



City of LaVerkin

435 North Main St., LaVerkin Utah, 84745

(435) 635-2581 Fax (435) 635-2104

www.laverkin.org

LAVERKIN CITY WATER BOARD MINUTES

Wednesday, October 24, 2018 3:00 p.m.

435 North Main Street, LaVerkin, UT

Present: Alan Olsen, Anna Andregg, John Valenti, Richard Hirschi, Derek Imlay, Kyle Gubler, and Christy Ballard.

Richard Prince and Kelly Wilson were excused.

I. Call to Order by Mayor Richard Hirschi at 3:06pm.

II. Approval of Minutes: June 27, 2018 minutes.

Anna Andregg made a correction to the minutes. The minutes state it has been 18 years since the last water rate increase and that number is wrong. It has been 8 years since the culinary water, drainage and the stand by fees were all increased.

Motion was made by Anna Andregg to approve the June 27, 2018 minutes as corrected, second by Kyle Gubler. Gubler-yes, Olsen-yes, Valenti-yes, Imlay-yes, Hirschi-yes, Andregg-yes. Motion carried unanimously.

III. Reports:

A. Financials:

Kyle will email the financials to the Board members. The funds are in good shape except for one line in the Water Fund. The Fund is not over budget, but the Repair line item is over from the water break on State Street. The cost of that repair was approximately \$30,000. The total budget for repairs is \$15,000.

Repairing the line that broke was at the top of the project list after the water rate increase goes into effect. The remaining line will still need to be raised and replaced.

He explained the location of the 12" main water line break.

There will be a budget amendment at the end of the year and money will be transferred to cover the cost of the break.

The water rate increase goes into effect on November 1st.

B. Water Contracts:

Kyle passed out the list of people wanting to sell their water shares and people that are delinquent on their water share bill.

Alan Olsen asked if large property owners are required to have shares.

Kyle said no, they can rent water from the City. They would need to rent enough to cover their property.

C. Culinary Water Management update-Derek Imlay

Kyle already reported on the break.

D. Irrigation Water Management update-Derek Imlay

Derek reported irrigation is doing good. The City has lost two motors because of the turbidity from the rainstorms.

The water will go out of the system on November 15th unless the Washington County Water Conservancy District takes it out sooner.

The crew will be flushing the irrigation lines the week of the 15th.

The City does try to leave the water in as long as possible during rainstorms. There are several indicators that he watches, such as the turbidity of the water and once that gets too high the irrigation water is turned off.

The remaining two motors should be fine for remainder of the year.

They are industrial strength motors.

Kyle said ideally, we would have a settling pond, but they are expensive. There has been talk of getting our irrigation water from Anderson Junction when that reservoir is built but he is concerned with La Verkin City losing their water right to do that.

Anna Andregg asked if the District will stabilize the ground before the reservoir is built.

Kyle explained the reservoir will seep on purpose to replenish the aquifer.

Derek reported Sand Hollow does that same thing and that helps Hurricane replenish their water.

IV. Business:

1. Discussion and possible action to move forward in reviewing Secondary Water rental accounts and delivery contracts.

Kyle explained the City sent out a letter several months ago to about 20 shareholders stating the City has reviewed their accounts and they do not have enough water shares to cover their property and their water bills were adjusted accordingly. The City did not follow the proper procedures in how that was done so they sent out another letter and the bills were credited. Kyle has spoken with a water attorney to make sure the City follows the correct process in the future.

What staff would like from the Water Board is direction on whether to proceed and if so, how would they like to proceed. There would need to be a unit of measurement determined.

According to the water attorney, in the west where secondary water is not metered, it is normally based on land size not gallonage or acre-feet.

The way the City has been measuring it was by lot size. If you have one acre you need one share or delivery contract.

Technically water shares went away when the City purchased the Canal Company. The City owns all the water and "shareholders" have a delivery contract with the City.

One of the suggestions from staff was to have the person who has a ¼ acre of property but is only watering a lawn and little garden show proof to the City that they don't need that many shares. He does not want that burden put on the City, it needs to be on the property owner.

Historically La Verkin has gone with one share equals one acre but after talking with the water attorney one share is equivalent to .7 acres.

