

**MINUTES OF A REGULAR MEETING OF THE WEBER BASIN WATER  
CONSERVANCY DISTRICT BOARD OF TRUSTEES HELD THURSDAY, APRIL 27,  
2023, 9:00 A.M., AT DISTRICT HEADQUARTERS**

Present:

Chairman, Marlin K. Jensen  
Trustee Mark D. Anderson  
Trustee Jared Andersen  
Trustee Kym O. Buttschardt  
Trustee Randy B. Elliott  
Trustee Scott K. Jenkins  
Trustee Angie Osguthorpe  
Trustee Christopher F. Robinson  
Trustee Paul C. Summers

Scott W. Paxman, General Manager/CEO  
Mike Malmborg, Legal Counsel  
Jody Williams, Legal Counsel

Brittney Bateman, Fin. Analyst  
Calysta Bravo, Fin. Manager  
Darren Hess, Assistant General Manager  
Josh Hogge, Mgr. of M&I  
Derek Johnson, Mgr. of Engineering  
Brad Nelson, Assistant General Manager  
Jon Parry, Assistant General Manager  
Kendall Searle, Mgr. of Administration  
Sam Sorensen, Mgr. of Maintenance  
Kathy Wood, Mgr. of Human Resources

Henry (Bud) Huchel, Wolf Creek Water & Sewer  
Rob Thomas, Wolf Creek Water & Sewer  
Jon Bingham, Wolf Creek Water & Sewer

**I  
WELCOME & PLEDGE OF ALLEGIANCE**

Chairman Jensen welcomed all in attendance and specifically welcomed the visitors from Wolf Creek Water & Sewer Improvement District. He then led the group as they recited the Pledge of Allegiance.

**II  
CONSIDERATION OF APPROVAL OF MINUTES**

Chairman Jensen presented the minutes of the regular board meeting held March 30, 2023 for review and approval. There were no additions or corrections.

Motion was made by Trustee Summers, seconded by Trustee Elliott and the motion carried unanimously, approving the minutes as presented.

**III  
CONSIDERATION OF APPROVAL OF THIRD QUARTER  
2023 FINANCIAL REPORT**

Trustee Buttschardt invited Mgr. Bravo to present the financial report. Mgr. Bravo presented the Third Quarter of Fiscal Year 2023. She began presenting revenues and stated we are up to \$40MM in water sales and about \$16MM was from the Third Quarter. Mgr. Bravo stated we have exceeded our Year-to-Date (YTD) Budget in water sales revenues so the District is in great shape here. She stated the budget is also right on track at \$16.6MM in taxes collected for this time, and we should meet the annual budget of \$17.5MM. Mgr. Bravo stated we are well above the expected miscellaneous revenue for this time of year at \$5.5MM verses the annual budget of \$6.2MM.

Mgr. Bravo continued to present the debt portion. She stated the outflows are at \$8.1MM verses the annual budget of \$12.4MM. She said there was only one bond payment in the Third Quarter for the 2017 Government Obligation Bond, \$740,000.00 in principal and \$187,000.00 in interest. Mgr. Bravo moved onto Capital Projects and said we are at about \$20.6MM for the year verses the budget of \$65.3MM. She said a lot of this gap is due to the current market conditions, trying to get contractors and engineers, but we are optimistic that projects will get moving soon. Mgr. Bravo explained that any excess in this budget will be moved to reserves to offset the costs of the capital projects when they do progress.

Mgr. Bravo then presented the O&M statement for the quarter. She stated the revenues collected from water sales and other revenues are above expected and on track to meet the annual budgeted amount. Mgr. Bravo pointed out the interest payment was well above the budgeted amount due to the federal policy change. She stated the fiscal year started at historically low interest rates and now sits at about 4.5% Public Treasurer's Investment Fund (PTIF).

Mgr. Bravo stated the YTD Actual is about \$23.7MM verses the YTD Budget of \$23.4MM, about \$300,000.00 above expected, so the revenue budget remains in great shape. She said the expense YTD Actual is \$15MM verses the YTD Budget of \$18.5MM. Mgr. Bravo then gave a snapshot of the Reserves and showed \$121MM currently for the month of March which puts the District up about \$8MM from FY 2022. She reminded the board that the upcoming capital projects will be pulling from the reserves.

Mgr. Bravo then answered questions from the board.

Trustee Buttshardt motioned to approve the financials as presented, motion was seconded by Trustee Elliott and the vote was unanimous approving the Third Quarter 2023 Financial Report as presented.

