



State of Utah

Department of
Environmental Quality

Richard W. Sprott
Executive Director

DIVISION OF DRINKING WATER
Kenneth H. Bousfield, P.E.
Director

Drinking Water Board
Anne Erickson, Ed.D., *Chair*
Myron Bateman, *Vice-Chair*
Ken Bassett
Daniel Fleming
Jay Franson, P.E.
Helen Graber, Ph.D.
Paul Hansen, P.E.
Petra Rust
Richard W. Sprott
David K. Stevens, Ph.D.
Ron Thompson
Kenneth H. Bousfield, P.E.
Executive Secretary

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

MINUTES OF THE DRINKING WATER BOARD MEETING HELD ON MAY 9,
2008 IN SALT LAKE CITY, UTAH

Board Members Present

Anne Erickson, Chair
Myron Bateman, Vice Chair
Ken Bassett
Jay Franson
Petra Rust
Ron Thompson

Board Members Excused

Daniel Fleming
Helen Graber, Ph.D.
Paul Hansen
Richard Sprott
David Stevens, Ph.D.

Staff

Ken Bousfield
Ken Wilde
Ying-Ying Macauley
Rich Peterson

Guests

Rick Wixom, Springdale Town
Bill Bigelow, Howell Town
Verl Bagley, Greenwich Water
Dustyn Shaffer, Sunrise Engineering
Doug Nielsen, Sunrise Engineering
Chuck Jeffs, Rural Water
Dale Pierson, Rural Water
Craig Hawkes, Howell Town
Jeff Trombley, Kennedy/Jenks Consultants
Curtis Ludvigson, Rural Water
Laurie Ludvigson, self

Staff Continued

Michael Grange
Nagendra Dev
Karin Tatum
Sandy Pett
Sean Jordan
Linda Matulich

ITEM 1 – CALL TO ORDER

The Drinking Water Board convened in Salt Lake City, Utah with Chairman Erickson presiding. The meeting was called to order at 1:05 p.m.

ITEM 2 – ROLL CALL

Chairman Erickson asked Ken Bousfield to call roll of the Board members. The roll call showed there were 6 members present.

ITEM 3 – INTRODUCTIONS

Chairman Erickson welcomed everyone and asked the guests to introduce themselves.

ITEM 4 – APPROVAL OF MINUTES

Chairman Erickson stated a motion was in order to approve the February 29, 2008 minutes.

Ron Thompson moved to approve the February 29, 2008 minutes.

Ken Bassett seconded the motion.

**CARRIED
(Unanimous)**

ITEM 5 – ELECTIONS OF VICE CHAIRMAN

Chairman Erickson opened the elections for Vice Chairman to the Drinking Water Board.

Ron Thompson moved the Board approve Myron Bateman as the Vice Chairman to the Drinking Water Board for the coming year.

Petra Rust seconded.

**CARRIED
(Unanimous)**

Jay Franson moved to close the elections for Vice Chairman.

Myron Bateman seconded.

**CARRIED
(Unanimous)**

ITEM 6 – SRF CONSERVATION COMMITTEE REPORT

Myron Bateman thanked the Board for their support in nominating him as Vice Chairman to the Board.

1) Status Report

Ken Wilde reported the Board has a total balance of \$3.2 million for all of the loans that are in the federal loan fund. Staff expects to receive about \$12.9 million in projected receipts over the next 12 months. Staff expects to receive the federal funding in July 2008 on the next capitalization grant. The Board should have about \$16 million over the next 12 months.

Ken mentioned staff expects closing a lot of loans in June, July and August. Ken mentioned staff expects to close about \$22,000,000 in projects between the state and federal in the next few months. Staff closed Central Iron County's loan in February and Greenwich's loan in March. The proposed projects for July 2008 show three that may be considered at the next Board meeting.

The Board has \$3.4 million dollars available in the state loan fund that have not been committed or authorized yet. The Board should receive about \$5.9 million during the next 12 months. A couple of loans are expected to close in the May June timeframe.

