

**MINUTES OF A REGULAR MEETING OF THE WEBER BASIN WATER
CONSERVANCY DISTRICT BOARD OF TRUSTEES HELD THURSDAY, MARCH 30,
2023, 9:00 A.M., AT DISTRICT HEADQUARTERS**

Present:

Trustee Mark D. Anderson
Trustee Jared Andersen
Trustee Kym O. Buttschardt
Trustee Scott K. Jenkins
Trustee Angie Osguthorpe
Trustee Christopher F. Robinson
Trustee Paul C. Summers

Excused:

Chairman, Marlin K. Jensen
Trustee Randy B. Elliott

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

Calysta Bravo, Finance Manager
Suzy Eppens, Contracts Administrator
Greg Pierce, Mgr. of Strategic Initiatives
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

Ben Kirk, Bureau of Reclamation
Brandon Nielson, J-U-B Engineering

I

WELCOME & PLEDGE OF ALLEGIANCE

In the absence of Chairman Jensen, Trustee Summers welcomed all in attendance and led the group as they recited the Pledge of Allegiance.

II

CONSIDERATION OF APPROVAL OF MINUTES

Trustee Summers presented the minutes of the regular board meeting and hearing on petitions for water contracts held March 2, 2023 and orientation meeting held February 27, 2023 for review and approval. There were no additions or corrections.

Motion was made by Trustee Jenkins, seconded by Trustee J. Andersen and the motion carried with a unanimous vote, approving the minutes as presented.

III

CONSIDERATION OF APPROVAL OF FEBRUARY FINANCIAL REPORT

Trustee Buttschardt invited Mgr. Bravo to present the financial report. Mgr. Bravo presented the Revenues and Expenses, the Sources and Uses Monthly Statement, and the Year-to-date (YTD) Actual verses the Fiscal Year Budget. She said the District is well on its way to meeting the annual budget. Mgr. Bravo stated water sales are right on track and close to meeting the \$39.7 MM budgeted in revenues. Mgr. Bravo concluded the presentation by stating the YTD looks great, the debt is right on track with the budget, and the net for the month is \$1.2 MM to the good.

Trustee Buttschardt motioned to approve the financials, motion was seconded by Trustee Jenkins and the vote was unanimous approving the financial report for February 2023 as presented.

**IV
CONSIDERATION OF APPOINTMENT OF TRUSTEE REPRESENTATION FOR
BOND COUNSEL AND UNDERWRITER RFP'S**

Trustee Summers invited Mgr. Bravo to present the next agenda item. Mgr. Bravo stated the District desires to extend the bond underwriter for a one-year contract. She stated a Request for Proposals (RFP) is anticipated next year as the District is working through the Water Infrastructure Finance and Innovation Act (WIFIA) application process and implementation of newly adopted Impact Fees. Mgr. Bravo said District policy requires at least one trustee to serve on the Bond Counsel and the RFP Committee, but two trustees would be preferable.

Trustee Robinson moved to reappoint Trustee Buttschardt and Trustee Summers to the committee. The motion was seconded by Trustee Osguthorpe and passed unanimously.

**V
CONSIDERATION OF APPROVAL OF AUDITOR CONTINUATION**

Mgr. Bravo reported District policy states the General Manager will report to the Board on the auditor's performance. Gen. Mgr. Paxman said our current auditor, Keddington & Christensen CPAs, performed its fourth audit of our financial records. He highlighted the complexities of the District's finances and mentioned the difficulty level of a District audit. Gen. Mgr. Paxman said the factors considered in evaluating our auditor are as follows:

- 1) Services provided since the last evaluation
- 2) Adequacy of performance
- 3) Similarity of expected services during the next year compared to past services
- 4) Perceived cost effectiveness of the auditing services
- 5) Any other factors deemed pertinent by the Board

Gen. Mgr. Paxman said we have been extremely pleased with the auditor and appreciate the very productive recommendations made. Gen. Mgr. Paxman stated if retention is approved, this will be year five of the five-year contract. He stated it takes an auditor about two years to familiarize themselves with the District's complex financial structure. He reported the cost of the audit last year was \$16,350 which is the fee they have guaranteed for all five years. Gen. Mgr. Paxman recommended audit continuation with Keddington & Christensen CPAs and stated how impressive they have been over the previous four years.

