Box Elder and Perry Flood Control Special Service District
Perry City Offices 1950 S Highway 89
5:21 PM Tuesday, January 20, 2026

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

Others Present: Tyra Bischoff; Board Secretary, Toby Wright (City Council), Boyd Bingham (County), Bill Morris (Perry City Attorney), Matt Robertson (Jones and Associates)

Members Excused: Board Member Taylor Clark, Board Member Jake Andrew

1. **Welcome and Call to Order**
Vice Chairman Kevin Pebley welcomed everyone and called to order the January 20, 2026, Box Elder and Perry Flood Control Special District meeting.

2. Public Comment
None.

3. Discussion/Action Items
A. Motion to re-appoint Michael Harper to Flood Control Board
The board discussed the reappointment of Michael Harper to the Flood Control Board.

MOTION: Board Member Paul Nelson made a motion to reappoint Michael Harper to the Flood Control Board. Seconded by Vice Chairman Kevin Pebley.

Roll Call: Vice Chairman Kevin Pebley, Yes
Board Member Michael Harper, Yes
Board Member Paul Nelson, Yes
Board Member Taylor Clark, Absent
Board Member Jacob Andrew, Absent

B. Motion to accept Jake Andrew appointment by City Council to Flood Control Board

The board discussed accepting Jake Andrew's appointment to the Flood Control Board, noting that Mayor Jeppsen had appointed him at the last council meeting and he had already attended a meeting.

MOTION: Board member Paul Nelson made a motion to accept the appointment of Jake Andrew to the Flood Control Board. Seconded by Board Member Michael Harper.

Roll Call: Vice Chairman Kevin Pebley, Yes
Board Member Michael Harper, Yes
Board Member Paul Nelson, Yes
Board Member Taylor Clark, Absent
Board Member Jacob Andrew, Absent

C. Motion to appoint new Chairman/Vice-Chairman/Treasurer to Flood Control Board

The board discussed the appointment of officers, with Kevin Pebley willing to serve as both Chairman and Treasurer temporarily (until the board did the special service district training to determine whether the Chairman could be both chair and treasurer), and Michael Harper as Vice Chairman. It was noted that the bank would need meeting minutes documenting these appointments, particularly for adding Mike as a signature on the checking account.

MOTION: Board Member Paul Nelson made a motion to approve Kevin Pebley as Chairman/Treasurer and Michael Harper as Vice Chairman. Board Member Michael Harper seconded the motion.

Roll Call: Chairman Kevin Pebley, Yes
Vice Chairman Michael Harper, Yes
Board Member Paul Nelson, Yes
Board Member Taylor Clark, Absent
Board Member Jacob Andrew, Absent

D. OPMA Training – Bill Morris

Bill Morris conducted the annual Open and Public Meetings Act (OPMA) training, which is required for all public officials. He covered five key parts of the act: what constitutes a meeting, public notice requirements, minutes and recordings, closed meetings, and enforcement.

Morris explained that all meetings must be open to the public with few exceptions, proper notice must be given, and minutes must be kept. He outlined the limited situations where closed meetings are permitted and discussed the enforcement of the act. He also addressed how to handle disruptive attendees at meetings, noting that while extreme cases are rare, the board had the right to ask disruptive individuals to leave.

E. Bylaws
Board Secretary Tyra Bischoff presented draft bylaws for the district, with Bill Morris providing guidance. The board discussed the composition of the board, noting that according to section 3.1, it should consist of five people appointed by the mayor and approved by the city council, plus one non-voting member from the city council.

The board decided to modify the bylaws to add a second non-voting member from the county commission. They also discussed making these non-voting members into alternates who could vote if needed to reach a quorum. The board agreed that a quorum would be three voting members, and the city representative would be the first alternate to vote if needed, followed by the county representative.

Other bylaw sections discussed included officer positions, meeting procedures, and record-keeping. Tyra will modify the bylaws based on the discussion and present them at a future meeting for approval.

F. EAP- Emergency Action Plan Update – Matt Robertson
Matt Robertson reported that he was still waiting for guidance from the state regarding whether the Emergency Action Plan needs a complete overhaul or just updated contact information. The current plan is more than 20 years old though it was updated with contact information in 2014.

The board decided that Matt's office would update the contact information in the current plan using the state's templates and submit it this month, then continue to investigate whether more substantial updates are needed. The updated plan will be presented at the next meeting.

G. Project Update Overview Report to take to City Council – Matt Robertson

The board discussed preparing a presentation for the City Council about the Flood Control District's activities, particularly focusing on the Matthias and Evans expansion projects. They decided Matt Robertson would present to the City Council on February 26th, after reviewing the presentation at the February 17th board meeting.

Matt showed maps outlining the district's areas of responsibility, which include the main drainages coming out of Perry Canyon, Evans, and Matthias. The maps indicated shared responsibilities with Perry City for certain areas where city infrastructure connects to these drainage systems.

H. Bench Road Update – Matt Robertson

Matt Robertson reported on issues with the second bench road, where water runoff is causing erosion. He had spoken with Darren McFarland from the county about a spot that had been repaired previously but is experiencing similar problems again. The county road crews had previously filled in and banked up the area to keep drainage on the road, but it appears the fix was not sufficient.

The board discussed potential solutions, including installing a culvert or creating better drainage. Matt will coordinate with Darren to inspect the site and develop a better plan. Board members expressed interest in joining the site visit when it is scheduled.

I. Special Service District Training

Board Secretary Tyra Bischoff reported that only Paul and Mike have completed the required Special Service District training, which is good for four years. The remaining board members, including Kevin, Taylor, Jake and Tyra, need to complete the training. The board discussed options for completing the training, including doing it individually online or as a group. Tyra will coordinate scheduling for those who need to complete the training.

<u>4. Approve Meeting Minutes</u>

- December 16, 2025

MOTION: Vice Chairman Mike Harper moved to approve the December 16, 2025 meeting minutes. Board Member Paul Nelson seconded the motion.

Roll Call: Chairman Kevin Pebley, Yes
Vice Chairman Michael Harper, Yes
Board Member Paul Nelson, Yes
Board Member Taylor Clark, Absent
Board Member Jacob Andrew, Absent

5. Motion to Approve Invoice Payments (Roll Call Vote)

- Jones and Associates – $549.50
- Tyra Bischoff - $93.98

MOTION: Board Member Paul Nelson made a motion to approve the Invoice payments. Vice Chairman Mike Harper seconded.

Roll Call: Chairman Kevin Pebley, Yes
Vice Chairman Michael Harper, Yes
Board Member Paul Nelson, Yes
Board Member Taylor Clark, Absent
Board Member Jacob Andrew, Absent

6. Items for Next Agenda and Board Member Items

The Board discussed several items for the January meeting**:**

- Emergency Action Plan Update
- Review of the City Council presentation
- Bench Road situation update
- Fraud Risk Assessment presentation
- Possibly bylaws, depending on when training is completed

7. Adjournment

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

All Board Members were in favor. The meeting ended at 6:21 p.m.