

**Mt. Nebo Water Agency Meeting
May 19, 2014**

Board Members: Co-Chairman Gene Shawcroft, Central Utah Water; Richard Davis, Spanish Fork City; Larry Skinner, Payson City alternate; Randy Brailsford, Salem City; Larry Ellertson, Utah County alternate; Danny Throckmorton, Strawberry Highline Canal Company; .

Via Phone: Marcus Faust, Chairman Warren Peterson, Goshen Valley Local District.

Board Alternates: Jamison Thornton, Highline Canal; Steve Leifson, Spanish Fork City; Tyler Coon, Goshen Valley Local District; Richard Nielson, Utah County, Soren Christensen, Salem City.

Staff: S. Junior Baker, Marcus Faust, Shelley Hendrickson.

Public present: Dave Tuckett, Chris Thompson, David Robertson, Steve Clyde, Jeremy Sorensen, Garrick Hall, Calvin Crandall.

The meeting was called to order at 8:39 a.m.

ADOPTION OF MINUTES

Larry Ellertson **moved** to **continue** the April 21, 2014 minutes. Danny Throckmorton **seconded** and the motion **passed** all in favor.

FILING INTERLOCAL AGREEMENT WITH LIEUTENANT GOVERNOR

Mr. Baker said that he was lacking the signed agreement from Utah County.

DISCUSSION OF ADMINISTRATIVE CODE (BYLAWS)

Mr. Baker handed out a very rough draft of a proposed administrative code and explained that this was the beginning point of an administrative code for them to look at.

Mr. Ellertson expressed that he felt it would be good to have some time to read through the document but asked Mr. Baker to take a brief moment and explain the document.

Mr. Baker explained that as he looked through some other codes that most of the information was in our joint action agreement. He further explained that he tried to spell out the

responsibilities of the directors, board meetings, organization, telecommunications, committees, officers, logo, fiscal management and rules of order. He said that he had borrowed a lot of verbiage from the codes of Central Utah Water Conservancy District and South Utah Valley Municipal Water Association.

Discussion was held regarding the document and it was decided that everyone was to review the document and send Mr. Baker any changes or suggestions.

APPOINTMENT OF TECHNICAL COMMITTEE MEMBERS

Mr. Shawcroft explained that the board members had an assignment to bring names, to this meeting, for appointment to the committee. The following names were given: Richard Nielson for Utah County, Chris Everett for Salem City, Chris Thompson for Spanish Fork, Travis Chaplain for Payson City, Tyler Coon for GVLD, Jamison Thornton for Highline, Chris Hansen for Central Utah Water Conservancy District.

CONTRACT STATUS WITH STRAWBERRY HIGHLINE CANAL COMPANY

This item was not ready for discussion and will carry to the next meeting.

DISCUSSION ABOUT AGENCY LOGO

Mr. Baker explained that the Agency needs to come up with a seal and logo and that they could be the same or different.

Mr. Brailsford suggested that someone gather some ideas and bring them back for discussion.

Mr. Shawcroft asked if there should be a separation between the seal and logo. Mr. Baker said that it did not matter.

Discussion was held regarding the difference between a seal and a logo. The board assigned Mr. Shawcroft to have his staff look into ideas for a seal/ logo.

DISCUSSION ABOUT A LOBBYIST FOR THE AGENCY

Mr. Baker explained that the three cities had hired a lobbyist, by the name of Marcus Faust, when they were thinking about putting this organization together. He said that Mr. Faust has been invaluable. He further explained that it was time to move the arrangement from the three cities to the Agency. He said that other boards have counsel in Washington and local counsel.

He recommends retaining Mr. Faust as Washington counsel and then himself and Steve Clyde as local counsel.

Mr. Brailsford expressed that he agreed with Mr. Baker and that now is the time for this board to assume Mr. Faust's services instead of the three cities continuing to pay the expenses. He recommends that each entity provide \$5,000.

Discussion was held regarding monies being made available July 1, 2014. \$5,000 per entity and the fiscal or calendar year each entity was on.

Mr. Brailsford said that the three cities are each currently paying \$2000 a month, for a total of \$6,000.

Mr. Shawcroft expressed that there had not been any prior discussion relative to Mr. Faust and his services or fees and would the board care if the chair and vice chair talk to Mr. Faust with regard to services and fees and then get back to them. Mr. Brailsford **moved to approve** the Chairman having a discussion with Mr. Faust regarding his services and fees. Mr. Ellertson **seconded** and the motion **passed** all in favor.

Mr. Throckmorton said that he would have to discuss this with the Highline board. The Strawberry Highline Canal Company doesn't have a lot of money. Mr. Baker said that the Agency board would have to come up with an equitable way to divide how much each entity pays. Mr. Brailsford **amended** his motion to include in the discussion how to allocate the cost to the Members. Mr. Ellertson **seconded** and the motion **passed**. Soren Christensen suggested looking at allocating costs by a tier basis.

