

**MINUTES OF THE REGULAR BOARD MEETING OF THE  
BOARD OF TRUSTEES OF JORDAN VALLEY WATER CONSERVANCY DISTRICT**

(Unapproved and subject to change)

August 9, 2023

A regular Board meeting of the Board of Trustees of the Jordan Valley Water Conservancy District was held both in person and electronically on Wednesday, August 9, 2023, at 3:00 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  
Zach Jacob  
Sherrie L. Ohrn  
Mick M. Sudbury  
John H. Taylor  
Barbara L. Townsend

Trustees Not Present:

Karen D. Lang  
Dawn R. Ramsey

Staff Present:

Jacob Young, Deputy General Manager  
Matt Olsen, Assistant General Manager  
Shazelle Terry, Assistant General Manager  
Gordon Batt, Operations Department Manager  
Jason Brown, Information Systems 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  
Brian McCleary, Controller  
Kurt Ashworth, Human Resources Manager  
Beverly Parry, Executive Assistant  
Mindy Keeling, Administrative Assistant  
Alicia Sekiller, Administrative Assistant  
Cynthia Bee, Public Information Officer  
Courtney Brown, Conservation Manager (electronic)  
Margaret Dea, Senior Accountant (electronic)  
Martin Feil, Database Administrator (electronic)  
Kelly Good, Communications Division Manager  
Josh McDougal, Network Administrator  
Ben Purdue, Right-of-Way and Property Manager  
Kevin Rubow, Registered Engineer  
Conor Tyson, Staff Engineer

Also Present:

Shelbey Brewer, Engineer, South Salt Lake City (electronic)

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Dakota Cambruzzi, HR Manager, Granger-Hunter Improvement District (electronic)  
Mark Chalk, General Manager, Taylorsville-Bennion Improvement District (electronic)  
Clint Dilley, General Manager, Magna Water District (electronic)  
Justun Edwards, Public Works Director, Herriman City  
Raymond Garrison, Associate Director of Public Works, South Jordan City  
Jason Helm, General Manager, Granger-Hunter Improvement District (electronic)  
Nathaniel Jones, Project Manager, Hansen, Allen & Luce  
Jason Luettinger, Principal, Bowen Collins & Associates  
Brien Maxfield, Senior Engineer, Draper City  
Stacie Olson, Water Director, Riverton City (electronic)  
Ana Paz, Associate Engineer, South Jordan City (electronic)  
David Robertson, Vice President, Lewis Young Robertson and Burningham  
Mike Whimpey, Assistant General Manager, CUWCD  
Wayne Winsor, Assistant General Manager/Chief Engineer, Metropolitan Water District of Salt Lake and Sandy

**Call to order and introduction of visitors**

Mr. Corey Rushton, Chair, convened the Board meeting of the Jordan Valley Water Conservancy District Board of Trustees at 3:03 p.m. on Wednesday, August 9, 2023. Mr. Rushton introduced the members of the Board and the public who joined the meeting both in person and electronically. Ms. Karen Lang and Ms. Dawn Ramsey were excused from the meeting.

**Approval of common consent items**

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Mr. Rushton presented the minutes of the Executive Committee meeting held July 10, 2023, and the regular Board meeting held July 12, 2023. He also presented the July 2023 Trustees' Expenses Report. Mr. Rushton called for a motion. Mr. Mick Sudbury moved to approve the minutes of the July 10 and July 12 meetings. Following a second by Ms. Barbara Townsend, the motion was approved by those present as follows:

|                          |                   |
|--------------------------|-------------------|
| Mr. Gibby –aye           | Mr. Jacob – aye   |
| Ms. Lang – not present   | Ms. Ohrn – aye    |
| Ms. Ramsey – not present | Mr. Rushton – aye |
| Mr. Sudbury – aye        | Mr. Taylor – aye  |
| Ms. Townsend – aye       |                   |

Mr. Mick Sudbury moved to approve the July 2023 Trustees' Expenses Report, Following a second by Ms. Barbara Townsend, the motion was approved by those present as follows:

|                          |                   |
|--------------------------|-------------------|
| Mr. Gibby –aye           | Mr. Jacob – aye   |
| Ms. Lang – not present   | Ms. Ohrn – aye    |
| Ms. Ramsey – not present | Mr. Rushton – aye |
| Mr. Sudbury – aye        | Mr. Taylor – aye  |
| Ms. Townsend – aye       |                   |

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**Public comments**

There were no public comments.

