

**MINUTES OF THE GENERAL MEETING
OF THE BOARD OF TRUSTEES OF THE
KANE COUNTY WATER CONSERVANCY DISTRICT
HELD AT THE DISTRICT OFFICE
725 EAST KANEPLEX DRIVE
KANAB, UTAH 84741
SEPTEMBER 12TH, 2024**

The general meeting and public hearing of the **BOARD OF TRUSTEES OF THE KANE COUNTY WATER CONSERVANCY DISTRICT** was held at the Kane County Water Conservancy District (KCWCD) Office, Kanab, Utah on the 12th day of September 2024 at 6:00 P.M. Board of Trustees Chairman Ben Clarkson welcomed the board members.

THE MEETING OPENED WITH THE PLEDGE OF ALLEGIANCE: The board members and employees of the KCWCD participating in the meeting were: Board Chairman Ben Clarkson and board members: Mike Kenner, David Schmuker, Michael East, Clay Hansen, Ferril Heaton and McKay Chamberlain. KCWCD management and staff in attendance included: General Manager, Michael Noel, and Office Manager Amanda Buhler. Contract employees in attendance included Jennifer Stewart. Dirk Clayson and KCWCD Attorney Rob VanDyke were excused. Vern Malloy representing Sunrise Engineering attended the meeting to report on the Duck Creek Village Sewer Lagoon Project and the sewer system project.

AGENDA ITEM NO. 1: APPROVAL OF MINUTES: MOTION: David Schmuker motioned to approve the August 8th, 2024 minutes. Ferril Heaton seconded it. The vote was unanimous in the affirmative.

AGENDA ITEM NO. 2: FINANCIALS:

(a) Amanda Buhler, KCWCD office manager, and General Manager Mike Noel reported on the financials, including assets, liabilities, and the financial balance sheets. State Bank of Southern Utah Enterprise checking account shows -\$1,395,943.34 (not actual number) and the various Public Treasurer's Investment Funds (PTIF) balances total \$5,138,286.93. The district is holding \$1,399,227.14 in checks for reimbursement. The actual current balance of the checking account is \$3,283.80. The income statement shows we completed the FY 2023/2024 budget. We have collected 22% of the projected budgeted water fees for FY 2024-2025.

(b) Amanda Buhler reviewed the check register with the board and called attention to various key transactions on the register. In FY 2022/2023, there were 46 new connections installed in the Johnson Canyon system and 20 new connections in the Duck Creek system. New connections updated as of today for FY 2023/2024 are 25 connections in the Johnson Canyon system and 19 connections for Duck Creek water system and 2 for the Eastern Kane water system. Currently for FY 2024/2025 there are 4 new connections in Johnson Canyon, 7 connections in Duck Creek and 2 connections in East Kane County Water System.

(c) Amanda reported that we received \$11,470.83 in disbursements to date from the Kane County Treasurer, and we currently have received 2% of the total tax revenue. The 2023/2024 total tax

revenue is \$1,101,492.00. The board members reviewed and signed off on the checking account register. Amanda asked all attending board members to sign the two bank statements that she provided for them.

MOTION: Michael East made a motion to approve the financial statement, check register, payment of bonds and bills, and check #s 19076 to 19198. Ferril Heaton seconded it. The vote was unanimous in the affirmative. The board considered all of the financial numbers correct as of September 12th, 2024 presented at the September 12th, 2024, meeting.

Enterprise Fund – Checking # 5110788	\$ -1,395,943.34
PTIF Enterprise - #3697	\$ 59,800.26
PTIF Muni Escrow- #3891	\$ 137,992.10
PTIF Stabil.Cap./Replacement - #3889	\$ 408,383.55
PTIF Total Bond/Res. Accts.	<u>\$ 4,532,111.02</u>
Sub-Total Checking/Savings	\$ 3,742,343.59
Accounts Receivable	\$ 539,975.94
Total Other Current Assets	<u>\$ 551,542.55</u>
Balances/All Funds	\$ 4,833,862.08

AGENDA ITEM NO. 3: JACKSON FLAT RESERVOIR AND KANAB IRRIGATION COMPANY COORDINATION:

(a) Jackson Flat Reservoir water update: Mike reported we are currently at 52% capacity for the year to date. Last year we were at 64%. The lowest year was in 2020 and we were at 44%. It's been a very dry year. The new irrigation pump is still down even though we installed a new set of bowls, new motor, and drive. We have had a difficult time getting the electric pump motor warrantied.

(b) Recreation and Operational Report: Mike reported the monthly Friday night music concerts are over until next Summer. We are happy with the way this activity brought people in the community together. The performances were well attended and fun for everyone. The reservoir has helped not only the irrigation company, but the community as a whole has benefitted from the trail, the events held at the location, and the beautiful surroundings at the reservoir. Mike reported that at least 90% of what we have done at the reservoir has been funded by grants. Mike and Amanda met with the Office of Outdoor Recreation staff this month. They have been very supportive of our projects and they expect to have more funding this year for rural areas. We will be planning for next year's projects. Mike is concerned about 600 plus housing development across the highway from the reservoir and its impact. With many homes likely to be VRBO rentals, we should consider a charge to offset the increased costs from the influx of visitors.