#### **IV CONSIDERATION OF APPROVAL OF UPDATES TO DISTRICT POLICIES AND PROCEDURES**

Chairman Jensen invited Gen. Mgr. Paxman to introduce the next agenda item. Gen. Mgr. Paxman stated there are some minor adjustments needed to the District's Policies and Procedures as a result of bills passing from the legislative session. Fin. Analyst Bateman gave background on the passed bills stating most of the laws that passed have an effective date of May 3, 2023, unless otherwise specified. She stated the three main bills affecting District policy are as follows:

- S.B. 43 Public Notice Requirements
- S.B. 97 Public Contract Requirements
- H.B. 280 Local Government Construction Project Bid Notice

Fin. Analyst Bateman then reviewed each bill. She said SB43 rewrites almost all public notice law, and she explained that notices are now classified as Class A or B. Fin. Analyst Bateman said the Class A notice requires the District to publish on the Utah Public Notice website, the District website, a public and physical location that is reasonably likely to be seen by those affected. Gen. Mgr. Paxman stated posting in a physical location does present a challenge in that some of our projects are District wide. He said the District will place an A-frame notice board, similar to what the cities have done, notifying those driving by of the upcoming project. Fin. Analyst Bateman stated the Class B notice requires notice to be given to each individual owner affected. She stated the District generally refers to the state law in determining notice policies.

Fin. Analyst Bateman then reviewed the policy changes, both additions and subtractions, showing slides of the changed verbiage. She then answered questions from the board. Trustee Jenkins expressed his dislike of certain requirements now being imposed on the District due to the new law.

Motion was made by Trustee M. Anderson, seconded by Trustee Robinson to approve the updates to the Policies and Procedures Manual effective May 3, 2023. The vote passed with a majority, however Trustee Jenkins voted no. The motion carried, approving the updates.

V  
**CONSIDERATION OF APPROVAL OF TRANSFER OF WATER**

Mgr. Searle presented the following water transfer contract for approval:

**A. SUMMIT COUNTY**

- 1) Willow Patch LLC.....0.65 a.f. Dist. 1  
Hoytsville

Mgr. Searle said Willow Patch LLC has a 10.0 a.f. contract and is requesting a transfer of 0.65 a.f. for a newly created parcel. This transfer follows current District allocation standards and rules for the Wasatch Back. He stated District staff recommends approval of the transfer.

**RESOLUTION**

WHEREAS, pursuant to a petition filed by Willow Patch LLC, there has been allocated 10.0 acre-feet of District 1 water to the following described lands in Summit County, Utah, to-wit:

**Tax I.D. No.(s): SS-229-A, SS-229 B, SS-248, SS-248-A, SS-247, SS-229, SS-181-A, SS-171, SS-168-A, SS-168, SS-166, SS-163-A, SS-163**

**Willow Patch LLC 10.0 AF:**

**SS-229-A**

Section 19, Township 2N, Range 6E, Acres 200.0  
NE1/4 & NE1/4 SE1/4 SEC 19 T2NR6E SLBM CONT 200.0 AC M157-231 M195-731 666-14  
1389-540 1396-654 1413-7 2536-705-711 2588-1340-1344

**SS-229-B**

Section 19, Township 2N, Range 6E, Acres 199.540  
S1/2 SW1/4; NE1/4 SW1/4; W1/2 SE1/4 SEC19 T2NR6E SLBM CONT 199.54 AC M195-731  
666-14 1389-540 1396-654 1413-7 2536-705-711 2588-1340-1344

**SS-248**

Section 31, Township 2N, Range 6E, Acres 160.30  
SW1/4 SEC 31 T2NR6E SLBM CONT 160.30 ACM65-55 M46-379-381 MWD466 M28-122 VWD370 M37-400  
M54-460 M195-731 666-141389-540 1396-654 1413-7 2536-708-711 2588-1340-1344 (SEE 2210-1803  
ORDINANCE NO 816 VACATING THE EAST LEG OF SPRING CANYON ROAD)

