The Quarterly Meeting of the Board of Trustees of the Carbon Water Conservancy District was held Tuesday January 16, 2024 in the Downstairs Conference Room at the Carbon County Administration Building, 751 East 100 North, Price, UT 84501.

Present:
Jon Richens, Trustee, Chairman
Daniel Allen, Trustee, Vice Chairman
Gordon Odendahl, Clerk
Russell Seeley, Trustee
Brad Timothy, Trustee
Keith Cox, Trustee, Treasurer

Also Present:
R.J. Davis, Dam Tender
Shawn Johnson, Smuin Rich & Marsing
Janelle Jensen, Assistant Finance Director
Bryan Schmutz, USBR
Bill Butcher, PRWUA
Derris Jones, Assistant Dam Tender

Excused:
Doug Rasmussen, Finance Director
Christian Bryner, Attorney

1. Open Meeting and Introduction of Guests.
Chairman Richens opened the meeting at 3:01 PM and welcomed everyone in attendance. Chairman Richens welcomed Mr. Shaun Johnson from Smuin Rich and Marsing who was in attendance to temporarily fill in for Finance Director Doug Rasmussen who is on vacation. Chairman Richens also recognized Bill Butcher from PRWUA and thanked Mr. Butcher for being a regular at our meetings.

2. Welcome Re-appointed Board Trustee.
Chairman Richens officially welcomed Russell Seeley and thanked him for agreeing to be re-appointed to the board by the County Commissioners and being willing to serve on the board for an additional 4 years.

3. Review and Possible Approval of Minutes from Special Meeting on 12/12/2023.
Trustee Timothy made a motion to approve the minutes as presented. Trustee Cox seconded the motion, and the motion was approved unanimously.

4. Dam Tender's Report – RJ Davis.
Dam Tender RJ Davis reported on current conditions at the dam. Elevation of the Reservoir is 7,614.77 which correlates to 58,257 acre ft. of usable water. The reservoir level has gone up a bit recently. Mr. Davis stated that we are currently releasing 30 second feet to stabilize the elevation.
The most recent SNOTEL readings are as follows:
Mammoth-Cottonwood = 10.4" Snow Water Equivalent = 118% of Todays Median and 56% of Peak Median
Clear Creek = 7.2" Snow Water Equivalent = 91% of Todays Median and 40% of Peak Median
White River =7.8" Snow Water Equivalent = 153% of Todays Median and 68% of Peak Median
Mr. Davis noted that if this pattern holds up like it has been recently, we are going to have a lot of water this spring.

5. Public Comments on Matters Concerning Carbon Water Conservancy District
Note: Public Comments will be limited to 2 Minutes per Person. Public Comments or Requests from the Public may not be voted upon by the CWCD Board at this meeting because they are not listed as Agenda Items for the current meeting.

Bill Butcher from Price River Water Users Association asked why we were releasing 30 cu ft/sec of water at this time of year. Mr. Butcher said that he has already had calls from shareholders asking why water was being released. Dam Tender RJ Davis replied that the during the last 4 weeks the reservoir has come up 1 ft. which only leaves the level of the reservoir at 3 ft. below the spillway, and we do not want to have the reservoir full when spring runoff starts in the spring. Mr. Butcher acknowledged that he knows there is a lot of snow in the mountains now and he agrees with the response. Dam Tender RJ Davis and Assistant Dam Tender Derris Jones told Mr. Butcher that they would include him on the notices that are sent to the USBR when changes are made to the releases from the dam so he would be aware of what was happening when people asked him about the current situation. Mr. Davis stated that Skyline Mine is currently discharging 30 to 35 sec. ft. into the reservoir.

6. <u>Discuss and Possible Approval of 4th Qtr. – YTD Financial Statements - Doug Rasmussen – Janelle Jensen.</u>

Assistant Finance Director Janelle Jensen presented the Financial Statements as of December 31, 2023 for consideration by the Trustees. Ms. Jensen stated page 1 of the Balance Sheet shows the total of all Cash (Checking and Savings Accounts) is $1,807,465 and Total Assets of $4,343,930. Current Liabilities, Long Term Liabilities when combined with the Equity accounts on page 2 total $4,343,930 showing the Balance sheet to be in balance. On the 3rd page is the Combined Profit and Loss Statement. It shows Net Income is $233,384. The P&L Statement by Fund was reviewed including Capital Projects funds, Debt Service and the General Fund as well as a P&L Statement comparing Actual Balances to the Budget. Also included in the reports is a General Ledger Report showing all of the individual transactions for December. Ms. Jensen stated that we recently received a large payment from the County Treasurer for 2023 Property Taxes but it was received in January and is not included in the Financial Statements. Trustee Allen asked about the difference between budgeted and actual expenses, where the budget is higher than actual expenses. Mr. Johnson stated that it is preferable to budget expenses on the high side rather than underestimating expenses on the budget. It helps to cushion unexpected expenses as well as allowing for invoices pertaining to the past year that many times are not received for several months into the new year. This will help to avoid possible regulatory issues with the State Auditors Office or with the annual audit by not going over budgeted expenses. Ms. Jensen also noted that in December we amended the budget and increased the transfer into the Capital Projects Fund. Bill Butcher stated that he is aware that PRWUA paid approximately $16,000 last year for Cost Sharing but he does not see the payment listed on our Income Statement. Clerk Odendahl stated the payment we received last year from PRWUA was actually for the year 2022 and is included in our 2022 reports. We will submit an invoice for 2023 cost sharing once all the expenses are received for this year and we will invoice for 2023 within the next month or two. When payment is received, those numbers will be added to our 2023 Financial Reports. Mr. Butcher stated he was wondering if that was the case, but he just wanted to be sure they were current with their payments. There were no further questions concerning the Financial Statements. Trustee Allen made a motion to accept the December 31st 2023 YTD Financial Statements as presented. Trustee Seeley seconded the motion. The motion was passed unanimously.

