



Hildale / Colorado City Utility Advisory Board

Wednesday, December 20, 2023 at 6:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Minutes

Welcome, Introduction and Preliminary Matters: Presiding Officer

Chairman Nielsen called the meeting to order at 6:00 pm.

Roll Call of Board Attendees: Utility Administrative Assistant

PRESENT

Chair Ezra Nielsen
Board Member Jesse Barlow
Board Member Theil Cooke
Board Member Sterling Jessop, Jr.

ABSENT

Board Member James Broadbent

Staff Present: Nathan Fischer, Athena Cawley, Jerry Postema (Zoom)

Public Present: Jvar Dutson, Roger Carter

Pledge of Allegiance: By Invitation of Presiding Officer

Chairman Nielsen asked Board Member Cooke to lead the pledge.

Organization of the Board: Presiding Officer

1. Introduction of James Broadbent as New Appointed Board Member.

Chairman Nielsen presented that James Broadbent was appointed by Town of Colorado City Council to the board in replacement of Rick White.

Conflict of Interest Disclosures: Board Members

No conflict of interest disclosures at this time.

Approval of Minutes of Previous Meetings: Board Members

2. Utility Board Minutes of November 9, 2023.

The Board discussed the previous meeting minutes.

Motion made by Board Member Barlow, to approve the Utility Board minutes of November 9, 2023. Seconded by Board Member Cooke.

Voting Yea: Chair Nielsen, Board Member Barlow, Board Member Cooke, Board Member Jessop, Jr.

Motion carried.

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

Jvar Dutson stated the importance of keeping up on city water projects and expressed appreciation of the Utility Board and staff for keeping the community aware of the work behind the scenes.

Financial Report:

3. Approval of Utility Financial Report and Invoice Register

Superintendent Fischer presented the financial report and invoice register.

Motion made by Board Member Barlow, to approve the financial report and invoice register. Seconded by Board Member Jessop, Jr.

Voting Yea: Chair Nielsen, Board Member Barlow, Board Member Cooke, Board Member Jessop, Jr.

Motion carried.

Reports:

4. Utility Director Report and Updates

Utility Director Postema presented, explaining the graphs in the report on gas and water.

5. Utility Monthly Report

Superintendent Fischer presented the monthly report covering gas, water, and wastewater operations. Director Postema presented on grants and administration. He followed up on items for the last meeting involving the pump for Wel#17 and a meeting has been set in January with Centennial Park's Sewer District to have a discussion as was talked about last meeting. The projects staff have been working diligently on is the rate study for water (funded through USDA), the water impact fee and the stipulations for both Arizona and Utah.

Chairman Nielsen gave appreciation for getting the new wells permitted to get more water online for next Summer. Director Postema thanked the Board for attending the Ground Breaking Ceremony for the Mohave County Arizona ARPA project.

Unfinished Board Business: None

New Board Business:

6. Consideration, discussion, and possible recommendation to City Councils concerning the Hildale-Colorado City Water Master Plan and Draft Impact Fee.

Director Postema requested to move this discussion to the end of the meeting. The Board agreed to move item #6 after item #9 on the agenda.

Director Postema presented the Hildale-Colorado City Water Master Plan and Draft Impact Fee., explaining the requirements and steps to follow for the Water Impact Fee. He discussed the differences with AZ and UT laws concerning the process of approval and postings. The expected projection for the Water Impact Fee to go in effect would be by July 2024. The growth projections for 10 years and the Facilities Plan was explained and discussed in depth by the Board.

Jvar Dutson questioned the Upper Pressure Management on the Facilities Plan not being projected until 2026. Director Postema gave clarification that the Utility Department is currently working at putting in a booster station, which the engineer has reviewed and will be running a hydraulic model to make sure of the long term needs. There will be 2 parts/phases for the current and upper pressure zone.

Roger Carter questioned and was given clarity on the existing water capacity deficit projections in comparison with the 5 year improvement plan and the water source capacity projection with improvements. He concluded with the DOJ process of review for the Impact Fee.

Chairman Nielsen specified that Arizona law requires an appointed Infrastructure Improvements Advisory Committee, which was appointed to the Board by Town of Colorado City Council. The appointed Board is to review land use assumptions in the Water Master Facilities Plan to be in conformance with the General Plan. Also, that the infrastructure plan is complete and appears to be fair and equitable to all classes of people. The Board discussed the matter.

