

# WEBER-BOX ELDER CONSERVATION DISTRICT

## MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES

**TIME & PLACE** Tuesday, January 10, 2023 at 3:10 p.m. the Board of Trustees of the Weber-Box Elder Conservation District convened in a regular monthly meeting. This meeting was held in the district office at 471 West 2<sup>nd</sup> Street, Ogden, Utah.

**ROLL CALL** **Board members in attendance:**

David S. Humphreys (Chairman)  
Paul W. Nelson (Vice Chairman)  
David R. Hall  
James Hill  
Marci Doolan

**Staff members in attendance:**

Benjamin D. Quick (General Manager/Treasurer)  
Tamera Martinson (Office Manager/Secretary Clerk)

**Others in attendance:**

Mark Hodson (President, Ogden River Water Users' Association)  
Joseph Bauman (Chairman, South Ogden Conservation District)  
Helen Taylor

**MINUTES** The amended minutes of December 13, 2022 were approved upon the motion of David Hall and seconded by Paul Nelson. David Humphreys, Paul Nelson, David Hall, James Hill and Marci Doolan passed the motion with an affirmative vote.

**REFUND** **Previously:** Helen Taylor, the previous owner of Parcel #16-037-0020, submitted a refund request to Tamera Martinson for the water fees that have been paid to the district on this property for the past 35 years. She explained that there was no water provided to this property; therefore, she should be refunded for all of the water fees that were paid on this property.

After reviewing the property and the water charges, the district has not been able to deliver water to this property due to lack of infrastructure; however, water was allocated to this property back in 1985. Because water is allocated to the parcel, the owner of the property would be assessed water fees on a partial assessment. In researching the water fees, it was found that the owners of this property were assessed on a full assessment and the fees should have been based on a partial assessment; therefore, Mrs. Martinson offered Mrs. Taylor a refund on the difference from a full assessment to a partial assessment for the four most recent years that have been paid (\$1,134.32). Mrs. Martinson explained that the district follows the Utah Statute of Limitations of four years under Utah Code 78B-2-307 when issuing refunds and that if the Board were to issue refunds for fees beyond that it would set a precedence on refunds for the future. After hearing the decision of the office manager, Mrs. Taylor requested to be put on the agenda for the Board of Trustees Meeting in order to appeal this decision.

**Board Meeting:** Tamera Martinson began by informing the Board of what had previously taken place regarding Parcel #16-037-0020. Chairman David Humphreys allowed Helen Taylor to present her refund request before the Board. Benjamin Quick informed the Board that the district has issued refunds up to five years in the past. After Board discussion, James Hill made a motion to refund Helen Taylor \$1,428.03 for the difference between the full assessment and the partial assessment on the last five years (2017-2021) that she paid on the parcel. The motion was seconded by Marci Doolan. David Humphreys, Paul Nelson, James Hill and Marci Doolan passed the motion with an affirmative vote. David Hall abstained due to conflict of interest.

## **WATER**

Due to lack of time and that it had been presented in prior meetings, the water report was not presented in this meeting.

Precipitation for December was 4.03 inches and 2.89 inches month-to-date. The Ogden River Water Users' Association had 23,768 acre feet of water in the reservoir at the end of December.

## **UASD**

Paul Nelson made a motion to appoint Tamera Martinson as the district's representative to the Utah Association of Special Districts and to have Benjamin Quick serve as an alternate. He also motioned to approve and pay the dues for 2023. The motion was seconded by James Hill. David Humphreys, Paul Nelson, David Hall, James Hill and Marci Doolan passed the motion with an affirmative vote.

## **BOARD OF TRUSTEE**

**FEE SCHEDULE** The fees paid to the board members for the monthly Board of Trustees meetings were discussed. A motion was made by James Hill to increase the board member fees from \$250 per monthly meeting to \$300 per meeting. The motion was seconded by Marci Doolan. David Humphreys, Paul Nelson, David Hall, James Hill and Marci Doolan passed the motion with an affirmative vote.

In addition, James Hill made a motion to increase the additional meeting fees from \$100 to \$150 per meeting. The motion was seconded by Paul Nelson. David Humphreys, Paul Nelson, David Hall, James Hill and Marci Doolan passed the motion with an affirmative vote.

## **PETITIONS**

There was one petition for inclusion presented to the Board. After Board discussion, a motion was made by James Hill to include the petition (#3565) into the district. The motion was seconded by Paul Nelson. David Humphreys, Paul Nelson, David Hall, James Hill and Marci Doolan passed the motion with an affirmative vote.

**METER TECHNICIANS**

Benjamin Quick explained the need to hire two Meter Technicians in order to move forward with the district's meter installation project. After Board discussion, Paul Nelson made a motion to approve the hiring of two full time Meter Technicians. David Hall seconded the motion. The motion was approved with David Humphreys, Paul Nelson, David Hall, James Hill and Marci Doolan voting in the affirmative.

**GENERAL MANAGER'S  
REPORT**

Benjamin Quick informed the Board that Nicholas Boccia, a valued employee that was working in the Engineering Department, passed away on December 31, 2022.

Mr. Quick discussed the progress that has been made on preparing for the bond closing for the secondary water meter project.

**BILLS**

The attached certified list of bills for December/January were presented for approval upon the motion of David Hall. The motion was seconded by James Hill. David Humphreys, Paul Nelson, David Hall, James Hill and Marci Doolan passed the motion with an affirmative vote.

**ADJOURNED**

Having no other items to discuss, the meeting adjourned at 4:30 p.m. with a motion from Paul Nelson. The motion was seconded by James Hill and unanimously passed by those in attendance.

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Tamera Martinson, Secretary-Clerk

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David S. Humphreys  
Chairman

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Benjamin Quick  
General Manager