**SS-248-A**

Section 31, Township 2N, Range 6E, Acres 480.0  
N1/2 NE1/4 SEC 31 T2NR6E SLBM CONT 80.0AC ALSO NW1/4 & SW1/4 NE1/4 SEC 31  
T2NR6E SLBM CONT 200 AC TOTAL 280.90 AC ALSO SE1/4 NE1/4 & SE1/4 SEC 31 T2NR6E SLBM CONT  
200 AC M54-460 M37-400M46-379-381 TOTAL 480.00 AC M195-731 666-14 1389-540 1396-654 1413-7 2536-  
705-711 2588-1340-1344  
(SEE 2210-1803 ORDINANCE NO 816 VACATING THE EAST LEG OF SPRING CANYON ROAD)

**SS-247**

Section 30, Township 2N, Range 6E, Acres 639.92  
SEC 30 T2NR6E SLBM CONT 639.92 ACWWD-277 RWD-342 M25-455 M195-731  
M211-760 666-13 1389-540 1396-654 1413-7 2536-705-711 2588-1340-1344

**SS-229**

Section 19, Township 2N, Range 6E, Acres 240.78  
NW1/4, NW1/4 SW1/4, SE1/4 SE1/4 SEC 19 T2NR6E SLBM CONT 240.78 AC 992-427  
1389-540 1396-654 1413-7 2536-705-711 2588-1340-1344

**SS-181-A**

Section 17, Township 1N, Range 6E, Acres 497.790  
E1/2 SEC 17 T1NR6E SLM CONT 320 AC ALSOE1/2 W1/2 & SW1/4 SW1/4 SEC 17 T1NR6E SLBM CONT  
200.0 AC TOTAL 520.0 AC ALSO W1/2 NW1/4 & NW1/4 SW1/4 SEC 17 T1NR6E SLBM CONT 120.0 AC (  
ALL SEC)(LESS 142.21 AC M100-386 SS-181-B)  
M26-606 M37-399 M30-259 M151-5221301-1160 (REF:1362-1331)

**Page 4 – Regular Board Meeting – April 27, 2023**

**SS-171**

Section 8, Township 1N, Range 6E, Acres 280.0  
SE1/4; W1/2 SW1/4; SE1/4 SW1/4 SEC 8 T1NR6E SLM CONT 280 AC RWD-503 UWD524  
IQC268 M100-387 M151-522 1362-1333(REF:1459-1528-1532) 1459-1536

**SS-168-A**

Section 8, Township 1N, Range 6E, Acres 280.0  
N1/2 NE1/4 SEC 8 T1NR6E SLBM CONT 80.0 AC ALSO NW1/4 & SW1/4 NE1/4 SEC 8 T1NR6E SLBM CONT  
200.0 AC M37-399 M46-382M151-522 1362-1333 (REF:1459-1528-1532) 1459-1536

**SS-168**

Section 8, Township 1N, Range 6E, Acres 40.0  
SE1/4 NE1/4 SEC 8 T1NR6E SLM CONT 40.0 AC M28-122 M37-399 VWD370 RWD499 M54-458 M46-382  
M151-522 1362-1333(REF:1459-1528-1532) 1459-1536

**SS-166**

Section 7, Township 1N, Range 6E, Acres 160.0  
NE1/4 SEC 7 T1NR6E SLM CONT 160 ACGQC306 RWD499 M28-122 VWD370 M54-458 M151-522 1362-  
1333 2110-1899-1901 2536-705-(2536-711) 2588-1344

**SS-163-A**

Section 6, Township 1N, Range 6E, Acres 564.710  
THE SW1/4 & SW1/4 SE1/4 SEC 6 T1NR6E SLM CONT 179.20 AC ALSO NW1/4 & NW1/4 SE1/4 SEC 6  
T1NR6E SLBM ALSO E1/2 E1/2 & SW1/4 NE1/4 SEC 6 T1NR6E SLBM TOTAL 564.71  
AC M65-54 M151-522 1362-1333 2536-705-711 2588-1340-1344

**SS-163**

Section 6, Township 1N, Range 6E, Acres 43.230  
NW1/4 NE1/4 SEC 6 T1NR6E SLM CONT 43.23AC TWD395 VWD370 M28-122 M91-232 M111-224 1362-  
1333 2110-1899-1901 2536-705 (2536-711) 2588-1344  
(SEE 2210-1803 ORDINANCE NO 816 VACATING THE EAST LEG OF SPRING CANYON ROAD)

And the orders so allocating the said water have been recorded in the office of the County Recorder of Summit County, as indicated on the foregoing property descriptions.