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**Core Mission Reports**

Ms. Shazelle Terry, Assistant General Manager, reviewed the Municipal and Industrial (M&I) Water Deliveries report through July 2023, the Wholesale Contract Progress report for each Member Agency, the Wholesale and Retail Actual and Projected Deliveries report, and the Provo River Reservoirs Update.

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**Water supply update**

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| <b>Water quality update</b>  | Ms. Terry provided a status report on the Utah Watershed Council. She explained that the Utah Legislature passed the Watershed Councils Act in 2020 which authorized and directed the Utah Division of Water Resources (DWR) to create the Utah Watersheds Council which includes twelve local watershed councils. Five of these watershed councils will comprise the Great Salt Lake Watershed Council and four of these five councils are now certified. Ms. Terry shared information on the Utah Watershed Council webpage and explained that JWCD participates in the Utah, Jordan River, and Utah Lake Watershed Councils.  |
| <hr/>  |  |
| <b>Standing Committee Reports</b>  | Mr. Brian McCleary, Controller, reviewed the Financial Report for June 2023 which shows that JWCD ended the 2022/2023 fiscal year \$3.1 million over the budgeted Net Revenues after Debt Service. This is a result of both water sales and expenses being lower and interest income being higher than budgeted for the fiscal year. Mr. McCleary also reviewed the Income Statement for both June 2023 and fiscal year 2022/2023. He said these numbers are based on an unaudited modified accrual basis.   |
| <b>Finance update</b>  |  |
| <hr/>  |  |
| <b>Conservation update</b>   | Mr. Matt Olsen, Assistant General Manager, reported that Magna Metro Township recently adopted a landscape ordinance which fully conforms to JWCD's Water Efficiency Standards. He also reported that the landscape ordinance for South Salt Lake City was recently adopted qualifying them to receive state funding for turf removal programs in the city. As staff reviewed the South Salt Lake City ordinance, they found that the city would be eligible for additional funding if they adjusted the ordinance to fully conform with the JWCD's Water Efficiency Standards.  |
| <hr/>  |  |
| <b>Conservation, Communications, and Information Systems activities</b>  | Mr. Olsen said JWCD entered into an agreement with the DWR approximately five years ago when the Utah Water Savers website and management portal (Website) was developed. JWCD designed the Website for administering water conservation related programs in its service area, and it was later expanded in partnership with DWR to offer a variety of programs statewide. This proposed agreement would extend the shared use period for the Website until July 15, 2027, and additional services would be authorized including Website enhancements; implementation of a statewide landscape incentive program; and support for a staff member to manage the Website. Mr. Olsen recommended approval of an agreement with the Utah Division of Water Resources to compensate JWCD for shared use of the Utah Water Savers website. |
| <b>Consider approval of an agreement with the Utah Division of Water Resources for shared use of the Utah Water Savers website</b> | Mr. Rushton called for a motion on the recommendation. Ms. Sherrie Ohrn moved to approve an agreement with the Utah Division of Water Resources for shared use of the Utah Water Savers website. Following a second by Mr. Mick Sudbury, the motion was approved by those present as follows:<br><br>Mr. Gibby –aye<br>Ms. Lang – not present<br>Ms. Ramsey – not present<br>Mr. Sudbury – aye<br>Ms. Townsend – aye<br><br>Mr. Jacob – aye<br>Ms. Ohrn – aye<br>Mr. Rushton – aye<br>Mr. Taylor – aye   |

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**Consider approval of a Member Agency Water Efficiency Standards Funding Agreement with Herriman City**

Mr. Olsen said Herriman City is seeking funding assistance for costs related to implementing the Water Efficiency Standards. This grant would help fund a full-time Water Conservation Coordinator staff position that assists in ensuring compliance with the Water Efficiency Standards and oversees Herriman City's water conservation programs. Mr. Olsen recommended approval of a Member Agency Water Efficiency Standards Funding Agreement with Herriman City in the amount of \$55,867.

