



Hildale / Colorado City Utility Board

Wednesday, February 22, 2023 at 6:00 PM

320 East Newel Avenue, Hildale City, Utah 84784

Minutes

Welcome, Introduction and Preliminary Matters: Presiding Officer

Chairman Black called the meeting to order at 6:08 p.m. Board Members, Roger Carter, Jeff Barlow, and city staff were welcomed and given appreciation for their support. Chairman Black touched on the changes in June with the new IGA agreement and board changes from 9 member to 5 member board. This change was to clarify the role of the advisory board and how it's setup to operate. Weston was congratulated for his expertise in the Utility field and his dedication for many years of service.

Roll Call of Board Attendees: Utility Administrative Officer

PRESENT

Chair Arvin Black
Board Member Sterling Jessop, Jr.
Board Member Rick White
Board Member Theil Cooke
Board Member Jesse Barlow

Staff Present: Weston Barlow, Nathan Fischer, Athena Cawley, Angelene Black

Public Present: Jeff Barlow, Roger Carter,

Zoom: City Manager-Eric Duthie, Sunrise Engineering-Vern Malloy, Council Member-Terrill Musser

Pledge of Allegiance: By Invitation of Presiding Officer

Prayer and Pledge was given by Board Member Jesse Barlow.

Organization of the Board: Appointment of Vice-Chairman (Presiding Officer 10 Minutes)

Chairman Black explained the requirement of nominating a Vice-Chair that is good for one year and can be extended as needed in the future. Board Member Jesse Barlow accepted the nomination.

Motion made by Board Member Jessop, Jr., to appoint Jesse Barlow as Vice-Chairman of the Utility Board. Seconded by Board Member Cooke. Voting Yea: Chair Black, Board Member Jessop, Jr., Board Member White, Board Member Cooke, Board Member Barlow

Motion Carried.

Approval of Minutes of Previous Meetings: Board Members

1. Utility Board Minutes to be approved for September 14, 2022.

The Board reviewed the minutes for the last meeting and Chairman Black asked for a motion.

Motion made by Board Member Barlow, to accept the minutes for September 14, 2022. Seconded by Board Member White.

Voting Yea: Chair Black, Board Member Jessop, Jr., Board Member White, Board Member Cooke, Board Member Barlow

Motion Carried.

Conflict of Interest Disclosures: Board Members

Chairman Black asked if any of the Board had any conflict of interest to disclose and there were none.

Public Comments: (3 minutes each - Discretion of Presiding Officer)

No public comment.

Reports: Administrative Reports

2. Utility Director Report

Weston Barlow presented the Utility Director report and invited Nathan Fischer to read a public statement about the Natural Gas cost increase last month. The Utility Department supplemented synthetic natural gas with the natural gas to help take the rate increase down significantly. The Water Department is refurbishing the east side of the water plant and engineers are working on the scope and process of the ARPA project. The selection process for the Engineers was discussed, Jones & DeMille will be the Engineers for the project. The Wastewater department storage pond is filling with the extra moisture and population increase. Currently, Weston is working on a land lease to help the storage pond run off, this will be reported on next month. There was some discussion on the storage ponds capacity as it is now. Chairman Black asked where the Water Department is with repairs on the water tanks. Weston reported that the 800 thousand tank is ready to coat with epoxy and return to service once warmer weather permits. The other tanks are completed and in service.

Public Hearing:

3. Public Hearing Concerning the adoption of a City Culinary Water Impact Fee Facilities Plan: (No time limit Chairman Black)

Chairman Black opened the public hearing, all board members in favor. There was no public present to speak. Weston presented the Culinary Water Impact Fee Facilities plan to the Board and there was discussion amongst the Board. Chairman Black closed the public hearing with all board members in favor.

New Board Business:

4. Consideration, discussion, and possible recommendation for approval to the Hildale and Colorado City Councils concerning the City Culinary Water Impact Fee Facilities Plan: (Utilities Director Barlow - 15 minutes)

Court Monitor, Roger Carter, commented about the injunction process of the issue with respect to the water impact fee. The injunction does specifically involve the impact fee and should be done properly by statutes, calculation, and DOJ review. There is an important compliance process to follow and no fee can be implemented until the injunction requirements are met. There are some differences in the Arizona and Utah laws.

Chairman Black explained that the board could carry on with their process to advise to the City Councils to go forward, but it can't be implemented until the DOJ signs off on it. The IGA explains that impact fee should be equal to all the customers. Board Members asked if it is vital to move forward and requested to have more time to review it. There was discussion on giving more options, the future development in the community, time frame issues, and looking for the communities best interest. Weston explained the probable cost to customers as time goes forward longer. After the board discussion, Chairman Black proposed tabling the item for more information and review for the next meeting.

