

**MINUTES OF THE PUBLIC HEARING OF THE
BOARD OF TRUSTEES OF JORDAN VALLEY WATER CONSERVANCY DISTRICT**

(Unapproved and subject to change)

Held August 9, 2023

A public hearing of the Board of Trustees of the Jordan Valley Water Conservancy District was held in person and electronically on Wednesday, August 9, 2023, at 6:00 p.m. at JVVCD's administration building located at 8215 South 1300 West, West Jordan, Utah.

This meeting was conducted electronically in accordance with the Utah Open and Public Meetings Act (Utah Code Ann. (1953) §§ 52-4-1 et seq.) and Chapter 7.12 of the Administrative Policy and Procedures Manual ("Electronic Meetings").

Trustees Present:

Corey L. Rushton, Chair
A. Reed Gibby
Sherrie L. Ohrn
Dawn R. Ramsey
Mick M. Sudbury
Lyle C. Summers
Barbara L. Townsend
John H. Taylor

Trustees Not Present:

Karen D. Lang

Staff Present:

Alan Packard, General Manager
Jacob Young, Deputy General Manager
Matt Olsen, Assistant General Manager
Shazelle Terry, Assistant General Manager
Gordon Batt, Operations Department Manager
Brian Callister, Maintenance Department Manager
Shane Swensen, Engineering Department Manager and Chief Engineer
Mark Stratford, General Counsel (electronic)
David Martin, Chief Financial Officer/Treasurer
Kurt Ashworth, Human Resources Manager
Beverly Parry, Executive Assistant
Mindy Keeling, Administrative Assistant
Margaret Dea, Senior Accountant (electronic)
Martin Feil, Database Administrator (electronic)
Kelly Good, Communications Division Manager

Also Present:

David Gustin, 38 West 13775 South, Draper, UT 84020

**Call to order and
introduction of
visitors**

Mr. Corey L. Rushton, Chair, convened the public hearing of the Jordan Valley Water Conservancy District Board of Trustees at 6:03 p.m. on Wednesday, August 9, 2023, in the District administration building located at 8215 South 1300 West, West Jordan, Utah. Mr. Rushton gave instructions on how to make comments for those joining electronically and wishing to

He introduced the members of the Board and visitors attending in person and electronically. Ms. Karen Lang was excused.

Public Hearing for a proposed tax rate increase and for the budget and financial plan for fiscal year 2023/2024

Mr. Rushton called to order the public hearing to consider a proposed property tax rate increase and the budget and financial plan for fiscal year 2023/2024.

Verification of legal notification requirements

Mr. Rushton asked Mr. Mark Stratford, General Counsel, to report on verification of legal notification requirements for the public hearing. Mr. Stratford verified that the District had given legally sufficient public notice of the public hearing in compliance with the requirements of Utah law and the District's procedures. A combined notice was published by both Salt Lake County and Utah County in the newspaper; and JVVCD published a notice in the newspapers as well as posted notice on the Utah Legal, the JVVCD, and the Utah Public Notice websites. A physical notice was also posted in the foyer of the JVVCD principal office and the Conservation Education Center.

Motion to open public hearing

Mr. Rushton called for a motion to open the public hearing. Mr. Mick Sudbury moved to open the public hearing. Following a second by Ms. Barbara Townsend, the motion was unanimously approved by those present as follows:

Mr. Sudbury – aye	Mr. Gibby – aye
Ms. Lang – not present	Ms. Ohrn – aye
Ms. Ramsey – aye	Mr. Rushton – aye
Mr. Summers – aye	Mr. Taylor – aye
Ms. Townsend – aye	

Comments from the Finance Committee Chair

Mr. John Taylor, Finance Committee Chair, said it is difficult at times to maintain infrastructure to provide maximum flows when needed and plan for future growth, while at the same time promoting water conservation. He expressed appreciation to staff and consultants for the work which has gone into developing water rates, property tax rates, and the proposed budget and financial plan.

Staff presentation

Mr. David Martin, Chief Financial Officer, reviewed the current boundaries of the District's service area and the purposes of water conservancy districts. He said population increases and changes in climate are taken into consideration when developing long-term planning and proposed water rate and tax rate increase. Mr. Martin stated the District also has a capital projects plan that is updated and prioritized annually. Capital project needs drive the 10-year capital projects plan and includes millions of dollars in capital costs over the next 10 years. In addition to supplying water, JVVCD has promoted water conservation by developing Water Efficiency Standards, which have been adopted by many cities, and water conservation programs to assist the public with conserving water. He

explained that property tax is one of three major funding sources for the District, the other two being water rates and capital funding through borrowing or issuance of bonds. He explained how these three funding sources work together to provide the revenue and funds needed for JVVCD to develop and supply the water for its service area.

Mr. Martin explained the purpose of the proposed property tax increase is to maintain the existing balanced plan, supports the 2023/2024 budget in generating PayGo Capital to fund replacement projects, and supports bonding/borrowing to fund new infrastructure and facilities.

Mr. Martin said the certified tax rate for the District is 0.000312, and the proposed property tax rate following the increase would be 0.000341. The tax rate increase would increase the District's revenues by \$2,292,075. The average homeowner would have a property tax increase of \$8.90 per year (for a \$558,000 value residence) and a business of the same value would have a property tax increase of \$16.18 per year. The average home value was provided by the County Assessor's office and is the average value in the District's service area. Mr. Martin reviewed how the certified tax rate is calculated. He explained that when property values rise, property tax rates must fall to keep tax revenue stable. As a result, JVVCD's property tax rate must be increased in order to generate revenues to meet its financial needs.