WHEREAS, the owners of the said lands have now made application to the District for the transfer of 0.65 acre-feet of water to be allotted from the lands above described to the following described lands in Summit County, Utah:

**Tax I.D. No.(s): SS-229-A, SS-229 B, SS-248, SS-248-A, SS-247, SS-229, SS-181-A, SS-171, SS-168-A, SS-168, SS-166, SS-163-A, SS-163**

**Willow Patch LLC 9.35 AF:**

**SS-229-A**

Section 19, Township 2N, Range 6E, Acres 200.0  
NE1/4 & NE1/4 SE1/4 SEC 19 T2NR6E SLBM CONT 200.0 AC M157-231 M195-731 666-14  
1389-540 1396-654 1413-7 2536-705-711 2588-1340-1344

**SS-229-B**

Section 19, Township 2N, Range 6E, Acres 199.540  
S1/2 SW1/4; NE1/4 SW1/4; W1/2 SE1/4 SEC19 T2NR6E SLBM CONT 199.54 AC M195-731  
666-14 1389-540 1396-654 1413-7 2536-705-711 2588-1340-1344

**SS-248**

Section 31, Township 2N, Range 6E, Acres 160.30  
SW1/4 SEC 31 T2NR6E SLBM CONT 160.30 ACM65-55 M46-379-381 MWD466 M28-122 VWD370 M37-400  
M54-460 M195-731 666-141389-540 1396-654 1413-7 2536-708-711 2588-1340-1344 (SEE 2210-1803  
ORDINANCE NO 816 VACATING THE EAST LEG OF SPRING CANYON ROAD)

**SS-248-A**

Section 31, Township 2N, Range 6E, Acres 480.0  
N1/2 NE1/4 SEC 31 T2NR6E SLBM CONT 80.0AC ALSO NW1/4 & SW1/4 NE1/4 SEC 31  
T2NR6E SLBM CONT 200 AC TOTAL 280.90 AC ALSO SE1/4 NE1/4 & SE1/4 SEC 31 T2NR6E SLBM CONT  
200 AC M54-460 M37-400M46-379-381 TOTAL 480.00 AC M195-731 666-14 1389-540 1396-654 1413-7 2536-  
705-711 2588-1340-1344  
(SEE 2210-1803 ORDINANCE NO 816 VACATING THE EAST LEG OF SPRING CANYON ROAD)

**SS-247**

Section 30, Township 2N, Range 6E, Acres 639.92  
SEC 30 T2NR6E SLBM CONT 639.92 ACWWD-277 RWD-342 M25-455 M195-731  
M211-760 666-13 1389-540 1396-654 1413-7 2536-705-711 2588-1340-1344

**Page 5– Regular Board Meeting – April 27, 2023**

**SS-229**

Section 19, Township 2N, Range 6E, Acres 240.78  
NW1/4, NW1/4 SW1/4, SE1/4 SE1/4 SEC 19 T2NR6E SLBM CONT 240.78 AC 992-427  
1389-540 1396-654 1413-7 2536-705-711 2588-1340-1344

**SS-181-A**

Section 17, Township 1N, Range 6E, Acres 497.790  
E1/2 SEC 17 T1NR6E SLM CONT 320 AC ALSO E1/2 W1/2 & SW1/4 SW1/4 SEC 17 T1NR6E SLBM CONT  
200.0 AC TOTAL 520.0 AC ALSO W1/2 NW1/4 & NW1/4 SW1/4 SEC 17 T1NR6E SLBM CONT 120.0 AC (  
ALL SEC)(LESS 142.21 AC M100-386 SS-181-B)  
M26-606 M37-399 M30-259 M151-5221301-1160 (REF:1362-1331)

**SS-171**

Section 8, Township 1N, Range 6E, Acres 280.0  
SE1/4; W1/2 SW1/4; SE1/4 SW1/4 SEC 8 T1NR6E SLM CONT 280 AC RWD-503 UWD524  
IQC268 M100-387 M151-522 1362-1333(REF:1459-1528-1532) 1459-1536

**SS-168-A**

Section 8, Township 1N, Range 6E, Acres 280.0  
N1/2 NE1/4 SEC 8 T1NR6E SLBM CONT 80.0 AC ALSO NW1/4 & SW1/4 NE1/4 SEC 8 T1NR6E SLBM CONT  
200.0 AC M37-399 M46-382M151-522 1362-1333 (REF:1459-1528-1532) 1459-1536

