

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

(Unapproved and subject to change)

Held July 13, 2022

A Board meeting of the Board of Trustees of the Jordan Valley Water Conservancy District was held both in person and electronically on Wednesday, July 13, 2022, 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:

A. Reed Gibby
Karen D. Lang
Sherrie L. Ohrn
Dawn R. Ramsey
Lyle C. Summers
Barbara L. Townsend
John H. Taylor

Trustees Not Present:

Corey L. Rushton, Chair
Mick M. Sudbury

Staff Present:

Bart Forsyth, General Manager
Matt Olsen, Assistant General Manager
Alan Packard, 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
Mark Stratford, General Counsel
David Martin, Chief Financial Officer/Treasurer
Brian McCleary, Controller
Kurt Ashworth, Human Resources Manager
Linda Townes Cook, Public Information Manager
Beverly Parry, Executive Assistant
Alicia Sekiller, Administrative Assistant
Martin Feil, Database Administrator (electronic)
David McLean, Senior Engineer

Also Present:

Greg Anderson, General Manager, Kearns Improvement District
Austin Ballard, CFO/Controller, Granger-Hunter Improvement District (electronic)
Mark Chalk, General Manager, Taylorsville-Bennion Improvement District (electronic)
Greg Christensen, former trustee
Greg Davenport, Utility Manager, City of West Jordan

Clint Dilley, General Manager, Magna Water District (electronic)
Justun Edwards, Public Works Director, Herriman City (electronic)
Raymond Garrison, Associate Director of Public Works, South Jordan City
James Goldhardt (electronic)
Jake Himebaugh, Project Manager, Brown and Caldwell
Jason Helm, General Manager, Granger-Hunter Improvement District (electronic)
Gary Henrie, Engineer, Bureau of Reclamation (electronic)
Chad Hunsaker, Vice President of Operations, Vancon, Inc. (electronic)
Darrin Jensen-Peterson, General Manager, WaterPro (electronic)
Brien Maxfield, Senior Engineer, Draper City (electronic)
Chris Merket, Engineer, City of South Salt Lake (electronic)
Annalee Munsey, Assistant General Manager, Metropolitan Water District of Salt Lake & Sandy (electronic)
Stacie Olson, Water Director, Riverton City (electronic)
Ana Paz, Associate Engineer, South Jordan City (electronic)
Dan Tracer, Assistant City Engineer, Bluffdale City (electronic)
Ryan Willeitner, Engineer, Jacobs Engineering
Jeremy Williams, Project Manager, Brown and Caldwell (electronic)
Jacob Young, Director, Brown & Caldwell

Call to order and introduction of visitors

Ms. Karen Lang, Vice Chair, convened a Board meeting of the Jordan Valley Water Conservancy District Board of Trustees at 3:01 p.m. on Wednesday, July 13, 2022. Ms. Lang introduced the members of the Board and public who joined the meeting both in person and electronically. Mr. Corey Rushton and Mr. Mick Sudbury were excused from the meeting.

Approval of common consent items

Ms. Lang presented the minutes of the Executive Committee meeting held June 6, 2022, and the regular Board meeting held June 8, 2022. She also presented the June Trustees' Expenses Report. Ms. Lang called for a motion. Mr. Lyle Summers moved to approve the minutes of the June 6th and June 8th meetings and the June 2022 Trustees' Expenses Report. Following a second by Ms. Sherrie Ohrn, the motion was unanimously approved by those present as follows:

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

Public comments

There were no public comments.

Core Mission Reports

Mr. Reed Gibby arrived at 3:06 p.m.

Water supply report

Mr. Bart Forsyth, General Manager, reviewed the Municipal and Industrial (M&I) Water Deliveries report through June 2022, the Wholesale Contract Progress report for each Member Agency, the M&I Water Sources report, the Provo River Reservoirs Update, and the Wholesale and Retail Actual and Projected Deliveries report. He also provided a comparison of wholesale and retail water deliveries for the months of April, May, and June during the years 2019 through 2022. He said there is a trend of declining water use in the months of April and May during 2020, 2021, and 2022. The comparison shows a significant

reduction in water use after June of 2021 which indicates the public response to water conservation messaging.

