

**Administrative Control Board Meeting  
Box Elder and Perry Flood Control  
Special Service District  
Perry City Offices 3005 S 1200 W  
5:00 PM Thursday, March 20, 2014**

**Members Present:** Chairman Greg Hansen, Board Member Maurice Roche, Board Member Boyd Hirschi, Board Member Bob Thurgood

**Members Excused:** Board Member Kevin Pebley

**Others Present:** Council Member Esther Montgomery, Malone Molgard, Chuck Palmer, Christensen, Palmer & Ambrose; Susan K. Obray, Minutes Clerk

**1. Welcome and Call to Order**

Chairman Hansen welcomed and called the Box Elder and Perry Flood Control meeting to order.

**2. Approve Minutes for February 13, 2014**

**MOTION:** Board Member Roche moved to approve the February 13, 2014 minutes as written. Board Member Hirschi seconded the motion. All in favor.

**3. Introduce Malone Molgard**

Malone Molgard, Perry City Attorney introduced himself. He said was born and raised in Brigham City and is currently working with his uncle Jack Molgard in Brigham City. He said they have an office on first south and first west. Mr. Molgard stated that he went to Gonzaga Law School. Chairman Hansen stated at times the Flood Control needs assistance with legal issues and drafting Resolutions, etc. Chairman Hansen asked Mr. Molgard if he was interested if he would put a fee schedule together and give to the Flood Control Board so they have an idea of how he will structure that. Malone stated that he initially talked to Duncan about it and he did not ask him what was normal, so he didn't know what the normal fee schedule would be. Mr. Malone stated they could do it on an hourly rate when they needed him. Chairman Hansen stated that he would like on an hourly rate of when the board needed him. Chairman Hansen stated that Duncan was the City Administrator and got the flood control up and moving. He said that Perry City lost control of the flood control board about 6-8 years ago and it went back to the County. Chairman Hansen reported that 2 years ago the City got the Flood Control District back. He stated that the Mayor appointed each one of them to the board. Chairman Hansen asked Mr. Malone to get a fee schedule together and let the board know. Chairman Hansen said they would let Susan know beforehand so that he can schedule his time.

**4. Tentative Budget Amendment overview by Chuck Palmer**

Mr. Palmer stated that at the last meeting he went over the procedures from the State Auditor's Office. He said that one of the procedures is that the general fund cannot carry over more than one year of the property taxes. He said the flood control currently has \$300,000 in the bank and the property tax is \$87,000. He stated that is why a Capital Projects Fund needs to be created. Mr. Palmer stated he has put together a tentative budget. He said he increased the property taxes to \$87,564 from \$5,758. Mr. Palmer stated that the district received \$87,564 in January from the County. He stated that he decreased the Fee in Lieu of taxes (taxes from vehicles) from

\$10,000 to \$6,500. He stated that the district received \$6,500 in January from the County. Mr. Palmer said he increased the Contribution from Fund Balance from \$100,000 to \$212,694. He said this was used to balance the budget by using the Fund Balance. Mr. Palmer reported that he left the other operating expenses the same from the original budget which was \$16,258. He reported that this covers Susan's fees, Engineers fees, his fees and any maintenance costs that they have. He said he reduce the Capital Outlay from \$150,000 to \$0. The \$150,000 is being moved to the new Capital Projects fund. Mr. Palmer stated he added the \$291,000 to Transfers to Other Funds. He said the general fund can only carry 1 year of property taxes over to the next year. He reported this will reduce the general fund balance to about \$77,000. Mr. Palmer stated that the general fund is the only one that has a requirement.

**5. 5:05 PM-Public Hearing Regarding the Box Elder/Perry Flood Control District Board 2014 Budget Amendment**

**MOTION:** Board Member Thurgood moved to close the regular meeting and open the public hearing. Board Member Roche seconded the motion. All in favor.

There were no public comments.

**MOTION:** Board Member Roche moved to close the public hearing and open the regular meeting. Board Member Hirschi seconded the motion. All in favor.

