

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF TRUSTEES OF THE SOUTH DAVIS WATER DISTRICT  
HELD APRIL 13, 2022 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
Rachel Anderson	District's Attorney
Rebecca Poulson	Resident
Michelle Thorley	Resident
Kristy Nelson	Resident
Bob Lindsay	Resident

The meeting was called to order by Trustee Hawley at 4:34 p.m., after which he welcomed all those present.

**Minutes of Previous Meeting:**

Trustee Thurston moved that the minutes for March 9, 2022 be approved as written. Trustee Mortensen seconded the motion. The motion carried with Trustees Hawley, Mortensen and Thurston voting "aye".

**Expenditures Update:**

The expenses for March were reviewed. Trustee Mortensen moved that the expenses for March be ratified and approved. Trustee Thurston seconded the motion. The motion carried with Trustees Hawley, Mortensen and Thurston voting "aye".

**Consider Implementing New Watering Restrictions for the 2022 Irrigation Season:**

Mr. Ferguson presented the irrigation watering restrictions that Weber Basin has suggested for water suppliers that they deliver water to. Weber Basin will be implementing the following for their irrigation customers: water will not be turned on until May 16, 2022, watering is only allowed 1 time per week-20 minutes for pop up sprinklers and 40 minutes for rotor type sprinklers-watering day will be determined upon the last number of the house address; No watering on the weekends will be allowed; irrigation water will cease to be delivered mid-September 2022; hand watering of shrubs and trees will be restricted to 15 minutes total per week for all trees and shrubs; no hosing down of sidewalks or driveways; and as always has been the case- no watering will be allowed from 10:00 am to 6:00 pm. The fines that Weber Basin will impose on their customers are the following: 1st violation is a warning, 2nd violation-\$250, 3rd violation-\$500, 4th violation-\$1000 with a disconnect for the season.

Mr. Ferguson also explained that the South Davis Water District (the "District") has a contract with Weber Basin to purchase irrigation water (and culinary water) from Weber Basin every year. The contract states that in a season of drought, Weber Basin has the right to change the amount of water that will be distributed to the District, along with the dates that Weber Basin will deliver irrigation water to the District, with no reduction in price and no refunds given. Weber Basin has reduced the District's allotment of irrigation water by 60%, leaving the District with only 40% of the water that the District has received in past years. The culinary water contract with Weber Basin has also been reduced 10%. Depending on consumption by District customers, the District could be forced to shut down the irrigation system even earlier if the District's allotment runs out.

After a long discussion regarding the drought, it was motioned by Trustee Mortensen that the District adopt the following restrictions, which is to be continuously evaluated, for the 2022 irrigation season:

Watering is only allowed 1 time per week-20 minutes for pop up sprinklers and 40 minutes for rotor type sprinklers-watering day will be determined upon the last number of the house address; hand watering of shrubs and trees will be restricted to 15 minutes total per week for all trees and shrubs; no watering on the weekends will be allowed; no hosing down of sidewalks or driveways; The District will divert all water from the North Canyon Creek in to Irrigation reservoir #2 instead of allowing some water to run down the creek past some residents back yards, as has been requested by residents in the past; and as always-no watering will be allowed from 10:00 am to 6:00 pm. The following is the house address watering schedule:

House numbers ending in:

0 & 1 Monday

2 & 3 Tuesday

4 & 5 Wednesday

6 & 7 Thursday

8 & 9 Friday

Fees for noncompliance will be as follows: 1st violation-warning, 2nd violation-\$50, 3rd violation-\$100, 4th violation-\$150, each subsequent violation will be \$200 each.

Trustee Thurston seconded the motion. The motion carried with Trustees Hawley, Mortensen and Thurston voting "aye".

#### Consider Applying for Grant Money Related to HB 242-Secondary Water Metering Amendments:

It was discussed that the District can apply for the American Rescue Plan Act (ARPA) grant money, through the State of Utah, where the grant would cover 70% of the costs of installing irrigation water meters. The District would be responsible for 30% of the costs. There is \$250 million available in grant money this year and in to 2023. The money has to be spent by the end of 2026. If the District applies for the grant, the District is not obligated to accept the grant should it be awarded. The fear is, if we don't apply this year, the \$250 million could be gone by 2023. After some discussion it was motioned by Trustee Thurston that the District apply for the grant, knowing that the District is not required to accept it if awarded. Trustee Hawley seconded the motioned. The motion carried with Trustees Hawley and Thurston voting "aye" and Trustee Mortensen voting "nay".