**SS-168**

Section 8, Township 1N, Range 6E, Acres 40.0  
SE1/4 NE1/4 SEC 8 T1NR6E SLM CONT 40.0 AC M28-122 M37-399 VWD370 RWD499 M54-458 M46-382  
M151-522 1362-1333(REF:1459-1528-1532) 1459-1536

**SS-166**

Section 7, Township 1N, Range 6E, Acres 160.0  
NE1/4 SEC 7 T1NR6E SLM CONT 160 ACGQC306 RWD499 M28-122 VWD370 M54-458 M151-522 1362-  
1333 2110-1899-1901 2536-705-(2536-711) 2588-1344

**SS-163-A**

Section 6, Township 1N, Range 6E, Acres 564.710  
THE SW1/4 & SW1/4 SE1/4 SEC 6 T1NR6E SLM CONT 179.20 AC ALSO NW1/4 & NW1/4 SE1/4 SEC 6  
T1NR6E SLBM ALSO E1/2 E1/2 & SW1/4 NE1/4 SEC 6 T1NR6E SLBM TOTAL 564.71  
AC M65-54 M151-522 1362-1333 2536-705-711 2588-1340-1344

**SS-163**

Section 6, Township 1N, Range 6E, Acres 43.230  
NW1/4 NE1/4 SEC 6 T1NR6E SLM CONT 43.23AC TWD395 VWD370 M28-122 M91-232 M111-224 1362-  
1333 2110-1899-1901 2536-705 (2536-711) 2588-1344  
(SEE 2210-1803 ORDINANCE NO 816 VACATING THE EAST LEG OF SPRING CANYON ROAD)

**Tax I.D. No.(s): WMJ-2**

**Willow Patch LLC 0.65 AF:**

Section 2, Township 1N, Range 5E, Acres 26.39  
LOT 2 WILLIAM M JUDD SUBDIVISION; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE  
SUMMIT COUNTY RECORDERS OFFICE CONT 26.39 AC 2536-705-711 2588-1340-1344

WHEREAS, after due consideration, it is the determination of the Board of Trustees that it is in the best interest of the District that such application for transfer be approved and granted and that 0.65 acre-feet of water above referred to be transferred as per above described lands.

NOW, THEREFORE, be it resolved and ordered by the Board of Trustees of Weber Basin Water Conservancy District as follows:

1. That the application for transfer of 0.65 acre-feet of water from the lands first above described to lands last above described, be and the same is hereby approved and granted, and the 0.65 acre-feet of water is hereby so transferred.
2. That the Chairman of the District is hereby authorized and empowered in the name of the District and on its behalf to execute a formal order granting such application for transfer and so transferring the said water.
3. That the General Manager/CEO of the District is directed to cause a fully executed copy of such order to which shall be appended a copy of the application for transfer

upon which the order is made to be recorded in the office of the County Recorder of the county in which the lands to which the water is transferred are located.

Motion was made by Trustee Jenkins, seconded by Trustee Osguthorpe and the vote was unanimous approving the transfer contract and adopting the foregoing resolution.

**VI  
WATER SUPPLY REPORT**

In the absence of Mgr. Olsen, AGM Hess was invited to present the water supply report. AGM Hess presented the following reservoir content data:

<u>RESERVOIR</u>	<u>TOTAL CAPACITY</u>	<u>DISTRICT CAPACITY</u>	<u>ACCRUED TO DIST TO DATE</u>	<u>% OF DIST CAPACITY</u>	<u>HISTORICAL RESERVOIR CONT.</u>	
					<u>AS OF 4/26/22</u>	<u>AS OF 4/26/21</u>
CAUSEY	7,870	6,870	2,599	38%	6,470	5,360
E CANYON	51,200	20,110	0	0	33,280	35,070
ECHO	73,940	6,357	0	0	36,820	33,200
LOST CRK	22,510	20,010	6,600	33	9,490	13,300
PINEVIEW	110,150	66,228	0	0	52,200	64,390
SMITH-M	8,351	6,560	2,492	38	4,543	2,494
WANSHIP	62,120	60,000	0	0	48,250	39,380
WILLARD	<u>247,302</u>	<u>222,273</u>	<u>169,746</u>	<u>76</u>	<u>105,920</u>	<u>144,081</u>
<b>TOTAL</b>	<b>583,443</b>	<b>408,408</b>	<b>181,437</b>	<b>44%</b>	<b>296,973</b>	<b>337,275</b>

Percent of District upstream storage is 6%.

