

**Administrative Control Board Meeting
Box Elder and Perry Flood Control
Special Service District
Perry City Offices 3005 South 1200 West
5:00 PM Wednesday, January 20, 2016**

Members Present: Chairman Greg Hansen, Board Member Boyd Hirschi, Board Member Bryce Thurgood

Members Excused: Board Member Kevin Pebley and Board Member Maurice Roche

Others Present: Chuck Palmer, Christensen, Palmer & Ambrose, County Commissioner Jeff Hadfield, Susan K. Obray, Board Clerk

1. Welcome & Call to Order

Chairman Hansen welcomed and called to order the January 20, 2016 Box Elder and Perry Flood Control meeting.

2. Approve October 21, 2015 Minutes

MOTION: Board Member Thurgood moved to approve the minutes of December 16, 2015. Board Member Hirschi seconded the motion. All in favor.

3. Public Comments

There were no public comments.

4. 5:10 pm Public Hearing on the 2016 Box Elder/Perry Flood Control Budget

MOTION: Board Member Thurgood moved to open the public hearing on the 2016 Flood Control Budget. Board Member Hirschi seconded the motion. All in favor.

Chairman Hansen reviewed the budget. He said that the total revenue in the General Fund is \$81,248. Chairman Hansen stated that we are anticipating \$7,000 for Professional & Technical the same as last year. He reported that the insurance will be \$2,500, maintenance will be \$7,855. Chairman Hansen stated that \$5,300 was budget last year and they only spent \$4,820. He stated that last year \$10,000 was budgeted for Staff/Training/Legal and they only spent \$555 and so the budget number for 2016 is \$1,000. Chairman Hansen explained that \$62,893 transfer for the expenditures for their projects which balances out to \$81,248. Chairman Hansen stated that their budget for Capital Projects is \$660,000 which is their bond from the Division of Water Resources. He said the Flood Control contribution will be \$334,740. He said the total expenditures will be \$1,010,000. Chairman Hansen stated that the budget is balanced. He explained that this is tentative after the bids come in the numbers can be adjusted. Chairman Hansen reported that the debt service transfer in total is \$47,633. He explained that the debt service is \$27,833 and the interest is \$19,800 for a total of \$47,633. Chairman Hansen stated that it is in line of what they talked about last month. Commissioner Hadfield asked if there was anything special that would be happening with the

maintenance. Chairman Hansen stated that every year they hire someone to go out and do work on the debris basins. He said typically we around \$5,500 for the maintenance. He said we have a couple of bigger basins to clean this year.

MOTION: Board Member Hirschi moved to close the public hearing. Board Member Thurgood seconded the motion. All in favor.

5. Update and Progress Report from Jones & Associates on the Design and Bidding of Evans & Mathias Basins

Brett Jones and Matt Robertson were not in attendance. Matt Robertson sent an e-mail regarding an update on the Evans & Mathias Basins. Chairman Hansen read the e-mail from Matt Robertson. He reads:

As you know, after the last board meeting I spoke again with Dave Marble from Dam Safety and he said that it should be fine to excavate the pits outside of the dam footprint. After that, AGEC was awarded the contract to complete the geotechnical work for the final design of the debris basins as they had originally proposed. The first step to completing the investigation is to visit the sites and excavate the test pits. They had an excavator scheduled to come on-site on January 11 to do the excavations. The Contractor contacted blue stakes and I also contacted Questar Gas about potholing their line and using the access road along their line. After speaking with you (Chairman Hansen), I spoke to AGEC and told them to have their excavator pothole the lines and the District would pay them for the extra time.

After speaking with Questar, I contacted the Utah Division of Wildlife Resources again since it is on their land. Several months ago I had spoken with the Ogden office of DWR that manages that area about the possibility of constructing the basins on this land. I was told that it shouldn't be a problem and that we would need to obtain a special use permit from them for the project. He told me to send them the plans once the design was closer to being completed and he would let me know what we needed for the permit. I spoke to the same individual about accessing the site for the geotechnical work and he initially told me that we were fine to go up there. He then called back later that day and said that he spoke with someone in Salt Lake and that we would need to get a permit just to do the geotechnical work.