(c) American Water Works Association Conference: KCWCD hosted the AWWA on September 10th-12th in Kanab. There were approximately 300-400 people including the National Vice President from New York and others from Utah and all over the country that attended the various meetings and classes at the convention center. On Wednesday evening the attendees gathered at the concession area for an American Legion 911 remembrance flag ceremony and gun salute. Cast Iron Cooking (Trevor and Jennifer Stewart) were hired by AWWA to prepare a delicious dutch oven dinner the night of the 11th. The Chris Paul Band played for the group. **The week of September 19th, we hosted the Utah Kanab Creek and Virgin River Watershed**

Council for one day at the water district office. Mike gave a report on Kanab Creek and Johnson Creek to the group.

Mike reported on the History Path Project: Mike provided an update that the funding for the history path project signage has been approved by the Kane County Recreation and Transportation Committee, which should be sufficient to complete the project.

(c) Kanab Irrigation Secondary Metering Project Status: Mike reported the metering project is progressing well, with 34 meters installed.

(d) Stella Vista Observatory MOU- Mike and Rob: There has been no updates on this project. We are still waiting on their attorney to approve of the wording in the contract Rob prepared for the District.

MOTION: Michael East made a motion that the General Manager, Mike Noel will take the lead to finalize the agreement with SVO Attorney Nicole Bonham. David Schmucker seconded it. Vote was unanimous in the affirmative.

AGENDA ITEM NO. 4: COVE RESERVOIR EIS: Mike reported the biological assessment was reviewed by Emily Paris an editor/writer and project manager for Eocene. There was a meeting last Thursday and we got the affected environment report and it is being reviewed and all of the comments need to be submitted by next Thursday. The National Park Service will weigh in on the Wild and Scenic River issue, even though the Obama Omnibus bill excludes the Cove Reservoir Project and Zion National Park Settlement agreement with Interior Secretary Bruce Babbitt is very clear on the size and diversion of water that is allowed on the East Fork of the Sevier River. We will consult with Zion National Park management on this issue. We have worked out 90% of the issues with WCWCD on the Memorandum agreement.

AGENDA ITEM NO. 5: JOHNSON CANYON: Mike reported the Permit Evaluation Report has been revised and approved. The well has been drilled and the 100 foot grout has been completed. We are getting ready to set the pump depth and the screen for the new well.

AGENDA ITEM NO. 6: DUCK CREEK VILLAGE/CEDAR MOUNTAIN LONG VALLEY WATER and SEWER SYSTEM:

(a) Mike reported he sent the board members a picture of the progress of the sewer pond. Vern Malloy reported the clay is in place and the rip rap is placed all the way around the pond except for one corner. The corner is where the pipe inlet and concrete splash pad will be located. Vern estimated everything will be done within two weeks except for the fencing around the pond. Mike reported he spoke with the contractor and subcontractor about fixing the leaks going into the pump station building. Precision needs to have that fixed before we give them their retainage. There is also another problem where the sewer pipe goes under the highway at the village. Ben asked Vern what day he plans to have it completed. Dirk and Mike will be going up to camera the pipe and determine where the leak is coming into the pipe. Vern talked to Rod Ence about his concerns with reseeding in the meadow. Vern will talk with Landon about this. Mike Kenner reported when he gave the easement through his property they wiped out his survey stakes. He asked whose responsibility it is to replace the property line stakes. Vern will talk to the contractor about this issue. Mike reported we put in for the funds on the clay. We will pay the Littles as soon as we get the money. Mike received the letter from the USFS concerning the funds they owe for

water usage to the district since 2021 and 2022. Amanda said they will pay the base rate fee for the dump station and then a base rate for all 13 components.

AGENDA ITEM NO. 7: EAST KANE COUNTY WATER SYSTEM: (New Paria and West Clark Bench)

(a) Mike reported he attends the progress meetings every week. New Paria is almost completed, and all of the pipe and the hydrants are in the ground. We received all the grant funding from the division of drinking water that we needed to finish the project. The West Clark Bench project has been slower, but is still on track to be finished this fall. The tank will be poured late September or early October.

AGENDA ITEM NO. 8: DIRECTOR’S REPORT:

(a) There were no board member issues. Michael East reported he would be absent next month.

(b) Next Meeting Date: October 10th, 2024, 6:00 PM @ Kane County Water Conservancy District Office.

MOTION: Ferril Heaton made a motion to adjourn. McKay Chamberlain seconded it. The meeting was adjourned at 8 P.M. on September 12th, 2024, per a unanimous vote.

APPROVED:

Ben Clarkson-Chairman, KCWCD Board of Trustees - Date

Michael E. Noel –General Manager, KCWCD - Date