2) Priority Point List

Karin Tatum reported 3 projects are being added to the Project Priority List which are: 1) the Town of Howell, 2) Kane County Water Conservancy District, and 3) East Grouse Creek. Kane County Water Conservancy District and East Grouse Creek will probably be before the Board at the next Board meeting. Staff is requesting the Board add the three projects to the Project Priority List and approve the new list.

Ron Thompson moved the Board approve the Project Priority List to include the Town of Howell, the Kane County Water Conservancy District, and the East Grouse Creek Water System.

Petra Rust seconded.

**CARRIED
(Unanimous)**

3) SRF Applications

a) City of St. George – Extension

Michael Grange reported the Drinking Water Board authorized a \$6,000,000 loan for 20 years at 1.77% interest at the March 4, 2005 Board meeting. St. George City requested a time extension on their loan in a letter dated June 6, 2006. The Board authorized an additional 360 day extension at the July 14, 2006 Board meeting to expire July 9, 2007. St. George City requested an additional extension to their loan in a letter dated March 31, 2008. The reason for extending the loan, is during a review of their water line easements in this project, St. George identified discrepancies in the recorded easements through land owned by the Shivwits Indians. At the time the discrepancies were identified, the City had entered into a negotiation with the Shivwits Indians to resolve the issue. The Shivwits Indians requested several concessions from the city. The Shivwits Indians were slow in responding to the city on the additional information the city wanted from the Shivwits Indians. St. George City believes they have identified a plan they can use to start their project. St. George City has asked for an additional extension until May 9, 2009 on their loan.

Jay Franson moved the Board authorize an extension on the loan to St. George City until May 9, 2009.

Anne Erickson seconded.

**CARRIED
(Unanimous)**

St. George City extended their thanks and appreciation to the Board for their help.

b) Town of Greenwich – Extension

Michael Grange reported the Drinking Water Board authorized a \$111,000 loan for 20 years at 0.0% to the Town of Greenwich at the July 13, 2007 Board meeting. The Town of Greenwich requested an extension on their loan in a letter dated April 15, 2008. The Town of Greenwich is proposing constructing a new water storage reservoir. Mike reviewed what the Town of Greenwich is doing on their project and why they need the extension. Staff is requesting an extension on the Town of Greenwich's loan authorization until May 9, 2009.

Verl Bagely, representing the Town of Greenwich, addressed the Board.

Discussion followed.

Jay Franson declared a potential conflict of interest on voting on the project.

Ron Thompson moved the Drinking Water Board authorize an extension on the loan authorization to the town of Greenwich until May 9, 2009.

Ken Bassett seconded.

CARRIED

Jay Franson abstained.

c) Town of Springdale, Planning

Michael Grange reported the Town of Springdale is requesting a \$19,000 Planning Advance to help develop a Master Plan for their culinary water system and to conduct a comprehensive water user rate study. The Town of Springdale's 2006 MAGI is \$27,804 which is 75% of the State's MAGI. This qualifies the Town of Springdale to receive grant money. The Planning Grant will allow the town to develop their culinary water system master plan, to identify and properly address the town's current and future water system needs and to determine what facilities will allow Springdale to best meet the needs of their community. The money will also be used to conduct a water rate survey, which will allow the water system to evaluate user rates and determine what changes they may need to make to meet financial requirements.

Rick Wixom, Town Manager for Springdale, addressed the Board.

Discussion followed.

Ron Thompson moved the Board authorize a \$19,000 planning grant to the Town of Springdale to prepare a Culinary Water System Master Plan and perform a comprehensive water user rate study, with the condition that the master plan identify and address any system deficiencies, as well as construction options and phases, as necessary.

Jay Franson seconded.

