

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

(Unapproved and subject to change)

Held October 12, 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, October 12, 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:

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

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  
Beverly Parry, Executive Assistant  
Mindy Keeling, Administrative Assistant  
Martin Feil, Database Administrator (electronic)  
Margaret Dea, Senior Accountant (electronic)  
Conor Tyson, Staff Engineer  
Travis Christensen, Senior Engineer – Property

Also Present:

Riley Astill, Controller, Kearns Improvement District  
Austin Ballard, CFO/Controller, Granger-Hunter Improvement District (electronic)  
Mark Chalk, General Manager, Taylorsville-Bennion Improvement District (electronic)  
Greg Davenport, Utility Manager, City of West Jordan  
Clint Dilley, General Manager, Magna Water District (electronic)  
Justun Edwards, Public Works Director, Herriman City (electronic)  
Jason Helm, General Manager, Granger-Hunter Improvement District (electronic)

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Gary Henrie, Engineer, Bureau of Reclamation (electronic)  
Travis Lim, West Jordan (electronic)  
Jason Luettinger, Principal, Bowen Collins & Associates  
Brien Maxfield, Senior Engineer, Draper City  
Annalee Munsey, Assistant General Manager, Metropolitan Water District of Salt Lake & Sandy (electronic)  
Stacie Olson, Water Director, Riverton City  
Parry Osborn, Senior Principal Engineer, Hazen and Sawyer (electronic)  
Ana Paz, Associate Engineer, South Jordan City (electronic)  
KC Shaw, Deputy General Manager, Central Utah Water Conservancy District (electronic)  
Dan Tracer, Assistant City Engineer, Bluffdale City (electronic)  
Ryan Willeitner, Engineer, Jacobs Engineering (electronic)  
Jeremy Williams, Project Manager, Brown and Caldwell (electronic)  
Jacob Young, Director, Brown & Caldwell

**Call to order and introduction of visitors**

Mr. Corey Rushton, Chair, convened a Board meeting of the Jordan Valley Water Conservancy District Board of Trustees at 3:01 p.m. on Wednesday, October 12, 2022. Mr. Rushton introduced the members of the Board and public who joined the meeting both in person and electronically.

**Approval of common consent items**

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Mr. Rushton presented the minutes of the Executive Committee meeting held September 12, 2022, and regular Board meeting held September 14, 2022. He also presented the September Trustees' Expenses Report. Mr. Rushton called for a motion. Mr. Mick Sudbury moved to approve the minutes of the September 12 and September 14 meetings and the September 2022 Trustees' Expenses Report. 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 – not present
Mr. Rushton – aye	Mr. Sudbury – aye
Mr. Summers – aye	Mr. Taylor – not present
Ms. Townsend – aye	

**Public comments**

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There were no public comments.

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Mr. John Taylor joined the meeting at 3:07 p.m. and Ms. Dawn Ramsey joined the meeting electronically at 3:08 p.m.

**Core Mission Reports**

**Water supply report**

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Mr. Bart Forsyth, General Manager, reviewed the Municipal and Industrial (M&I) Water Deliveries report through September 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. Mr. Forsyth reported that JVVCD has approximately 25,000 AF of additional water in storage due to the public's water conservation efforts in response to drought messaging. He also reported that 60,000 AF of water is being stored in Jordanelle Reservoir, which usually would be stored in Deer Creek Reservoir. This is being done to bring Deer Creek's water level down in preparation for the Deer Creek Intake Project. Mr. Forsyth shared information on statewide precipitation for the 2021/2022 water year, the precipitation deficit for water years 2020-

2021, the current soil moisture levels, and the Utah Drought Monitor, which shows most of Utah is still in extreme or severe drought conditions.

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**Water quality report**

Ms. Shazelle Terry, Assistant General Manager, said JVVCD purchased a new pilot plant in 2019 which was installed in 2020. She reported that a filtration rate study utilizing the pilot plant has been completed in preparation for the JVVTP expansion. Results of the pilot study include:

- Proposed media (larger and deeper) achieved equivalent water quality as the existing media while operating at higher filtration rates.
- Under all test conditions, the proposed media outperformed the existing media in terms of efficiency (unit filter run volumes).
- Filters using pretreated pilot water backwashed off head loss while filters using plant pretreated water backwashed off turbidity.
- Filter aid and flocculation aid both improved the overall water quality of the filtered water.

