

City of La Verkin

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LA VERKIN CITY WATER BOARD MINUTES

Thursday, February 23, 2023, 3:00 pm.

111 South Main Street, La Verkin, UT

Present: Doug Wilson, Kyle Gubler, Kelly Wilson, Derek Imlay, John Valenti, Kenneth Cox, Don Halterman, and Christy Ballard.

I. Call to Order:

The meeting was called to order by Don Halterman at 3:02 pm.

II. Council appointment of new Board Members:

- Swearing in

Doug Wilson is the newest member of the Water Board.

The City Recorder swore in all members of the Board.

III. Approval of Minutes: October 27, 2022, minutes

Doug mentioned the old oil well Mayor Wilson talked about under item D is the McCulloch Well.

The motion was made by Kyle Gubler to approve the October 27, 2022, minutes to include the McCulloch Well under item D, second by Ken Cox. Mayor Kelly Wilson-yes, Imlay-yes, Gubler-yes, Valenti-yes, Cox-yes, Halterman-yes, Doug Wilson-yes. The motion carried unanimously.

IV. Reports:

A. Water Purchase:

Kyle passed out the water purchase reports. One report is a list of irrigation shares purchased by the City since February 2021. The second sheet is a list of people who are interested in selling their water shares and a list of people who have delinquent irrigation accounts.

B. Virgin River Distribution System Water Users meeting:

Kyle attended this meeting on behalf of the Mayor. It was a report from the area water manager, Dave Jessop. The snowpack on Kolob was at 200% at the time of the meeting.

C. Culinary Water Management update:

Derek reported there had been an excessive amount of water breaks this year, including two on SR17. The first SR17 repair took the entire budget. Additional money was added during the last budget amendment, which has been spent with four months still remaining in the budget year.

He reported on the major breaks/sinkholes. He also gave a history of the defective pipe the City has been dealing with for several years.

D. Irrigation Water Management update

Derek reported the City was able to rebuild all three filters. Originally it was going to be from the middle down, but they will end up replacing the top three shafts, the gearboxes, and all three motors. Those parts will not be in until the end of March, so we will start the season with two filters using old parts and a couple of extra parts the City already has.

The crew will start bringing the water in on March 6th to identify breaks and get them repaired before the 15th deadline. He is anticipating multiple breaks from the colder weather.

They did a fifteen-inch repair on the main line on 100 East at the end of the season last year.

Derek explained the City doesn't have enough valves in our system to isolate specific areas, so often, large areas must be shut down while breaks are getting fixed.

V. Business:

A. Discussion and possible action to recommend approval of a resolution increasing the excess water use surcharge.

Christy passed out a copy of an updated resolution.

Mayor Wilson explained the first part of the resolution deals with excess water usage for existing customers that have already been approved and puts a \$1.00 per thousand-gallon surcharge on individuals using more than 36,000 per month.

The second part of the resolution is an excess water surcharge for any new construction after January 1, 2023. The threshold amount for homes without access to a secondary water system will be tiered for Spring, Summer, Fall, and Winter. Homes with access to secondary water will have a threshold of 8,000 gallons per month. Anything over the threshold will be charged \$10 per thousand gallons.

The footnotes clarifying the difference were added to the resolution and were the only change.

The City Council will vote on this resolution at the March 1st meeting.

Mayor Wilson heard the Water District unapproved the City's landscaping ordinance. The District gave the City that ordinance we "tweaked" a little for our city because of the secondary water system. The District was okay with our changes, but now we hear they may not be. If that is the case, the City may have some opposition to the surcharge. The District said the money from the surcharge would be used for conservation.

Kyle said that Hurricane reported if the District doesn't approve the community's landscaping ordinance, the money collected from the surcharge from that community won't be eligible for any of that community's citizens.

Mayor Wilson is meeting with the District tomorrow and will find out and issue the same complaint that Hurricane has if the ordinance has been unapproved.

If someone wants to eliminate lawns, the District will pay them \$2.00 per square foot, with money collected from the surcharge. If our citizens won't qualify for that money, why would we collect the surcharge for the District?

Hurricane is proposing that their surcharge money will stay in Hurricane, and they will use it for conservation.

Doug stated that is taxation without representation.

He also asked if the billing software could handle different rates.

Kyle said it will. It would require some extra work on the city's part.

He also suggested approving this resolution contingent upon having an approved landscaping ordinance through the Water Conservancy District.

Doug asked if the City still required .89 Equivalent Residential Units (ERUs) for each residential connection.

Mayor Wilson answered this would change that to .59 ERUs for new construction. This includes secondary water, but we have no way of measuring that.

The motion was made by Ken Cox to recommend approval of a resolution increasing the excess water use surcharge contingent on having an approved landscaping ordinance through the Washington County Water Conservation District, second by John Valenti. Halterman-yes, Cox-yes, Doug Wilson-yes, Valenti-yes, Gubler-yes, Imlay-yes, Mayor Kelly Wilson-yes. The motion carried unanimously.