The special use permit for the geotechnical investigation was prepared and submitted to them and I was told it would take a few weeks to get the permit back. I received an email from their office yesterday asking about when we would like to complete the work. I responded that the geotech would be on-site one week after receiving the permit. I asked when the permit might be completed but I haven't received a response yet.

Stephen Hansen is the Land and Water Assets Coordinator for DWR and he told me on the phone that this land has some kind of federal investment and that permitting, approvals, etc. would need to be obtained through the US Fish and Wildlife Services (USFWS) out of Denver. He said that an Environmental Assessment would need to be completed, an Archaeological Inventory, an application for easement, and that the Flood

District could potentially have to pay economic damages as a result of the work. I spoke to him today and he is going to send me an email with a list of items that will need to be completed. He is also going to put me in contact with their NEPA specialist to give me more information on the environmental requirements. Having to gain approval through USFWS will complicate things quite a bit and push the project back.

It looks like we should have the permit to complete the geotechnical work soon. In the meantime, we will work on doing what we need to do to gain permission from USFWS to construct the project. I will keep you updated on the progress.

Chairman Hansen stated that they no longer have the schedule they thought they would have. He said they have to go through the process. Greg Hansen stated that he got a special use permit e-mailed to him and it went to Stephen Hansen. Greg said he signed it and sent it back to the Division of Wildlife Resources. He said the initial application we out 2 weeks ago with a check. Chairman Hansen stated that he received an e-mail before he left to come to the meeting that was from Stephen Hansen informing him that because of the federal nexus on the debris basin site a yellow book standards appraisal of the debris basin property and commissioned by the DWR would be needed and possible an environmental assessment if the surface impact area exceeds an acre there may be a property valuation evaluation method that is available, but for now assume that the yellow book appraisal will be necessary. He said in the event that an environmental assessment is not necessary, they would still need a cultural resource inventory of the site, and an analysis as to whether the site contains resources addressed under farmland protection policy act, prime and unique farmlands, protection of wetlands, and the endangered species act. A biological assessment would be required for either a formal or informal endangered species. Chairman Hansen stated what this indicates is that if we do any type of damages there may be some fees associated with the impact that we make on the environment based on those assessments. He said this is going to take a long time. He stated he will talk to the Division of Water Rights regarding the bond and how long it is good for. Chairman Hansen stated that it has already been a year and we can always reapply.

6. Update on the selection of a Geotechnical Firm for Evans & Mathias Basins

Chairman Hansen stated that AGEK was selected. He said they came in considerably lower than the other firms. He reported that as soon as we get permission from the federal level they will proceed.

7. Discussion/Action on the 2016 Box Elder/Perry Flood Control Budget

Chuck Palmer stated that two checks came in from the County in the amount of approximately \$80,000 that went into the General Fund. He said he used the same number of \$7,000 for Professional & Technical because if they use more than the \$750,000 on this project, you will be required to have an audit and that will be the next year. Mr. Palmer stated that he will turn the numbers into the state.

MOTION: Board Member Hirschi move to approve the 2016 Box Elder/ Perry Flood Control Budget. Board Member Thurgood seconded the motion. All in favor.

8. Payment Approvals

Chairman Hansen stated that we have an invoice from Jones & Associates for \$3,706.25 for engineering on the Evans & Mathias Debris Basin, an invoice for Utah Local Governments Trust for \$854.78 for the annual property premium, an invoice for Box Elder News Journal for 22.75 for public notice, an invoice for Christensen, Palmer, and Ambrose for \$376.00 for budget work and attending the meeting, and an invoice for Susan Obray for \$100.00 for clerk work.

MOTION: Board Member Thurgood moved to approve the invoices as presented. Board Member Hirschi seconded the motion. Roll call vote.

Board Member Hirschi Yes Chairman Hansen Yes
Board Member Thurgood Yes

Motion Approved: 3 Yes 0 No

9. Adjournment

MOTION: Board Member Hirschi moved to adjourn. Board Member Th