



# Hildale / Colorado City Utility Board Meeting

Thursday, October 28, 2021 at 6:00 PM

320 East Newel Avenue, Hildale City, Utah 84784

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## Minutes

**Roll Call of Board Attendees:** Utility Administrative Deputy Director LaCorti

Arvin Black called the meeting to order at 6:00 PM. Quorum present.

**Welcome, Introduction and Preliminary Matters:** Presiding Officer

Nathan Burnham offered a prayer.

**Pledge of Allegiance:** By Invitation of Presiding Officer

The crowd joined in the pledge of allegiance.

**Conflict of Interest Disclosures:** Board Members

Eric Duthie explained that the meeting agendas are being standardized, resulting in this item being added to the agenda. He explained the requirement of conflict of interest disclosures.

JVar Dutson requested to reserve the right of such if something comes up.

**Approval of Minutes of Previous Meetings:** Board Members

1. August 26, 2021 Meeting Minutes

Weston Barlow pointed out two clerical errors in the Operations Manager Report section of the minutes.

Motion to approve the minutes of August 26, 2021 as amended.

Motion made by Board Member Dutson, Seconded by Board Member Burnham.

Voting Yea: Chair Black, Board Member Black, Board Member Barlow, Board Member Dutson, Board Member Cawley, Board Member Burnham, Board Member Seay, Board Member Jessop, Jr., Board Member Johnson, Sr.

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

Donia Jessop spoke as a citizen of Hildale. She administered an appreciation to each of the Board Members for their service.

**Financial Report:**

2. Financial Report and Invoice Register (5 minutes - Deputy Director LaCorti)

Mariah La Corti presented. She explained a few expenditures that were outside of the norm. Eric went through the expenditures with comparison to budget report. He asked the Board to be aware that these

numbers will even out as the year goes on. Weston explained that gas is purchased in advance and revenues do not generally come in until 3 months later.

The CARES funding act expenditures for fiber were included for informational purposes.

JVar Dutson asked a question about the media filter payment; he was under the impression that the expense was higher. Weston explained that there will be other components purchased. The Utility Department will fund the project and the Town of Colorado City will reimburse using ARPA funds.

There was discussion within the Board Members regarding rumors and the proper procedure to get clarification.

Motion to pay the bills as they become due and the funds become available.

Motion made by Board Member Burnham, Seconded by Board Member Seay.

Voting Yea: Chair Black, Board Member Black, Board Member Barlow, Board Member Dutson, Board Member Cawley, Board Member Burnham, Board Member Seay, Board Member Jessop, Jr., Board Member Johnson, Sr.

## Reports:

### 3. Interim Director Report (10 minutes)

Eric Duthie presented. He drew attention to his attendance at the Colorado City Council meetings and the confusion regarding Utility Department operations. He gave the Colorado City Council an overview of the Utility Department projects and operations which lead to productive discussions. Council members, in turn, expressed their appreciation for the information.

He gave an update on the CIB grant request. He explained the process that the City went through for application for approval. Ultimately, the application that was submitted was denied.

The same 5 projects that were included in the CIB application, including water treatment plant, wells located at the water treatment plant, Maxwell Canyon culinary water line replacement, water system improvements, and Water Canyon vertical wells, that were submitted for CIB will also be submitted as individual projects through different grants.

Jerry Postema responded to JVar Dutsons request for further explanation of the water system improvements. He explained that this item was based off of the water system improvement master plan.

Eric informed the Board of a broadband grant application that was submitted to the State of Utah to run fiber from the existing line out to the sewer treatment plant. He received confirmation of receipt of the application but does not have a decision at this time.

Further, a letter of support was issued to the Washington County Conservancy District for the Canaan Mountain Water Project. A meeting with representatives of the UEP was held to get clarification on the objectives of all parties.

There was advertisement for temporary laborers for the outstanding projects; a former employee reached out and was re-hired under these pretenses. Eric informed the public that this employment opportunity is still open and encouraged individuals to apply. Nathan Burnham asked about the possibility of contracting these projects out. Weston and Chairman Black pointed out that this has proven difficult and/or expensive.

JVar Duston asked about financing for fiber projects. Eric explained that this item was covered as a line item in the budget.

Board members were referred to his report for further information.

### 4. Deputy Director Administration Report (10 minutes)

Mariah La Corti presented. The Utility Department hosted WACOG and HEAT Utility Assistance programs from both Arizona and Utah. This event was strongly advertised and any individuals having trouble paying their utility bills were invited to attend. A relationship between the two programs from different states was formed so that they know they can work together, and the department has made it known that they are available as a resource for anything that is needed.

The Board was referred to the written report for more information.

5. Deputy Director Operations Report (10 minutes)

Weston Barlow presented. The west side of the water plant has been refurbished and is back in operation. The El Capitan Football team contributed to the labor on this. He expressed his appreciation to them.

Michael Cawley asked for information on the future of how the fiber lines will be ran. Weston explained that the sewer ponds are the main priority. The grant that was submitted, if approved, will start on Boxelder and run to the sewer treatment plant. The lift station is still in the idea phase.