B. Discussion and possible action to recommend approval of the Washington County Water Conservancy District's Drought Contingency Plan.

Mayor Wilson reported several communities in the County get their water from the WCWCD.

La Verkin City is probably the best shape for growth because we still have water rights in the springs. Once those are used, we must purchase additional water from the District.

He has proposed to the District that La Verkin gives unused irrigation water to the District and buy back culinary water from them. Zach was not willing to make that commitment.

The District has also never provided anything showing the 1999 agreement is void.

Doug said Springdale had built a plant that converts irrigation water to culinary water.

The fact the District took La Verkin's money for all those years and having good records of that helps us regarding the 1999 agreement.

Don asked what the District was building by Cottam Well.

Mayor Wilson replied it is a 3-million-gallon storage tank. They will pump water from the treatment plant at Quail Lake to Cottam Well to service our area.

The Drought Contingency Plan has not been finalized. This plan sets trigger points and stages for when the County is in dire straits, and there is not enough water for everyone. The stages set restrictions.

His question is whether we want to give all the power to the Water District without input from the cities. He feels like the communities should all have a say.

Kyle mentioned that one good thing about the plan is that all communities within the District do the same thing when a drought trigger is determined.

VI. Public Concerns for Board Consideration:

Doug said that one of the projects he worked on at the Conservancy District was the Ash Creek Pipeline. One of the biggest issues they got stuck at was the hydrology report. That report was linked to the NEPA because they were worried about taking water out of the Virgin River.

No one could definitively answer where all the water goes from the four tributaries. It comes over the gravel fields and across the sandstone, disappearing into the Navajo aquifer, never making it to Ash Creek.

The District had a figure of how many acre-feet and filed on that water.

He did a lot of research trying to find that water. One of the theories that couldn't be approved or disproved is that the water comes up in the Toquerville Springs. USGS tested water in Toquerville Springs to gauge the age of the water. All newer water comes out of the Navajo sandstone, which is where that water disappears into.

La Verkin has water rights in those springs, and a lot of those water rights are based on the percent of flow.

La Verkin needs to consider getting compensated out of Anderson Junction Reservoir if those springs start to diminish their flow.

The City needs to start keeping track of the flow of Toquerville Springs. We should have something in place to fight it if the flows begin to go down after the District turns Ash Creek online.

Kyle mentioned Hurricane and Toquerville would be interested in this as well.

Mayor Wilson suggested all three communities put something together putting the Water District on notice.

Doug said we need to hire a good hydrologist, attorney, and engineer to draft that document.

Ken agreed that the City needs to protect itself and be ready for something like that.

Mayor Wilson explained the Toquerville irrigation system is drawing water out of the springs. They want to switch that to the Toquerville reservoir. Those irrigation water rights will take the hit before Hurricane, La Verkin and Toquerville's culinary water rights do.

This item will be on the next meeting's agenda.

VII. Board Member Concerns:

Doug asked about the 30 water shares the District purchased discussed during the last meeting.

Kyle explained the Water District purchased 30 shares (delivery contracts) in the La Verkin system from the Virgin River Land Preservation Association.

The District thinks it can use that water where ever they want, but the contract between the La Verkin Canal Company and the City of La Verkin states La Verkin owns all the water. We provide delivery contracts for the La Verkin bench.

Doug suggested the City get that water back for use in our system. That would help the City offset our culinary use.

Mayor Wilson has suggested that to Zach Renstrom, but he doesn't want to give them to the City.

The City will fight him if he tries to use that water somewhere other than in La Verkin.

Over the last ten years, the City has had an average of 700 acre feet of unused water each year. If the City owns the rights, we can keep that water for future growth.

Ken reported one of the reasons the La Verkin Canal Company gave the water to the City was to protect it from the State taking it.

There was a discussion on watering Confluence Park.

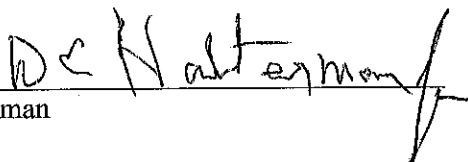
Doug said during the last meeting, Kyle mentioned trading Virgin River water for Anderson Junction water, and he doesn't feel that would be a good trade.

Mayor Wilson explained it would not be a water rights trade.

VIII. Adjourn:

The motion was made by Mayor Kelly Wilson to adjourn, second by Ken Cox. Gubler-yes, Mayor Kelly Wilson-yes, Halterman-yes, Cox-yes, Imlay-yes, Valenti-yes, Doug Wilson-yes. The motion carried unanimously at 4:11 pm.

Minutes were taken by Christy Ballard.


Chairman