

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF TRUSTEES OF THE SOUTH DAVIS WATER DISTRICT
HELD MAR. 8, 2023 AT THE DISTRICT OFFICE
LOCATED AT 407 WEST 3100 SOUTH, BOUNTIFUL, UTAH**

Trustees Present:

M. Jerry Hawley	Chairman
Ron Mortensen	Trustee
Kathy Thurston	Trustee

Also present:

Jake M. Ferguson	Manager
Tracie James	District Clerk
Greg Smith	Resident
Curt Kofford	Resident

The meeting was called to order by Trustee Hawley at 4:35 p.m., after which he welcomed all those present.

Minutes of Previous Meeting:

Trustee Mortensen moved that the minutes from Feb. 8, 2023 be approved as written. Trustee Thurston seconded the motion. The motion carried with Trustees Hawley, Mortensen and Thurston voting "aye".

Expenditures Update:

The expenses for February were reviewed. Trustee Mortensen asked Mr. Ferguson and Ms. James to research how much the District could save yearly if the District was to pass along the credit card fee to customers who wish to pay with credit cards. This information will be presented at the next board meeting. Trustee Mortensen moved that the expenses for February be ratified and approved. Trustee Thurston seconded the motion. The motion carried with Trustees Hawley, Mortensen and Thurston voting "aye".

Consider Changing the Secondary Water Turn-on Date from April 17, 2023 to a Future Date:

It was discussed that the Weber Basin Water Conservancy District announced that they will not have any restrictions this year. The Board has decided to keep the normal irrigation water turn-on date of April 17. Trustee Mortensen recommended that the notice to water users advising them of the turn-on date include a reminder that it is still necessary to conserve water.

Consider Adopting Resolution #74-Adopting and Approving an Interlocal Cooperation Agreement with Davis County to Conduct an Election on Behalf of the District:

Trustee Hawley asked if the above-mentioned contract could be canceled at any time should the District not need to hold an election. Ms. James stated that the contract does contain a paragraph that allows either party to cancel the agreement with written notice. Trustee Thurston moved that Resolution #74 and the Interlocal Cooperation Agreement allowing Davis County to conduct an election on behalf of the District for 2023 be approved. Trustee Mortensen seconded the motion. The motion carried with Trustees Hawley, Mortensen and Thurston voting "aye".

Manager's Report:

Update on the Progress of Secondary Metering:

Mr. Ferguson reported that the contract for the grant money in the amount of \$3.6 million from the Division of Water Resources, has finally been sent to the District. It has been signed by the Board of Water Resources and the Project Manager. Mr. Ferguson and Ms. James have also signed the contract on behalf of the District. The District is now waiting for the final approval of the Director of the Utah Division of Finance.

Mr. Ferguson reported that he has spoken with Senator Hinkins regarding Senate Bill 251-Secondary Water Metering Requirements. There is a possibility that Senator Hinkins may amend the bill at the next legislative session (2024), to read that water districts who provide pressurized irrigation with 2,500 connections or more are required to install irrigation water meters. This would exclude the District since the District only has around 2,000 connections. This would mean that the District would no longer be required to install irrigation water meters on every connection. High users, such as schools, churches, etc. would still be required to have an irrigation meter installed. Trustee Mortensen stated that since legislation passed (SB 119) that requires reporting per capita water use that it would be important to focus on the largest users first. Mr. Ferguson also spoke about Senate Bill 76-Water Amendments, which gives the Director of Water Resources the power to regionalize public water systems, which is the power to combine one water system with another, if a particular water system is not meeting conservation goals as set by the Division of Water Resources. After a discussion regarding the two Senate bills mentioned above, Mr. Ferguson asked for the Board's input as to whether or not the District should move forward with installing 500 irrigation meters this year, or only on high users. After some discussion, Trustees Hawley and Thurston said that they preferred moving forward with installing the 500 irrigation meters this year. Trustee Mortensen had no comment.