**CARRIED
(Unanimous)**

d) Town of Howell

Nagendra Dev reported the Town of Howell is requesting a \$95,000 grant to construct a 100,000 gallon culinary water storage reservoir. The new reservoir will help bring the Town of Howell into compliance with the state-mandated storage and fire flow requirements. The storage tank will provide the required water storage capacity to meet the big demand and pressure requirements as required by the Drinking Water Rules. The proposed water storage tank will also meet the demand of the project for the projected population growth for the next 20 years based upon a 1% population growth rate. The proposed water storage tank will be elevated to provide the required pressure demands.

Nagendra mentioned the financial analysis of the project reveals there will be an interest rate of 3.13% for 20 years. The water user rate will be \$35.73 per user per month will be 1.19% of the local MAGI. The current average bill is \$30.80 a month.

Craig Hawkes and Bill Bigelow, representing the Town of Howell, were present to answer any questions of the Board.

Discussion followed.

Jay Franson moved the Board authorize a \$95,000 construction loan at 3.13% for 20 years to the Town of Howell for construction of a 100,000 gallon culinary water storage reservoir.

Ron Thompson seconded.

**CARRIED
(Unanimous)**

ITEM 7 – APPROVAL OF A NEW COMMISSION MEMBER FOR THE CROSS CONNECTION CONTROL COMMISSION

Patti Fauver reported that Jeff Tingey, a Cross Connection Commission member, is no longer on the Commission. The Cross Connection Commission is recommending the Board approve Brad Jones, Logan City, to replace Jeff Tingey on the Commission.

Ron Thompson moved the Board approve Brad Jones to replace Jeff Tingey on the Cross Connection Control Commission and complete Mr. Tingey’s term ending in 2009.

Myron Bateman seconded.

**CARRIED
(Unanimous)**

ITEM 8 – PROPOSED RULE TO AMENDMENT TO: “GROUTING TECHNIQUES AND REQUIREMENTS R309-515-6(6)(i)

Bill Birkes reported he has attended some meetings with the Division of Water Rights on some confusion of wording for the temporary surface conductor/secondary casings. Staff is proposing a rule change to hopefully clarify the language and the intent.

Staff had a conflict about gravel filled or gravel packed wells, and whether or not the grout seal is required between a conductor or surface casing and a permanent casing. Bill reviewed the proposed changes.

Discussion followed.

Jay Franson moved the Board authorize staff to conduct some further investigations and bring back a recommendation on their findings to the Board at the next Board meeting.

Ron Thompson seconded.

**CARRIED
(Unanimous)**

ITEM 9 – CHAIRMANS REPORT

Chairman Erickson thanked the Board for voting for her to continue as the Board Chair for this year. Chairman Erickson enjoys being on the Board.

Chairman Erickson apologized for not being at the Division Annual Retreat this year.

Chairman Erickson mentioned Danny was unable to make it to the meeting today due to a family health problem today.

ITEM 10 – DIRECTORS REPORT

Ken Bousfield mentioned the Division is fully staffed now. Ken introduced Sean Jordan, Environmental Engineer, who started with the Division on May 1, 2008.

Sean Jordan addressed the Board about his experiences and background.

a) Utah SDWA Sunset

Ken Bousfield reported that state laws need to be periodically reauthorized or they'll be automatically sunsetted. The Safe Drinking Water Act is scheduled to sunset the end of this current calendar year. The Safe Drinking Water Act is item #5 on the Natural Resources, Agriculture and Environment Interim Committee's agenda for their May 21, 2008 meeting at 9:00 a.m. Ken will be representing the Division and the Board on this review. The meeting is at the west entrance of their building, in room W020 on the first floor, which is immediately north and west of the Capitol building. The Board is invited to attend the meeting.

Discussion followed.

b) State EPA Mid-Year

Ken Bousfield reported on the April 25, 2008 Mid Year Review by EPA. Ken mentioned that EPA felt we have a good program and are doing a good job. EPA expressed concern that the Division was unwilling to sign an enforcement escalation policy.

Ken explained that he was unwilling to sign the policy because, as he stated, one size does not fit all. He felt signing the policy would require that he take enforcement actions against even cooperating systems.