Water quality report

Ms. Shazelle Terry, Assistant General Manager, reviewed the Water Quality 2021 Report which was recently sent out to JWCD customers. She pointed out some items included in the report such as: an explanation of the difference between drought response and drought resiliency; a new map of JWCD water sources and treatment plants; water quality data, including an overview of the work involved in collecting the data; and a message from EPA. Ms. Terry also explained several changes that are coming to the Consumer Confidence Rule which will affect the Water Quality Report in the future.

Standing Committee Reports

Mr. Brian McCleary, Controller, reviewed the Financial Report for May 2022, including the Financial Report Summary, a Wholesale and Retail Water Sales Revenue chart, and information on Metered Sales of Wholesale Water. He said revenue is below the budgeted amount as a result of a decrease in water sales.

Finance update

Conservation update

Mr. Matt Olsen, Assistant General Manager, introduced an updated welcome packet that is provided to new retail customers. He reviewed the main concepts in the packet, including how to contact JWCD, how to access water use information on the web portal, how to pay bills, how to read the water bill, how to respond to service disruptions, what the maintenance responsibilities are, and how to get rebates. Mr. Olsen acknowledged the Communications staff for all the work in putting the new welcome packet together.

Conservation, Communications, and Information Systems Activities

Mr. Olsen said Granger-Hunter Improvement District (GHID) submitted an application for funding assistance through JWCD's Member Agency Grant Program. In the application, GHID outlined one Tier 1 project and three Tier 3 projects for a total of \$67,400. The projects include a water system leak detection project, conservation calendars, conservation welcome packets, and conservation promotional materials. Mr. Olsen recommended approval of a Water Conservation Funding Agreement with Granger-Hunter Improvement District in the amount of \$67,400.

Consider approval of a Water Conservation Funding Agreement with Granger-Hunter Improvement District

Ms. Lang called for a motion on the recommendation. Ms. Sherrie Ohrn moved to approve a Water Conservation Funding Agreement with Granger-Hunter Improvement District in the amount of \$67,400. Following a second by Mr. Reed Gibby, the motion was unanimously approved by those present as follows:

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

Consider approval of a Water Conservation Funding Agreement with Herriman City

Mr. Olsen said Herriman City submitted an application for funding assistance through JWCD's Member Agency Grant Program for two Tier 1 projects which are large landscaping projects. Herriman City requested \$55,867 for the Juniper Canyon Recreation Area Eastern Trailhead Phase 1 project and Herriman Main Street Park Strips and Open Space project. Mr. Olsen recommended approval of a Water Conservation Funding Agreement with Herriman City in the amount of \$55,867.

Ms. Lang called for a motion on the recommendation. Mr. Reed Gibby moved to approve a Water Conservation Funding Agreement with Herriman City in the amount of \$55,867. Following a second by Ms. Barbara Townsend, the motion was unanimously approved by those present as follows:

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

Consider approval of a Water Conservation Funding Agreement with the City of South Jordan

Mr. Olsen said the Member Agency Grant Program application submitted by the City of South Jordan outlines a continuation of its toilet rebate program, indoor water fixtures rebate program, and turf conversion rebate program. Mr. Olsen recommended approval of a Water Conservation Funding Agreement with the City of South Jordan in the amount of \$68,000.

Ms. Lang called for a motion on the recommendation. Ms. Dawn Ramsey moved to approve a Water Conservation Funding Agreement with the City of South Jordan in the amount of \$68,000. Following a second by Mr. Reed Gibby, the motion was unanimously approved by those present as follows:

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

Engineering Activities

Consider authorization to award a construction contract for JWTP Sedimentation Basins 3-6 Upgrade Project

Mr. Alan Packard, Assistant General Manager, said this project will be the first in a series of projects over the next few years that will increase the Jordan Valley Water Treatment Plant (JWTP) capacity. He stated the current sludge collection equipment will be replaced and new plate settler equipment will also be installed. This project will also include seismic upgrades. Mr. Packard complimented the outside consultant, Brown and Caldwell, and Mr. David McLean, the project manager, for developing a project scope that meets a number of objectives and improvements for the District. MWDSLS will pay 2/7 of the cost for the equipment replacement and seismic upgrades, which amounts to \$2,057,142. He also explained that because of the critical nature of completing this work in a timely fashion, early completion incentives totaling \$480,000 are included in the contract documents. Mr. Packard recommended authorization to award a construction contract to Vancon, Inc. in the amount of \$20,700,00 for a JWTP Sedimentation Basins 3-6 Upgrade Project.

