

MINUTES

DATE/TIME/LOCATION:	July 17, 2024	7:00 PM	Leeds Town Hall
TYPE OF MEETING:	Board of Directors Meeting		
NOTE TAKER:	Layna Larsen (Corporate Secretary)		
	Board Members: Absent:	Don Fawson (P), Kurt Allen (Larry Bruley	/P), Doris McNally (T), Brant Jones (M)
ATTENDEES:	Staff:	Layna Larsen (Corp Secretary), Mark Osmer (Field Operations Mgr)	
	Shareholders:	Susan Savage, Ron Cundick	
	Guest:	Riley Vane (Jones & DeMille)	

Agenda Topics

I. CALL TO ORDER [Don Fawson @ 7:00 PM]

CALL TO ORDER	Don Fawson - Appreciate everybody being here. We will start with a Roll Call on my left.	
ROLL CALL	PRESENT: Brant Jones, Don Fawson, Kurt Allen, Doris McNally	
	Don Fawson - I want to excuse Larry he had other obligations tonight.	

II. PRAYER [Don Fawson]

III. PLEDGE [Don Fawson]

IV. CONSENT AGENDA & PRIOR MEETING'S MINUTES [Don Fawson]

IV. CONSENT AGENDA & PRIOR MEETING S MINOTES [Don Fawson]				
DISCUSSION	Don Fawson - We will start with the consent agenda before we do that Layna will you tell us where the postings were?			
	Doris McNally - I can help with that, it was Posted at the Post Office inside and out, online, and on our office Door.			
	Don Fawson - Thank you for that and thank you Layna for taking care of that. Alright I will accept a motion on the consent agenda which is the last meeting minutes and the agenda for tonight.			
	Brant Jones - I want to mention that I did send some corrections.			
	Layna Larsen - I got them. Thank you, Brant.			
	Kurt Allen - I'd like to note that I'm abstaining from voting on the last meeting minutes because I was absent.			

CONCENT AGENDA	Consent agenda consist of the acknowledgment the meeting notice was posted. It is also a vote to accept this month's agenda and the previous month's minutes.
VOTE	MOTION TO APPROVE TONIGHTS MEETING AGENDA: Doris McNally SECOND: Brant Jones MOTION APPROVED: Unanimously
VOTE	MOTION TO APPROVE PRIOR MEETING'S MINUTES: Doris McNally SECOND: Brant Jones MOTION APPROVED: Unanimously

V. DECLARATION OF ABSTENTTIONS OR CONFLICTS [Kurt Allen]

DISCUSSION	DECLARATION OF ANY CONFLICT-OF-INTEREST	
<u>Don Fawson</u> – Any conflict of interest?		
CONFLICT	Brant Jones, Don Fawson, Kurt Allen, Doris McNally – All No conflict	

VI. OFFICERS REPORTS a) PRESIDENTS REPORT [Don Fawson]

DISCUSSION	No Report
Don Fawson - I am going to start with Mark with your report tonight.	

b) OPERATION / FIELD REPORT [Mark Osmer]

DISSCUSSION	REPAIRS & MAINTENANCE
Mark Osmer	- We passed our BacT test again this month, so we are good on that.

LANDMARK:

Mark Osmer - I've been working with Landmark Construction, inspecting the 24"(WCWCD) and the 10" (LDWA) water mains they are installing. We had to move one of the valves at Babylon Road by the Town Hall. Landmark had it on the North End and our valves are on the South end so I had them to move it to the South so it would all join up better.

PRV ON CENTER STREET:

Mark Osmer - We need a new PRV down on Center St. because the old one is, I don't know, 30-40 years old. I got a price from Scholzen's, and it was like \$29,000 for an 8" PRV. In talking with Riley, he said a six inch would work. I know the WCWCD has a 6" PRV and meter in the old vault on their old 14-inch HDPE pipe. I asked Brett Cahoon whether they would be interested in selling that to us. He said it's five years old, but it hasn't had really any use. He called Dave Jessup, who's over him and he said make us an offer.

Don Fawson – Let's talk about that right now because Riley and I had quite a discussion on that specific issue. So, we have a 10" line and we're necking it down to 6" if we go with that PRV So your recommendation is what?

Riley Vane - Running the calculation, you'll see no performance loss by going with a 6" PRV.

Don Fawson - Even if we have a fire and the increased hydrant demand?

Riley Vane - Yes, it will still meet your 1500 gallons per minute which is standard for buildings that are in Town.

Don Fawson - OK. And what is the price on a 6" PRV?

Mark Osmer – Layna, did you get that quote from Scholzen's? They were meant to send it to the office.

Layna Larsen - Good question. I sent you the one they sent yesterday. But I don't have a new one.

Mark Osmer - They should have sent that. I can find out about that. What should that be if an 8" is \$28,000?

Riley Vane – A 6" should be in the \$12,000 to \$15,000 range, something like that.

Don Fawson - Ok, Mark, when we talked earlier you said an 8-inch PRV with the valve and a 2-inch bypass was \$29,000. So, this new PRV ought to come with valves and everything, right? I mean, the one that's already quoted.

Riley Vane - Collins, quote from Scholzen's should have that whole assembly.

Mark Osmer - Yeah, he had everything. He had the two valves on the inside. Yeah.

Riley Vane - You're fine. The detail that I just gave Mark before the meeting started was an APWA detail for a pre-standard PRV. It's got all that assembly, so we will be able to check that that quote includes all those components that are going to be needed.

Don Fawson - OK, So, we had talked earlier too about the fact that this would be Chinese, right? This \$29,000.

Mark Osmer - Yeah.

Don Fawson - And if we go with Build Back America (BBA), then it's going to be substantially more?

Doris McNally - My understanding is this is not a part of the loan. This is our own issue.

Riley Vane - It could be because it's a direct improvement to the line that we described in the loan. You could contend that this could be money well spent from DDW for including that. But as Don mentioned, you do have BBA requirements and you do have a longer timeline and order issues with BBA components. There is going to be a longer procurement timeline with that. It sounds like from Scholzen's they'll still have six weeks even for an import on a 6" PRV valve. So, you may be looking at that regardless.

Don Fawson - They are actually looking at trying to get that done right away. So, what is your thought on a used 6-inch.