Ms. Terry stated these results support rerating the facility to 255 mgd using a filtration rate of 8.8 gpm/sf using the proposed media tested. For more operational flexibility for the number of filters that may be offline, JVVCD may request from the Division of Drinking Water that individual filters be operated up to 10 gpm/sf.

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**Standing Committee Reports**

**Finance update**

Mr. Brian McCleary, Controller, reviewed the Financial Report for August 2022. As this is early in a new fiscal year, the summary graphs show the actual revenues and expenses are right within the projected amounts. He reviewed the Income Statement which showed an increase in Net Revenues of approximately \$3.3 million over the last fiscal year, which was a result of the increased water deliveries and a transfer of \$8.4 million into the Revenue Stabilization Fund. Mr. McCleary also reviewed the Fund Balances which shows the \$8.4 million transferred to the Revenue Stabilization Fund.

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**Conservation update**

Mr. Matt Olsen, Assistant General Manager, gave an update on HB 121 which was passed in the 2022 legislative session. This bill described the state turf removal program and landscape restrictions on state government facilities. He said the Division of Water Resources has been active in defining rules for a statewide turf removal program. Mr. Olsen explained that the more the state turf removal program deviates from JVVCD's program, the more challenging it gets for applicants who apply for both programs, and there is no guarantee that applicants will be able to get funding from both entities. He reviewed the state turf removal program eligibility requirements. Mr. Olsen said, beginning next year, program applicants within JVVCD's service area that meet both the state requirements and JVVCD's requirements could potentially receive an extra one dollar per square foot for their turf removal projects. As a result, JVVCD will need to re-evaluate how landscaping projects are being funded so that JVVCD is matching state funding dollar for dollar. He said Utah Water Savers will need to be reconfigured to accommodate this enhanced program and make it easy for the public to use.

Mr. Rushton said that different jurisdictions adopt water efficiency standards at different levels, and it may be necessary for the state to better define the required level of water efficiency standards adopted in order to participate in these programs. Mr. Olsen said it is his understanding that, under the state

program, municipalities are required to adopt water efficiency standards by ordinance. Mr. Rushton expressed concern that applicants may not be able to receive funding from these programs because of the level of water efficiency standards their city has adopted and who will be responsible for letting public know when they are not eligible to participate in the program. Mr. Rushton asked if public with dead lawns will be eligible to participate in the turf removal program. Mr. Olsen said that JWCD has been lenient on allowing applicants to participate who have stopped watering their lawns, especially during the current drought conditions. He was not sure of the state's required parameters concerning living lawns and that he would bring this feedback to the state for consideration. Mr. Rushton suggested that JWCD needs to consider how much involvement it wants to have in the development and implementation of the state's turf removal program. Mr. Olsen said it is JWCD's goal to make the process as easy as possible for its service area.

Ms. Ohrn expressed concern that there is no commercial component in the proposed state turf removal program. She reported that Riverton City has been very responsive after her report on their meeting at the last Board meeting. She said Riverton City has provided information on their conservation efforts and the only difference between JWCD's water efficiency standards and Riverton City's is that Riverton City does not mandate the standards but instead suggests and encourages water conservation measures. She suggested telling stories of water conservation successes as part of JWCD's conservation messaging.

**Engineering  
Activities**

**Consider  
authorization to  
award a construction  
contract for pump  
installation at the  
6898 West Old  
Bingham Highway  
Pump Station**

Mr. Alan Packard, Assistant General Manager, said that in the southwest part of JWCD's service area, there are various pressure zones above the Jordan Aqueduct, and pressure Zone D services the growing areas of South Jordan, West Jordan, and Herriman. The 6898 West Old Bingham Pump Station, which is supplemented by the Bingham Canyon Water Treatment Plant, is the only pump station pumping into that zone. To keep up with growing demands, staff is recommending installation of an additional pump which will be able to pump approximately six million gallons of water per day. This project includes the installation of a new pump, motor, electrical equipment, and a maintenance platform at this pump station. Mr. Packard recommended authorization to award a construction contract for pump installation at the 6898 West Old Bingham Highway Pump Station to Nelson Brothers Construction in the amount of \$361,530.

