

**Mt. Nebo Water Agency Meeting  
May 18, 2015**

**Board Members:** Co-Chairman Gene Shawcroft; Randy Brailsford, Salem City; Tyler Coon, Goshen Valley (alternate); Danny Throckmorton, High Line Canal; Richard Davis, Spanish Fork City.

**Board Alternates:** Marty Larsen,

**Technical Committee:** Chris Hansen, Chris Thompson, Richard Nielson.

**Staff:** S. Junior Baker, Shelley Hendrickson, Steve Clyde, Marcus Faust (via telephone).

**Public present:** Bruce Ward, Mark Chandler, Bonnie Roos, Derrick Whipple, Soren Christensen, David Dillman, Jeff Davis, Jeremy Sorensen, Hal Shelley, David Tuckett.

Co-Chairman Gene Shawcroft called the meeting to order at 7:34.

**Public Comment**

Co-Chairman Gene Shawcroft invited public comments. There was none.

**Adoption of Minutes**

Tyler Coon **moved** to **approve** the March 27, 2015 as edited by Warren Peterson with the exception of the comments. Randy Brailsford **seconded** and the motion **passed** with all in favor.

Randy Brailsford **moved** to **approve** the April 14, 2015 minutes with the noted corrections and the addition of Marlin Boyer saying that Springville had just done a water study. Richard Davis **seconded** and the **motion** passed with all in favor.

**Public Outreach Committee Report**

Randy Brailsford explained that he had tried to set up a meeting but had been unsuccessful due to everyone's busy schedules. He talked to Gene Shawcroft about whether or not Central Utah would help the Agency with the cost of this regional water study and he said that he agreed with what Gene had said; which was that they would contribute to Phase 2 of the regional water study but not to the first phase, other than their share as a member of the Agency. If the Agency can show good intent by everyone contributing to Phase 1 of the study then it will show the rest of the Central Utah board that the Agency is serious about it and they will more likely contribute.

## **Directors and Alternates**

Mr. Baker said as the Board can recall that at their last meeting Chris Hansen was sworn in as Central Utah's alternate board member and the Board asked the County for a replacement for Gary Anderson and also asked about Marty Larsen being sworn in as the High Line alternate. He talked to Commissioner Ellertsen last week on Thursday and he indicated that Greg Graves will be the alternate for the County. They had not appointed Marty yet but Commissioner Ellertsen had it placed on the County Commission agenda so it could be done by the Agency's next meeting.

## **Technical Committee Report**

Chris Hansen said that nothing had changed with regard to Phase 1 of the regional water study RFP since the Agency's last meeting. He said the RFP is prepared and the Committee is just waiting for board action. The Committee did discuss costs for budget purposes. The Committee feels that phase one will really dictate what happens with phase two. They recommend a budget of \$40,000 for phase one and \$270,000 for phase two. He explained that there was a good turnout for the public outreach meeting. They have a list of interested parties. He has contacted the entities that showed interest in participating in the Agency. He contacted Wayne Pullan at USBR, who mentioned that they do not have a lot of capability to participate financially but they can provide knowledge and manpower and also help in seeking grants.

Gene Shawcroft asked if there were any specifics on those that expressed interest in participating in the first phase of the regional water study.

Junior Baker said that he received a message, after the Agency's last meeting, from Maureen Wilson with the Utah Reclamation Mitigation and Conservation Committee who indicated that due to the weather she was not able to be present at the meeting but said that they are interested in participating.

Tyler Coon said that there was a sign up list and on the list there was a place to check if you were interested in being kept informed of the studies and another place to check if you were interested in participating more actively in the study. There were four entities that came out of that process that indicated interest in more actively participating in the study. Chris already mentioned two of them The Bureau of Reclamation and The Mitigation Commission. The other two were the City of Elk Ridge and The Division of Water Rights. He contacted the mayor of Elk Ridge Hal Shelley. Mayor Shelley indicated that they are interested in participating in the study and also in becoming a member of the Agency but that he still needs to talk to the City Council.

Marty Larsen said that Genola would like to participate but need more information about the costs.

Gene Shawcroft told Hal Shelley as well as Genola that they should mail in a letter to the Agency expressing their interest. They do not need to commit to a dollar amount.

Tyler Coon said that he had talked to Teresa at The Division of Water Rights. They do not have a lot of funding to contribute but she said that she would ask and get back to him. They would like to both inform

us of studies that they are doing and keep up to speed and participate in the project along with us. She also offered to help the Agency seek grants.