The Board expressed their support of Ken's decision to not sign the enforcement escalation policy.

Discussion followed.

c) DDW Retreat

Ken Bousfield mentioned staff has a Division Retreat in April of every year. One of the objectives of the retreat is for staff to finalize the goals and objectives for the Division for the coming year, going from July 1, 2008 to June 30, 2009. The document has three sections: 1) the Division of Drinking Water has an agreement with EPA, which hasn't been finalized yet; 2) the Division will undertake some initiatives to improve their processes or take on some new challenges, and 3) core elements which the Division accomplishes during the normal course of business. The Department gave each Division some directives to follow for the coming year. Some of the topics included: compression issues, employee focus, looking at the out-of-state travel budgets, and incentive awards.

Ken reviewed what the Division accomplished during the Retreat for the coming year and what has been accomplished during the present year. The final report is due on May 30, 2008 to Rick Sprott, Executive Director of the Department of Environmental Quality.

Discussion followed.

d) Conflict of Interest Forms

Ken Bousfield reviewed the Conflict of Interest forms.

Discussion followed.

Other:

1. Ken Bousfield reported staff will be asking for another rule change from the Board. The rule deals with the requirement that all projects be designed by a professional engineer, and the professional engineer verifies his design by stamping the plans. The supportive state law lists qualifications to this requirement. Ken reviewed some minor projects, such as painting the interior of a storage tank as projects not needing a professional engineer. The rule change would deal with describing those projects that don't need to be prepared by a professional engineer.

Ken reviewed the information on the rule change.

Discussion followed.

2. Ken Bousfield mentioned when the Board members receive their packets there are two agenda items at the end of packet entitled: "Letters" and "News Articles". Ken asked if the Board members would prefer receiving the letters and news articles in the packet or on a weekly basis by e-mail.

The Board requested having the letters and news articles sent to them on a weekly basis through the e-mail.

ITEM 11 – LETTERS

The letters are in the packet.

ITEM 12 – NEWS ARTICLES

The news articles are in the packet.

ITEM 13 – NEXT BOARD MEETING

Chairman Erickson polled the Board members on where they want to hold their July 11, 2008 Drinking Water Board Meeting.

Ron Thompson moved the Board approve holding the next Board meeting on July 11, 2008 Drinking Water Board meeting in Cedar City and precede it with a tour of Kane County Water Conservancy Districts facilities.

Myron Bateman seconded.

**CARRIED
(Unanimous)**

The next Board tour and meeting will be on:

TOUR:

TOUR: Cedar Breaks & KCWCD water systems
DATE: July 10, 2008
TIME: 2:00 p.m.

MEETING:

DATE: July 11, 2008
TIME: 9:00 a.m.
LOCATION: Heritage Center
105 North 100 East
Cedar City, Utah 84720

ITEM 14 – OTHER

Chairman Erickson reviewed the handouts they received. A travel handout shows there some minor increases for motels, meals and gas.

Chairman Erickson mentioned the Board members received a Redirect Guide directory.

Chairman Erickson thanked Patti for the update on the Twenty-five Worst Drinking Water Systems List.

Chairman Erickson reported on the County Planning Issue Committee meeting that was held recently. Chairman Erickson is representing the Board on this Committee,

Dale Pierson addressed the Board on the County Development Planning Committee meeting issue from the Rural Water Conference in February, 2008.

Curtis Ludvgison mentioned he has been working with staff and water systems on their water rates and funding systems with their projects.

Chuck Jeffs reviewed water systems on the Twenty-five Worst Drinking Water Systems in Utah with the Board.

Discussion followed.

ITEM 15 – ADJOURN

Chairman Erickson stated a motion was in order to adjourn the Board meeting.

A motion was made to adjourn the Drinking Water Board meeting 2:35 p.m.

The motion was seconded.

**CARRIED
(Unanimous)**

Linda Matulich
Recording Secretary