Riley Vane - I haven't talked with Brett, but I'd like to talk with Brett and make sure that there was never any thing ran in that pipe except chlorinated water. I would like to make sure it's got some NSF 61 certification stamped on the body or if it is there. I don't mind looking it over and we can even maybe take it out and work it and test it.

Mark Osmer - It is on the old line, so there's no water in it.

Riley Vane - So, we don't have any water?

Mark Osmer - We don't have any water in that line.

Don Fawson - Ok, so, they put a 6" PRV on a 14" main?

Mark Osmer - Yeah.

Riley Vane - It's all just a function of what pressure you're trying to control and there were no fire hydrants attached to that line. It was just a transmission line going without much demand.

Don Fawson - Obviously when you step down like that, you're going to create a Venturi and I know that in some of our training we talked about that. Any issues you see with that?

Riley Vane - A 10" to a 6" is well within normal operating procedures.

Don Fawson - OK.

Mark Osmer - And also all the PRV's north of that are 6". They are 6" on 8" lines.

Don Fawson - Right, OK, so if we decide that we want to go with a new 6-inch from Scholzen's, thay are out how far?

Mark Osmer - They told me eight weeks,.

Don Fawson - What about Fergusons or Mountainland if we pay for the PRV and bypass BBA?

Mark Osmer - I have a call in to Mountainland but I haven't called Fergusons. I can call Fergusons tomorrow and see what they have and how far out they are. The 8-inch one, did Scholzen's tell you it is in Salt Lake so they can have it here within a week.

Don Fawson - The 8-inch they could, but that's foreign sourced, right?

Mark Osmer - Yeah.

Don Fawson - So, basically, we have the choice, we can either go with the \$29,000 8" but you're saying a 6" is sufficient? We can have Riley and Mark check that used PRV and put a bid on that. What do you think they would want?

Riley Vane - I would assume a 20-year service life and that's kind of being conservative those are usually about a 30-year product and so you could just look at the standard depreciation for five years.

Don Fawson - What if we offered them 50%?

Riley Vane - I think that's where you start, yeah.

Kurt Allen - So let me understand, this is the Conservancy Districts PRV that was in their 14-inch line there at the South end of Town. It would concern me that it was held wide open consistently on that system. I would question the ability for the springs and the functions inside of that to come back after being held in that position like that consistently for all those years.

Mark Osmer - He said it wasn't used that long.

Kurt Allen - Well, it wasn't used and really it probably didn't function hardly at all it just went to one position, mostly open because they put a lot of water through it and probably stayed in that position, because there was no fluctuation on the pressures, and on the demand, and the usage of the water demand flowing through it. So, I guess I would wonder how it would come back from that type of disuse. I think that if it was fluctuating and and being used a lot it would be better. It's like your muscles, if you use them they are going to be there for you, but if you fail to use them, they atrophy. Those springs and that metal deteriorate in like manner.

Don Fawson - I know that an automobile engine is the same way. If it is not used it can become damaged faster than when it is used.

Brant Jones - This is the used PRV owned by the Conservancy District?

Don Fawson - Yeah.

Brant Jones - And are they offering to sell it?

Mark Osmer - Yeah, they said to put an offer in.

Brant Jones - How about we already paid for it through our taxes? So, if they're not, you know, going to reuse it, if they don't trust it, and we want to save some money, we could offer to take it and see how long it works.

Mark Osmer - They said they were going to pull it out and keep it.

Kurt Allen - Who else would? And they'll just put it on the shelf.

Brant Jones - Lucky charm, right? Yeah, offer to take it off their hands.

Riley Vane - I would like to see if there is a manufacturer's warranty that still applies to it, and if we could get some information on that, that would be helpful.

Mark Osmer - I exposed all the lids down there and Brett went down in there. So, I could go down and take a bunch of pictures and send them to you.

Don Fawson - All right, we've got some choices to make, but they need to be made quickly because they are in the process of doing this, within the next week or something like that.

Mark Osmer - Two or three weeks, yeah.

Don Fawson - So, one of the things we wanted to do was to pull the lid off our West vault at Main and Center Street so, we can have easy access before they pave the street. So, we have 1) Brant's suggestion and 2) we have the possibility, if they don't give us the PRV, offer to give them something for it, or 3) we have the opportunity to buy it foreign outright, or 4) we can pursue BBA and be way out as far as acquisition.

Kurt Allen - It doesn't look to me like we can wait 8 weeks to order it. We have two choices, it looks like, the 8" in Salt Lake or the 6" used from the Conservancy.

Mark Osmer - Yeah. Otherwise, you've got to keep this shut down and go back if there is one.

Don Fawson - So we're talking Scholzen's as the sole supplier at this point.

Mark Osmer - Yeah, like I said, I called Mountainland, but they haven't gotten back to me yet.

Don Fawson - We've also got Ferguson.

Mark Osmer - So, I'll call those two tomorrow and I can actually give them this J&D drawing.

Doris McNally - Give Aaron a call if you're not getting a response from Mountainland and see if he can help you.

Kurt Allen - I like Brant's approach to be right honest with you. I think if we just told the Conservancy District, we'll store that PRV for you and if you want it back later, we'll give it back to you and no cost. Just give it to us. It is going to be better off with the PRV being used and functioning than it is sitting on their shelf. That is my opinion.

Brant Jones - Try anyway.

Mark Osmer - Yeah, we can always try and see what they say.

Brant Jones - Probably matters who we ask, right? Make sure we are asking the person who makes the decision.

Mark Osmer - Yeah, I know Dave pretty good so, I'll call tomorrow just see what he says.

Kurt Allen - Who are you talking to?

Mark Osmer - Dave Jessop.

Don Fawson - Let's do some contingencies here because if that doesn't work, we've got to do something else.

Brant Jones - How much concern is there with the imported valve? Does anybody have much experience with them.

Riley Vane - They are all over the place.

Mark Osmer - Yeah, I think we're the ones we've got in the system are the Chinese ones.

Riley Vane - Chinese or just imported in general, some are made in Mexico. They are all over the system. Not only on the LDWA system but Washington County. It just falls back to if it's imported, we can't get that written off as part of the DDW loan.

