**Box Elder and Perry Flood Control Special Service District**
**Perry City Offices 1950 S Highway 89**
**5:18 PM Tuesday, October 21, 2025**

**Members Present:** Chairman Bryce Thurgood, Vice Chairman Kevin Pebley, Board Member Paul Nelson, Board Member Michael Harper

**Others Present:** Tyra Bischoff; Board Secretary, David Rogers (Davis & Bott)

**Members Excused:** Board Member Taylor Clark

**1**. **Welcome and Call to Order**
Chairman Bryce Thurgood welcomed everyone and called to order the October 21, 2025, Box Elder and Perry Flood Control Special District meeting.

**2. Public Comment**
None.

**3. Discussion/Action Items**

**A. Tentative Budget for FY 2026 – David Rogers**

David Rogers presented the tentative budget for FY 2026. He explained that the budget document contained two pages: the first page for the general fund and the second page for the capital projects fund. David reviewed the prior year's actual numbers, current year estimates, and the proposed 2026 budget. He noted property tax revenue was estimated at $110,000 for 2026, slightly higher than the current year's $109,000. Interest income was projected to decrease from $9,000 to $8,000 due to lower interest rates and reduced fund balances after capital expenditures. Other operating expenses were estimated at $70,000 for 2026, which he acknowledged might be high but would cover maintenance, accounting, engineering, and other expenses. After subtracting expenses from revenue, the remaining $48,000 would typically be transferred to the capital projects fund. David also stated there were currently no planned capital expenditures for 2026.

Chairman Bryce Thurgood mentioned that Ormond would be performing maintenance work in the coming weeks, costing approximately $20-000-$25,000. Mr. Rogers suggested that these costs would affect the current year's actual figures but not the 2026 budget.

The board discussed potential future projects and agreed it would be beneficial to have Matt inspect all three drainage areas (Matthias, Evans, and Perry Canyon) to ensure water flows properly from the dams to their outlets. They emphasized the importance of being proactive in identifying potential risks.

Chairman Thurgood stated he would contact Matt about conducting these inspections and request a report on potential future projects. David noted the board would need to formally approve the budget at the November meeting.

**B. Agreed Upon Procedures – Davis & Bott**

Daivd Rogers presented the Agreed Upon Procedures report, explaining that entities with expenditures over $300,000 are required to complete this process. He noted that based on the projected budget, the district would likely not need to repeat this next year unless another capital project was undertaken.

Mr. Rogers identified several exceptions in the report:

1. The board does not regularly review financial reports. The recommendation was for the board to review reports monthly of quarterly. The board agreed to implement quarterly reviews.
2. Training requirements: Board members need to complete Open and Public Meetings Act training and Special District training. Board Secretary Tyra Bischoff confirmed she had sent training information to board members. Paul Nelson mentioned he may have already completed some training through other boards he serves on. The board agreed to complete required training before the November meeting.
3. Fraud Risk Assessment: The assessment needs to be presented in a board meeting, and the district needs proper documentation to support “yes” answers on the assessment form. The board discussed the need to develop written policies for conflict of interest, procurement, ethics and fraud reporting.
4. Conflict of Interest Disclosure: Mr. Rogers noted that while smaller districts may be exempt, the report still listed this as an exception. The board discussed potentially adopting Perry City’s conflict of interest policy.
5. Crime Insurance Policy: The public treasurer needs to be bonded. The board would need to contact the Utah Local Government Trust to bond the treasurer.

The board discussed the importance of addressing these exceptions and possibly engaging the city attorney to help develop necessary policies.

**C. Bylaws Draft**

Board Secretary Tyra Bischoff reported that she had drafted bylaws based on old minutes and Utah Code. She sent them to Bill Morris, the city attorney, but had not yet received a response. The draft attempted to follow Utah Code where specified while avoiding overly detailed provisions that might be unnecessarily restrictive.

The board discussed specific issues like quorum requirements, noting that requiring 4 out of 5 members would make it difficult to hold meetings if only one person could be absent. They agreed that having the attorney review the bylaws would be beneficial.

The board also discussed possibly inviting a county commissioner to attend when they formally review the bylaws with the attorney, since the district is a county entity.

**D. Update on Cleanup**

Chairman Bryce Thurgood reported that Matt Robertson called him on his way to the meeting to inform him that Ormond planned to begin cleanup work the following week.

**E. Training**

The board briefly discussed training requirements. Tyra explained that the Open and Public Meetings Act training takes about 10 minutes to complete online. The special district training course is more extensive but can also be done online. Paul mentioned there is an in-person training event in November at the Davis Conference Center. The board agreed members should complete both trainings before the November meeting.

**4. <u>Approving Meeting Minutes</u>**

- September 16, 2025

**MOTION:** Board Member Paul Nelson moved to approve the minutes. Board Member Mike Harper seconded the motion.

**Roll Call:** Chairman Bryce Thurgood, Yes
Vice Chairman Kevin Pebley, Yes
Board Member Paul Nelson, Yes
Board Member Taylor Clark, Absent
Board Member Michael Harper, Yes

**5. <u>Motion to Approve Invoice Payments (Roll Call Vote)</u>**

- Tyra Bischoff - $156.75
- Davis & Bott - $6,000.00
- Jones and Associates (September) – $314.00
- Jones and Associates (August)- $78.50

**MOTION:** Board Member Mike Harper made a motion to approve the invoices. Vice Chairman Kevin Pebley seconded.

**Roll Call:** Chairman Bryce Thurgood, Yes
Vice Chairman Kevin Pebley, Yes
Board Member Paul Nelson, Yes
Board Member Taylor Clark, No
Board Member Michael Harper, Yes

**6. <u>Items for Next Agenda and Board Member Items</u>**

The board discussed items for the next meeting's agenda, including:

- Basin cleanup update
- Budget approval
- Scheduling the attorney to attend a meeting to review bylaws
- Completion of required training
- Approving next year's meeting schedule

The board also discussed the upcoming vacancy due to Chairman Thurgood's planned move to Idaho at the end of the year. They agreed to have the position posted for 30 days in late November, with each board member considering potential candidates who might be interested in serving. They emphasized the importance of personally reaching out to potential candidates before submitting names to the mayor.

Board Secretary Tyra Bischoff mentioned she might eventually pass her board clerk duties to Misty Moesser who has more time available and already handles minutes for the city council and planning committee if the board is okay with that.

**8. Adjournment**

**MOTION:** Board Member Paul Nelson moved to adjourn the meeting. Board Member Mike Harper seconded the motion.

All Board Members were in favor. The meeting ended at 6:04 p.m.