

City of La Verkin

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LA VERKIN CITY WATER BOARD MINUTES

Thursday, June 29, 2023, 3:00 pm.

111 South Main Street, La Verkin, UT

Present: Doug Wilson, Kelly Wilson, Derek Imlay, John Valenti, Kenneth Cox, Don Halterman, and Christy Ballard.
Kyle Gubler was excused.

I. Call to Order:

The meeting was called to order by Don Halterman at 3:00 pm.

II. Approval of Minutes: February 23, 2023, minutes

The motion was made by John Valenti to approve February 23, 2023, minutes, second by Ken Cox.

Mayor Kelly Wilson-yes, Imlay-yes, Valenti-yes, Cox-yes, Halterman-yes, Doug Wilson-yes. The motion carried unanimously.

III. Reports:

A. Water Purchase:

Christy passed out the water purchase reports. One report is a list of people who are interested in selling their water shares and a list of people who have delinquent irrigation accounts as of June 15, 2023. The second sheet lists irrigation shares purchased by the City since February 2021.

She went over the notification and default process regarding delinquent irrigation accounts.

Derek reported the City has over half of the 600 shares from the La Verkin Canal Company. That is 2,620-acre feet or about 4.36 per share.

Doug stated if the City is paying \$2,000 for 4-acre feet of water, that is an amazing price, especially if surrounding communities are paying \$10,000-\$20,000 for one acre-foot.

Mayor Wilson explained the difference is that the City owns all the water rights; you don't own the acre-feet. You have a delivery contract authorizing you to use that amount of water.

The County would be interested in purchasing the water rights if they could use it in other places, but the City set it up so that La Verkin shares cannot leave the La Verkin bench.

B. Culinary Water Management update:

Derek reported the Springs were running. At the first of the budget year, a major break on SR17 put the City over budget by \$10,000. More money was added to the budget, but a couple of weeks ago, at the end of the budget year, there was another break by Riverwood Estates Subdivision that cost \$30,000, so the budget was "blown out of the water."

He is trying to get a grant for a new water study and, in that study, raising the line and moving it out of SR17. The line is 15-18 feet deep. It takes longer to fix, and it is the 4th time in 2 years the City has been into SR17.

Mayor Wilson explained the pipe is over 40 years old and when it was laid, they didn't use sand. It's on rock. Waterline replacement is the top priority.

Derek mentioned the City should have made the State raise the line when they raised the road. The City doesn't have the equipment to work on the line; we must borrow Hurricane's track hoe and Interstate Rock's trench box.

The City wants to replace the waterline from the vault in Riverwood Estates to 630 North. The question will be what side of the road to move it to. If we stay on the west side, we will run into the edge problem through the cut and still be in the street. Relocating the line to the sidewalk would be preferable, but crossing SR17 would get it involved with the two, six-foot drainage lines.

He went over some options for relocating the line.

No services come off this line, which is a mainline from the Toquerville Springs, but it does have branches coming off it.

Mayor Wilson explained the life of a pipe is based on a 50-year life. The City should be placing money aside to replace lines every 50 years. That of course, all depends on what the line is bedded in and the quality of water, etc.

C. Irrigation Water Management update

Derek reported the irrigation year started horribly too. Motors two & three in the filter station went out, and the City operated on one motor for 30-45 days. When the motors finally came in, they didn't work because our specific motors aren't produced. We hired someone to rewire the system to get one & two working, leaving number three off. The irrigation budget was blown from the motors. The gear shafts got pitted, which caused problems with the mechanism, so we had to rebuild all three filters.

The parts don't support our equipment, so replacing parts causes issues, and the system's brain is out of date, so we need to upgrade to a three-phase system, including existing equipment. The City has our engineers looking for a grant for this. However, it is hard to get grants for irrigation systems.

Mayor Wilson reported that the State may offer grants now that they focus so much on secondary water systems.

The District has discussed La Verkin getting water from the Toquerville Reservoir or the Hurricane City sewer treatment plant. La Verkin is getting a treatment plant; construction will begin in a few months. Much of that water will be used in Confluence Park. What doesn't get used there, the District would like to pump over to the reservoir and back into our irrigation system.

Don asked if the District had a settling pond for the irrigation water.

Doug explained the District originally had a settling pond behind the diversion dam they would flush occasionally. One time that flushing accidentally killed some fish, so things changed, and certain criteria needed to be met before the District could open the dam.

The NRCS works with irrigation water. He got a grant for irrigation water from them several years ago.

Mayor Wilson reported the last estimate for bringing the City's irrigation system up to where it needs to be was 16 million dollars.

Ken thanked Derek and his crew for their work on the irrigation system.

Derek reported the Federal Government passed a law requiring every city to have an inventory by 2024 of the culinary water system to determine the material on the service and customer side of the waterline. His crew is working on that inventory. The City will have until 2030 to replace all lead and certain copper lines.

The City has applied for a \$100,000 grant to help cover the inventory portion.

This is the first time the government has required cities to do anything on the customer side of the meter. If the customer cannot replace their line, either the city will need to or provide the customer with a filter until the line can be replaced. Money will open in 2024 to help pay for the new lines.

D. Washington County Water Conservancy District update-Mayor Kelly Wilson

- Landscaping ordinance
- Pooling agreement

Mayor Wilson reported the City presented our landscaping plan, which was adjusted to meet the Washington County Water Conservancy District's (WCWCD) recommendations.

The landscaping ordinance pertains to all new construction from January 2023 that does not have a water delivery contract with the City.