Doris McNally - That's why initially I didn't know that there's a potential of writing it off, but we do have an emergency fund and from talking to Mark, this would fall into an emergency category and it's something we could take advantage of. And we haven't tapped into that at least as long as I've been in this company. So, I think that's the other contingency. Don, is that this is important, we need to do it, we just need to do it right.

Don Fawson - I agree.

Brant Jones - Maybe that's part of the presentation to the WCWCD saying that rather than wait for eight weeks and have it, you know, hold up the project. Why don't we use theirs? We all pay our taxes.

Mark Osmer - Yeah, I could say that.

Doris McNally - It puts less pressure on the Townspeople, and they have been dealing with a lot with the construction. Who should we have the conversation with?

Don Fawson - Mark, you were the one that to talk to them. They offered that to you, right?

Mark Osmer - No, I asked what they were doing with it, would they be interested in, you know, maybe selling it?

Kurt Allen - That's good. So, who is the person you talked to.

Mark Osmer - I talked to Brett Cahoon, who's doing the work here and then he called Dave. And then Dave called me and said, "Yeah make us an offer."

Brant Jones - You know, you could even voice some of the concerns like Kurt said, we just don't know how long it would last. If they need it on the books offer them a dollar.

Doris McNally - The question is who should we have the conversation with?

Kurt Allen - Do you want me to get Whit Bundy to kind of spearhead this, he is our representative for the Conservancy District.

Mark Osmer - I deal with Jessop.

Kurt Allen - Yeah, I know you do, because he's the field guy. But Whit's the project manager for the Conservancy District and he'll get Dave Jessop involved. Why don't you let me talk to Whit Bundy and start this process and see where that goes?

Mark Osmer - OK, yeah, sure.

Doris McNally - But keep getting the quotes. Keep moving forward and get the quote because that's the backup.

Mark Osmer - Right. Yeah.

Don Fawson - OK, so maybe we can do this in parts. So, would someone like to make a motion on that?

Brant Jones - On trying to get the PRV valve from the Conservancy District?

Don Fawson - Yes, to see if they will gift us the PRV.

MOTION

Brant Jones - I make a motion that we try and expedite the process and reduce cost.

Mark Osmer - If they say no, we can just go and buy the other one.

Don Fawson - OK, So, that is something different. Whatever this motion is, it needs to include every contingency, OK, because it needs to get done and we're not going to meet again for a month.

MOTION

Doris McNally - So, I'll try to make the motion in stages.

Option A - Would be to contact the Conservancy and negotiate with them for the 6-inch PRV.

Option B - Would be to search for another device and I would assume if it's not a six inch then it would be the 8 inch that is in Salt Lake. I'd go with any of the vendors that are available, attempting to get a US manufacturing one, but if none are available then have the option to go for a foreign made product.

Option C - Would be to continue to investigate the ability to get this underneath the loan and if it isn't possible, we'd move forward with it underneath the emergency funds. And I think those were the real three major ones, right?

Don Fawson - The only concern I have with going with the US made once again, it's probably going to be harder. If we are under the loan, are we going to have to go Bacon-Davis on the install, or can we use Mark, how does that work?

Mark Osmer - I don't think Landmark was going to install it. I was always under the impression we were going to install it.

Don Fawson - I guess my concern, my feeling is that we probably ought to just buy the PRV outright and then install it.

Riley Vane - I don't have the Bacon-Davis information as far as Mark installing. I don't have that information for you right now so I can't say.

Kurt Allen - Well, it would be my interpretation of the loan that the loan scope of work ends at the walls of the PRV outside the vault. The loan doesn't have any design work for inside that vault and so I don't think that the Davis-Bacon wages would apply. I think that it's kind of a stretch and then maybe a little bit more work than it's worth to try to get it through the loan and personally, I don't think that it will qualify, but timing is the big factor here.

Doris McNally - So, once again, the three options that I had, I had that either going with the US or the foreign made, but the ultimate goal is to get one, so that we can take advantage of the window of opportunity while they are working down here before they start the asphalt. So, I think that as for how it's installed and everything else, I mean that's, the detail behind it, I think. But the motion is to at least move forward with one of those options and take advantage of timing to get it in place now. So, I'll stand by my motion that way.

Don Fawson - OK, I think as part of that, we ought to be just paying for this outright and not try to put it in the loan.

Kurt Allen - I agree with that.

Doris McNally - I always assumed it was going to be paid for directly. I didn't know it was an option for the loan. That's why I brought up the issue with the emergency fund because I talked to Mark about it this

morning and my assumption is that I was going to make the recommendation we take it out of the emergency funds.

Kurt Allen - And how much do we have in the emergency fund?

Doris McNally - I am going to report on it in a second. In the emergency funds we have \$352,534.

Kurt Allen - And I agree with Don, I think we need to just buy this outright.

Doris McNally - \$10,000 dollars, \$12,000. I took a look online and its under that, I think the issue is we need it. We should just take advantage of it.

Don Fawson - OK, so let's go through that one more time, Doris would you take from that and fix it.

Doris McNally - OK, I'm going to make a motion with options;

Option A - is to contact the Conservancy about the availability of the 6-inch and the negotiated factor of being able to get it for free or what the pricing would be.

Option B - would be to search out through other vendors another 6-inch line, hopefully American made, but if it has to be foreign that is fine and ultimately pay for it directly with the emergency fund and not take advantage of any loan activity for it.

Don Fawson - Do you see any reason, I'm sorry to keep bringing this up because in there you said look for the American 1st and is there a reason to do that?

Riley Vane - if you're not going to try to take advantage of DDW funding then there's no reason for it to be that.

Doris McNally - Right. But it might be a situation where the American made one is available or closer than the foreign made. So, I'm just I'm putting in a large umbrella, a large net.

Don Fawson – We will search for a valve either way and then go from there. Does that make sense?

Doris McNally - Yeah. Any one that's available?

Don Fawson - Does anybody want to second that motion?

Brant Jones - I'll second it, just so we don't have to wait another month like you are saying to get it done.

Doris McNally - Right.

Kurt Allen - Yes, it needs to be done.

Don Fawson - OK. Any further discussion? All in favor, aye. OK. Thank you. Thank you, Riley. Thank you, Mark.

VOTE

THE MOTION IN STAGES:

Option A - Is to contact the Conservancy about the availability of the 6-inch and the negotiated factor of being able to get it for free or what the pricing would be.