Ms. Lang called for a motion on the recommendation. Mr. Reed Gibby moved to approve authorization to award a construction contract for JWTP Sedimentation Basins 3-6 Upgrade Project to Vancon, Inc. in the amount of \$20,700,000. Following a second by Ms. Sherrie Ohrn, the motion was unanimously approved by those present as follows:

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

Consider adoption of Resolution 22-10, “Amending JWCD’s Administrative Policy and Procedures Manual” (Rules and Regulations for Wholesale Water Service)

Mr. Packard said the Board has had discussions regarding providing more flexibility for Member Agencies to take delivery of minimum purchase water they have purchased but have not taken, especially in a drought year, by increasing the allowed “carry over” amount and “carry over” period. The proposed policy changes accommodate this as well as allows the Member Agencies to have the discretion of when they take the deferred water, either before or after their regular minimum purchase water. The proposed policy changes also include the implementation of the drought surcharge rates.

Mr. Packard recommended adoption of Resolution 22-10, “Amending JWCD’s Administrative Policy and Procedures Manual” (Rules and Regulations for Wholesale Water Service).

Ms. Lang called for a motion on the recommendation. Ms. Sherrie Ohrn moved to adopt Resolution 22-10, “Amending JWCD’s Administrative Policy and Procedures Manual” (Rules and Regulations for Wholesale Water Service). Following a second by Ms. Barbara Townsend, the motion was unanimously approved by those present as follows:

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

Consider adoption of Resolution 22-11, “Amending JWCD’s Administrative Policy and Procedures Manual” (Rules and Regulations for Retail Water Service)

Mr. Packard said the following changes are proposed for the Rules and Regulations for Retail Water Service: 1) incorporate the new rates and drought surcharges, 2) clarify difference between fees and charges, 3) limit the time period for which a credit for leaks may be considered to 90 days, 4) authorize the General Manager to resolve disputes and appeals, and 5) miscellaneous technical or clarifying revisions. Mr. Packard recommended adoption of Resolution 22-11, “Amending JWCD’s Administrative Policy and Procedures Manual” (Rules and Regulations for Retail Water Service).

Ms. Lang called for a motion on the recommendation. Ms. Barbara Townsend moved to adopt Resolution 22-11, “Amending JWCD’s Administrative Policy and Procedures Manual” (Rules and Regulations for Retail Water Service). Following a second by Mr. Reed Gibby, the motion was unanimously approved by those present as follows:

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

Consider approval of amendment to water purchase agreement with the City of South Jordan

Mr. Packard said that last year the City of South Jordan (City) updated its water purchase agreement to increase its minimum purchase amount to accommodate growth in the City. As the City has evaluated the growth in the City, it has determined that a graduated increase in the minimum purchase amount over the next several years will better align with the City’s actual needs rather than a large, immediate increase. Mr. Packard recommended approval of an amendment to a water purchase agreement with the City of South Jordan.

Ms. Lang called for a motion on the recommendation. Ms. Dawn Ramsey moved to approve an amendment to a water purchase agreement with the City of South Jordan. Following a second by Mr. Lyle Summers, the motion was unanimously approved by those present as follows:

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

Operations and Maintenance activities

Consider approval of expenditure for annual Provo River Watershed Council workplan

Ms. Shazelle Terry said JVVCD is one of the five funding members of the Provo River Watershed Council that make up the governing board. Annually JVVCD provides cash and in-kind services to the council to fund the tasks included in the workplan. Ms. Terry briefly reviewed the tasks included in the workplan and recommended approval of an expenditure for the annual Provo River Watershed Council workplan.

