

PRICE RIVER WATER IMPROVEMENT DISTRICT

August 1, 2023

A regular meeting of the Board of Trustees of the Price River Water Improvement District was held on Tuesday, August 1, 2023 at 7:00 pm at the District's Service Center located at 265 South Fairgrounds Road, Price, Utah.

PRESENT

Keith Cox  
Rick Davis  
Scott Jensen  
William Barney Zauss  
Lenise Peterman

Jeff Richens  
Micha Marelli  
Shelly Bird  
Larry Jensen  
Todd Thorne

EXCUSED

Chairman Cox welcomed everyone to Board Meeting and noted all Board Members were present.

PLEDGE OF ALLEGIANCE

Davis led the attendees in the Pledge of Allegiance.

PUBLIC COMMENT PERIOD

None

POSSIBLE CONFLICT WITH AGENDA ITEMS

There were no conflicts with Agenda Items.

MINUTES

Chairman Cox asked for input to the minutes of the July 18, 2023 Board Meeting. As there were no corrections or additions, Jensen moved to approve the minutes from the July 18, 2023 meeting. Davis seconded and the motion carried unanimously. AYE: Cox, Davis, Jensen, Zauss and Peterman.

DEPARTMENT REPORTS BY BOARD

Zauss reported the water plant is running 3 to 3 1/2 million gallons per day and they are giving Price City 200 gallons per minute. Three water plant employees watched an online class from Rural Water to obtain CEU's. Crews repaired sprinklers and replaced a coupling on one of the clarifying decant pumps. The river is running pretty clean so the sand trap is only being hosed out every three weeks instead of weekly.

Jensen reported the line crew had a pump fail at the airport pump station due to Rocky Mountain Power having some power problems which tripped a mainline breaker. Crews worked on the north hospital vault, set some meters, replaced leaking meters, cleaned Country Hollow and Noyes Lane sewer lines and video inspected a line in Price. The department will be short people due to Mike and Jordan both having surgery soon.

Peterman reported the sampling for Covid 19 is continuing. Crews have been working with Water Works to finish the "As Built" drawings for the construction project. They also repaired the scum pump and the north primary sludge pump. VanCon repaired the underside of the south clarifier concrete. Bryan, Mark and Jake attended a lab training class. The crew did some finish

grade work around the junction box for the new flow meter. Crews are repairing the grout and stucco on the flag pole and plant yard maintenance is continuing. 237 lab tests have been performed.

Davis reported that Unit #5 has had several issues including air conditioning, brake system and radiator problems. A new radiator was ordered but was received damaged and a new one was to come today. Unit #11 also is out of service with a number of issues. Parts for it are starting to arrive. Unit #16 is back in service after the air conditioning problems were repaired. The engine on the Yanmar tractor at the waste water plant has a cracked head. The cost to replace it will run around \$7,000 to \$9,000. The document leases for the backhoe had the wrong documents, but the agreement is still being worked on. The water trailer wheels were damaged and will be taken back to the shop to be worked on. Lawn maintenance is continuing. The building power was out, but the crew was able to restore it. The new truck that they are looking to purchase is still not available. The crews are looking to get the fence with the gate on it installed soon.

### MANAGER'S REPORT

Richens reported that he will attend the County Commission meeting tomorrow night at a public hearing and get information regarding the new solar field. He will share the information at the next Board Meeting. Because of the construction in the canyon, Helper and Price will have some issues with their water supply for the next few weeks. PRWID is coordinating with the cities involved to be out of service as little as possible. Helper let their citizens know how to prepare to conserve water so they will understand the situation. Richens also reported that PRWID has needed to sample for PFAS in the drinking water. The level is so low they could not measure it. The report reflected that PFAS is not detected in the drinking water. The last time the district had any property tax adjustment was 2005. A property tax increase would go into effect in 2024 which would make it 19 years since there was a property tax adjustment. The Board had approved a partial retainage pay out to VanCon at the last meeting and VanCon was instructed they needed to make significant progress on their punch list. VanCon reported they are down to a few items on the list. The payment is moving forward for them.