Motion made by Board Member Barlow, to recommend to the City Councils to start the process of adopting the Hildale-Colorado City Water Master Plan and Draft Impact Fee. Seconded by Chair Nielsen.

Voting Yea: Chair Nielsen, Board Member Barlow, Board Member Cooke, Board Member Jessop, Jr.

Motion carried.

Motion made by Chair Nielsen, to have the Utility Administrative Assistant draft a letter to Town of Colorado City specifying that the land use assumptions are in conformance as well the infrastructure plan complete and is fair and equitable and to have TOCC Manager assist with AZ law verbiage. Seconded by Board Member Cooke.

Voting Yea: Chair Nielsen, Board Member Barlow, Board Member Cooke, Board Member Jessop, Jr.

Motion carried.

7. Consideration, discussion, and recommendation to City Council to initiate discussion concerning a request from Ash Creek Special Services District for the Mountain Valley Estates project to discuss a connection to the Hildale Lagoons.

Director Postema presented. Apple Valley is requesting to have their wastewater flow to Hildale lagoons. The request is to have an opening of dialog to see if this is something the city can work on an agreement that is beneficial for both parties.

Motion made by Chair Nielsen, to recommend to the City Councils to initiate discussion concerning a request from Ash Creek Special Services District for the Mountain Valley Estates project to discuss a connection to the Hildale Lagoons. Seconded by Board Member Barlow.

Voting Yea: Chair Nielsen, Board Member Barlow, Board Member Cooke, Board Member Jessop, Jr.

Motion carried.

8. Consideration, discussion, and possible recommendation to City Councils concerning inclusion of the Hildale/Colorado City Utilities as a potential recipient of class action litigation settlement funding from United States vs DuPont chemical.

Director Postema presented, explaining that there is a chemical called PFAS that is showing up in a lot of water sources in America. This chemical has been found that is bad for humans. The place that this has been found the most is in high density commercial areas and at airports. Staff has put in for registration that we are interested in being part of this class action lawsuit and there are certain criteria that will legally need to be followed, examples being testing of the wells and completing paper work to the court. This is in the early stages and we are suggesting to recommend to the City Councils to continue involvement in this class action lawsuit.

Chairman Nielsen questioned what resources that would be expected to be involved. Director Postema informed the Board that the information will come from the state with no cost to us. Board Member Cooke asked the turn around on the testing that has already been done. Director Postema projected that it would be within a 4-6 week period. He assured that if test came back negative then no more forward testing would need to be done.

Motion made by Chair Nielsen, to recommend to the City Councils to follow up with the class action lawsuit and if PFAS is found to continue to include sampling of the spring water sources in Utah. Seconded by Board Member Cooke.

Voting Yea: Chair Nielsen, Board Member Barlow, Board Member Cooke, Board Member Jessop, Jr.

Motion carried.

9. Consideration, discussion, and possible recommendation to City Councils to approve Creekside Park Subdivision Preliminary Plat.

Director Postema presented the Creekside Park Subdivision Preliminary Plat. The Utility Administrative staff met with the the engineers addressing the Utility concerns focusing on the internal fire safety system for this subdivision. The 2 concerns that haven't been completed by the engineer firm is the Hydraulic Model and a better definition of where the water is coming from with the ERU's (Equivalent Residential Units). Staff is recommending the Board approve the Creekside Park Subdivision Preliminary Plat pending a Hydraulic model be completed, verification of the water availability, and potential to enter a development agreement if the water for the subdivision will exceed the capacity of the system.

Motion made by Board Member Barlow, to recommend to the City Councils to approve the Creekside Park Subdivision Preliminary Plat pending Hydraulic Model Study, and verification of the water availability. Seconded by Board Member Jessop, Jr..

Voting Yea: Chair Nielsen, Board Member Barlow, Board Member Cooke, Board Member Jessop, Jr.

Motion carried.

Board Comments: (10 minutes total)

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

10. January 2024 Utility Board Calendar

Chairman Nielsen went over the calendar. The next Utility Board meeting will be Thursday, January 25 at 6 pm.