Mr. Rushton called for a motion on the recommendation. Ms. Sherrie Ohrn moved to approve a Member Agency Water Efficiency Standards Funding Agreement with Herriman City in the amount of \$55,867. Following a second by Ms. Barbara Townsend, the motion was approved by those present as follows:

|                          |                   |
|--------------------------|-------------------|
| Mr. Gibby –aye           | Mr. Jacob – aye   |
| Ms. Lang – not present   | Ms. Ohrn – aye    |
| Ms. Ramsey – not present | Mr. Rushton – aye |
| Mr. Sudbury – aye        | Mr. Taylor – aye  |
| Ms. Townsend – aye       |                   |

**Engineering Activities**

**Consider authorization to award a construction contract for JWVTP Elevator Modernization**

Mr. Jacob Young, Deputy General Manager, said that after 22 years of continuous service, the elevator at JWVTP is aging, requires frequent maintenance, and staff are finding that replacement parts are difficult to obtain. For this reason, staff desire to modernize the elevator to provide reliable equipment and additional years of service. The elevator modernization will consist of replacing worn-out and obsolete components. Mr. Young recommended authorization to award a construction contract for Jordan Valley Water Treatment Plant Elevator Modernization to TK Elevator, LLC in the amount of \$322,500.

Mr. Rushton called for a motion on the recommendation. Mr. Reed Gibby moved to authorize the award of a construction contract to TK Elevator, LLC in the amount of \$322,500 for Jordan Valley Water Treatment Plant Elevator Modernization. Following a second by Mr. Mick Sudbury, the motion was unanimously approved by those present as follows:

|                          |                   |
|--------------------------|-------------------|
| Mr. Gibby –aye           | Mr. Jacob – aye   |
| Ms. Lang – not present   | Ms. Ohrn – aye    |
| Ms. Ramsey – not present | Mr. Rushton – aye |
| Mr. Sudbury – aye        | Mr. Taylor – aye  |
| Ms. Townsend – aye       |                   |

**Consider authorization to award an engineering services contract for Back-up Power Generation Project Phase II**

Mr. Young said one of the JWVCD's level of service goals is to meet indoor water demands in the event of an extended system-wide power outage. In order to achieve this goal, back-up power is needed at key pump stations, treatment plants, and wells. This project is the second phase of the generator project and will include the evaluation of the existing emergency power generation equipment and pumping capacity within each zone to meet indoor demands and to equip additional critical pumping facilities with standby electric generation equipment. This project was selected to receive up to \$2,870,000 in federal funding. Mr. Young recommended authorization to award an engineering services contract for Back-up Power Generation Project Phase II to AE2S in the amount of \$611,000.

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Mr. Rushton called for a motion on the recommendation. Mr. Mick Sudbury moved to authorize the award of an engineering services contract in the amount of \$611,000 to AE2S for Back-up Power Generation Project Phase II. Following a second by Ms. Barbara Townsend, the motion was unanimously approved by those present as follows:

|                          |                   |
|--------------------------|-------------------|
| Mr. Gibby –aye           | Mr. Jacob – aye   |
| Ms. Lang – not present   | Ms. Ohrn – aye    |
| Ms. Ramsey – not present | Mr. Rushton – aye |
| Mr. Sudbury – aye        | Mr. Taylor – aye  |
| Ms. Townsend – aye       |                   |

**Consider authorization to award an engineering services contract for 2024 Vault Improvement Project**

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Mr. Young said the proposed contract is for design and construction management services for an ongoing program to renew and replace aging infrastructure. The project includes the rehabilitation of piping and valves in five vaults and the relocation of an additional vault due to access safety concerns. Cost-sharing will include 50% of one vault for Draper City and one vault for WaterPro pending cost-share agreements. Mr. Young recommended authorization to award an engineering services contract for 2024 Vault Improvement Project to Hansen, Allen & Luce, Inc. in the amount of \$481,972.