### **Adopt Tentative Budget for FY 2016**

Junior Baker passed out copies of the tentative budget. He touched on the water study phase one budget and said that he felt it would be appropriate to change it from \$30,000 to \$40,000 in light of the discussion regarding the regional water study costs. He put in \$12,000 for Washington counsel. He said that he was asked by the board in a previous meeting to talk to Marcus Faust regarding the cost of his services. He did follow up with Warren Peterson and Marcus Faust relative to expenses and, at the rate that he is charging which is a Utah rate and not a Washington rate, five hours a month results in \$18,000 a year and 3 hours a month results in \$12,000 a year. He expressed that he felt the Board would need to have something in the budget relative to legal expense just in case they need it. He further explained the budget and where he came up with the calculations for each item which were as follows: administrative fee of \$75 to Spanish Fork City, clerical wages, Washington counsel, admin fee, mail box, meals and entertainment, publication expenses and reserve.

Junior Baker explained that the County's and the High Line's assessments are due in January and everyone else is in July. He said that the High Line has agreed to pay the entire assessment. He explained the confusion for the \$5,000 that the County has paid. The first full fiscal year that the Agency had was the \$13,000 assessment and the \$5,000 went to the prior fiscal year for the Agency.

Discussion was held regarding what would happen if the County did not pay their assessment.

Junior Baker asked the Board, when they receive the High Line's check, for permission to pay back the cities for Marcus Faust's services in the creation of the Agency. Discussion was held regarding the budgets projects, expenses, balance and credits. It was determined by the Board that Junior could pay Marcus Faust. It was not done by a formal motion as the Board understood that the decision was made previously.

Tyler Coon **moved to approve** the tentative project #1 budget as edited with \$40,000 for the regional water study for a budget total of \$52,000. Randy Brailsford **seconded** the motion. Richard Davis expressed that he was not ready to change the regional water study changing the figure from \$30,000 to \$40,000 until he sees what the study represents. He said that Spanish Fork City already has done a study. Chris Hansen explained that the technical committee felt that everyone would participate in phase one of the study because phase one is to evaluate all of the documentation of what has been done and created which includes all of the work that Spanish Fork has done. Phase one will help us evaluate the value that has already been contributed by the member agency and that would offset costs on phase two. Phase two is where the big spending will be. Phase one will just get us there. Discussion continued regarding the cost of Phase one. The motion **passed** with four in favor and Danny Throckmorton opposed.

Tyler Coon asked once all of the assessments come in, and Marcus is paid, do we know how much will be left in the current budget. Junior said that there would be a little bit of a credit.

Richard Davis **moved** to **approve** the fiscal year 2016 tentative budget. Tyler Coon **seconded** and the motion **passed** with four in favor and Danny Throckmorton opposed.

Gene Shawcroft said that he saw a letter from High Line indicating their willingness to participate in phase one of the regional water study. Danny Throckmorton could not concur as he has been ill and did not know. Marty Larsen said that High Line is anticipating \$30,000 to \$40,000 and that they are okay with that.

### **Review of HB 251**

Junior Baker explained that the State legislature passed a large bill that deals with inter-local entities. It became effective last week. He went through the bill and explained what provisions the Agency will need to follow.

Gene Shawcroft clarified that with Board approval of the budget for phase one of the study that Chris Hansen could go ahead with phase one of the regional water study RFP and follow Central's procurement policy for selection of a firm.

### **Meeting schedule**

Richard **moved** to **approve** the public hearing for the budget and the next meeting on June 15, 2015 for public hearing 7:30 a.m. Randy Brailsford **seconded** and the motion **passed** all in favor.

### **Other Business**

Randy asked for Shelley to email out the approved minutes after every meeting.

Randy Brailsford said that Junior asked for approval to pay Marcus Faust. It was concurred that he could.

Tyler Coon asked how it would be best to include the interested entities, from the public outreach meeting. Junior Baker said that Shelley Hendrickson could send out an email with approved meeting minutes to all interested parties.

Steve Clyde suggested creating a website for the Agency. Chris Hansen will put together a website. Tyler Coon will get Shelley Hendrickson a list of interested parties.

Danny Throckmorton **moved** to **adjourn**. Richard Davis **seconded** and the motion **passed** all in favor at 8:22 a.m.