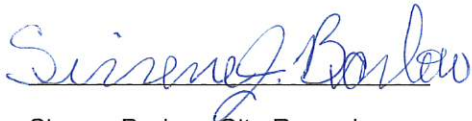
Executive Session: As needed

None

Adjournment: Presiding Officer

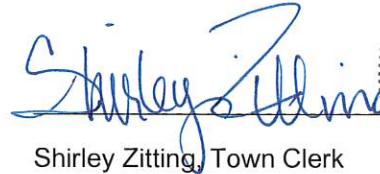
Chairman Nielsen adjourned meeting at 8:05 pm.

Minutes were approved at the Utility Board Meeting January 25, 2024.



Sirrene Barlow, City Recorder





Shirley Zitting, Town Clerk



Utility Advisory Board Recommendation Memorandum

To: Hildale City Manager & City Council/Colorado City Town Manager & Town Council

From: Hildale/Colorado City Utility Advisory Board Chair Ezra Nielsen



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Date: December 21, 2023

Cc: Jerald A Postema, Utility Director, Nathan Fischer, Utility Superintendent, Athena Crawley, Utility Administrative Assistant, Sirrene Barlow, City Clerk, Rosie White, Town Clerk

Re: **Recommendations for Creekside Park Subdivision, Ash Fork Sewer Discussions and EPA vs DuPont PFAS Class Action Suite**

On December 20, 2023, 6:00 pm at Hildale City Hall at the regularly scheduled meeting of the Utility Advisory Board, the members reviewed and took action on the following: 1. Preliminary Plat Utility Approval for Creekside Park Subdivision, 2. Ash Fork requested sewer discussion with Hildale and the 3. PFAS class action suit.

1. The Board recommends to the City and Town Councils to approve the Preliminary Plat Utility's for Creekside Subdivision with the following conditions: Completion of a hydraulic analysis submitted to Utilities, Water Usage Calculations provided in ERU's as outlined in the Water Master Plan, and flows for Peak Day Demand, Peak Day with Fire Protection Demand (1,500 gpm) and ability to serve the development with water. The Board recommends a Development Agreement for new water sources if required.
2. The Board recommends Ash Fork and Utility Department staff to begin discussions on possible sewer diversion from Ash Fork to Hildale Wastewater Plant. No agreement may be made without the review of the Utility Board and the City Council.
3. The Board recommends Utility staff continue to work with the Utah Division of Drinking Water to determine if PFAS is in the existing wells and to file the appropriate claims if fiscally responsible. If PFAS is discovered in the existing wells, the Board recommends the Utility staff sample the spring water as a further source prior to final action on the suit.

This report respectfully submitted by the Utility Advisory Board Members.

Utility Advisory Board Recommendation Memorandum

To: Hildale City Manager & City Council/Colorado City Town Manager & Town Council

From: Hildale/Colorado City Utility Advisory Board Chair, Ezra Nielsen



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Date: December 29, 2023

Cc: Jerald A Postema, Utility Director, Nathan Fischer, Utility Superintendent, Athena Crawley, Utility Administrative Assistant, Sirrene Barlow, City Recorder, Rosie White, Town Clerk

Re: **Review of the Hildale City & Town of Colorado City Culinary Master Plan, Infrastructure Plan and Water Impact Fee**

On December 20, 2023, 6:00 pm at Hildale City Hall at the regularly scheduled meeting of the Utility Advisory Board, the members reviewed and took public questions on the proposed Water Master Plan, Water Impact Fee Facilities Plan as presented by Sunrise Engineers dated October 2023.

A motion was made and approved unanimously by the board to recommend the City and Town Councils to adopt the Water Master Plan and Water Impact Fee Facilities Plan.

The Board makes this recommendation based on the requirements being met in compliance with Arizona **ARS 9-463.05** and Utah State **UCA 11-36a** Statutes for Impact Fees.

Further, in compliance with **ARS 9-463.05, Subsections D & G**, we, as the appointed Infrastructure Improvements Advisory Committee, have reviewed the land use assumptions and have determined the assumptions are in conformance with the general plan of the municipality. We further advise the municipality (Colorado City) to adopt the updated and revised land use assumptions, infrastructure improvements plan and development fee.

As the Utility Advisory Board and Infrastructure Improvements Advisory Committee we will review and provide recommendations annually to the municipalities.