## 2022 Legislative Update:

Rachel Anderson, the District's attorney, presented House and Senate Bills that passed during the 2022 legislative session, that may affect the District:

- \*HB 21-All public and private schools will be required to test for lead. No action is required by the District.
- \*HB 121-The State will take the lead to promote water wise landscaping. Private property owners could receive an incentive through the State to replace grass with water wise landscaping. The property owner must be in good standing with their water bill in order to receive this incentive, therefore, the District may be contacted regarding this matter.
- \*HB 166-Allows the State Engineer to make rules and preferences to water rights, if and when, the Governor declares a temporary water shortage emergency. The use of water for drinking will be given preferential rights.
- \*HB 242-Meters will be required on all irrigation connections by 2030. ARPA grant funds are available to help cover the cost as talked about above.
- \*HB269-Will require water providers to commit to adopt a capital asset management plan as a condition of receiving state or federal financing or grants to be used for improvements to a capital asset.
- \*HB282-Prohibits a city, county or HOA from enforcing a policy that prohibits water wise landscaping.
- \*SB 89-Requires the Division of Water Resources to create regional water conservation goals that will re-evaluated every ten years. Retail water suppliers would be required to adopt a water conservation plan this is equal to, or better than, the one created by the Division of Water Resources.
- \*SB110-Requires a county or municipality to include a water use and preservation element in their general plan. Municipalities must consult with the public water system regarding how the implementation of the land use and water use and preservation elements may affect the drinking water system.
- \*HB 22-This allows public meetings to be help 100% electronically under certain circumstances. The District must adopt a policy that establishes the conditions under which a remote member may be counted as part of the quorum for meetings held after Dec. 31, 2022.
- \*HB 237-Tentative budget must be available at the District office, put on the public notice website and on the District website.
- \*HB 237-State of Utah recognizes Juneteenth National Freedom Day as an official State holiday. This holiday will always be observed on a Monday.
- \*HB 388-Theft and crime insurance can be provided by the District's insurance provider instead of providing a separate fidelity bond. This bill also allows a District to adopt their own per diem rules regarding travel expenses.
- \*SB 254-This bill is the first step to protect critical water infrastructure locations.

## Consider Approving 6 Revokable Licenses:

Revokable Licenses are agreements with District customers who border District property, which allows them to use the District property for landscape, or other purposes, but allows the District to take back use of the property if needed. These licenses have already been approved by past District boards. These new licenses are updated and include new owner's names as some of the properties may have changed ownership. Trustee Thurston motioned that the revokable licenses be approved. Trustee Mortensen seconded the motion. The motion carried with Trustees Hawley, Mortensen and Thurston voting "aye".

### Construction and Maintenance:

Mr. Ferguson reported that District personnel cleaned out irrigation #4 and installed a pipe T fitting into the 16" trunk line, along with an 8" drain valve that connects in to North Salt Lake City's storm drain, so that the reservoir could be emptied quickly in an emergency situation. Personnel have been mapping the District's water lines and valves on to the District's GIS mapping system. District personnel also took apart 2 old 20" irrigation valves coming out of irrigation #2, and got them working properly.

Mr. Ferguson reported that the trunk line out of irrigation #1 has been repaired and all of the District's property that is not within the source protection plan areas have been sprayed with sterilant weed killer.

A resident who lives on 400 East didn't realize he had a 10' utility easement on his property, therefore he poured a driveway/RV pad with 6' footings right on top of one of the District's culinary main lines. The District's attorney, Rachel Anderson, is drafting a letter of easement encroachment to file with Davis County in order to protect the District from any future problems that could arise regarding this matter. Ms. Anderson is also drafting a letter to send to the homeowner, explaining that the District will not be responsible for any damages should this main line need to be repaired.

Mr. Ferguson has been getting bids and is researching the most cost effective way to change the District's fluoride system from sodium fluoride powder to fluorosilicic acid.

Mr. Ferguson reported that District saved \$20,000 on the purchase of the hydro excavation unit, therefore, with the Board's permission, he'd like to replace the corrugated steel siding on the shop behind the District office. The siding has holes in it, is 60 years old and is leaking. It will cost around \$15,000 to replace the siding. The Board agreed that the siding should be replaced.

### Irrigation Metering Requirements for SB 242:

The new developments with HB 242 were discussed as noted above.

### Water Outlook:

Snow pack is at 67% of normal for this time of year.

### Financial Statement:

The District is involved in the annual audit with WSRP Accounting Firm this week. There were no questions or concerns regarding the District's finances.

There being no further business, the meeting adjourned at 6:50 p.m.

  
District Clerk