



BOARD OF TRUSTEES MEETING MINUTES
September 2, 2020

Minutes of a public meeting of the board of trustees of the Washington County Water Conservancy District, held on Wednesday, September 2, 2020, at 533 East Waterworks Drive, St. George, Utah, beginning with a field trip at 2 pm followed by a 6 pm meeting. Those board members present for the meeting were: Chair Ed Bowler, Kevin Tervort, Chris Hart, Ken Neilson, Jon Pike and Victor Iverson. Howard Bracken was excused. Also present were General Manager Zach Renstrom and Associate General Managers Brie Thompson, Corey Cram and Brock Belnap. Jodi Richins, WCWCD legal counsel, Karen Barnum, Senior Accountant, and Roberta McMullin, secretary, were also present.

Ed Bowler conducted the meeting and welcomed those present.

1. The first item on the agenda was **consideration of approval of agreement with Alpha Engineering for right-of-way surveying for the Lake Powell Pipeline Project.** Zach explained to the board that Items 1 and 2 on the agenda are both similar agreements with different engineers for right-of-way surveying and other related tasks on the Lake Powell Pipeline project. He said that there are landowners that own land along the LPP alignment. The property owners will sometimes call or come and make an offer or want to discuss it. Zach said the district went through a procurement process to have something in place and they now have two firms in place to help with this. They selected Alpha Engineering and Horrocks Engineering. Zach said it will be good to have two firms working on this. There was some discussion. Victor Iverson asked if these two agreements could be approved together in one motion, after which the following motion was made:

Victor Iverson moved to approved both agreements with Alpha Eng. And Horrocks Engineering. Chris Hart seconded the motion. All voted aye.

2. The second item on the agenda was **consideration of approval of agreement with Horrocks Engineering for right-of-way surveying, appraisal and**

valuation and acquisition services for the Lake Powell Pipeline Project. This agreement was discussed with the other agreement with Alpha Engineering in Item #1.

3. The third item on the agenda was consideration of a Resolution Updating Personnel Policy & Procedures Regarding Conflicts of Interest Disclosure.

Jodi Richins told the board they are still working on updating different administrative and personnel policies and procedures to update them and edit them for the state fraud risk assessment. The first one is updating the personnel policy and procedures for employees regarding conflicts of interest. The second one relates to Administrative Policy & Procedures for board members. Any employee who is an officer, director, agent, employee or the owner of a substantial interest in any business entity which does business with the District has to disclose this on a conflict of interest form provided by the Human Resources department. The disclosures must be made in a sworn statement as required by statute. Jodi said when an employee is first hired or a board member is appointed, they need to sign a the conflict of interest disclosure and then if anything changes with a business ownership or interest, they would need to sign again.

Jon Pike said this seems appropriate and we need to be in compliance with this and then he made the following motion:

Jon Pike moved to approve the Resolution Updating Personnel Policy & Procedures Regarding Conflicts of Interest Disclosure. Ken Neilson seconded the motion and a roll call vote was taken:

<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>Yes</i>
<i>Chris Hart</i>	<i>Yes</i>
<i>Victor Iverson</i>	<i>Yes</i>

4. The fourth item on the agenda was consideration of a Resolution Updating Administrative Policy & Procedures Regarding Conflicts of Interest. This is

the same as the policy discussed in Item 3 for employees, but this is for conflicts of interest disclosures for board members. Roberta, as secretary for the board of trustees, would take care of the forms that the board needs to fill out. changes for the board – Roberta would take care of forms that board needs to fill out.

Jon Pike made a motion to approve the Resolution Updating Administrative Policy & Procedures Regarding Conflicts of Interest. Kevin Tervort seconded the motion and the following roll call vote was taken:

<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>Yes</i>
<i>Chris Hart</i>	<i>Yes</i>
<i>Victor Iverson</i>	<i>Yes</i>

5. The fifth item on the agenda was **consideration of a Resolution Updating Administrative Policy & Procedures Regarding Use of Purchase Cards.** Jodi said they were also looking at this policy in conjunction with fraud risk assessment. A policy was put in place when we switched to purchase cards, but there are now a few revisions and additions. One thing that changed is originally obtaining purchase cards had to be approved by the general manager but now will be approved by the board of directors, or governing body, as required by the state auditor. Also, some language was added regarding violations of the policy and disciplinary action up to and including termination of the employee. Depending on the specific nature of the violation, it could also result in recovery of funds from the employee, loss of privileges, criminal prosecution or civil action. Zach told the board that his Purchase Card statements are now reviewed by Kim Hafen at the county, for no charge and then he returns them to Karen in accounting.