A motion was made by Trustee Osguthorpe, seconded by Trustee Jenkins and passed unanimously, approving continuation of professional services provided by Keddington & Christensen CPAs.

**VI
CONSIDERATION OF APPROVAL OF ASSIGNMENT OF WATER**

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

A. WEBER COUNTY

- 1) Hampton on the Green Neighborhood Association.....27.00 a.f. Proj.
 Uintah Bench

Mgr. Searle said as part of our metering efforts, HOA allocations are being consolidated into one overall allocation for the property within the HOA. He stated this usually results in the cancellation of a portion of the water as these developments are overallocated according to our newer standards. Mgr. Searle stated Hampton on the Green had 45.1 a.f. and is cancelling 18.1 a.f. for a total consolidated allocation of 27.0 a.f. of project water. He said this process also allows one or two meters to read the total secondary water usage as opposed to 40 or 50 individual meters reading each parcel's usage, which is beneficial for both the HOA and the District.

Motion was made by Trustee Robinson, seconded by Trustee J. Andersen and the vote was unanimous approving the contract with Hampton on the Green Neighborhood Association 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 the secondary water contract, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

- 1) Hampton on the Green Neighborhood Association.....27.00 a.f. Proj.

**VII
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 DATE</u>	<u>% OF DIST CAPACITY</u>	<u>HISTORICAL RESERVOIR CONT.</u>	
					<u>AS OF 3/28/22</u>	<u>AS OF 3/22/21</u>
CAUSEY	7,870	6,870	4,255	62%	4,931	4,105
E CANYON	51,200	20,110	3,945	20	29,410	32,350
ECHO	73,940	6,422	0	0	30,710	30,420
LOST CRK	22,510	20,010	7,750	39	7,820	12,480
PINEVIEW	110,150	66,228	12,738	19	36,370	59,050
SMITH-M	8,351	6,560	2,508	38	4,196	1,831
WANSHIP	62,120	60,000	29,083	48	38,580	37,030
WILLARD	<u>247,302</u>	<u>222,273</u>	<u>129,710</u>	<u>58</u>	<u>96,192</u>	<u>144,975</u>
TOTAL	583,443	408,408	189,989	47%	248,209	322,241

Percent of District upstream storage is 32%.

AGM Hess 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 Robinson asked about the bridge being built on the river in Croydon. Gen. Mgr. Paxman stated they will not finish the bridge this spring. AGM Hess said the contractor has asked for more delays, even just this morning, but we cannot delay any longer with the amount of water needing to be released.

AGM Hess continued by presenting the storage in each District reservoir. He answered questions from the trustees. AGM Hess then presented the SNOTEL sites report and stated the forecast is showing more storms to come so these percentages will continue to climb.

Trustee Jenkins asked if we are in trouble anywhere that we can see. AGM Hess stated we are probably in trouble in a few locations. Trustee Robinson asked if spillways are trouble. AGM Hess stated no, it is just the flow capacities we are trying to get ahead of as much as possible. He said East Canyon is probably the biggest concern right now.

Trustee Osguthorpe asked if we control the spillover in East Canyon. AGM Hess answered yes, we try as much as possible to control before the reservoir spills, but the weather is unpredictable and makes this difficult.

Gen. Mgr. Paxman stated we are concerned about the East Canyon area and South Ogden side, and it is likely we will see some flooding. He said the lower Weber is a big concern as well. Discussion took place regarding Weber County’s flood control efforts. Gen. Mgr. Paxman also made mention that the lower Farmington area is around 300% for snowpack and this is also a concern.

AGM Hess stated the mid-elevation snowpack is uncontrollable and there is a significant amount this year. Discussion on flood control and snowpack continued.

AGM Hess presented runoff forecasts, weather outlooks, drought monitor, and release comparisons.

AGM Hess concluded by stating, due to all the preceding information, staff recommends loading irrigation water lines the week of April 24th to have secondary water available May 1st for customers. He said this is a two-week delay from usual procedure. AGM Hess explained the need to let the snow melt to access infrastructure and clear away any problematic debris. He stated this is in line with the time frame of Davis & Weber Counties Canal Company as well.

Trustee M. Anderson motioned to make water available May 1st, and Trustee Robinson seconded. The vote was unanimous and passed approving the delay in charging irrigation lines.