Option B - Would be to search out through other vendors for a 6"PRV, Any available.

Option C - Ultimately pay for it directly with the emergency fund and not take advantage of any loan activity for it. Doris McNally | SECOND: Brant Jones

MOTION APPROVED: Unanimously

MAIN ST. FIRE HYDRANTS

Mark Osmer - Fire hydrants on Main Street. I was talking to Riley earlier about them...

Riley Vane - Yeah, I have a detail I'll talk with Mark about it on how exactly they're supposed to be installed. But based on what we designed I don't see any reason why the install shouldn"t work. I don't see any adjustments.

Don Fawson - Yeah, so, they had the fittings already in the plans?

Mark Osmer - Yeah, 45/45 fittings

Riley Vane - Show me after, take a picture.

Mark Osmer - OK, perfect. That's good.

Doris McNally - These hydrants, define the hydrants. Are these the 3 WCWCD ones that are being installed by the Landmark, or are these our hydrants.

Don Fawson - No, these are our hydrants. We are just going to reuse our old hydrants.

Doris McNally - Which old ones do we have that we are reusing?

Don Fawson - All the ones down the West side of Main Street. They are having to be hooked to the new 10" line.

Doris McNally - OK alright.

LANDMARK TUESDAY MORNING MEETING

Don Fawson - Yeah. OK, Doris you and Riley you were at that meeting we had with Landmark yesterday. Do you want to give us an update, on what their schedule is?

Riley Vane - Certainly, so they are looking to finish service connections and moving hydrants over by the end of the week. And then be going into paving next week. They are working with the County to define how much of the payment they're needing to complete. I think that's happening today or tomorrow. So, we should be looking at paving next week. We'll also be doing a final walk through around that time. WCWCD wanted to do a pre-walkthrough and to identify some of those punch list items and get them going before the final walkthrough, which we thought was a great idea. And we're going to be present for that.

Don Fawson - Were they going to work on a paving up from Vista to the North 1st and then come down from there?

Riley Vane - That was the intent. Vista Avenue was the brake line. They are trying to get that traffic light out of Town as fast as possible. So, they are prioritizing that pinch point at Vista and then come South of town. I believe that was the sequence of paving.

Doris McNally - Just so you know, they approached me, and I posted something onto the social media site for the Town about it. So, they were saying that they are still sticking by it and that they want to start paving on Thursday, but they have it closed down for the entire week.

Don Fawson - Mark, you want to give us a report on the Spring.

Mark Osmer - The Spring is running at 203 gallons a minute. I'm pumping about 55/60 gallons to the LWC. I have the Well running at the moment, I'm just filling up all the tanks. I adjusted the Well and I've got it down to about 97 gallons a minute and that holds the tank levels pretty level.

Don Fawson – Brant, are you working with Mark on regulating LWC Spring allocation?

Brant Jones - Yeah.

Don Fawson - I know that I took a look at the USGS before I came down and it was running at 4.46 cubic feet per second, which is about 2000 gallons per minute. So that would mean that we probably ought to be giving them more water. However, that was a point in time before the graph fluctuation was accounted for.

Mark Osmer - it goes up and down quite a bit, doesn't it?

Don Fawson - About 1 cubic foot per second, during the day. So, if you two will just work together and find a time for an average flow that would be best. So, my reading was actually the low point for the day. We just want to make sure you're getting your share of Spring Water.

Brant Jones - Thank you for working together on it.

Mark Osmer - Yes, no problem.

Brant Jones - Yes, it's down, and pretty scary, but it looks like maybe we'll get some rain next week.

Don Fawson - Does it? That would be really nice. All right let's move on then. Doris, do you want to go ahead with the financial report?

c) TREASURER"S REPORT [Doris McNally]

ANNOUNCEMENTS/BILLING/COMMUNICATION [Doris McNally]

BILLING for JUNE was completed/mailed JULY 1st.

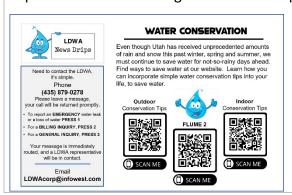
NEWSDRIPS

DISCUSSION

The JUNE Invoices included an article on our Consumer Confidence Report for 2023.

JULY's invoices will have the last in the series of articles we approved a few months back on Water Conservation.

report because something else has come up.





DISCUSSION

FINANCE [Doris McNally]

PAYCLIX

In June we had 93 shareholders pay their bills using this payment option. The total amount collected through PayClix was \$7,801.83. 58% paid via credit cards & 42% via echecks. YTD we have collected \$35,976.19 through PayClix.

	Credit Cards		
	Count	Credit Cards	
Jan-24	49	\$3,319.70	
Feb-24	51	\$3,478.14	
Mar-24	52	\$2,973.87	
Apr-24	49	\$3,011.73	
May-24	55	\$4,147.64	
Jun-24	50	\$4,524.05	
	306	\$21,455.13	

Electronic Checks			
Count	eCHECK		
41	\$2,146.87		
41	\$2,392.82		
41	\$1,955.02		
46	\$2,353.34		
43	\$2,395.23		
43	\$3,277.78		
255	\$14,521.06		

PayClix®		
Count	TOTAL	
90	\$5,466.57	
92	\$5,870.96	
93	\$4,928.89	
95	\$5,365.07	
98	\$6,542.87	
93	\$7,801.83	
561	\$35,976.19	

FINANCE [For the Month of June 2024]



TOTAL INCOME			
ACCT	BALANCE	% to TOTAL	
Ord. OI:	\$23,135.30	87.5%	
Other OI:	\$3,298.21	12.5%	
	\$26,433.51	100.0%	

TOTAL EXPENSE		
ACCT	BALANCE	% to TOTAL
Ord. Field OE:	\$5,832.16	21.4%
Ord. Admin OE:	\$2,423.91	8.9%
Professional OE:	\$10,346.00	38.0%
Labor Expenses:	\$8,631.01	31.7%
	\$27,233.08	100.0%

FINANCE [For Year-to-Date 2024]