AGM Hess presented the reservoir capacities and active capacities. He stated our reservoirs are very low on purpose to create space for the record snowpack that will start coming down quickly. AGM Hess stated we have around 90% of our snowpack yet to melt. He then presented the Ogden River and Weber River storage. He stated we are catching releases in Willard Bay and Willard has collected about 60,000 a.f. roughly equivalent to the capacity of a full Wanship Reservoir.

Trustee J. Andersen suggested getting this information out to the public as there have been many complaints about flood control issues. AGM Hess replied that the general public is not aware of how involved managing runoff is and when we post technical information it may be interpreted incorrectly. He stated we do post information on our website in an attempt to inform. AGM Parry mentioned the article in KSL that goes over the complexities of flood mitigation that was published a few weeks ago. Trustee J. Andersen suggested posting a link to this article on the website and AGM Hess said that is something we can do. Gen. Mgr. Paxman said we are working very closely with all the counties within our service area, and they are aware of the steps the District is taking to mitigate flooding.

Trustee Jenkins suggested the District communicate on a daily basis directly to the County Commissioners and give updates. Gen. Mgr. Paxman stated we do work very closely with the counties staff, but we do not currently contact the Commissioners directly.

Discussion continued and AGM Hess and Gen. Mgr. Paxman answered questions from the board.

AGM Hess continued to present by reviewing SNOTEL data. He showed a Snow Water Equivalent (SWE) graph and highlighted that we have been and still are in record breaking territory. AGM Hess presented Runoff Forecasts and Flood Control Releases and ended with Weather Outlooks.

**VII  
CONSIDERATION OF APPROVAL OF REUSE AUTHORIZATION AGREEMENT  
WITH WOLF CREEK WATER AND SEWER IMPROVEMENT DISTRICT**

AGM Hess began stating he and AGM Parry have been working with Wolf Creek for around

three years on this agreement. This agreement will allow Wolf Creek to reuse 150.00 a.f. of their contracted water. He explained they have more water under contract, around 900.00 a.f. total, but this will allow reuse of only 150.00 a.f. of that amount.

Gen. Mgr. Paxman added all District contracts require reuse authorization and must have approval for that reuse. He said this is our first reuse agreement. AGM Hess stated this has taken a while to develop due to it being the first reuse agreement. He stated that AGM Parry drafted the initial agreement and Legal Counsel Williams has reviewed the agreement.

AGM Hess said Wolf Creek does understand that with this reuse contract they will need to apply for an exchange application through the Utah Division of Water Rights specifically for the wastewater reuse portion. He said this reuse of wastewater will be for irrigation purposes and they will install a meter to ensure this reuse will be different than the culinary use under their exchange with the District, and they will be required to stay within the 150.00 a.f. amount. AGM Hess said as part of this agreement, Wolf Creek Water will provide a written report detailing the amount of reused water used each year.

Chairman Jensen invited the visitors from Wolf Creek to comment on how this will be facilitated. Rob Thomas answered that water will come out of the MBR (Membrane Bio-Reactor) Wastewater Treatment Plant. He said there is no surface water discharge in Ogden Valley, so it currently runs through a Rapid Filtration Basin and clean water returns to the ground. He continued to explain the water will be collected in a reuse reservoir that will be built.

Chairman Jensen asked the anticipated capacity of the reservoir. Mr. Thomas of Wolf Creek answered the reservoir is in the design phase and currently planned to start at 50.00 a.f. with the intent to build up to a higher volume, possibly 200.0 a.f. eventually. Chairman Jensen asked where the water will be primarily applied, and the answer was to the golf course and other irrigation uses. Trustee Robinson asked how many irrigation connections there are in their system. Mr. Thomas responded about 1,200 connections and the system has been fully metered for 20 years.

Other questions were asked and answered, and discussion continued.

Chairman Jensen commended Wolf Creek Water and Sewer Improvement District for their efforts in this reuse project. Trustee Jenkins motioned to approve the reuse agreement with Wolf Creek Water and Sewer Improvement District. The motion was seconded by Trustee J. Andersen, and the vote was unanimous approving the agreement and adopting the following resolution.

#### **RESOLUTION**

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District a reuse agreement with Wolf Creek Water and Sewer Improvement District on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

#### **VIII**

#### **CONSIDERATION OF APPROVAL OF SUMMIT WATER AGREEMENT FOR 1150 ACRE-FEET OF SURPLUS WATER**

AGM Hess said this agreement is in conjunction with the Surplus Water Agreements from the Snyderville Basin Master Agreement. He said this will be the third amendment and will increase their contract by 350.0 a.f. for a total contract amount of 1,150.00 a.f. as outlined in paragraph 2.4 of the Master Agreement. AGM Hess stated these surplus agreements allow the available water in Western Summit County to be used where necessary and postpone the construction and payment of the large importation project.