Mr. Rushton called for a motion on the recommendation. Mr. Reed Gibby moved to authorize the award of an engineering services contract to Hansen, Allen & Luce in the amount of \$481,972 for 2024 Vault Improvement Project. Following a second by Mr. Mick Sudbury, the motion was unanimously approved by those present as follows:

|                          |                   |
|--------------------------|-------------------|
| Mr. Gibby –aye           | Mr. Jacob – aye   |
| Ms. Lang – not present   | Ms. Ohrn – aye    |
| Ms. Ramsey – not present | Mr. Rushton – aye |
| Mr. Sudbury – aye        | Mr. Taylor – aye  |
| Ms. Townsend – aye       |                   |

**Consider approval of Master Agreement with UDOT for Mountain View Corridor – Porter Rockwell to 2100 North**

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Mr. Young reported that UDOT is preparing to extend Mountain View Corridor from Porter Rockwell Boulevard in Herriman to 2100 North in Lehi. JVVCD owns and operates a 48-inch welded steel pipeline which will be impacted by this project. The agreement sets forth terms and conditions regarding its protection and accommodation under UDOT's project. Mr. Young recommended approval of a master agreement with Utah Department of Transportation for Mountain View Corridor – Porter Rockwell to 2100 North and authorize the General Manager, Deputy General Manager, and General Counsel to make minor revisions as necessary and execute the agreement.

Mr. Rushton called for a motion on the recommendation. Ms. Sherrie Ohrn moved to approve a master agreement with Utah Department of Transportation for Mountain View Corridor – Porter Rockwell to 2100 North and authorize the General Manager, Deputy General Manager, and General Counsel to make minor revisions as necessary and execute the agreement. Following a second by Mr. Reed Gibby, the motion was unanimously approved by those present as follows:

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|                          |                   |
|--------------------------|-------------------|
| Mr. Gibby –aye           | Mr. Jacob – aye   |
| Ms. Lang – not present   | Ms. Ohrn – aye    |
| Ms. Ramsey – not present | Mr. Rushton – aye |
| Mr. Sudbury – aye        | Mr. Taylor – aye  |
| Ms. Townsend – aye       |                   |

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**Consider approval of a water lease and collaboration agreement for release of water to Great Salt Lake**

Mr. Mark Stratford, General Counsel, said that as result of the excellent water year, JWWCD was able to deliver water to the Welby Jacob Water User’s Company (Company) from the Provo River and not use storage out of Utah Lake. As a result, and because of the needs of Great Salt Lake, this water lease and collaboration agreement would allow for JWWCD owned shares in the Company (approximately 5,273 acre-feet) to be released to the Jordan River and Great Salt Lake, as well as 2,000 acre-feet of Company rights. The release would be in collaboration with Utah Division of Wildlife Resources, Utah Division of Forestry Fire and State Lands, the National Audubon Society, and the Nature Conservancy. Mr. Stratford recommended approval of a water lease and collaboration agreement for release of water to Great Salt Lake and authorize the General Manager and General Counsel to make minor revisions and authorize the General Manager to execute the agreement.