TOTAL INCOME		
ACCT	BALANCE	% to TOTAL
Ord. OI:	\$139,217.12	87.8%
Other OI:	\$19,264.41	12.2%
	\$158,481.53	100.0%

TOTAL EXPENSE		
ACCT	BALANCE	% to TOTAL
Ord. Field OE:	\$62,075.08	43.6%
Ord. Admin OE:	\$10,292.31	7.2%
Professional OE:	\$17,174.50	12.1%
Labor Expenses:	\$52,959.12	37.2%
	\$142,501.01	100.0%

The LDWA's Banking Accounts [as of 07/12/2024]



ACCT	BALANCE	% to TOTAL
1 - Checking	\$47,643.94	6.2%
2 - Business Checking	\$716,932.56	93.8%
	\$764,576.50	100.0%

ACCT	BALANCE	% to TOTAL
1 - Emergency Reserve	\$352,534.14	67.5%
2 - Loan SRF-3F1892	\$79,298.94	15.2%
3 - Impact Fee Fund	\$90,059.75	17.3%
	\$521,892.83	100.0%

VOTE

MOTION TO APPROVE FINANCE REPORT: Doris McNally | SECOND: Kurt Allen **MOTION APPROVED**: Unanimously

LEAD & COPPER [Doris McNally]

Doris McNally - Board, as you may remember we were approached back in August of 2023 by Sunrise Engineering about a regarding how the EPA had finalized the Lead and Copper Rule Revisions (LCRR) in December 2021. The LCRR contains many changes but the top priority for all community and non-transient noncommunity water systems is completing and submitting initial service line inventories and lead service line replacement plans by the October 16, 2024, deadline.

Community Water System (CWS): A public water system that supplies water to the same population year-round.

Non-Transient Non-Community Water System (NTNCWS): A public water system that regularly supplies water to at least 25 of the same people at least six months per year. Some examples are schools, factories, office buildings, and hospitals which have their own water systems.

Transient Non-Community Water System (TNCWS): A public water system that provides

water in a place such as a gas station or campground where people do not remain for long periods of time.



After meeting with representatives from Sunrise, the Board felt since the LDWA doesn't have lead pipelines and does not use lead solder that the lines from the meter to shareholders are their responsibility. The LDWA was not in a position to require any financial assistance from any future grants to address replacement of such lines.

This week I was approached again by Sunrise with more details about this initiative. It appears that the DEQ, DDW & EPA have defined service lines from Water Providers as 1) lines up to the meter and 2) lines beyond the meter that go to a parcel's structure. With that clarification it appears that the LDWA <u>must submit</u> an initial lead service line inventory by October 16, 2024.

I've spent the day attempting to gather how we best proceed. Clearly Sunrise has been selected as the sole supplier of this information, so we are unable to work with Jones & DeMille.

I've asked what constitutes **INVENTORY** and the answer was:

Every service line in your system, both the utility side and the customer side, needs to be identified within four categories: lead, non-lead, galvanized requiring replacement (GRR), or unknown. You are not expected to find out every single line when you submit your initial inventory in October. However, finding out as much as you can now is in your best interest.

In reviewing the DEQs website on this mandated reporting I found a video I believe you all should watch: WATCH: July 2024 Lead service line inventory webinar recording

Council I have also received about sharing information is:

- 1. Scrutinize the contract to ensure that all data is returned to LDWA and erased from Sunrise servers at completion of project. This is a common requirement from towns that release a portion of their model for developers to produce modelling reports.
- 2. Don't allow them direct access to LDWA ArcGIS online accounts. Provide them an isolated and stripped data for their use, and we can incorporate it later.

Don Fawson - I went to a couple of meetings relative to this back when and I never thought that we would just do a bye, it was mandated for everybody, but I thought that Sunrise was taking care of all of that. The other thing is I don't know whether you were there, but we talked to somebody just recently that said that you just had to take a sampling of about 4 houses or something like that.

Mark Osmer - I remember that as well, he said just dig down on the outside of the meters.

Don Fawson - Who was it that we talked to?

Mark Osmer - I think it was someone at the meeting, it was someone at the Tuesday Landmark meeting.

Doris McNally - Well, Jessica made the statement that if we have suspects of unknowns that we think that potentially have lead, let's say the more heritage homes in this community might have copper in their lines. What we could do is identify them as not.

Don Fawson - But you know, the interesting thing about this is that they said ignore the copper we are not doing that now it's LEAD only. I know that it says lead and copper, but they have said at every meeting I've gone to, and this was with the State people, that they said it's LEAD only at this time.

Doris McNally - So, even if it's just lead, what Jessica was stating was that if we had five homes that we think in our town that potentially could have lead or anything lead in the system, OK, we could identify them. They would go and have conversations with the homeowners and identify needed to be done to meet the requirements. We wouldn't have to do that. And she was saying that you only have to do 20% of that grouping that you think is problematic. Anything past 1970 they are giving a pass to, they're saying, we feel confident that you don't have an issue. They can be unknowns, but anything before then they are saying you have to offer information. So, I'm here today to say is that I need to have this conversation quickly with this young lady. So, what I'd like to do...

Don Fawson - Is she with Sunrise?

Doris McNally - Yes, she's with Sunrise Engineering. There were three people. We went met with Mikkela Adams and with a Vern Malloy back in September. I don't know if you remember the two young guys. OK. There's a gentleman named Joseph Phillips who's overseeing it. Joseph's at a conference right now. Jessica is the head of the GIS group. And my specific questions to her today were - Do we just have to give GIS on the meters? She said yes. I said you don't need addresses, names of people or parcel numbers. She said no, just GIS. I said OK. She said or you can give addresses. I mean to me GIS is OK. She said that and based on the information I gave her about us having no lead in our system, she said we think we will be OK. We can fill out the paperwork that way. The thing is, I do think we need to scrutinize and have some kind of letter of understanding of how the information is given to a third party, to give to DEQ, because it is going through Sunrise, and I think that we need to see some kind of letter of understanding of confidentiality. They wanted to have direct access into our GIS, and I don't think that is a smart idea, knowing data, and I think Riley agrees with me on that. You don't want to give them direct access into our GIS, you give them an export of our GIS to satisfy their needs. And she was totally comfortable with that.

MOTION

Doris McNally - So, my motion is that this has to be moved forward because we only have until October16th. And it is going to require a little bit of work. So, I'd like to make a motion that we move forward in pushing for some kind of letter of understanding and agreement for confidentiality and start to pull the data together that they feel they need relevant to the meters for the town.