Mr. Rushton called for a motion on the recommendation. Mr. Mick Sudbury moved to approve authorization to award a construction contract in the amount of \$361,530 to Nelson Brothers Construction for pump installation at the 6898 West Old Bingham Pump Station. Following a second by Ms. Karen Lang, the motion was unanimously approved as follows:

Mr. Gibby – aye  
Ms. Ohrn – aye  
Mr. Rushton – aye  
Mr. Summers – aye  
Ms. Townsend – aye

Ms. Lang – aye  
Ms. Ramsey – aye  
Mr. Sudbury – aye  
Mr. Taylor – aye

**Consider authorization to award an engineering services contract for Etienne Way and Murray Holladay Road Well Equipping**

Mr. Alan Packard, Assistant General Manager, said that as part of JVVCD's long-term plan to support increasing demands systemwide and to utilize JVVCD's groundwater rights to their full potential, staff is ready to proceed with equipping and site improvements of two existing wells. The 2129 East Murray Holladay Road and 2776 East Etienne Way wells were drilled in 2009. Due to development of other water sources, JVVCD deferred completion of the design and equipping of these wells until the water supply and peak day capacity was needed. It has been determined that new supply and peak day capacity will be needed in the next 4-5 years. This engineering services contract will provide design and construction management services for the equipping of these two wells. Mr. Packard provided information on the procurement process undertaken for selection of a qualified engineering firm to assist with this project. Mr. Packard recommended authorization to award an engineering services contract for Etienne Way and Murray Holladay Road Well Equipping to Bowen Collins & Associates in the amount of \$992,889.

Mr. Rushton called for a motion on the recommendation. Mr. Reed Gibby moved to approve authorization to award an engineering services contract in the amount of \$992,889 to Bowen, Collins & Associates for Etienne Way and Murray Holladay Road Well Equipping. Following a second by Mr. Mick Sudbury, the motion was unanimously approved as follows:

Mr. Gibby – aye	Ms. Lang – aye
Ms. Ohrn – aye	Ms. Ramsey – aye
Mr. Rushton – aye	Mr. Sudbury – aye
Mr. Summers – aye	Mr. Taylor – aye
Ms. Townsend – aye	

**Consider adoption of Petition Certification (Cottonwood Lane), certifying petition for annexation of lands into the JVVCD**

Mr. Stratford, General Counsel, said the proposed annexation is for lands on the boundary of JVVCD's retail service area, and the property owner owns adjacent property which is already in the service area. He said this is the first in a two-step annexation process, and annexation approval will be brought before the Board at a later date. Mr. Stratford recommended adoption of Petition Certification (Cottonwood Lane), certifying petition for annexation of lands into the Jordan Valley Water Conservancy District.

Mr. Rushton called for a motion on the recommendation. Ms. Sherrie Ohrn moved to approve adoption of Petition Certification (Cottonwood Lane), certifying petition for annexation of lands into the Jordan Valley Water Conservancy District. Following a second by Mr. Mick Sudbury, the motion was unanimously approved as follows:

Mr. Gibby – aye	Ms. Lang – aye
Ms. Ohrn – aye	Ms. Ramsey – aye
Mr. Rushton – aye	Mr. Sudbury – aye
Mr. Summers – aye	Mr. Taylor – aye
Ms. Townsend – aye	

**Consider authorization for General Manager to sign Memorandum of Understanding with Colorado River Basin Municipal and Public Water Providers**

Mr. Forsyth stated this Memorandum of Understanding (MOU) commits those who sign it to collectively conserve Colorado River water. He said this is an opportunity to join with neighboring states and regional water providers to recognize the essential water supply the Colorado River Water provides, the current challenges that exist on the river after 23 years of drought, and

to collectively work together to reduce the demand for water. Some of the commitments included in the MOU are to:

- Conduct programs to increase indoor and outdoor water use efficiency.
- Look for opportunities to reduce the quantity of non-functional turf grass.
- Increase water reuse and recycling programs where feasible.
- Continue to implement best practices such as transform outdoor landscapes and urban environments in a manner that improves climate resilience and promotes water wise use, increase efficiency of indoor fixtures and appliances, adopt conservation-oriented rate structures to incentivize efficiency, etc.
- Collaborate with other water users in the Colorado River basin to bring the supply and use of the river into balance.

He said this commitment will be advertised and sent to the Commissioner of the United States Bureau of Reclamation. Mr. Forsyth recommended authorization for the General Manager to sign the Memorandum of Understanding with Colorado River Basin Municipal and Public Water Providers.