Nathan Burnham asked for a status on the natural gas project. Weston anticipates that the project will be ready to start soon. He explained that the first phase, when implemented, will be on the west side of the highway.

The well project was put on hold temporarily to focus on the water treatment plant. Testing will be required which slows the project down dramatically.

He referred the Board to his written report for further information.

6. Consultant Report (10 minutes)

Jerry Postema had the opportunity to come to the area, to attend meetings and have a better understanding of the area. He, along with the Administration from both Hildale and Colorado City, met with the UEP and Washington County Conservancy District, to discuss the issues at hand.

Jerry Postema presented. He highlighted a few important matters that are in the works.

He reported on the relationship and projects in progress with the Washington County Conservancy District including funding from ARPA to cover costs of BLM easements/right of ways for the Canaan Mountain Water project.

He is working on an RFQ for on-call engineering services and USDA SEARCH Grant in addition to the Bureau of Reclamation "Water Smart Program" to replace old meters in the system with new radio read meters. Still looking for funding for the manhole projects. There is a Federal Government mandate to have an emergency response plan in place for water system. The goal is to be certified by December 30, 2021.

He referred the Board to his written report for further information.

**Unfinished Board Business:**

7. Consideration and discussion of the Hildale City Culinary Water IFFP 2021 report. (20 minutes - Sunrise Engineering)

Vern Maloy and Blaine Worrell from Sunrise Engineering presented the Culinary Water Impact Fee Facilities Plan that they were asked to complete. The report was provided in written form in the packet. The purpose of the impact fee is to pay for the future impacts of development. The report evaluates future needs and generates a dollar amount to cover the costs for such.

In summary, they explained that there are two different options, a dollar amount was provided for each. There are water rights that need to be obtained for either option. The difference is the source of the

water; either the utilization of Canyon water or water sent through the treatment plant.

Quality and quantity of water from the Canyon is unknown, more data is needed. Because of this and the costs associated with such, their recommendation, at this time, would be to continue utilizing the treatment plant. If, after exploration, it is determined that the canyons have sufficient quality and quantity to satisfy demand without treatment, that would become the recommended option.

Board members were invited to review the proposed options, ask any questions, and share opinions. Lengthy discussion was had on this topic and the impact that it could have on the constituents and development of the community. Roger Carter spoke to the legalities surrounding the elimination and implementation of impact fees for both states. He reminded the Utility Board that his interest in this, however, is purely to determine if there is any discriminatory language.

Sunrise Engineering was asked to provide a list of impact fees for cities that are in a similar situation for the Board to review.

The Utility Board will be asked to make a recommendation to the City Councils once a consensus has been reached.

Motion to submit to DOJ for review. After discussion this motion was withdrawn.

8. Consideration, discussion, and possible approval to initiate bid/request for proposal process for utility systems rate review for possible adjustment. (10 minutes -Interim Director Duthie)

Eric Duthie presented. The Board has had discussion previously. He is asking for confirmation on whether or not the Board would like to implement a rate study for the possibility of a rate change.

Stacy Seay mentioned that it may be better to be proactive rather than reactive. Weston recommended that the study be initiated for future adoption, to give an idea of how the rates compare to department needs.

There was brief discussion on the cost for the study. Eric Duthie responded that there will be no way to know until after the bids are received. A determination will be made as to whether this matter can be outsourced or handled internally.

Motion to initiate the bid/request for proposal process for utility systems rate review for possible adjustment.

Motion made by Board Member Burnham, Seconded by Board Member Dutson.

Voting Yea: Chair Black, Board Member Black, Board Member Barlow, Board Member Dutson, Board Member Cawley, Board Member Burnham, Board Member Seay, Board Member Jessop, Jr., Board Member Johnson, Sr.

9. Consideration, discussion, and action concerning the Maxwell Park Water Resale change of location for Commercial fill station. (10 minutes - Deputy Director Barlow)

Weston Barlow presented. The idea is to put the water filling station on the corner of Jessop Avenue and Hildale Street for commercial water tanks.

It was an understanding that the main goal is to eliminate the commercial filling at Maxwell Park to make the water more accessible for smaller users.

Weston explained the estimated upfront costs to implement this station. After evaluation of the usage there will be discussion on what to charge. Michael Cawley made a suggestion to implement a QR code for a recommended contribution. There was a concern expressed about construction companies taking advantage of the water. Weston recommended signage to deter such.

Motion recommending approval of the location change of this Commercial Fill Station to the City Council.

Motion made by Board Member Burnham, Seconded by Board Member Dutson.

Voting Yea: Chair Black, Board Member Black, Board Member Barlow, Board Member Dutson, Board Member Cawley, Board Member Burnham, Board Member Seay, Board Member Jessop, Jr., Board Member Johnson, Sr.

**New Board Business:**

10. Consideration, discussion, and possible action concerning the Wastewater Lagoon Headworks Reconstruction Project. (10 minutes - Deputy Director Barlow)

Weston Barlow presented. The city desires to reconstruct the headworks to the wastewater treatment lagoons. The Department is looking for approval to enter into an agreement with Sunrise Engineering for engineering and technical services associated with such. Sunrise Engineering provided a cost estimate for the completion of the entire project.