Don Fawson - One of the things that it seemed a little more onerous. I know that there are all these forms and stuff you have to fill out on each item, but it wasn't a matter of just saying we don't have any lead in our pipes. You have to actually show the map of the system and you have to identify all the pipe materials type and pipe sizes.

Doris McNally - And I specifically asked that, and she said to me to meet the requirement for the October 16th, all she needed was the GIS data. And if that's what she's telling us all we need, then I, I mean, I'm not going to ask for more work and I'm not going to ask for more non-disclosure. So. You know, once again, this smells very similar to the back flow where we did the survey, we got all the information, it is almost like they were trying to push it on to the water companies to do all this work.

Don Fawson - You could imagine if the State had to come in and figure all this stuff out, it is not going to happen. And the feds are the ones that are initiating all of this, it is not the State. Anyway, if that's what it takes, you know, I really appreciate you following through on this Doris and whatever it is that we can give them, the least amount is best to cut down on work load. I totally agree with that.

Doris McNally - I just want everybody to understand. I just think it's creepy, I mean, I think it's very creepy that they're asking us. It's almost like how the power companies on the East Coast say your neighbor is using less electricity than you are. They send out bills and they tell you. It's almost like they want us to Relinquish information about our users, and that is why I want to make sure that whatever information we give them, we have it in writing that they cannot pass this on to anybody else. They can't give information out on our water system.

Don Fawson - Where was it, in Indiana or somewhere where they had lead or something in their pipeline.

Mark Osmer - That was Flint.

Don Fawson - And then not only that, but when we were up in Colorado, Peterson Air Force Base right there, at some point in time, they found that they were contaminating the groundwater with fire foam, and everybody

had to go on bottled water and those kinds of things. So, I think it is a goodwill attempt to try to eliminate Carcinogens and things in our water system, but it is onerous.

Doris McNally - Well, I think the fact that our Town is relatively new reduces the risk and a lot of other municipalities are older than ours. That's why all those extra rules are about wanting to see a full system. I think they get into that because they have systems that are so old, I mean ours, in the scope of things, is a relatively a newer community versus some of the older communities. So, once again, tomorrow with the Boards alignment, I'll move forward.

Doris McNally - I need a second on my motion.

Kurt Allen - I will second that. But I do have a comment on that. I think that Sunrise is used to working with public water companies and they just expect us to hand over this information because it is public. We don't have to do that because we are private. I agree with Doris that I think giving them the GIS data and not giving them access to our GIS system is probably the way to go and so I do second that and I do agree that we need to have some kind of a non-disclosure agreement with them because we are different than a public water company. We can expect Sunrise to live by our rules. So, I do second that with those contingencies.

VOTE

MOTION THAT WE MOVE FORWARD IN PUSHING FOR SOME KIND OF LETTER OF UNDERSTANDING AND AGREEMENT FOR CONFIDENTIALITY AND START TO PULL THE DATA TOGETHER THAT THEY FEEL THEY NEED RELEVANT TO THE METERS FOR THE TOWN: Doris McNally | SECOND: Kurt Allen

MOTION APPROVED: Unanimously

d) **BOARD MEMBER REPORTS**

LWC AGREEMENT [Brant Jones]

Don Fawson - Thank you, Doris, appreciate that. Brant, any movement on the LDWA/LWC water agreement?

Brant Jones - I contacted Tom (Beach) again and he said he was going to send you a copy of it. Did you receive that yet?

Don Fawson - No.

Brant Jones - I checked mine and my copy that I have there was only minor changes that needed to be made, mere details. But I haven't seen the new copy myself either, so I was just wondering if he had sent you yours.

Don Fawson - OK, here's the problem. If he sent it to my personal e-mail, I don't look at that. I said if you do send it to my personal email please text me, let me know that you've done that, and I'll find it. So he could have sent it and I overlooked it.

Brant Jones - To your knowledge you don't have it yet.

Layna Larsen - But he does need to send it to LDWAcorp@infowest.com. It doesn't need to go to Don, it needs to go to the office.

Brant Jones - I'll talk to him again.

Don Fawson - Yes, if you want to send that to LDWAcorp@infowest.com then it would get to somebody that actually looks at their e-mail.

Brant Jones - OK

Don Fawson - Appreciate that. OK, Larry's not here.

DISCUSSION

UOSH POLICIES, DOCUMENTATION [Doris McNally]

Doris McNally - Larry did ask me to report on just one thing. So, the OSHA (UOSH) requirements, we did get a report back. I think he mentioned it last month that the UOSH guys did come and do that complimentarily walk through and then found some things that they said they weren't going to report, then reported. But we addressed them right away the same day, I mean they were nothing, but he wanted to see it in writing, a written report and submitted. So, in the office aside from the manual with all the MSDS sheets and everything else Larry submitted a response to the few things they found and documented with them. He wanted to make sure that I brought that up and let everybody know what's going on.

DISCUSSION

PROJECTS [Kurt Allen / Riley Vane]

Don Fawson - OK Kurt.

BLM

Kurt Allen - Thanks for being here Riley to back me up? The big news that I have to talk about is we have a meeting rescheduled on the 22nd with the BLM and the tribes at 9:00 am and we are hoping for the best there. I think we have finally got Amber coming around to the fact that she can maybe circumvent this thing just a little bit and not have every person, all 25 people she invited to come to the meeting. That she can go ahead and hold the meeting and disseminate the information afterwards and be able to get this thing going. I think that Ambers actually trying for once to get it off the dime and get it going. That is my interpretation of that whole thing. Riley, do you have any input on that.

Riley Vane - No, it is just a good sign, there is definitely some next steps as to determining what the environmental effort still needs to be on our part going forward. So, this is the first step in getting that nailed down. And working with the tribes closely because there are some cultural sites that we need to be aware of and work around.

Kurt Allen - And it's still my understanding, and I don't think it's changed, three of the five tribes have approved the process and bowed out of it and there are two that are still involved.

Riley Vane - Yes, three didn't submit any type of notice of concern when they were approached. Two bands did and those, I believe, we will be meeting with. I think we are meeting with both of them on the 22nd,

Kurt Allen - That is my understanding as well.

