

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

(Unapproved and subject to change)

Held October 14, 2020

A regular Board meeting of the Board of Trustees of the Jordan Valley Water Conservancy District was held Wednesday, October 14, 2020, at 3:00 p.m. at the District office 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 (electronically):

Corey L. Rushton, Chair  
Greg R. Christensen  
A. Reed Gibby  
Karen D. Lang  
Sherrie L. Ohrn  
Dawn R. Ramsey  
Lyle C. Summers  
Barbara L. Townsend

Trustees Not Present:

John H. Taylor

Staff Present (electronically):

Bart Forsyth, General Manager/CEO  
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  
Reid Lewis, General Counsel  
David Martin, Chief Financial Officer/Treasurer  
Brian McCleary, Controller  
Kurt Ashworth, Human Resources Manager  
Linda Townes, Public Information Manager  
Beverly Parry, Executive Assistant  
Mindy Keeling, Administrative Assistant  
Jessica Morgan, Administrative Assistant  
Martin Feil, Database Administrator  
Travis Christensen, Registered Engineer  
Margaret Dea, Senior Accountant  
David McLean, Senior Engineer  
Kevin Rubow, Registered Engineer

Also Present (electronically):

Thom Belchak, Riverton, Utah  
Tish Buroker, Riverton City Council Member  
Darrell Casteel, Operations Manager, AE2S

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Mark Chalk, General Manager, Taylorsville-Bennion Improvement District  
Justun Edwards, Director of Public Works, Herriman City  
Sam Fankhauser, Project Manager, AE2S  
Christine Finlinson, Assistant General Manager, Central Utah Water Conservancy District  
Pam Gill, General Manager, Kearns Improvement District  
Duane Green, Water Director, Riverton City  
Jason Helm, General Manager, Granger-Hunter Improvement District  
Gary Henrie, Engineer, Bureau of Reclamation  
Brien Maxfield, Senior Engineer, Draper City  
Ted Mickelsen, Project Manager, Jones & Demille Engineering  
Annalee Munsey, Assistant General Manager, Metropolitan Water District of Salt Lake & Sandy  
Stacie Olson, Assistant Water Director, Riverton City  
Ana Paz, Associate Engineer, South Jordan City  
Jason Rasmussen, Public Works Director, South Jordan City  
Scott Robertson, Principal, Lewis Young Robertson and Burningham  
Ryan Willeitner, Engineer, Jacobs Engineering  
Jacob Young, Director, Brown & Caldwell

**Call to order and introduction of visitors**

Mr. Corey L. Rushton, Chair, convened the Board meeting of the Jordan Valley Water Conservancy District Board of Trustees at 3:02 p.m. on Wednesday, October 14, 2020, in the Administration Building at 8215 South 1300 West in West Jordan, Utah. Mr. John Taylor was excused from the meeting. Mr. Rushton introduced the members of the Board and public who joined the meeting electronically.

**Approval of common consent items**

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Mr. Rushton presented the minutes of the Executive Committee meeting held September 8, 2020, and the regular Board meeting held September 9, 2020. He also presented the September 2020 Trustees Expenses Report. Mr. Rushton called for a motion. Mr. Lyle Summers moved to approve the minutes of the September 8th and September 9th meetings and the September Trustees Expenses Report. Following a second by Ms. Sherrie Ohrn, the motion was unanimously approved by those present as follows:

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

**Public comments**

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There were no public comments.

**Appeal by Thom Belchak for denial of a GRAMA request**

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Mr. Rushton explained that a GRAMA request received by the District from Mr. Thom Belchak has been denied for technical reasons, and Mr. Belchak has chosen to appeal that decision to deny. Mr. Rushton turned time over to Mr. Belchak who stated he is looking for a document giving the District authority to pass through property he owns at 3807 West Myers Lane, Riverton, Utah.