Mr. Rushton called for a motion on the recommendation. Mr. Reed Gibby moved to approve a water lease and collaboration agreement for release of water to Great Salt Lake and authorize the General Manager and General Counsel to make minor revisions and authorize the General Manager to execute the agreement. Following a second by Mr. Mick Sudbury, the motion was unanimously approved by those present as follows:

|                          |                   |
|--------------------------|-------------------|
| Mr. Gibby –aye           | Mr. Jacob – aye   |
| Ms. Lang – not present   | Ms. Ohrn – aye    |
| Ms. Ramsey – not present | Mr. Rushton – aye |
| Mr. Sudbury – aye        | Mr. Taylor – aye  |
| Ms. Townsend – aye       |                   |

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**Reporting Items**

Mr. Young provided a summary of the trustees’ reports to City Councils and County Council regarding a proposed property tax increase. He thanked the Board for their willingness to participate in the various council meetings in order to report on our intention to increase the tax and request the councils’ sentiments on the proposal. Mr. Rushton expressed concern regarding being able to differentiate between what were opinions and what were sentiments from the various comments received from the councils. Ms. Ohrn said that one city council meeting she attended expressed concern that taxes were being used to support new growth, and she appreciated staffs assistance in providing additional information to the city council members on what property tax revenues are used for.

Mr. Olsen said the JWWCD Strategic Plan (Plan) is intended to be a guide for the next five years and reviewed the steps taken so far to update the Plan. He reviewed the five core imperatives that have been developed through this process and said these will be used to develop objectives, priorities, and performance indicators. He reviewed a tentative schedule for completion of the updated Plan. Mr. Ruston expressed concern that some of the core imperatives are very prescriptive, and others are

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aspirational. He suggested staff be aware of and evaluate unintended consequences of the various core imperatives as they develop the final Plan.

Mr. Young reviewed the routine reporting items which included: easement encroachment agreements signed by the General Manager, performance indicators for June 2023, and media coverage. Mr. Shane Swensen, Engineering Department Manager and Chief Engineer, reported on the 2022/2023 fiscal year end capital projects budget indicating \$54.3 million was budgeted and \$43.5 million was spent. Mr. Olsen reported that the 2022 Annual Report has been published and distributed.

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**Upcoming meetings**

Mr. Rushton reviewed the upcoming meetings including the Conservation Committee meeting, Monday, September 11 at 3:00 p.m.; Executive Committee meeting, Monday, September 11 at 3:30 p.m.; and regular Board meeting, Wednesday, September 13 at 3:00 p.m.

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**Closed meeting**

Mr. Rushton proposed to convene a closed meeting at 4:19 p.m. to discuss character and professional competency of an individual. Ms. Sherrie Ohrn moved to go into closed session for the discussion. Following a second by Ms. Barbara Townsend, the motion was approved by those present as follows:

|                          |                   |
|--------------------------|-------------------|
| Mr. Gibby –aye           | Mr. Jacob – aye   |
| Ms. Lang – not present   | Ms. Ohrn – aye    |
| Ms. Ramsey – not present | Mr. Rushton – aye |
| Mr. Sudbury – aye        | Mr. Taylor – aye  |
| Ms. Townsend – aye       |                   |

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The closed meeting convened at 4:31 p.m. with the following Trustees present: Mr. Reed Gibby, Mr. Zach Jacob, Ms. Sherrie Ohrn, Mr. Corey Rushton, Mr. Mick Sudbury, Mr. John Taylor, and Ms. Barbara Townsend. Also present were: Alan Packard, General Manager; Jacob Young, Deputy General Manager; Matt Olsen, Assistant General Manager; Shazelle Terry, Assistant General Manager; Mr. Dave Martin, Chief Financial Officer; Mr. Kurt Ashworth, Human Resources Manager; and Beverly Parry, Executive Assistant.

Alan Packard, Jacob Young, Matt Olsen, Shazelle Terry, Dave Martin, Kurt Ashworth, and Beverly Parry were excused from the meeting for the discussion.

No votes or actions were taken during the closed meeting.

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**Open meeting**

The open meeting reconvened at 5:37 p.m.

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**Adjourn**

Mr. Rushton called for a motion to adjourn. Mr. Zach Jacob moved to adjourn. Following a second by Ms. Barbara Townsend, the meeting adjourned at 5:38 p.m.

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Corey L. Rushton, Chair of the Board of Trustees

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Alan E. Packard, District Clerk