DISCUSSION ABOUT OPENING A SALEM POST OFFICE BOX

Discussion was held regarding the need for a permanent address for the Agency.

Mr. Brailsford said that he could go down and open a post office box at the Salem City post office and that he could pick up the mail. Mr. Ellertson asked if the box would be the principal place of business and if it is then it will need to be included as the official address in the administrative code. Mr. Ellertson **moved to approve** Mr. Brailsford to obtain a post office box. Mr. Davis **seconded** and the motion **passed** all in favor.

Mr. Clyde suggested opening a bank account. Mr. Shawcroft said that it was a great idea and that they would discuss it on another agenda.

DISCUSSION ABOUT MEETING CONGRESSIONAL DELEGATION IN WASHINGTON D.C.

Discussion was held regarding going on a trip back to Washington DC in June or July of this year and the cost associated with the trip and inviting them to come to Utah to save money. Mr. Faust explained that it is helpful to meet and try and invite those that are in Utah to come to Utah County but that the staff in Washington DC does most of the work and so it is better to meet with the member and their staff in Washington and with a new Agency there needs to be meetings with others at the Department of Interior. He said that he can help arrange this and that there are other meetings and business being done by other groups that could help them.

Mr. Brailsford asked if during the congressional recess they could meet in Utah. Mr. Faust explained the Washington DC schedule and that they could certainly make it work. He is willing to help with the most cost effective approach.

Discussion was held regarding a smaller group traveling back to Washington and then holding a luncheon or dinner in Utah and inviting them to come to us.

Mr. Shawcroft said that he felt it is critical that this group goes in June or July and indicated the latest date in July was the best date. He suggested discussing this again next month.

BUDGET DISCUSSION

Mr. Baker explained we are currently in fiscal year 2014 and that it ends next month. Fiscal year 2015 starts July 1st. He suggested that the Agency either hire some clerical staff, starting in July, or jointly rotate the opportunity to share clerical. He said that the following would cost money: the Washington trip, letterhead, postage, envelopes etc. and that they would need to discuss what the realistic expenses will be and the means to collect and pay expenses. It was determined that it would be better to hire clerical than to rotate. Mr. Brailsford said that he had someone in mind.

Discussion was held regarding the formula to use for all costs.

Mr. Ellertson asked who would be picking up mail and who would be going through the mail when it comes in. Mr. Brailsford expressed that if there is a clerical person at Salem City then they could get the mail. Mr. Baker said that he is at Salem City all the time and that he could even get the mail.

Discussion was held regarding finances and a bank account. Richard Davis is the treasurer. Mr. Baker suggested that there be 2-3 individuals designated on the bank account. Mr. Shawcroft

asked Richard Davis if he would get with Mr. Baker and come up with a draft budget. The \$5,000 per entity dollar figure will need to be reviewed in Mr. Baker and Mr. Davis's discussion.

Discussion was held regarding a bank account being part of Mr. Baker and Mr. Davis's budget discussion. Mr. Baker said that we might need to bond in the future and that they would need to choose a bank that can process bonds. US Bank, Wells Fargo, or Zion's bank all deal with bonds.

David Robertson expressed that he would be happy to help with the bank account rfp.

Mr. Coon explained that a technical committee had been setup and asked if there was something that they should be working on before our next meeting. He said that he felt that the highline canal closure could be the first item that the committee works on. Discussion was held regarding the committee members being present at the board meetings and what the Strawberry Highline Canal Company would like to see from the Agency. It was determined that the technical committee will attend the Strawberry Highline Canal meetings and if they feel that they would like to have a meeting to discuss anything that they can let the Agency know.

Calvin Crandall, President of Strawberry Water Users, asked if this was a public agency and is there a place on the agenda for public comment? If a member of the public has a comment can they jump in at any time? Mr. Shawcroft expressed that he felt it would be a good idea to have public comment on the agendas. Mr. Ellertson expressed that he felt if someone had a comment that was relative to the item being discussed that it would be best to have them comment during the discussion and not later in the meeting. Mr. Crandall asked about an agency map and what the boundary of the Agency was. Could the public documents be made available? Will the Agency have a website?

Mr. Baker explained that the Agency was not required by law to have a website or to have public comment. He said that all of the documents are public and people are entitled to the documents. He said that the Agency would need to designate a records officer. The records officer will be whoever the clerical person is.

Mr. Crandall suggested a finance committee.

Mr. Christensen expressed the need for the Agency to have an information document as to what this organization is. Mr. Baker said that there is a draft mission statement. The mission statement will be on the next agenda.

DATE AND LOCATION OF NEXT MEETING

June 23, 2014, at 8:30 a.m. at the Salem City Office.

OTHER BUSINESS

There was none.

Mr. Brailsford **moved** to **adjourn**. Mr. Ellertson **seconded** and the motion **passed** at 9:47 a.m.