**VIII
CONSIDERATION OF APPROVAL OF METER EQUIPMENT
PURCHASE COST INCREASE**

AGM Parry was invited to present. He explained meters were requisitioned about a year ago and gave a summary of the timeframe. AGM Parry said the District has approximately 23,000 secondary connections and currently 13,000 are metered. He stated in order to meet the state's goal to have all connections metered by 2030, the District is aggressively working to meter all secondary water connections.

AGM Parry stated the hike in purchase price is a consequence of the pandemic due to supply chain issues and increased cost. He stated District staff recommends approval of the increase of \$15,595.80.

Trustee Osguthorpe stated this is around an 8% increase and appears reasonable for the ongoing supply chain issues. Trustee Robinson asked if this included radios to read remotely, AGM Parry replied yes.

Trustee Jenkins asked if the District was notified at the time these contracts were issued that prices may increase, AGM Parry replied yes.

Discussion regarding meter reading and the District's customer portal program took place.

Trustee Robinson motioned to approve the increase in order to pay Mountain Land Supply. The motion was seconded by Trustee Osguthorpe, and the vote was unanimous approving the total increase in purchase price of \$15,595.80.

**IX
CONSIDERATION OF APPROVAL OF FARMINGTON SPILLWAY RESERVOIR
CONSULTANT SELECTION**

AGM Nelson reviewed the background of the project. He stated the Davis Aqueduct overflows by design at the Farmington Spillway, and the spilled water goes unused by the District. AGM Nelson explained the District desires to capture this water for beneficial use. Gen. Mgr. Paxman said the District has been looking at a project like this for decades. AGM Nelson said not only will this project allow for the use of the water but will also improve pressure issues in the west Centerville service area.

AGM Nelson stated a Request for Proposals (RFP) was issued and proposals from four firms were received. He said the review committee deemed J-U-B Engineering most qualified and fee negotiations took place. AGM Nelson said District staff recommends approval to award a contract and enter into an agreement with J-U-B Engineering in the amount of \$198,700.00.

AGM Nelson answered questions from the board.

Trustee M. Anderson motioned to award a contract to J-U-B Engineering for the Farmington Spillway Reservoir Phase 1 Design Services. Motion was seconded by Trustee J. Andersen, 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 approval to award a contract to J-U-B Engineering for the Farmington Spillway Reservoir Phase 1 Design Services for \$198,700.00 on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

X

CONSIDERATION OF APPROVAL OF CONTRACTOR SELECTION FOR DAVIS SOUTH POWDER ACTIVATED CARBON (PAC) FEED SYSTEM

AGM Nelson explained the original PAC feed system at the Davis South Plant involves manually storing and adding PAC during daily operations in the water treatment plant. He said this project will alleviate employees having to dump carbon manually, and instead carbon will be on a regulated automatic feed system which directly injects into the raw water influent. AGM Nelson said piping modifications for raw water and return wash water lines and paving improvements were also included in the bidding.

AGM Nelson stated three firms bid on the project, and Corrio Construction was the low bidder at \$1,830,766.00. He concluded by saying District staff recommends approval to award a contract and enter into an agreement with Corrio Construction, Inc. for the work on the Davis South PAC Feed System.

Trustee Osguthorpe asked if this is cleaner and safer for the employees. AGM Nelson stated yes, it is a cleaner, safer, and superior method of feeding carbon.

Trustee Osguthorpe motioned, seconded by Trustee Buttshardt, to award a contract to Corrio Construction for the Davis South PAC Feed System Project for a total of \$1,830,766.00. 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 Corrio Construction for the Davis South PAC Feed System Project for \$1,830,766.00, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

XI

CONSIDERATION OF APPROVAL OF CONTRACTOR SELECTION FOR SECONDARY METER PROJECT PHASE 15

Mgr. Johnson explained this phase of the meter project involves installing 2,835 meters in Layton and the project completion date is May 2025. He showed a map of the sites to be metered with a mixture of front yard and backyard connections as well as about 60 large connections.

Mgr. Johnson said three contractors were prequalified in February but only two submitted bids, and Ormond Construction submitted the low bid. Mgr. Johnson said Ormond Construction has completed several previous meter projects for the District and we are pleased with their work. He said staff recommends approval to award a contract and enter into an agreement with Ormond Construction for \$6,024,686.95 for Phase 15 of the Secondary Meter Project.