Riley Vane - Our intent is to get our archaeologist up there as well. And we can all convene, figure out the next steps as far as the path through the environmental permitting effort and get to where we can start drilling.

Kurt Allen - Yes.

Don Fawson - Would you just give a report on the Forest Service because they seem kind of silent too. What's going on with them?

FOREST SERVICE

Riley Vane - It seems like there's been some movement recently with The Forest Service. They have a new appointee Director over the region. That position was unfilled for essentially 10 months. Unfortunately, that was right when we submitted. So, our submission, our application got lost in the cracks. It recently has resurfaced and there's been some communication back and forth, as to the exact impacted area. They are going through their own checklist of what archaeology sites there are up and down the Oak Grove Road that they have got on their system. It will be a similar process as the BLM working through that. The benefit of the Forestry side is that our current waterline is already in impacted areas. So, the actual limit of new disturbance is

really limited. It is a really narrow band of earth that we would be disturbing that hasn't already been disturbed. So, there's some movement back and forth, no decisions, nothing like that yet, just more inquiries on our part to provide additional information.

Don Fawson - Appreciate that. OK.

Kurt Allen - Could we ask who is it at Jones and DeMille that is spearheading this?

Riley Vane - Jenna Jorgenson is our environmental specialist.

Kurt Allen - That's right. Could we ask that you have a discussion with her to amp up the pressure here just a little bit.

Riley Vane - Definitely.

Kurt Allen - And see if we can't get some results. It's been my experience with the Forest Service that the squeaky wheel gets the grease. Be great if we could get her to do that. I mean, it's been a long time.

Riley Vane - It's been a long time. It's a little bit of the Forestry pointing at the BLM and the BLM pointing at the Forestry and both wanting to approve together. So, this meeting on the 22nd will advance things, I think on both agencies, and then we can really start lighting fires.

Kurt Allen - It would certainly be a good excuse for Jenna to contact the Forest Service immediately after the results of the BLM meeting and have an upgraded discussion with them, "Hey when is this going to be issued and what can we do to expedite the process?"

Riley Vane - Definitely.

Don Fawson - So just as a side note on something to do with the Forest Service. Mark and I had talked with them when we were up there installing the fire hydrant on the other side of the Oak Grove Bridge They are going to replace that bridge, widen it and lengthen it. Because of that, we're going to have to move our water line at their expense. I asked the representative about that, and I said, "So is that something we just bill you to do?" And he said, "No, that's part of the contract. So, you're going to have to work directly with the contractor." And so, I'm assuming at that point that we'll have Mark subcontract with the contractor to go ahead and take care of that line movement.

Kurt Allen - That would make sense.

Mark Osmer - Now would be a good time to do it because there's no water coming down.

Don Fawson – It is my understanding they were supposed to do this in August, so, we'll see.

Mark Osmer - I haven't seen any activity or anything up there.

Don Fawson - Yes, I haven't either.

Doris McNally - So Riley and Kurt, the last time we did an update to the Shareholders on the website was January, believe it or not on the projects. If I send it over to you, could you just freshen it up a little bit and we can put it out there again? I really would like to keep it up to date every six months, so we are at least updating the shareholders on what's going on. We made a commitment to that so, I'll send it over and if you don't mind, I'd appreciate it. Thank you.

SB174 [Don Fawson]

Don Fawson - OK, there is one last thing and that is SB174. Ron, do you have any update from the Town as far as how you see this impacting development and those kinds of things?

Ron Cundick - We have had some discussions. You are talking about the one that puts the subdivisions approval with the Planning Commission and bypasses the Town Council. We have been trying to figure out how we want to do it and find the people with authority to talk to that somebody on the Town Council or somebody else looking at it?

Don Fawson - Do you see a timeline on any of this?

Ron Cundick - Well we have to have it by the first of December. We don't want to do it before then, we want to keep decisions at the Town Council level until then.

Don Fawson - So, we as a Board have some projects that we need to work on relative to this to make sure that as that moves forward, which is a bill to streamline approval of subdivisions and housing and those kinds of things that we've got our ByLaws and policies in order so that we can meet that challenge and that deadline. Is there anything from the Shareholders? Susan?

VII. SHAREHOLDER COMMENTS

DISCUSSION SHAREHOLDERS

Susan Savage - We do have, for starters, what day did you start pumping the Well, Mark. I want to write that down.

Mark Osmer - I don't know I need to look at my notes and see when I started it, I think it was this week sometime.

Doris McNally - It was this week, it was Monday.

Susan Savage - I knew it was this week, but I didn't know which day? And did you have a static level on the water at that point.

Mark Osmer - 211 and it has actually come up. I'm going up there and I can check. I got to go and turn the well down. You know, close it down a little bit. With that soft start I turn it down so I'm only pumping about 95 gallons a minute then that keeps up with the demand along with the Spring and pumping to LWC.

Susan Savage - So, I am just kind of trying to keep track of coordinating what we know is going on in different places to see if we can figure some things out. And that's why I was interested in that. So, we just barely started pumping our Well at the end of last week. We haven't pumped it at all since the end of November. We are not allowed to pump it between the end of November and March, and so we didn't need to until now. But I have been measuring the water level each week, I think a couple of times it's been a two-week period but mostly every week. And so, the level has been just inching up. It's probably come up; I would say 2/3 of the way to the distance of where the level to where it should come up. And so, starting in April, we've had three events when the water dropped. The first time it dropped 4 feet from the previous week. The other two times it has dropped a foot and a half to two feet. And then it starts inching back up again. I reported that to Nathan Moses, the State Water Engineer in Cedar City, and I've also told him that I was communicating with Alan Howard. Alan flies the area to watch what's happening with the development of the reservoir and so on. And he said there have been at least two times that he saw when the well, that's right there by the side of the road by the billboards, that the District was pumping it heavily. He said there was a big stream and they pumped it for days and it reached as far as Toquerville and went down into the Ash Creek drainage. So, I also reported that to Nathan that that had been happening. That's my report.

Don Fawson - Did that seem to coincide with the drops in your Well.

Susan Savage - It was during that period of time; you know in April and May around then.

Don Fawson - Did you report that in writing to Nathan?

Susan Savage - I emailed him.

Don Fawson - That is interesting information. Mark, have you seen any drops in our Well.