Ms. Lang called for a motion on the recommendation. Ms. Sherry Ohrn moved to approve an expenditure for the annual Provo River Watershed Council workplan. Following a second by Ms. Barbara Townsend, the motion was unanimously approved by those present as follows:

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

Reporting Items

Mr. David Martin, Chief Financial Officer, reported on the Audit Committee meeting held on May 24, 2022. Mr. Mark Stratford, General Counsel, reported that JVVCD is in compliance with all legal requirements and internal District practices. Mr. Forsyth briefly reviewed the routine reporting items which included: CUP/CUWCD activities report, facilities rental agreements signed by the General Manager, easement encroachment agreements signed by the General Manager, performance indicators for May 2022, and media coverage. Mr. Shane Swensen, Engineering Department Manager, gave an update on the Upper Headquarters Campus Paving Improvements project and the West Jordan City's 1300 West project.

Upcoming meetings

Ms. Lang reviewed the upcoming meetings for August including the Conservation Committee meeting, Monday, August 8 at 3:00 p.m.; Executive Committee meeting, Monday, August 8 at 3:30 p.m.; Board meeting, Wednesday, August 10 at 3:00 p.m.; and a Public Hearing, Wednesday, August 10 at 6:00 p.m.

Consider approval to cancel the Conservation Committee and Executive Committee meetings scheduled on August 8, 2022

Ms. Lang proposed cancellation of the Conservation Committee and Executive Committee meetings on August 8. Mr. Lyle Summers moved to cancel the Conservation Committee and Executive Committee meetings on August 8. Following a second by Ms. Sherrie Lang, the motion was unanimously approved by those present as follows:

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

Closed meeting

Ms. Lang proposed to convene a closed meeting at 4:20 p.m. to discuss the sale or purchase of real property and/or water rights or water shares, and the character and professional competency of an individual. Ms. Barbara Townsend moved to go into closed session for the discussions. Following a second by Mr. Reed Gibby, the motion was unanimously approved by those present as follows:

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

The closed meeting convened at 4:34 p.m. with the following Trustees present: Mr. Reed Gibby, Ms. Karen Lang, Ms. Sherrie Ohrn, Ms. Dawn Ramsey (electronic), Mr. Lyle Summers, Mr. John Taylor, and Ms. Barbara Townsend. Mr. Corey Rushton and Mr. Mick Sudbury were excused from the meeting. Also present were: Bart Forsyth, General Manager; Matt Olsen, Assistant General Manager; Alan Packard, Assistant General Manager; Shazelle Terry, Assistant General Manager; David Martin, Chief Financial Officer; Mark Stratford, General Counsel; Beverly Parry, Executive Assistant; Shane Swensen, Engineering Department Manager; Travis Christensen, Senior Engineer-Property; Ben Perdue, Right-of-Way & Property Manager.

No votes or actions were taken during the closed meeting other than to adjourn the meeting.

Open meeting

The open meeting was reconvened at 5:36 p.m.

Consider approval to sell surplus real property located at 297 East Shepard Lane, Kaysville

Mr. Packard stated there is a portion of property (0.07 acres) owned by JVVCD located at 297 East Shepard Lane, Kaysville, which staff has determined to be surplus. A neighbor to that property has expressed interest in purchasing the property. Mr. Packard recommended approval of determination that a portion of real property located at 297 East Shepard Lane, Kaysville is surplus to JVVCD's needs and authorize staff to enter negotiations with Mr. Andreason and authorize the General Manager to execute a Real Estate Purchase Contract to sell the subject property.

Ms. Lang called for a motion on the recommendation. Mr. Lyle Summers moved to approve the determination that a portion of real property located at 297 East Shepard Lane, Kaysville is surplus to JVVCD's needs and authorize staff to enter negotiations with Mr. Andreason and authorize the General Manager to execute a Real Estate Purchase Contract to sell the subject property. Following a second by Ms. Sherrie Ohrn, the motion was unanimously approved by those present as follows:

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

Adjourn

Ms. Lang called for a motion to adjourn. Mr. Barbara Townsend moved to adjourn. The meeting adjourned at 5:40 p.m.

Corey L. Rushton, Chair of the Board of Trustees

Barton A. Forsyth, District Clerk