Mr. Rushton said the GRAMA request received by the District from Mr. Belchak lacked the specificity of what document he was seeking, and as a result, was denied. Ms. Ohrn concurred that the document submitted lacked clarity and suggested Mr. Bechak resubmit a GRAMA request indicating what specific document he is seeking. Mr. Bart Forsyth, General Manager, said he believes the pipeline Mr. Belchak is referring to is a 48-inch pipeline

that was installed in 2008, in cooperation with South Jordan City, and is in the public right-of-way. He said staff would be glad to respond to a more specific GRAMA request from Mr. Belchak. Mr. Rushton said that when a GRAMA request is received, the District is not obligated by law to create a record that doesn't exist, and he is hesitant to require staff to search for documents that may or may not exist which would incur unnecessary costs.

Mr. Rushton called for a motion. Mr. Greg Christensen moved to uphold the denial of Mr. Belchak's GRAMA request. Following a second by Ms. Barbara Townsend, the motion was unanimously approved by those present as follows:

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

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**Core Mission Reports**

**Water Supply Update**

Mr. Forsyth reviewed the Municipal and Industrial (M&I) Water Deliveries report for August, the Wholesale Contract Progress report for each Member Agency, the M&I Water Sources report, the Provo River Reservoirs Update, and the M&I and Irrigation Actual & Projected Deliveries reports. He reported that the District should have a good carryover water supply going into next year. He also shared historical data on Annual M&I Water Deliveries for the month of September from 2003 through 2020.

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**Water Quality Update**

Mr. Gordon Batt, Operations Department Manager, explained that a cross connection is any physical or potential connection between a potable water supply and any potential hazardous material and can be created when plumbing is incorrectly installed. A cross connection can let backflow occur, which is the reverse flow of contaminants through a cross connection into a drinkable water supply. Mr. Batt shared common cross connection examples and explained how to prevent backflow. He then reviewed the five required components of a cross connection program, as outlined by the Utah Division of Drinking Water.

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**Standing Committee Reports**

**Finance update**

Mr. Brian McCleary, Controller, reviewed the August monthly and year-to-date financial report and explained any differences in Revenues and Operational Expenses between this fiscal year and last fiscal year.

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**Conservation update**

Mr. Matt Olsen, Assistant General Manager, informed the Board that they can go to [smile.amazon.com](https://smile.amazon.com) and select the Jordan Valley Conservation Gardens Foundation when ordering from Amazon and 0.5% of purchases will go to the Foundation.

Mr. Olsen stated the Conservation Committee has developed and approved a Strategic Water Management program which targets commercial, industrial, institutional, and multi-family water users. He said the program combines elements of education and incentive programs learned from other utilities that target their largest consumers. Mr. Olsen described the two primary components of the program, which are water use assessments and custom incentives. He gave various examples of qualifying projects and reviewed what water use assessments entail and what the custom

incentives are based on.

**Consider adoption of Resolution No. 20-26, "Authorizing Appointment of Members of the District Management Staff as Members of the UASD Board of Representatives"**

Mr. Forsyth said that as a member of the Utah Association of Special Districts (UASD), the District can appoint one member and an alternate to the UASD Board of Representatives. He said the UASD suggests that appointment of a member by a district be made by resolution by the district's board. This proposed resolution would appoint Mr. Forsyth as the District's representative and Mr. Alan Packard, Assistant General Manager, as the alternate representative to serve on the UASA Board of Representatives. Mr. Forsyth recommended adoption of Resolution No. 20-26.

Mr. Rushton called for a motion on the recommendation. Ms. Barbara Townsend moved to adopt Resolution No. 20-26, "Authorizing Appointment of Members of the District Management Staff as Members of the Utah Association of Special Districts' Board of Representatives." Following a second by Mr. Reed Gibby, the motion was unanimously approved by those present as follows:

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

Ms. Dawn Ramsey joined the meeting at 4:05 p.m.