The WCWCD asked the City to identify the acreage in town that would be exempt. Derek is currently working on this.

Mayor Wilson explained the difference between a share and a water delivery contract. La Verkin City owns all the water. The "shares" from the La Verkin Canal Company are actually water delivery contracts under La Verkin City, so the holder has the first right to the water before individuals who rent the water from the City.

John asked if more shares were added to the City's system, would that increase the water to individual water delivery contracts? When the agreement was reached, it was part of the whole that the delivery contract got and where the 4.4-acre feet came from. We have increased the amount that the City owns in the system entirely. Does that increase the delivery contract?

Mayor Wilson replied the City purchased all 600 shares from the original La Verkin Canal Company. The shares were divided among the residents, and the City has been purchasing those same shares over the years. The City currently has over 300 of those original 600. The City gets 2620-acre feet of water every year. That is equivalent to 600 shares.

This water right is one of the best in the Virgin River. La Verkin City is number 3.

The pooling agreement has not had a meeting for over a month. The partners have not agreed on the changes they want to make. Until then, the pooling agreement 2017 version stays in effect. The seven participating communities are Ivins, Santa Clara, St. George, Washington, Hurricane, La Verkin, and Toquerville.

John reported Virgin has some council members who want to be part of the agreement.

Mayor Wilson reported that the seven communities do not want Virgin to be part of the agreement.

There was a discussion on the location of the Toquerville Reservoir and the Warner Valley Reservoir. There was also a discussion on the surrounding lake's capacity.

Mayor Wilson reported that one of the biggest changes to the pooling agreement was that Hurricane City would not agree to the WCWCD purchasing community water shares. Hurricane feels the city should have the first right before the District. Zach Renstrom doesn't like that because he claims it won't work for his 20-year plan, but Hurricane claims it does because it is going into the same pool.

There has been language proposed stating WCWCD would cooperate with the cities to determine who would purchase the water shares, with cities having the first rights. This would prevent a bidding war.

Most of the other things are minor.

Another issue is the existing agreements prior to the pooling agreement. This pertains to La Verkin City. We have an existing agreement with the District that they must provide us with an additional 1,000-acre foot of water (or 1,000 connections) once the City has exhausted the right in the Spring, and they think it went away

with the pooling agreement even though none of the other communities previous agreements went away. We want those prior agreements listed in the pooling agreement. The City has met with the District over this issue, but it is still unresolved. Neither entity can find evidence that the original agreement ended with the pooling agreement.

Doug was the La Verkin City mayor when that agreement was signed, and he explained that meter-wise, the City was exceeding its right. Derek came on board at that time and started fixing leaks. Then the City quit using its right.

There was a discussion on the history of the WCWCD and the founder, Wayne Wilson.

IV. Business:

A. Discussion on Toquerville Springs flow monitoring.

Mayor Wilson explained that the City needs to work with Hurricane and Toquerville in monitoring the Springs to ensure the water the District is collecting from Black Ridge, Browse, and others is not impacting the flow of Toquerville Springs.

Doug mentioned that if the flow changes over the next five years, the cities must be compensated for that. He brought that up with the District when he worked for them, and their attitude was that it's the same water, and the cities will still be using it. The big difference is that the District gets the money for it, and the City has to buy it. The other issue is that it would then be above-ground water that would need to be treated where the Springs water does not. There is a master meter in the Spring.

Ken said if there is a meter, we could look at the flow from that point forward.

Mayor Wilson explained we could graph the usage that would provide proof of any change after the District started taking water off Pine Valley, and not letting it go into the ground has caused the Springs to drop drastically below the historical flow.

Doug asked how long a wet or dry year took to affect the Springs.

Don asked if the water from Black Ridge goes into the Springs.

Doug reported the USGS came in and took water samples to determine how old the water was. They reported some of the water coming out of the Springs is so old it wouldn't be affected by drought. That doesn't make sense to him; he has seen a direct correlation between the flow and wet/dry years. Regardless of how old the water is, it is still affected by some pressure systems.

Mayor Wilson thought that Hurricane, La Verkin, and Toquerville had the first right to the culinary water in the Springs. The secondary water that Toquerville has is second, and what will "take the hit" first? His understanding is the District wants to use Toquerville Reservoir water as secondary water for Toquerville. All the Spring water Toquerville is now using as secondary water will be drinking water.

V. Public Concerns for Board Consideration:

No comment.

VI. Board Member Concerns:

Doug asked about the drainage fee on the utility bill.

Mayor Wilson explained the drainage fee maintains the storm drainage system. The City did a study, and that fee will increase for the City to meet the storm drain requirements for the City. It will also require commercial properties to pay drainage and impact fees.

Derek went over some of the upcoming storm drain projects.

Doug asked if La Verkin City charges a transient room tax.

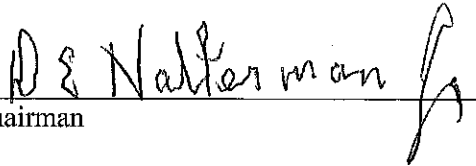
Mayor Wilson replied that we do.

Derek and Mayor Wilson gave an update on the hot springs resort timeframe.

VII. Adjourn:

The motion was made by Mayor Kelly Wilson to adjourn, second by Ken Cox. Mayor Kelly Wilson-yes, Halterman-yes, Cox-yes, Imlay-yes, Valenti-yes, Doug Wilson-yes. The motion carried unanimously at 4:15 pm.

Minutes were taken by Christy Ballard.


Chairman