Kyle explained this would not affect people who want to own additional shares as an investment only people with not enough shares to cover their property.

John said he has 1 3/4 acres and one share of water but most of his property is irrigated mainly with drip lines. The one share equivalent to 1.5 million gallons is enough for him to water 40 trees. His question is, does he have to buy an additional share at \$2,000 or rent additional water for approximately \$50 per month when he doesn't and isn't going to use that water.

Kyle said the problem is this, the water attorney told him a water share does have a gallonage assigned to it but until that water is metered the City has no way to determine the usage. Currently there is not a meter capable of handling water from the Virgin River.

John pointed out there are some people that don't water their property at all so to automatically set a standard where people need an equivalent amount of water to their land wouldn't be fair.

Kyle responded people have the option to not connect to the irrigation system. The City would not require them to connect.

Alan said it would be too difficult for the City to determine each person's water usage.

Kyle said the contract holder would need to have the burden of proof. We are dealing with a measurement system from when land was flood irrigated and the State has never modified it.

Derek pointed out that when a citizen comes in and states they are watering a 12x12 area and the City adjusts their water bill accordingly and then down the road increases the area they are watering the City would never know.

Kyle said every year the citizen would need to re-establish use.

Anna asked why the City is trying to change the system if the old way has worked up to now.

Kyle explained there are people who have more acreage than they do water shares, so the City is trying to come up with a system that is as fair as possible for everyone.

The City has plenty of water right now but eventually the City will need to purchase more. He thinks metering secondary water will come eventually and at that point people will use less water and the City will have the ability to track the amount each property owner does use. He would like to stay away from metering the water as long as possible because of the cost of installing them but he feels eventually the State will require it. Hopefully they will help communities pay for it.

Derek said if the City starts adjusting bill amounts for water usage that money will need to be made up somewhere else because we can't decrease the amount of money coming in.

Anna said the only way to do it would be to keep the share amount and property amount equal so if more water was needed the property owner would need to purchase or rent it. There is no way to determine how much water an individual uses.

Kyle explained $\frac{1}{4}$ share covers anything under .74 acres. After that $\frac{3}{4}$ share covers .75 to .99 acre, etcetera.

Derek asked if the measurement would stay the same being one share equals one-acre foot of water or if the Board would like to change to one share equals .7 acres.

Kyle recommended keeping that the same as one-acre share equals one-acre foot of water for the ease of figuring.

Anna would like to leave the measurement as one share to one acre.

John did not want to be forced to purchase additional water for his acreage when he is not watering the entire parcel.

The Board continued the discussion on whether to charge people per acreage and the possibility of allowing them to prove to the City the amount of property being watered.

Kyle pointed out there is not a complete solution to the problem until the State requires secondary water to be metered. At that point the entire billing system will change and the irrigation water will be charged by the gallon.

The Board members decided against making any changes until the State requires secondary water metered.

V. Public Concerns for Board Consideration:

No comments were made.

VI. Board Member Concerns:

Kyle reported Kelly Wilson asked him to discuss the possibility of putting all of the City rights under one City umbrella which it currently is not. Mr. Wilson spoke with a water attorney and he recommended the City do that. Right now, the water rights are for the La Verkin Bench which is in the valley, if the topside is ever built the water rights would not cover that area. However, if it was all under one umbrella it would protect the water rights and give the City more flexibility to do what they want with the water they have.

Mayor Hirschi stated we need to do whatever is necessary to protect La Verkin's water rights.

Anna would like to know the cost before a decision is made.

John asked if the irrigation system has a study like the culinary water study.

Kyle reported 8-10 years ago there was a study done for a new secondary water system that came in at 3.5 million dollars.

Any repairs that are done we try to update the line.

There was a discussion on the liability of the City if we moved irrigation lines.

VII. Adjourn:

Motion was made by Anna Andregg to adjourn, second by Alan Olsen. Andregg-yes, Valenti-yes, Olsen-yes, Imlay-yes, Gubler-yes, Hirschi-yes. Motion carried at 4:51pm.

Minutes were taken by Christy Ballard.


Chairman