**6. Discussion/Motion to Approve the 2014 Tentative Budget Amendment**

**MOTION:** Board Member Roche moved to create a capital project fund and transfer \$291,000 from the general fund to the capital project fund. Board Member Thurgood seconded the motion. All in favor.

**MOTION:** Board Member Thurgood moved to approve the 2014 Tentative Amended Budget. Board Member Hirschi seconded the motion. All in favor.

Chairman Hansen introduced Council Member Montgomery who is over Storm Water and Council Member Nelson is over the Flood Control. Council Member Montgomery stated that there will be a council member at all of their meetings.

**7. Public Comments**

There were no public comments.

Chairman Hansen requested that the meetings be moved from the third Thursday to the third Wednesday. He said he has had some conflicts with having it on the third Thursday. He said it will be the same time. Chairman Hansen stated this will be adopted at the next meeting. He said this will take place on May 14th.

**8. Report by Brett Jones Regarding the UDOT Meeting**

Chairman Hansen stated that they met with UDOT to see if they would be willing to put funds towards the flooding problems that are occurring on Highway 89 by Maddox and the Heritage Theater. He said that UDOT was open to help with the flooding problems. Chairman Hansen

stated that it is not a big expense, and would be fixing a couple of boxes and open them back up. He said the flooding by the Heritage Theater UDOT agreed to participate but only the amount that they are actually contributing to the flooding. He said that Jones & Associates would have to go figure out how much the highway is introducing the storm water into the overall picture, and UDOT would pay that proportionate share. Chairman Hansen stated that they don't just count the Highway because when they built the Highway, Allen Street was in and they accepted the water from Allen Street at that time. He said that UDOT will participate with some of the cost. Chairman Hansen stated that Paul Nelson had some additional information regarding existing pipes that comes around 2400 South (behind the Monty Worthy's home) and dumps into a pond behind the houses, and then comes out and drains into the street. He said Three Mile Creek Subdivision drains into the big ponds behind Heritage Theater and goes out and bubbles up in the street.

Chairman Hansen stated he did some research and the pipes are plugged with sediment and have not been maintained for years. He said that they are operating at a fraction of their capacity. Chairman Hansen stated that Brett Jones suggested that they clean the existing pipes and also clean the existing detention basins. Chairman Hansen commented that the flood district has \$2,500 to put towards cleaning left over from the Cherry Ridge Basin maintenance. He said that will get the pipes cleaned out and then they can watch it. He reported that Jones & Associates are getting a couple of bids to get someone to come in and flush them out. Chairman Hansen suggested to Brett Jones that the city needs to get an operation manual put together so they can start doing regular maintenance on these flood ponds. Board Member Thurgood suggested that the city participate with the flood control to keep the pipes and basins cleaned and maintained to prevent flooding. Chairman Hansen reminded the board that last year the State Engineer came and said that the vegetation needed to be removed from the dike and we passed it on to the city to do. He said Paul Nelson told him last month that the city would not be able to do it. Board Member Thurgood suggested that they are cleaned out on an annual basis.

**9. Discussion/Motion to Approve Resolution 14-01 to Adopt Policy Regarding the Government Records Access and Management Act**

Chairman Hansen that the Flood Control District is required to implement and comply with the Government Records Access and Management Act. He stated that this Resolution states that the board needs to make public records available for the public.

**MOTION:** Board Member Roche moved to adopt Resolution 14-01 Regarding GRAMA. Board Member Thurgood seconded the motion. All in favor.

**10. Payment Approval (if any, roll call vote)**

Chairman Hansen stated that there are two invoices to pay. Jones & Associates have two invoices \$297.00 and \$99.00; Susan Obray for \$110.00.

**MOTION:** Board Member Thurgood moved to pay the invoices for Jones & Associates for \$297.00 and \$99.00; and Susan Obray for \$110.00. Board Member Hirschi seconded the motion. Roll Call Vote.

Board Member Hirschi yes  
Board Member Roche yes

Board Member Thurgood yes  
Chairman Hansen yes

**Motion Approved:** 4 yes 0 no

**11. Adjournment**

Board Member Hirschi moved to adjourn. Board Member Roche seconded the motion. All in favor.