**Conservation, Communications, and Information Systems activities**

**Consider adoption of Resolution No. 20-27, "Approving a WaterSMART Grant Application for Water Conservation Programs"**

Mr. Olsen said that the District is seeking funding through the USBR's WaterSMART Grants: Water and Energy Efficiency Grant program. He said the funding application is just under \$350,000, and the funds will be used to assist with the District's Locascapes Rewards and Flip Your Strip Programs. The application requires a resolution of support from the District's Board of Trustees, and Mr. Olsen recommended adoption of Resolution No. 20-27, "Approving a WaterSMART Grant Application for Water Conservation Programs."

Mr. Rushton called for a motion on the recommendation. Mr. Lyle Summers moved to adopt Resolution No. 20-27, "Approving a WaterSMART Grant Application for Water Conservation Programs." Following a second by Ms. Sherrie Ohrn, the motion was unanimously approved by those present as follows:

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

**Engineering activities**

**Consider approval of construction contract for the 4400 South 3600 West Vault Modifications**

Mr. Packard said this project involves replacement of 24-inch piping and valves in an existing valve vault which was constructed in 1958 and is in poor condition. Mr. Packard recommended approval of a construction contract for the 4400 South 3600 West Vault Modifications be awarded to Beck Construction in the amount of \$147,020.

Mr. Rushton called for a motion on the recommendation. Mr. Reed Gibby moved to approve a construction contract with Beck Construction in the

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amount of \$147,020. Following a second by Ms. Karen Lang, the motion was unanimously approved by those present as follows:

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

**Consider approval of construction contract for the JWTP Reclaim Water and Solids Handling Improvements**

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Mr. Packard said this project is to construct modifications to the District's treatment system that handles backwash water at JWTP. He said as the JWTP has been operating at or near compacity for the last few summers, the filter backwash water solids handling system has been overburdened. This project will install improvements to re-direct some of the filter backwash water to an alternate drying bed so that the existing backwash water basins can function properly. It will also include replacing old and undersized equipment associated with the backwash water solids handling system and installing a concrete liner in two backwash water drying basins. Mr. Packard recommended approval of a construction contract for JWTP Reclaim Water and Solids Handling Improvements be awarded to Nelson Brothers Construction Company in the amount of \$2,864,643.

Mr. Rushton called for a motion on the recommendation. Ms. Sherrie Ohrn moved to approve a construction contract with Nelson Brothers Construction Company for JWTP Reclaim Water and Solids Handling Improvements. Following a second by Mr. Reed Gibby, the motion was unanimously approved by those present as follows:

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

**Consider approval of engineering contract for the 3600 West 10200 South Booster Pump Stations**

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Mr. Packard said the District's booster pump station facilities located on 10200 South are a critical part of the District's distribution system. He said the existing booster pump station located at 3600 West 10200 South was constructed in the late 1970's, and replacement of this booster pump station is included in the District's ten-year plan. He said the new booster pump station will work in tandem with the existing one so the full asset service life of the existing booster pump station can be utilized. When the existing booster pump station has reached the end of its useful life, it will be decommissioned, and the new booster pump station will be equipped to provide the full capacity needed. Mr. Packard said \$249,376 of the budgeted amount for this project is included in the 2020/2021 budget. Mr. Packard recommended approval of an engineering contract for the 3600 West 10200 South Booster Pump Station be awarded to AE2S in the amount of \$819,707.

Mr. Rushton called for a motion on the recommendation. Mr. Greg Christensen moved to approve an engineering contract be awarded to AE2S in the amount of \$819,707. Following a second by Mr. Reed Gibby, the motion was unanimously approved by those present as follows:

Mr. Christensen – aye  
Ms. Lang – aye  
Ms. Ramsey – aye  
Mr. Summers – aye  
Ms. Townsend – aye

