

Box Elder and Perry Flood Control Special Service District
Perry City Offices 1950 S Highway 89
5:26 PM Tuesday, August 18, 2026

Members Present: Chairman Kevin Pebley, Board Member Paul Nelson, Board Member Jacob Andrew, Board Member Taylor Clark
Vice Chairman Michael Harper joined by phone

Others Present: Tyra Bischoff; Board Secretary, Council Member Toby Wright, Joe Cloward (Jones & Associates)

Members Excused: County Commissioner Boyd Bingham

1. Welcome and Call to Order

Chairman Kevin Pebley welcomed everyone and called to order the August 18, 2026, Box Elder and Perry Flood Control Special District meeting.

2. Public Comment

None.

3. Discussion/Action Items

A. EAP – Emergency Action Plan Update

Joe Cloward from Jones and Associates arrived during the meeting (at 5:32 p.m.) and presented a draft of the Emergency Action Plan document prepared using the Division of Water Rights template. Printed copies were distributed to board members present, with a copy reserved for Vice Chairman Mike Harper.

Joe walked the Board through the key components of the plan, which included an introduction to the scan area, a simplified emergency response flowchart, emergency contact information, and a notification flow chart. The primary emergency contacts identified in the plan are Perry City Police, Zach Allen (Perry City Public Works Director), Jamie Peterson (Dam Safety support), and Mark Millett (Box Elder County Emergency Manager). The plan also includes an appendix of approximately 295 downstream property owners who could be affected in an emergency, with a prioritized short list of 18 most directly impacted properties.

The Board discussed the downstream contact list, acknowledging that some property records may be outdated – reflecting deceased owners or absentee landowners - as the list was derived from GIS and tax records. The consensus was that maintaining a perfectly current list was impractical, and that in a true emergency, the primary response mechanism would be an emergency broadcast text to the broader community, supplemented by door-to-door notification for the most immediately affected properties. The Board also noted the availability of an inundation map that could be distributed digitally in such an event.

The Board reviewed the supplies and resources section (page 12), which had not yet been fully completed. The following resource assignments were discussed and provisionally agreed upon: Perry City and Ormond for earth moving equipment and sandbags; Geneva Rock for sand and gravel given their proximity to the pit; Mountain Land Supply for pipe, with a request to also contact Jared Gallegos (a local contractor with equipment, and Chad Braegger as additional alternates; Ormond and Perry City for pumps; and Mark Millett/Darren McFarland for Box Elder County resources. Chairman Kevin Pebley agreed to contact Jared and Chad to confirm their willingness to be listed as emergency resources prior to finalization.

For the individual responsibilities section, Zach Allen was assigned city communication and emergency response coordination; Perry City Police was assigned public outreach; and Chairman Kevin Pebley was listed as Board Chair representative. Joe also noted that the EAP's primary purpose is proactive – providing step-by-step guidance for staff in recognizing and responding to conditions such as erosion, seepage, or earthquake damage – rather than solely a public notification document.

The Board agreed that a physical copy would be kept on file at Perry City offices and available upon GRAMA request, with consideration of posting a hyperlinked PDF on the District's existing city webpage. The Police Department was also identified as a potential recipient.

It was agreed that EAP would be finalized-incorporating the contractor confirmations – and brought back at the next meeting for formal adoption.

B. Yearly Maintenance – Tree Update

Joe reported that he had consulted with Tyson (at his office), who authored the source protection plan for the nearby culinary well. It was determined that while the source protection plan explicitly prohibits pesticides, it does not prohibit herbicides. Accordingly, the Board concluded that it is permissible to apply herbicide such as Roundup to the sumac trees growing near the well site. Board Member Taylor agreed to carry out the treatment. The Board noted the importance of using a water-safe formulation given the proximity to the wellhead, and it was suggested that Taylor coordinate with Zach Allen to confirm the specific product to be used and whether the flood board should purchase the chemical. This item was tabled to the September meeting for a status update.

C. Sinkhole Update

Joe reported that he had visited the site and directed Ormond to excavate behind the inlet box at the upper spillway. He found that the grout around the pipe at the box had deteriorated significantly, allowing water to seep from outside the box into the box and carry sediment with it - which was the cause of the sinkhole. Ormond grouted around the pipe and filled the backside with concrete. Joe confirmed this work was covered under the existing contract at no additional cost. The Board confirmed the matter resolved.

D. Discuss CD Options

Board Member Mike Harper (by phone) and Chairman Kevin Pebley reported that the district currently holds approximately \$182,147.39 in a money market account earning 0.8% APY, and a separate CD maturing January 17 that holds approximately \$60,009.30, currently past its grace period. The Board discussed options for improving the return on the money market funds.

It was proposed to transfer the money market balance into a “Premier Savings” account offering 2.38% APY, providing meaningfully improved returns while maintaining flexibility to transfer funds into checking as needed to cover operating expenses. The Board confirmed with Board Member Mike Harper that he was confident funds could be moved from the Premier Savings to checking on demand, and that he would verify this before executing the transfer. The CD was recommended to remain in place, as breaking it would incur a penalty.

MOTION: Board Member Paul Nelson made a motion to leave the existing CD in place and transfer the money market balance of approximately \$182,147.39 into a Premier Savings account. Board Member Taylor Clark seconded the motion.

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

4. Approve Meeting Minutes

- July 21, 2026

MOTION: Board Member Jacob Andrew made a motion to approve the July 21, 2026 meeting minutes. 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, Yes
Board Member Jacob Andrew, Yes

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

- Jones and Associates – 255.25
- Davis & Bott - \$465.00
- Utah Local Governments Trust - \$4940.83
- Tyra Bischoff - \$99.75

The Board noted that the Utah Local Government Trust payment is an annual insurance obligation. Board Secretary Tyra Bischoff indicated she would process the trust payment online and confirmed there were sufficient funds in checking account (balance of \$11,005.43) to cover it. She agreed to process the payment and provide printed confirmation.

MOTION: A motion was made by Paul Nelson to approve payment of the invoices as presented. It was seconded by Board Member Taylor Clark.

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

6. Items for Next Agenda and Board Member Items

The Board noted that the ditch cleaning work performed by Ormond – including through Cherry Ridge – appeared complete and looked very clean. Joe confirmed Ormond had finished the work but that the final pay request had not yet been submitted. There was a minor concern at a culvert crossing on Maddox Lane, which had been reported to Zach Allen. Chairman Kevin Pebley indicated that he would follow up with Zach on that item.

- Tree (sumac) treatment update
- Finalization and formal adoption of the Emergency Action Plan

7. Adjournment

MOTION: Council Member Taylor Clark made a motion to adjourn the meeting.

All Board Members were in favor. The meeting ended at 6:17 p.m.