Mr. Rushton called for a motion on the recommendation. Mr. Reed Gibby moved to approve authorization for the General Manager to sign the Memorandum of Understanding with Colorado River Basin Municipal and Public Water Providers. Following a second by Ms. Barbara Townsend, the motion was unanimously approved as follows:

Mr. Gibby – aye  
Ms. Ohrn – aye  
Mr. Rushton – aye  
Mr. Summers – aye  
Ms. Townsend – aye

Ms. Lang – aye  
Ms. Ramsey – aye  
Mr. Sudbury – aye  
Mr. Taylor – aye

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## Reporting Items

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

Mr. Stratford reported that JVVCD is in compliance with all selected legal requirements and internal District practices. Mr. Forsyth reviewed the proposed 2023 Board Meeting Schedule and conferences available for Board members to attend. Mr. Forsyth reviewed the routine reporting items which included: facilities rental agreements signed by the General Manager, performance indicators for August 2022, and media coverage. Mr. Shane Swensen, Engineering Department Manager, gave a final project completion report on the 8518 South 950 East Well Pump Replacement project.

### Report on tentative 2023 Board meetings schedule

### Upcoming meetings

Mr. Rushton reviewed the upcoming meetings for November including the Conservation Committee meeting, Monday, November 7 at 3:00 p.m.; Executive Committee meeting, Monday, November 7 at 3:30 p.m.; and regular Board meeting, Wednesday, November 9 at 3:00 p.m.

### Closed meeting

Mr. Rushton proposed to convene a closed meeting at 4:28 p.m. to discuss the sale or purchase of real property and/or water rights or shares and pending litigation. Mr. John Taylor moved to go into closed session for the

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discussions. Following a second by Mr. Mick Sudbury, the motion was unanimously approved as follows:

Mr. Gibby – aye	Ms. Lang – aye
Ms. Ohrn – aye	Ms. Ramsey – aye
Mr. Rushton – aye	Mr. Sudbury – aye
Mr. Summers – aye	Mr. Taylor – aye
Ms. Townsend – aye	

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The closed meeting convened at 4:35 p.m. with the following Trustees present: Mr. Corey Rushton, Mr. Reed Gibby, Ms. Karen Lang, Ms. Sherrie Ohrn, Ms. Dawn Ramsey (electronic), Mr. Mick Sudbury, Mr. Lyle Summers (electronic), Mr. John Taylor, and Ms. Barbara Townsend. Also present were: Bart Forsyth, General Manager; Alan Packard, Assistant General Manager; Shazelle Terry, Assistant General Manager; Matt Olsen, 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; and Ben Perdue, Right-of-Way and Property Manager.

No votes or actions were taken during the closed meeting.

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**Open meeting**

The open meeting was reconvened at 5:22 p.m.

**Consider authorization to approve a relocation agreement and abandon a portion of easement along 9000 South with the Utah Department of Transportation**

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Mr. Packard said Utah Department of Transportation (UDOT) is beginning a project to widen 9000 South and will be constructing a new bridge across the Jordan River. As part of the project, they will relocate an existing JVVCD 16-inch pipeline which is now attached to the current bridge, and the relocation will be done at UDOT's cost. Mr. Alan Packard recommended approval of the draft Relocation Agreement and authorize the General Manager and General Counsel to approve any final revisions to the Relocation Agreement and have the General Manager sign the Agreement. He also recommended approval to abandon a portion of an existing easement along 9000 South and authorize the General Manager and General Counsel to prepare the Easement Abandonment Agreement with UDOT and have the General Manager execute the agreement.

Mr. Rushton called for a motion on the recommendation. Ms. Sherrie Ohrn moved to authorize approval of the Relocation Agreement with the Utah Department of Transportation and approve abandonment of a portion of easement along 9000 South and authorize the General Manager and General Counsel to approve any revisions and authorize the General Manager to sign the Agreements. Ms. Ohrn asked, as part of the motion, that staff reassure that JVVCD is protected in the future against any permit access fees if JVVCD needs to access the pipeline for maintenance purposes. Following a second by Ms. Karen 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 – aye	Mr. Sudbury – aye
Mr. Summers – not present	Mr. Taylor – not present
Ms. Townsend – aye	

**Adjourn**

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Mr. Rushton called for a motion to adjourn. Ms. Barbara Townsend moved to adjourn. Following a second by Mr. Reed Gibby, the meeting adjourned at 5:24 p.m.

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Corey L. Rushton, Chair of the Board of Trustees

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Barton A. Forsyth, District Clerk