Trustee Robinson asked where the finances come from for these meter projects. AGM Parry replied the District was awarded a grant by the state for up to \$10 MM to help finance metering secondary connections. He explained this grant is a 70/30 split with the District portion being 30%.

Trustee M. Anderson motioned for approval, seconded by Trustee J. Andersen, 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 approval of a contract to Ormond Construction for the Secondary Meter Project Phase 15 for \$6,024,686.95, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

XII

CONSIDERATION OF APPROVAL OF CONTRACTOR SELECTION FOR WELL REDEVELOPMENT FOR ORCHARD DRIVE WELL

Mgr. Johnson said the Orchard Drive Well was originally constructed in 1999. He said the initial pump rate was designed for 400 gallons per minute (GPM), but the pump would trip if operating at this rate. Mgr. Johnson said since 2021 the well has had significant loss in capacity and has operating at 50 GPM.

Mgr. Johnson explained in 2022 the District hired Nickerson to pull the pump to diagnose the issues. He said the column piping had a hole, which was replaced as well as the pump. Mgr. Johnson said there was too much sand production after these replacements and well redevelopment was recommended.

Mgr. Johnson said there were two bids submitted for redevelopment and staff recommends Widdison Well Services, Inc. for the needed work.

Mgr. Johnson then answered questions from the board.

Trustee Osguthorpe motioned for approval, seconded by Trustee Robinson, and the vote was unanimous to award a contract and enter into an agreement with Widdison Well Services, Inc. to redevelop the Orchard Drive Well for \$237,900.00 and adopt 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 Widdison Well Services for the Orchard Drive Well Redevelopment Project for \$237,900.00, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

XIII

CONSIDERATION OF APPROVAL OF LONG REACH EXCAVATOR EQUIPMENT PURCHASE

Mgr. Sorensen began by explaining in the ongoing effort to modernize our fleet, the District desires to purchase a 362 CAT Long Reach Excavator to replace the current 2005 excavator. He said this will help establish an exchange program in order to modernize more often and receive a greater value back on our equipment. Mgr. Sorensen stated the purchase would be made from Wheeler Machinery using the state contract for a total price of \$280,425.00 after the \$72,000 state discount.

Gen. Mgr. Paxman stated we use the long reach excavator almost non-stop, and this is an important piece of equipment to the District. Mgr. Sorensen said it is used for emergency flooding operations and cleaning reservoirs, ditches, canals, and drainages.

Trustee Osguthorpe stated the price seems reasonable and there was agreement among the trustees.

Trustee Jenkins motioned, seconded by Trustee M. Anderson, and the vote was unanimous approving the purchase of the 326 CAT Long Reach Excavator from Wheeler Machinery for the amount of \$280,425.00 with the option to trade-in or sell the District's current 2005 excavator.

XIV GENERAL MANAGER'S REPORT

Gen. Mgr. Paxman reported the Utah Water Users Conference went well despite the struggles with the Abby Inn this year. He said there were some over charges for one night, so the trustees will see a reimbursement showing up on credit card statements and to be watchful for those credits to post. He stated if there are any issues to please let staff know.

Gen. Mgr. Paxman said every year the board must complete the state auditor training. He said Kendall will be sending the link out and to please use it to complete that training.

Gen. Mgr. Paxman stated the District's annual customer agency meetings are happening next week. He said the meetings are divided up by service area this year as well as irrigation, industrial, or municipal. Gen. Mgr. Paxman said the big highlight will be the District 4 rates and the water supply report that was reviewed today. He mentioned there will also be a review of some legislature that has passed, especially law pertaining to conservation and sod removal. Gen. Mgr. Paxman said the agencies always appreciate this meeting, and it is very beneficial for everyone. He concluded by saying the board is welcome to attend if interested but their attendance is not required.

Gen. Mgr. Paxman ended his report by stating the District is receiving many calls regarding flooding and potential flooding both from customers and the media. He said we are addressing those as they come in and communicating the potential for flooding is indeed high though we are monitoring the situation daily and doing what we can.

XV ADJOURNMENT

There being no further business for discussion, meeting adjourned at 10:37 a.m.

Respectfully submitted,



Scott W. Paxman, General Manager/ CEO