Mr. Martin stated the total annual cost of water service for an average household valued at \$558,000 with the proposed tax increase is \$105 in property taxes and \$398 in water charges based on the District's retail water rates, for a total of \$503 per year, based on an average of 162 thousand gallons per year. This would be an overall annual increase of \$34 or 7.2% over last year.

Questions from Trustees

There were no questions from Trustees.

Invitation for public comments

**-Acknowledgement of public comments received
-Comments from visitors**

Mr. Alan Packard, General Manager, reported that once it was determined that a property tax rate increase would be needed, the municipalities that nominate trustees were contacted and a request was made for trustees to have an opportunity to report on the proposed tax rate increase and get sentiment from the city/county councils. A summary of the questions and comments received from the various councils was provided in the Board packet. Mr. Martin reported that no comments were received from the public prior to the public hearing. Mr. Rushton invited comments from the public.

Mr. David Gustin, Draper, Utah, said he owns both commercial and residential land in Draper. He said he appreciated the presentation from Mr. Martin which was helpful and informative. He said he recognizes that marshalling the assets and expenditures of a public budget is challenging. He expressed his feeling that because of the tax burden placed on property owners, it feels that he is renting his property from the government.

Motion to close public comment session

Mr. Rushton called for a motion to close the public comment session. Mr. Mick Sudbury moved to close the public comment session. Following a second by Ms. Sherrie Ohrn, the motion was unanimously approved by

those present as follows:

Mr. Sudbury – aye	Mr. Gibby – aye
Ms. Lang – not present	Ms. Ohrn – aye
Ms. Ramsey – aye	Mr. Rushton – aye
Mr. Summers – aye	Mr. Taylor – aye
Ms. Townsend – aye	

Staff response and summary

Mr. Rushton said that JWCD has a very focused and directed spending process in that JWCD’s budget is based on cost of service. Mr. Packard expressed appreciation for the concern of taxpayers about the rising tax burden. He explained that during the JWCD budget process, staff are consistently asked to reduce spending without impairing level of service or create a liability by not repairing and replacing aging infrastructure. He explained that JWCD’s practice has been to attempt to generate the necessary revenues with a combination of water rate and property tax increases. Mr. Packard explained that there are laws in place which exempt certain entities from property taxes, and this is out of JWCD’s control. He understands that there may be perceived inequities in the property tax burden, but there are services, such as fire protection, that are a benefit to everyone without regard to the amount of water they consume. Mr. Martin explained how there is a shift in the relative tax burden each year depending on changes in residential and commercial property values.

Motion to close public hearing

Mr. Rushton called for a motion to close the public hearing. Mr. John Taylor moved to close the public hearing. Following a second by Mr. Mick Sudbury, the motion was unanimously approved by those present as follows:

Mr. Sudbury – aye	Mr. Gibby – aye
Ms. Lang – not present	Ms. Ohrn – aye
Ms. Ramsey – aye	Mr. Rushton – aye
Mr. Summers – aye	Mr. Taylor – aye
Ms. Townsend – aye	

Financial Matters

Consider adoption of Resolution No. 23-15, “Determining and Fixing Jordan Valley Water Conservancy District’s Tax Rate for Fiscal Year 2023/2024”

Mr. Martin recommended approval of Resolution No. 23-15, “Determining and Fixing Jordan Valley Water Conservancy District’s Tax Rate for Fiscal Year 2023/2024” and Resolution No. 23-16, “Adopting Jordan Valley Water Conservancy District’s Budget and Financial Plan for Fiscal Year 2023/2024.”

Mr. Rushton called for a motion on the recommendation. Ms. Barbara Townsend moved to approve Resolution No. 23-15, “Determining and Fixing Jordan Valley Water Conservancy District’s Tax Rate for Fiscal Year 2023/2024.” Following a second by Mr. Reed Gibby, the motion was unanimously approved by those present as follows:

Mr. Sudbury – aye	Mr. Gibby – aye
Ms. Lang – not present	Ms. Ohrn – aye
Ms. Ramsey – aye	Mr. Rushton – aye
Mr. Summers – aye	Mr. Taylor – aye
Ms. Townsend – aye	

**Consider adoption
of Resolution No.
23-16, “Adopting
Jordan Valley
Water
Conservancy
District’s Budget
and Financial Plan
for Fiscal Year
2023/2024”**

Ms. Sherrie Ohrn moved to approve Resolution No. 23-16, “Adopting Jordan Valley Water Conservancy District’s Budget and Financial Plan for Fiscal Year 2023/2024.” Following a second by Mr. Reed Gibby, the motion was unanimously approved by those present as follows:

Mr. Sudbury – aye	Mr. Gibby – aye
Ms. Lang – not present	Ms. Ohrn – aye
Ms. Ramsey – aye	Mr. Rushton – aye
Mr. Summers – aye	Mr. Taylor – aye
Ms. Townsend – aye	

Adjourn

Mr. Rushton called for a motion to adjourn. Mr. Mick Sudbury moved to adjourn. Following a second by Mr. Zach Jacob, the meeting adjourned at 6:50 p.m.

Corey L. Rushton, Chair of the Board of Trustees

Alan E. Packard, Clerk