Motion to approve Sunrise Engineering to complete the construction management and final design for the Wastewater Lagoon Headworks Reconstruction Project .

Motion made by Board Member Dutson, Seconded by Board Member Burnham.

Voting Yea: Chair Black, Board Member Black, Board Member Barlow, Board Member Dutson, Board Member Cawley, Board Member Burnham, Board Member Seay, Board Member Jessop, Jr., Board Member Johnson, Sr.

11. Consideration, discussion and possible action concerning large purchases. (10 - Minutes Deputy Director Barlow)

A. Propane Tanks

B. Pump Cartridge

C. Filter Media

D. Sewer Lift Pump

Weston Barlow presented. Quotes for all proposed purchases were provided in the packet.

The Department is seeking permission from the Board to purchase 10 500 gallon above ground tanks to meet demand.

Motion to approve the purchase as quoted.

Motion made by Board Member Burnham, Seconded by Board Member Dutson.

Voting Yea: Chair Black, Board Member Black, Board Member Barlow, Board Member Dutson, Board Member Cawley, Board Member Burnham, Board Member Seay, Board Member Jessop, Jr., Board Member Johnson, Sr.

The Department is seeking permission from the Board to purchase pump cartridges that go in the booster pump at the water plant.

Motion to approve the purchase as quoted.

Motion made by Board Member Dutson, Seconded by Board Member Cawley.

Voting Yea: Chair Black, Board Member Black, Board Member Barlow, Board Member Dutson, Board Member Cawley, Board Member Burnham, Board Member Seay, Board Member Jessop, Jr., Board Member Johnson, Sr.

The Department is seeking approval to purchase media filters for the east side of the water plant. Weston pointed out that this will be reimbursed by Colorado City by ARPA funds.

Motion to approve the purchase as quoted.

Motion made by Board Member Dutson, Seconded by Board Member Barlow.

Voting Yea: Chair Black, Board Member Black, Board Member Barlow, Board Member Dutson, Board Member Cawley, Board Member Burnham, Board Member Seay, Board Member Jessop, Jr., Board Member Johnson, Sr.

The Department is seeking permission from the Board for the purchase of tracer wire and ribbon.

Motion to approve the purchase as quoted.

Motion made by Board Member Dutson, Seconded by Board Member Burnham.

Voting Yea: Chair Black, Board Member Black, Board Member Barlow, Board Member Dutson, Board Member Cawley, Board Member Burnham, Board Member Seay, Board Member Jessop, Jr., Board Member Johnson, Sr.

The Department is seeking approval from the Board to purchase 2 submersible pumps for the sewer treatment plant.

Motion to approve the purchase as quoted.

Motion made by Board Member Dutson, Seconded by Board Member Cawley.

Voting Yea: Chair Black, Board Member Black, Board Member Barlow, Board Member Dutson, Board Member Cawley, Board Member Burnham, Board Member Seay, Board Member Jessop, Jr., Board Member Johnson, Sr.

#### **Board Comments:** (10 minutes total)

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

Nathan Burnham expressed his appreciation and confidence in the staff and the work that they are doing.

JVar Dutson commented his support of the Utility Board looking out for the whole valley. He asked about the procedure for putting things on the agenda for discussion. One specific incident was brought up, a concern about a meter that was installed. Arvin explained that installing meters is within the scope of work of the Utility Department Administration, not a discussion to be brought before the Utility Board. He pointed out that matters need to be dealt with considering "the public" rather than "individuals" as long as proper procedures were followed. Board members were allowed to express their opinions on these matters freely.

Nathan Burnham asked about the "Utility Board Director" position. Eric informed him that he is comfortable with the current set-up and that filling this position would be an unnecessary expense; he feels that the current system is successful as is. He pointed out that Jerry Postema was brought in as an expert in the field, not a replacement for the Utility Director. Nathan further pushed for continued communication/work between the two cities.

Arvin Black expressed his appreciation for the information being received. He reminded Board members and staff to remember what their job is and to continue to do that to their best capacity.

Roger Carter took a brief moment to discuss the injunction. He reminded the Board that his focus is to make sure that the citizens know that they have a government that is sustainable, functional and transparent. He supported the Board in being a reliable resource as an advisory Board for the City Councils. He asked the Board again to review the Arizona and Utah statutes on impact fees.

JVar Dutson took a moment to express the need to work together with all parties on water challenges.

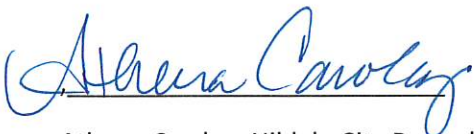
**Executive Session:** As needed

None

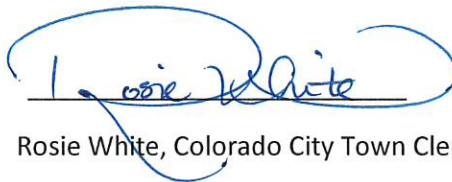
**Adjournment:** Presiding Officer

Meeting adjourned at 9:29 PM.

Minutes were approved at the meeting on December 9, 2021.



Athena Cawley, Hildale City Recorder



Rosie White, Colorado City Town Clerk