Mark Osmer - No, nothing, in fact it just came up. When I started pumping the Well, it's normally at 209 and it's now at 211.

Don Fawson - The surface, so it's gone down then.

Mark Osmer - It's come up. We've gained more water.

Susan Savage - If it's gone from 209 to 211 it's gone down.

Don Fawson - Yes, it's going down.

Mark Osmer - Yes. Sorry, gone down.

Don Fawson - So it's 209 to 211.

Mark Osmer - No, it works the other way. Sorry, it's come up. It's normally at 209 but then when I pump it it drops down to 204 but it's 211 and then when I pump it's dropped to 209.

Don Fawson - I don't understand how you measure that, are you measuring from the top down to the surface of the water?

Mark Osmer - No, it's measuring from a probe under the water up to the top. So that's how it is measuring it.

Don Fawson - It doesn't make too much sense.

Susan Savage - No it doesn't, it doesn't make sense to me.

Mark Osmer - But no, we haven't lost, it hasn't moved or dropped or done anything.

Susan Savage - So it's measuring from the where in the bottom up to the top where.

Riley Vane - What's your probe set at?

Mark Osmer - I have to look at my numbers to see where the probe is under the water.

Riley Vane - He has a probe under the water, he doesn't know what level it's coming out at, but he is seeing 2 feet of difference there. Normally he sees it is 209 feet above his probe, but now he's seeing the 211.

Susan Savage - You asked me if I would forward you the report that I did when I did the study around town. Did you receive that? It probably went into your personal e-mail.

Don Fawson - Yes, Unfortunately, that is a black hole.

Susan Savage - But you know that the whole thing is online at the Division of Water Rights (DWR). If you go in under application a51010. It will be right at the bottom of the scanned documents.

Doris McNally - I'll send it to you. I'll send you a link on your cell phone.

SILVER POINT ESTATE WILL-SERVE [Don Fawson]

Don Fawson - Good, don't send it to my e-mail. One last comment and that is we had Silver Point Estates come in last time and they asked for a new Will Serve Letter and we just added a point on their old will serve letter. It says "any plat or plan changes would require review and acceptance by the LDWA Board and LDWA Engineers at

Silver Point Estates expense prior to final approval and acceptance." So, that was just added as part of that, and we will send that out. Anything else?

Ron Cundick - Can I just ask how many acre feet there they changed or requested. Did they ask for more acre feet for Silver Point.

Doris McNally - No, we have not seen any plans. We have only heard that there's going to be changes or we know that there's going to be changes, but there's been no request or no details of what the changes would be.

Ron Cundick - Right now it is the same.

Doris McNally - It is the same. We are just renewing, and we added the caveat that if anything changes on the plans, it goes back for full review.

Don Fawson - They brought that 105 acre feet and nothing has changed on that.

Ron Cundick - They would like 150.

Doris McNally - Whatever they brought, that's what they get.

Ron Cundick - They have only brought the original amount. They haven't brought more.

Doris McNally - No, they haven't. The same agreement that I think you entered into back when, it is the same. It's exactly the same.

AGREEMENT WITH TOWN [Kurt Allen]

Kurt Allen - In closing, I'd like to see the Board and the Town resurrect our discussion on our Bilateral /Trilateral agreement. And get that put in place and if we could put together a work session or something to get that discussion going. It was going quite well for a little while there and I think that it was good to meat x and I feel like we just need to follow up on it because it needs to be done.

Ron Cundick - The Mayor has told me he had sent you the most recent, it's been a couple of months now, and requested a meeting and maybe it went to the wrong e-mail. Because I gave him a current draft several, probably 3 months ago and then he was supposed to have sent you the most recent.

Don Fawson - Well, again, if he sent it to that black hole, it could be just sitting there.

Ron Cundick - We wrote that whole thing.

Doris McNally - Can I just make a formal request. Please make sure that all communication goes to the LDWAcorp@infowest.com address. It is the way that we keep that documentation, and we do shepherd it around if we need to, if we see something, we see somebody needs to follow up on it, I know we have all our personal emails, but if it's important documents, important requests like this. Like, I would always go to the clerk and make sure she knows that she could inform people I wouldn't go to personal emails.

Ron Cundick - For your information, we substantially rewrote that using the points that your lawyers were concerned about to get past those objections. So, we thought it would work. So, it's important for us to get together now and review that and see if it meets the criteria because things are happening, and we want to get things in place, and we don't want to get bypassed because we are not ready for it.

Kurt Allen - Yes, we need to get going on that. If I understand you correctly, the balls in our court and that was in our court two months ago and there hasn't been a response or anything. I don't recall seeing that.

Ron Cundick - I think he said he sent it to Don.

Kurt Allen - And so there again if you wouldn't mind sending it again and then we can accelerate...

Doris McNally - Yeah, just send it to the LDWAcorp@infowest.com on the corporate address.

Layna Larsen - I send it out to everybody and then I file it so that we have a copy of it in our records as well.

Kurt Allen - I think we need to pull a work session together soon and get this thing going.

Doris McNally - I think if we can get a basic understanding of what's going on with the plans for the future with SB174 and we get that level set first. I think the 1st work session is just to understand what's happening. I've been attending meetings and I'm getting bits and pieces of different things, but I think a better understanding of what the decisions are being made by Town and Planning and how they might impact us would be a good place to start off at.

Layna Larsen - Just to make a point, Don's not going to make any private decisions. It is for the entire Board to decide. So, sending the stuff just to Don isn't going to work. It has to go to the Board. So, sending it to the office gets it to everybody.

Ron Cundick - We thought sending it to Don would get it to the Board.

Layna Larsen - But as you just heard it doesn't. So, send it to the office and the office will get it to all the Board, the individual Board members can look at it, then discuss it together and the decisions can then be made.

Don Fawson - OK, that is LDWACorp@infowest.com.

VIII. MOTION TO ADJOURN MEETING

DISCUSSION	<u>Don Fawson</u> - Alright, I'll accept a motion to adjourn.
VOTE	MOTION TO ADJOURN: Brant Jones SECOND: Kurt Allen
	MOTION APPROVED: Unanimously

ADJOURNMENT: 8:08 PM

Layna Largen

Layna Larsen | Corporate Secretary

Don Fawson | President