at 480 South. The city wants to improve this road. They want to pave it and then connect it to the other road. There is a small section that was never dedicated and they want to make those improvements so they came to the district requesting this dedication. There is nothing negative for the district and we don't need to pay anything as we are just deeding it to the city. Zach told the board it was his recommendation to go ahead and do this.

***Victor Iverson moved to follow the recommendation of the general manager to deed this portion of road to La Verkin City. Kevin Tervort seconded the motion and all voted aye.***

Ed Bowler asked about the next board meeting scheduled for the 2<sup>nd</sup> Wednesday (8/12) instead of the normal 1<sup>st</sup> Wednesday. Zach said that was changed on the schedule to accommodate the NWRA summer conference but that has now been cancelled. ***It was agreed to move the August board of trustees meeting back to the first Wednesday (8/5).*** All the board present agreed to this change.

***Approval of minutes*** – Chris Hart moved to approve the June 3, 2020 board of trustees’ meeting minutes as presented. Jon Pike seconded the motion and all voted aye.

There was no further business to come before the board and the ***meeting was adjourned upon motion***

---

*Secretary*