AGM Hess then showed the following chart detailing the finished water amounts for this amendment and purchase agreements for the next five years.

	Entity	2023	2024	2025	2026	2027
Finished Water Demand (AC-FT)	Park City	0	0	0	0	0
	Mtn Regional	0	0	0	0	0
	Summit Water	1150	1150	1350	1550	1550
Finished Water Surplus (AC-FT)	Park City	450	550	850	1550	1550
	Mtn Regional	700	600	500	0	0
	Summit Water	0	0	0	0	0

Gen. Mgr. Paxman added that Summit Water is perpetually contracting for water from the District through the Master Agreement. He said currently that water is being supplied by Mountain Regional and Park City, but eventually when the surpluses run out, the District will be required to fulfill the contract amount. Gen. Mgr. Paxman said that is when the importation project will be triggered and why we project the demand and surplus supplies ten years out, so that we know when the surplus agreements will no longer be available.

Discussion continued regarding the eventual importation project and future costs and concerns.

Trustee Summers motioned, seconded by Trustee Buttschardt, to approve the Summit Water Agreement for 1,150 a.f. of surplus water, and the vote passed unanimously adopting the following resolution.

**RESOLUTION**

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District the Third Amendment of the Surplus Water Agreement with Summit Water on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

**IX  
CONSIDERATION OF APPROVAL OF GATEWAY TRANSFORMER  
REPLACEMENT PROJECT**

Chairman Jensen invited AGM Nelson to present. AGM Nelson said the generators at Gateway are 67 years old and are 20 years past the normal expected life. He said the contractors we have been working with told us to expect about a 40-year life out of anything new.

AGM Nelson stated a request for bids was sent out to match the existing transformers and three bids were received. The new transformers step up the volts from 2400 volts to 46000 volts. He said the difference to consider is the lead times of 79 weeks or 155 weeks.

The long lead times were discussed.

Trustee Buttschardt motioned, seconded by Trustee Summers, to award a contract to Gexpro for the two ABB/Hitachi transformers for a total of \$865,250.00 with the option to explore a standard transformer to reduce the cost of lead time. The vote passed unanimously approving the contract and adopting the following resolution.

**RESOLUTION**

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District approval of a contract to Gexpro for two ABB/Hitachi transformers for \$865,250.00, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.



X

**CONSIDERATION OF APPROVAL OF INTERLOCAL AGREEMENT WITH MOUNTAIN REGIONAL FOR TURF REMOVAL INCENTIVE PROGRAM**

AGM Parry stated the District has been engaged in a Turf Incentive Program, the Flip Your Strip Program, since June 2021 so about two years. This program is administered through the Utah Water Savers website and requirements of the program include participation agreements, mandatory class participation, site inspection, and the program is only available in those communities that adopt water efficiency standards.

AGM Parry said the District is now moving to a program that will receive state monies. He stated this will no longer restrict turf removal incentives to the park strip area and will enable broadening the program to all turf areas. Residents may be eligible for up to \$3.00 per square foot of turf grass replaced with water wise landscaping, with \$1.50 coming from the state and \$1.50 from the District. AGM Parry explained the program will continue to be administered through the Utah Water Savers website.

AGM Parry said the standards the state is putting out there for communities to participate in the program are right in line with District standards and are as follows:

Water efficiency standards for Turf Removal Program

- Turf Grass Restrictions
  - Single family – 35% front and side yard
  - CII, Multi-Family, PRUD – 15-20%
  - Widths less than 8-feet and park strips
- Irrigation System Design
  - Drip irrigation where turf grass not used
  - Irrigation Valves
  - Watersense smart irrigation controllers

AGM Parry stated the District will administer two programs for a year. He said one will be the Flip Your Strip Program which will remain at \$1.25 per square foot and will be offered to those communities who have adopted those standards but still need to adopt the new state ordinances. He said the other program will be for communities that have already adopted ordinances that follow the state's standards. AGM Parry explained the state will reimburse 50% of the District's cost, and we have other communities willing to contribute as well, such as Ogden City and Mountain Regional.