After some discussion and the answering of questions a motion was made as follows:

Victor Iverson moved to approve the Resolution Updating Administrative Policy & Procedures Regarding Use of Purchase Cards. Ken Neilson seconded the motion and a roll call vote was taken.

<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>Yes</i>
<i>Chris Hart</i>	<i>Yes</i>
<i>Victor Iverson</i>	<i>Yes</i>

6. Status reports were given on the following projects:

Lake Powell Pipeline – Zach said they are still proceeding with public comments which will close shortly. They are getting a lot of comments in but BOR isn't sharing those yet. The next step is they will take all those comments, address them, take the draft EIS and change it to a final. The State of Utah has been actively involved and participating in LPP issues. Brian Steed has been working very hard. Zach told the board at the next board meeting we will be able to see those comments and he can share them with the board.

Sand Hollow Water Treatment Plant - Corey told the board that the districts water treatment plant is at about the same stage at the St. George City water treatment Plant at Gunlock that the board saw today on the field trip. Corey said the plant now has stucco on it and showed the board a picture. The concrete is done for the buildings, the last of the underground piping and underground communications, the framing inside is done, electrical panels and controllers are being installed. Completion is scheduled for Feb. 15. Corey told the board he feels like we will have a really good product when this project is done.

Ashcreek Reservoir – Corey said they are making some progress on this project. They have submitted all the material to the Army Corp of Engineers to be submitted to Sacramento. The BLM came back and said instead of a right-of-way permit for the pipeline and the reservoir public recreation permit being on separate tracks, they have to be tied together so BLM is tracking this closely. Corey said they have a call every two weeks with the BLM on this. It has slowed down a little but they are still moving forward. He said they are

moving forward on the archaeological work and negotiating a contract on that and also an engineering contract. It is a matter of process on these permits. Keith Rigtrip at the BLM is working hard and wants to see this get permitted.

7. A *manager's report was given by Zach Renstrom*. – Zach said with the hot and dry weather we have produced a record amount of quality drinking water this year. People are using more water which is good for revenues, but that is more water use. Last week after the recent storm and flooding they saw the demand drop almost instantly. Zach told the board as soon as the new water treatment plants are done at Sand Hollow and Gunlock it will take some of the demand off the Quail Creek water treatment plant. The new treatment plant at Sand Hollow will blend the water and give us more water to use.

Zach told the board he has been approached by the United Effort Plan (UEP) to be on their board. He said his contract with the district includes that he won't take on any additional work. However, this position receives a small amount of compensation. He would be involved in a board meeting one Saturday a month. They are managing land and selling land. Zach said he wanted to ask the board if they have any objection to him doing that. The only conflict he could possibly see is we might have to purchase some land from UEP for the Lake Powell Pipeline project. It would be a small amount along the highway. Zach said he had worked with the UEP about 14 years ago as an engineer. He said he has told them if he did this, he would not be able to meet with them at the water district or take calls regarding UEP issues here at the district. None of the board members had a problem with this.

Ed called for any questions from the board. Chris Hart asked how the litigation was going on the impact fees and where it stood at the present time? Zach said it is still ongoing. The COVID virus show down the court system for a while. They are in the pretrial period right now. There will mostly likely be mediation, maybe in October. Zach said at the next board meeting he will ask for a closed session to discuss the litigation strategy and settlements.

Chris Hart said he hadn't seen John Fredell in quite some time and asked if he is still actively involved in the Lake Powell Pipeline project. Zach said they talk to him almost every day and they were in meetings with him in Salt Lake City yesterday. Brock added that he is very detail oriented, works on all the issues regarding the project and is very much involved daily. Brock said he talks to him multiple times a day and he feels like a lot of the movement we see on the project is due to John being so tenacious.

8. *Approval of minutes* – Ken Neilson moved to approve the August 5, 2020 board of trustees’ meeting minutes as presented. Chris Hart seconded the motion and all voted aye.
9. There was no further business to come before the board and the *meeting was adjourned upon motion*

Secretary