7. <u>Upcoming Training Opportunities.</u>

    a. Water & Law Policy Seminar (March 18, 2024)

Chairman Richens stated the Water Law and Policy Seminar is in St. George March 18, 2024.

b. Utah Water Users Association Conference (March 19 to 21, 2024)
Chairman Richens stated this seminar is also in St. George and follows the Law Policy Seminar. Trustee Allen has attended this seminar in the past and Trustee Cox attends every year. Anyone else on the board who is interested is welcome to attend all 3 days of this conference.

c. Dam Tender Training (March 28, 2024)
Chairman Richens stated the date of the Dam Tender Training is unofficial and the location has not been determined yet but there will be a Dam Tender Training later this Spring.

8. Report on Ongoing Business Matters or any New Business.

a. Update on USBR Engineering Work for New Regulating Gate and Actuator
Chairman Richens stated that after meeting with James Sheridan, we are waiting for a revised estimate from the USBR people in Denver.

b. Update on Bathymetry Study Final Report
USBR Liaison Officer Bryan Schmutz stated that at this time there has not been an update from Chris Garcia.

c. Update on Security System Project.
USBR Liaison Officer Bryan Schmutz stated that Erik Peterson is working on the purchasing package now and he is hopeful to have this submitted to purchasing by the end of the month. Mr. Schmutz stated he will keep us updated as he finds out more information.

d. Update on Flow Measuring Device(s)
Chairman Richens stated there has not been any new information from the Colorado River Authority since the last meeting in December.

e. Discuss 2024 Water Share Leasing Plan and Schedule.
Clerk Odendahl stated that in past years it has been difficult to advertise and get all the lease forms processed when we wait until our April meeting to set the lease policy and cost. He would like to get started earlier this year which will allow us more time to place ads and process all the lease documents before the lease deadline is due. Trustee Timothy made a motion to set the lease cost at $25.00 per share and continue on with year two of our "Right of First Refusal Policy" that was enacted last year. Trustee Seeley seconded the motion, and the motion was approved unanimously.

f. Reminder for training requirements and required classes for Board Members.

   i. New Board Member Training (every 4 years)
   ii. Open & Public Meeting Act Training (annually)
   iii. GRAMA training for records officers (annually

Chairman Richens stated that Trustee Russell Seeley will need to take the Board Member Training by the end of the year since he was re-appointed, we will try have a class set up for the group to attend for the Open & Public Meeting Training, and Clerk Odendahl will need to recertify for GRAMA again later on in the year.

g. Discussion and Possible Approval of GRAMA Policy – Revised Version, Christian Bryner.
Chairman Richens stated that Attorney Christian Bryner has advised us that he is still in court. We will table this item until our next meeting.

h. Discussion and Possible of Approval to Initiate a Quote for Audit/Agreed Upon Procedures for 2023 and Possible Scheduling of the Process.

Clerk Odendahl asked if we could get a quote for the Audit/Agreed Upon Procedures and get that process started so we wouldn't have to wait until after the April meeting. The quote could be shared by email with the trustees for approval before any decisions were made. This would help us get started on the process sooner so we will not be pressed for time getting the Audit process completed. A discussion ensued and the Board gave Clerk Odendahl the go-ahead to get a quote and share the results with the trustees for approval. The quote is to be ratified at our next meeting.

i. Possible Approval of 2024 Conflict of Interest Policy – Updated Forms to be Signed by Trustees & Officers.
   Chairman Richens stated this also will have to be tabled until our next meeting as Attorney Bryner has the forms with him and he is still tied up in court.
j. Possible Approval and Updating of Banking Signature Card Policy for 2024.
   Chairman Richens stated this also will have to be tabled until our next meeting when Mr. Bryner is in attendance.
k. Discuss and Possibly Adopting GRAMA Policy.
   This item was a duplicated subject already discussed.
l. Any other items or new business to discuss.
   Trustee Allen asked if there was any new news concerning the Lower Basin Reservoir. Trustee Seeley reported there were really no new developments, but he reviewed the most recent steps that have been taken and are currently being worked on for the benefit of those who may not have been in attendance at our last meeting. He reported things are still moving along and there are several locations still being studied. It is a slow process but things are still moving along. Clerk Odendahl asked if there was a certain dollar amount cost per acre ft of water or some other type of measurement that would determine at what point the project could be considered cost effective, similar to the analysis that would be made by USBR on one of their projects. Trustee Seeley stated that previous studies have shown this project would be more economical than the Lake Powell Project currently being studied elsewhere in the state, but he would look into this further in the future.

9. <u>Adjourn Meeting.</u>
Chairman Richens asked if there was any further business to discuss. There was no further business. Trustee Timothy Made a motion to Adjourn the meeting. Trustee Cox seconded the motion and the motion was approved unanimously. Chairman Richens declared the meeting closed at 3:31 PM.

Chairman

~~Vice Chairman~~
Treasurer