Motion made by Board Member Cooke, to table the City Culinary Water Impact Fee Facilities Plan for the next meeting. Seconded by Board Member Barlow.

Voting Yea: Chair Black, Board Member Jessop, Jr., Board Member White, Board Member Cooke, Board Member Barlow

Motion Carried.

5. Consideration, discussion, and possible approval concerning the proposal from Sunrise Engineering to add change order to Wastewater Headworks project engineering. (Utilities Director Barlow - 15 minutes)

Utility Director, Weston Barlow, presented the original work release for the Wastewater Headworks project, which started back in October of 2021. Part of the project was to replace the grinder with a powered screen. In November 2021 the screen had a long lead time for delivery and was approved by the Board ahead of the project. The screen was delivered last week. The project is still in delay with Sunrise Engineering.

Vern Maloy, from Sunrise Engineering, presented the proposal for a change order to the Wastewater Headworks project explaining equipment delay, structure design to house the equipment, getting a permit design to the state for approval, and proposal cost.

Chairman Black voiced concern of the liquidated damages and extra cost with inflation in the process of the delayed project. The Board discussed breakdown of extra costs proposed by Sunrise Engineering. Chairman Black recommended to table the item for next meeting to allow for more time for the Utility Director to work through an agreement on the proposed cost with Sunrise Engineering.

Motion made by Board Member Barlow, to have the Utility Director negotiate with Sunrise Engineering on the proposal for next meeting. Seconded by Board Member White.

Voting Yea: Chair Black, Board Member Jessop, Jr., Board Member White, Board Member Cooke, Board Member Barlow

Motion Carried.

6. Discussion of the UEP - Washington County Water Conservancy District update.

Chairman Black welcomed Jeff Barlow from the UEP to speak about the Washington County Water Conservation District and expressed thanks to his work with both cities.

Jeff Barlow presented the ownership of irrigation water rights from Water Canyon and the agreements being discussed to transfer water rights. The UEP trustees have agreed to transfer water rights to Washington County School District and Washington County Water District. The UEP will eventually be out of the process, both cities and the Conservancy District will work out the specifics. The contracts in place have a feasibility window of 5 years to work through these decisions and projects. The UEP trustees wanted to make sure that the water doesn't leave the valley.

Chairman Black invited discussion and the Board talked about keeping the water in the valley. Jeff talked about the provisions in the contract.

7. Consideration, discussion, and possible approval of the agreement for material and services from Cluff Drilling and Pump in an amount not to exceed One Hundred and Forty-eight Thousand Dollars (\$148,000) (Utilities Director Barlow - 10 minutes)

Weston presented the options to refurbish or replace the culinary Well# 17, which has been on the facilities plan for replacement. The recommended option is to redrill and replace the well to get better use of the well.

The Board discussed the details, cost, and source of where to expend in the budget.

Motion made by Board Member Cooke, to have the Utility Director replace Well#17 from Cluff Drilling and Pump in an amount not to exceed One Hundred and Forty-eight Thousand Dollars (\$148,000). Seconded by Board Member White.

Voting Yea: Chair Black, Board Member Jessop, Jr., Board Member White, Board Member Cooke, Board Member Barlow

Motion Carried.

Financial Report: Presiding Officer

8. Financial Expenditures/Revenues Report from September 2022 to January 2023

Weston presented the financials explaining the different funds, transfers in the budget, and the amounts. The Interim Public Management expense was highlighted in comparison to the budgeted amount and discussed by the Board. A proposed budget amendment for the current year will need to be done to sort out budget variances. The Water, Wastewater, and Gas funds were discussed.

9. Invoice Register approval for September 2022 to January 2023

Weston presented the invoice register expenses, highlighting the amounts in question from the Board.

Motion made by Board Member Barlow, to pay the bills as they become due and the funds become available. Seconded by Board Member Cooke.

Voting Yea: Chair Black, Board Member Jessop, Jr., Board Member White, Board Member Cooke, Board Member Barlow

Motion Carried.

Board Comments: (10 minutes total)

Board members comments of issues not previously discussed in the meeting.

Weston mentioned that a request was given to tour the Utility Department facilities.

The Board agreed to schedule a tour of the Utility Facilities on March 21st at 12pm.

Chairman Black brought up the importance of the IGA agreement as a topic that should be studied and understood by the board. He recommended the Board Members read the agreements.

Executive Session: As needed

None

Adjournment: Presiding Officer

Chairman Black adjourned the meeting at 9:14 p.m.

Minutes were approved at the Utility Board Meeting on _____.

Sirrene Barlow, City Recorder

Rosie White, Town Clerk