### DISCUSSION AND DECISION RELATED TO WATER SHARE REQUIREMENTS

#### A. Carbon County Development Code

Commissioner Larry Jensen and Todd Thorne, County Planner, presented concerns and led a discussion regarding the development code and whether shares should be turned over by the developer. Richens shared excerpts from the County Code from 2009 that identified several places where the developer was required to turn water over to the District. However, in the sections that governed residential subdivisions, this policy was silent as to who was the responsible party; developer or lot owner. Following the discussion, Richens asked the Board to consider the District setting a policy requiring a developer to surrender the needed water shares before a subdivision is approved, then the County will adjust its code to meet the District's requirements. This would be in effect from this point forward so the subdivisions already on the books will be one lot at a time. Discussion was held how to word the code. Per Commissioner Jensen, the county can change the code but wants to wait until the end of the year when adjustments are made. Legal council will review the policy. Zauss moved that as of today's date, August 1, 2023, PRWID requires the developer to surrender 1 share per residential lot before a

subdivision is approved, knowing that staff will coordinate with legal counsel to draft a full policy. Peterman seconded and the motion carried unanimously. AYE: Cox, Davis, Jensen, Zauss and Peterman.

B. Request by Carbon County for Water Share Reduction

Commissioner Jensen is requesting the District consider those condition that would need to be present to approve subdivision that require xeriscape and limited amount of grass. It could be governed by restrictive covenants set into subdivision rules if it is agreed upon upfront and PRWID is involved. It could end up being less than a full share of water per lot. The county would also need to change their development code to allow that. The Board would need more information as it is unclear who and how this would be monitored. Discussion was held regarding how to set up a reduction program, how many water shares, size of lots, area of cultivation, and so forth. This may help the county attract more businesses and people to live here. The housing problem needs to be solved. All entities need to get together and help solve the situation. Commissioner Jensen stressed that this item was for discussion only, but the County wants to keep the ideas fresh and the Board thinking about it.

REQUEST EMPLOYEE STATUS CHANGE FROM PROBATIONARY TO PERMANENT

Don Campbell has completed his probationary employment service and it is recommended that he be changed to permanent employment status. It will not be in effect until August 20, 2023. Peterman moved to approve Don Campbell to be changed from probationary to permanent status on August 20, 2023. Jensen seconded and the motion passed unanimously. AYE: Cox, Davis, Jensen, Zauss and Peterman.

AUTHORIZATION TO ADVERTISE FOR FINANCIAL AUDITOR SERVICES

This is a follow up from Doug Rasmussen's audit report. PRWID has had a multi-year contract with SRMA Financial, but will now need to send out bids for auditing services to several auditing firms for the 2023 calendar year. This will be a one-year contract but the Board has the option to automatically renew them for an additional three one-year contracts. Davis moved to authorize advertising for financial audit services with the possibility of including a three-year continuation. Zauss seconded and the motion passed unanimously. AYE: Cox, Davis, Jensen, Zauss and Peterman

CLOSED SESSION

There were no items for a closed session.

UNFINISHED BUSINESS

Micah provided Board Members the 2<sup>nd</sup> quarter financial report with an explanation. Jensen mentioned that Sunnyside power plants contract with Rocky Mountain Power is up in 2024. Zauss informed that Sunnyside power plant does have a new 5-year contract in place, but he's not sure who it is with. The concern is that they pay taxes up front and the district would need to repay it unless the contract is renewed. Richens referred back to the discussion with Carbon County in that he was contacted by a customer who asked if he will get part of his water share back. He asked Richens to include the public in any discussions regarding the reduction of water shares before a decision. Richens received a call from Craig Smith, the water right attorney, with an update on the

Sanpete Water Conservancy question. Sanpete filed for a change application. The PRW User's Association filed a lawsuit to take it out of the Utah courts because it is a federal water right and that would have come before Jeremy Humes, but he recused himself. George Harmon recused all of the judges in Carbon County. It has been moved to Judge Powell in Utah County who will now hear it.

Peterman moved to adjourn the meeting at 8:43. Zauss seconded the motion.  
AYE: Cox, Davis, Jensen, Zauss and Peterman.



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Keith Cox, Chairman



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Kim Wood, Clerk