Construction and Maintenance:

Mr. Ferguson reported that the District held a pre-bid meeting on March 7th, for the 725 W. culinary water line replacement project. Four different contractors attended in order to receive requirements and information regarding the project. Contractors must follow the "Davis-Bacon Act" which requires contractors to pay their laborers a certain wage. ESI Engineering has been hired to assist the District with the project and to ensure that contractors are following the Davis-Bacon Act, among other Federal requirements. The Board expressed their appreciation to Mr. Ferguson for his hard work in helping to find other financial resources, such as the CDBG Grant, that allow the District to continue to improve infrastructure.

Mr. Ferguson reported that the EPA UCMR 5 (Unregulated Contaminant Monitoring Rule) sampling will commence next week. The EPA will pay for all costs associated with the sampling, except for the wages of the District water operators who will use District time to collect the samples.

Mr. Ferguson reported that the District will hire a potable water diving company in May to clean and inspect the inside of the culinary water tanks.

Mr. Ferguson reminded the Board that the District will be mailing out a survey to District residents in order to compile an inventory of all water lines and/or fixtures that may have lead content within the District, in order to follow the EPA's revised Lead and Copper Rule.

Mr. Ferguson reported on water right 31-3934. This is the water right that Mr. Ferguson mentioned at last month's board meeting. The Utah Division of Water Rights was looking to reduce the amount of water appropriated for that water right. Mr. Ferguson met with the State's Regional Engineer and Assistant State Engineer on Feb. 9, 2023. It was decided that the Utah Division of Water rights will not reduce the amount of water appropriated for that water right. It was discovered that this water right is not to be used from April to October. The District has enough water to fulfill water needs during the irrigation season from the shares owned in the North Canyon Water Company. Mr. Ferguson mentioned the idea of leasing or selling the water from this water right to a city or cities west of the District to help recharge the aquifer. Board members Hawley and Mortensen said that they oppose the outright sale of water rights.

Financial Report:

The District's yearly audit for 2022 will begin sometime in April.

There is one concern regarding the truck maintenance expense. The District has one truck, the 2016 Ford, that has had some problems and repairs already this year. This truck will need to be replaced next year.

There were no other questions or concerns regarding the District's finances.

Water Outlook:

It is estimated that this year will be a record year as far as water equivalency in the snow pack. The hope is the water will not melt too slow or too fast this coming Spring. Snowpack is at 163% of normal.

There being no further business, the meeting adjourned at 5:33 p.m.


District Clerk

SOUTH DAVIS WATER DISTRICT

RESOLUTION # 74

**RESOLUTION ADOPTING AND APPROVING AN
INTERLOCAL COOPERATION AGREEMENT WITH DAVIS COUNTY TO
CONDUCT AN ELECTION ON BEHALF OF THE DISTRICT**

WHEREAS, the Board of Trustees of the South Davis Water District (The "District") desires to enter into a contract with Davis County (the "County"), pursuant to which the County will assist the District in conducting the District's 2023 Trustee Election as provided in an Inter-local Cooperation Agreement between the parties.

NOW, THEREFORE, be it resolved and enacted by the Board of Trustees of the South Davis Water District as follows:

1. That the Inter-local Cooperation Agreement between Davis County and the District (the "Agreement") be adopted and approved and that the Chairman of the Board and/or the General Manager of the District be authorized to execute and deliver the Agreement on behalf of the District.
2. That the keeper of the records of the District is authorized and instructed to keep an executed copy of the Agreement as part of the District's records.
3. That this Resolution has been placed on the agenda and this action is taken by the District Board of Trustees in compliance with the Utah Open and Public Meetings Act.
4. That this Resolution shall take effect immediately upon its passage, but the effective date of the Agreement shall be the date stated therein or the date as determined by application of the Inter-local Cooperation Act, Title 11, Chapter 13, of the Utah Code.

8th Approved and passed by the Board of Trustees of the South Davis Water District this
Day of March, 2023.

By: Melvin J. Hawley
Melvin Jerry Hawley
Chairman

ATTEST:

Tracie James
Tracie James
District Clerk