AGM Parry said the cap for the program right now is \$3.00 per square foot, so the District will start the program at \$2.50 per square foot, and when other communities partner financially in the program, we will go up to the \$3.00 per square foot within that area. He also said this program will have a phased approach, allowing residents to reapply for the program in areas of the yard that have not been redone.

AGM Parry then answered clarifications questions from various trustees.

AGM Parry explained the interlocal agreement with Mountain Regional will enable residents within their service area to be eligible for \$3.00 per square foot, with \$1.00 from the District, \$1.00 from Mountain Regional, and \$1.00 from the State of Utah. He said Mountain Regional will administer the program with the same requirements, run for a five-year term, and the District will reimburse Mountain Regional up to \$100,000.00 per year.

Discussion continued.

Trustee Jenkins motioned for approval, seconded by Trustee Elliott, and the motion passed unanimously approving the recommendation and adopting the following resolution.

**RESOLUTION**

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District an

interlocal agreement with Mountain Regional Water Service District for cooperation in the Landscape Lawn Exchange Program, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

**XI  
GENERAL MANAGER’S REPORT**

Gen. Mgr. Paxman reminded trustees to complete the Open & Public Meetings Act training that is required. Mgr. Searle requested all trustees to email the completion certificate to him as the District must have them on file to be in compliance.

\*\*\*\*\*

Gen. Mgr. Paxman said discussions have started regarding legislative items that went to interim study this summer. He said the first meeting took place on the Water Infrastructure Funding Study, which is the bill exploring the elimination of using property tax to collecting funding for water related infrastructure, and this will be in study for two years. Gen. Mgr. Paxman stated Representative Owens bill requiring all conserved water to go to the Great Salt Lake is also being discussed. He stated the concern here is the District desires conserved water to be put primarily to future growth and demand and not to the Great Salt Lake, but this is a difficult stance in the discussion so far.

\*\*\*\*\*

Gen. Mgr. Paxman said we have begun to charge and fill the irrigation lines in order to have water available for residents by May 1, 2023. He stated there are a few leaks and issues being discovered which is normal and to be expected at the time of startup.

\*\*\*\*\*

Gen. Mgr. Paxman reported the completion of our Woods Cross/West Bountiful Meter Project and noted 1,200 meters were installed. He said we have started the next meter project phase in Layton and will install another 400 meters. He stated that our current contractor, Ormand Construction, is efficient, competent, and fast, and we have been pleased with their work.

\*\*\*\*\*

Gen. Mgr. Paxman ended his report by stating the Hwy 89 Tank in east Kaysville is nearing completion. He said the wire wrapping is taking place now and the next step will be the final coating of shot-cote, then cleaning and pressure testing. Gen. Mgr. Paxman stated the board members will be invited to observe these final stages when we get the safety clearance to visit the site.

Trustee Osguthorpe thanked Gen. Mgr. Paxman and Mgr. Hogge for the recent tour with the Leadership Institute. She stated the value of information disseminated during the tour and thanked Mgr. Sorensen and Mgr. Johnson for their involvement in the Leadership Institute as well. She understands District employees are busy and stated her appreciation for our willingness to host such events.

Trustee Buttschardt also offered thanks to the employees for their education efforts to the public and continued commitment. She said it is fun to hear the chatter about the District and what is being done. She stated she is always proud to be a part of the District.

Trustee Robinson stated he is looking forward to the June 22, 2023 Watershed Tour. He said he is encouraging his counsel members to attend. He said it is a high honor serving on the board and offered his thanks and stated how interesting it has been to serve through feast and famine.

Trustee J. Andersen also expressed his thanks and appreciation to the District staff who work diligently and monitor daily and hourly water levels and control flood mitigation efforts. He stated the water is being managed phenomenally and without that management Morgan County would definitely have more homes flooded.

Chairman Jensen showed appreciation to all members of the board, executive staff, and all employees at the District. He said he is grateful for the diligence, intellect, experience, wisdom, and good judgement that is brought to the District. He made mention of the good balance of the executive staff and board and how that relationship enhances what we have as an organization. Chairman Jensen also thanked the trustees for bringing their talents and special gifts that make it a great experience for all involved. Chairman Jensen congratulated Gen. Mgr. Paxman on passing his one-year mark as General Manager.

**XII  
ADJOURNMENT**

There being no further business for discussion, meeting adjourned at 11:15 a.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Scott Paxman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Scott W. Paxman, General Manager/ CEO