Mr. Gibby – aye  
Ms. Ohrn – aye  
Mr. Rushton – aye  
Mr. Taylor – not present

**Consider adoption of Resolution No. 20-28, “Amending JWCD’s Policy Manual”**

Mr. David Martin, Chief Financial Officer, said the proposed policy revision amends the District’s Personnel Rules and Regulations Section 5.5.D. He explained that when a District employee retires, they can cash out unused annual leave, up to 320 hours, and 25% of their accumulated unused sick leave. The proposed policy change would simplify the District’s role in handling funds of District retirees. With this policy change, the District would not hold onto funds that are cashed out by retirees in order to pay for health insurance coverage for the retirees. Mr. Martin recommended adoption of Resolution No. 20-28, “Amending JWCD’s Policy Manual.”

Mr. Rushton called for a motion on the recommendation. Mr. Reed Gibby moved to adopt Resolution No. 20-28. Following a second by Ms. Barbara Townsend, the motion was unanimously approved by those present as follows:

Mr. Christensen – aye  
Ms. Lang – aye  
Ms. Ramsey – aye  
Mr. Summers – aye  
Ms. Townsend – aye

Mr. Gibby – aye  
Ms. Ohrn – aye  
Mr. Rushton – aye  
Mr. Taylor – not present

**Reporting items**

Mr. Reid Lewis said the District is in compliance with all legal requirements and internal practices.

**Verification of compliance with selected legal requirements and internal practices**

Mr. Forsyth informed the Board that the Utah Association of Special Districts annual convention has been canceled. The required Trustee training for newly appointed Board members that usually takes place at this conference will now need to be completed on the Office of the State Auditor Training Portal at <http://traing.auditor.utah.gov/>.

**Report on UASD annual convention**

Mr. Forsyth reviewed the proposed 2021 Board Meeting Schedule and conferences available for Board members to attend.

**Report on tentative 2021 Board meetings schedule**

Mr. Forsyth reviewed the routine reporting items which included: easement encroachment agreements signed by the General Manager, District performance indicators for August 2020, and media coverage.

Ms. Shazelle Terry, Assistant General Manager, reviewed a plan staff has developed to bring the Employee & Leadership Development performance indicator back into green status. She said in order for this performance indicator to be green, employees need to have 40 or more hours of training per rolling 12-month period. The shortage of training hours is mainly a result of the pandemic as many conferences and internal training have been canceled or delayed. Staff has identified upcoming opportunities for training, and Ms. Terry said she expects this performance indicator to be green by the end of October.

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Mr. Packard said that in 2014 the District began participating in Rocky Mountain Power's WattSmart Strategic Energy Management program. As part of this program, Rocky Mountain Power developed a model to predict the District's energy use proportionally to the amount of water delivered. Mr. Packard said this model was used to determine the status of the Efficient Use of Electricity performance indicator. Because more water is now delivered using booster pump stations, staff felt it necessary to update the current model used for this performance indicator because a separate variable for energy use by booster pump stations was not included in the current model. Mr. Todd Schultz, Analytics & Outreach Manager, has refined the model which now accounts for water distributed through booster pump stations.

Mr. Summers asked staff to give a presentation on the model used for the Efficient Use of Electricity performance indicator at a later meeting.

Mr. Packard reviewed the capital projects report for September 2020.

**Upcoming meetings**

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Mr. Rushton reviewed the upcoming meetings for November including: Conservation Committee meeting, Monday, November 9 at 3:00 p.m.; Executive Committee meeting, Monday, November 9 at 3:30 p.m.; and regular Board meeting, Thursday, November 12 at 3:00 p.m.

**Closed meeting**

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It was determined that a closed meeting was not needed to discuss information provided during procurement process or sale or purchase of real property and /or water rights or water shares.

**Adjourn**

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Mr. Rushton called for a motion to adjourn. Ms. Sherrie Ohrn moved to adjourn. Following a second by Ms. Barbara Townsend, the meeting adjourned at 4:54 p.m.

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Corey L. Rushton, Chair of the Board of Trustees

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Barton A. Forsyth, District Clerk