

Utility Departments of Hildale/Colorado City

Utility Board Meeting Minutes
320 East Newel Ave, Hildale Utah
June 26, 2018 6:00 P.M.

Present: Utility Board

Board Members:	Present	Absent	Excused
Haven Barlow	X		
Sterling Jessop, Jr.	X		
Ralph Johnson	X		
Arvin Black	X		
Jason Black	X		
Nathan Burnham	X		
JVar Dutson	X		
Stacy Seay	X		
Alma Cawley			Deceased

Staff Present: Andrew Barlow, Vance Barlow, Joseph Allred, John Barlow, Vincen Barlow, Weston Barlow, Ralph Johnson Jr. Mariah La Corti

Public Present: Carl Johnson, James Johnson, Brigham Holm, Charles Hammon, Jesse Barlow

Court Monitor: Roger Carter

#1 Call to Order

Arvin called the meeting to order. Roll was taken. Quorum present.

#2 & 3 Prayer and Pledge of Allegiance

Ralph Johnson offered a prayer followed by the group participating in the pledge of allegiance.

#4. Declaration of Vacancy

Alma Cawley has passed away. Arvin spoke briefly about the great impact he had on the community. Colorado City has appointed Michael Cawley to fill his seat on the Board.

#5. Approval of minutes of May 29, 2018 and June 12, 2018 Meetings

A few corrections were noted.

JVar Dutson moved to ratify the minutes of the May 29, 2018 and June 12, 2018 meetings.

Nathan Burnham seconded. Roll call vote:

Board Members:	Yes	No	Abstain
Haven Barlow	X		
Sterling Jessop, Jr.	X		
Ralph Johnson	X		
Arvin Black	X		
Jason Black	X		

Nathan Burnham	X		
JVar Dutson	X		
Stacy Seay	X		
Michael Cawley	X		

Motion carried.

#6. Public Comment

Charles Hammon addressed the Board. He expressed his appreciation for the work the Board does. He wanted to introduce himself to the new Board members. He owns a local business and has been getting questions from individuals inquiring about the town. He would like to meet with the Department Heads to gain a better understanding of how the system works.

#7. Consideration of Utility Waiver Requests and Write-Offs

Weston Barlow presented.

The customer at 445 West Garden Avenue had a water leak during the calculation months, but they claim to have it fixed now. Based on their history there is not a decrease in usage, so there is nothing to calculate a different wastewater usage rate off of. Staff recommends that the Board deny the request and invite the customer to come back in three months for further consideration. There was brief discussion on this.

The customer at 1045 North Carling Street is concerned with the water usage that was metered in the month of March. Their meter was changed out to a more accurate meter in January 2018. When the field crew went to do a re-read, the customer had a sprinkler running on their yard. Staff recommends that no action be taken at this time. Ralph asked why the request was not written on a formal “water usage waiver request form”. Weston explained that we do not have one because typically the Board has never waived water usage that went through the meter. Michael suggested that it be given a few months to see how much usage there is for comparison and then the staff speaks with the customer again. There was brief discussion on the accuracy of the new meters versus the old meters.

JVar Dutson moved to approve the staff recommendations for the utility waiver requests as discussed.

Ralph Johnson seconded. Roll call vote:

Board Members:	Yes	No	Abstain
Haven Barlow	X		
Sterling Jessop, Jr.	X		
Ralph Johnson	X		
Arvin Black	X		
Jason Black	X		
Nathan Burnham	X		
JVar Dutson	X		
Stacy Seay	X		
Michael Cawley	X		

Motion carried.

An aging report was printed based off the request for last meeting, regarding collections discussion. There were two accounts that are final billed, owing a balance, that are older than 5 years old.

The policy says that after 3 months they be sent to collections, however these were not. There is not currently an agreement with a collection agency in place. John Barlow explained that the return on selling off the accounts for collections was not getting as high of a return as the prior administration personally contacting the individuals and working out a payment plan/contract accounts. John further explained that writing off the balances can have implications with individuals paying their accounts because they are aware that after a certain amount of time it will go away. John recommended that this be addressed as a policy being put into place rather than decisions on individual accounts.

Mayor Allred addressed the Board. He feels that the accounts that really need to be thought about are not these ones that are this old, it is the ones that are 6-8 months old. He agrees that it is a policy that is needed. Arvin suggested that it be an agenda item to create/approve a policy. Weston commented that he feels that it needs to be a Board action to waive legitimately charged services, so that the Board makes any decision regarding write-offs. John expressed his feelings that if a policy is in place, rather than making individual actions on specific accounts, it will be easier to execute. Mayor Allred recommended that the accounts not be written off.

The Board decided that we will review the policy that is in place for any review/adjustments that need to be made, and they will direct staff on how to proceed after that.

JVar Dutson moved to table this item for further discussion

Nathan Burnham seconded. Roll call vote:

Board Members:	Yes	No	Abstain
Haven Barlow	X		
Sterling Jessop, Jr.	X		
Ralph Johnson	X		
Arvin Black	X		
Jason Black	X		
Nathan Burnham	X		
JVar Dutson	X		
Stacy Seay	X		
Michael Cawley	X		

Motion carried.

#8. Manager Report

Weston Barlow presented. They have received the 100 radio read meters that were purchased. This month they installed 45 transmitter radios on gas meters which will greatly improve the meter reading route.

The auditor had a concern with the classification of a gas pipeline. This is a high pressure distribution pipeline. To keep the higher rating the pipe would need to be reclassified which comes with different rules and regulations. Michael asked if it would be beneficial to keep the

lower pressure for the time being until the future requires more. Weston said it depends on the master plan for the future. This is just informational for the Board at this time.

Ralph is getting qualified on some of the gas operation tasks.

At the Academy Well they found that the electrical wiring was shorted in the well casing. The pump may still be damaged but appears ready for another test. At the sewer plant they may want to remove some sludge and debris before refilling pond. Weston will get a quote on the cost for such.

Upcoming tasks include repairing the electrical at the sprinkler pump house, atmospheric corrosion survey, cathodic protection survey, leak survey for the Colorado City gas distribution system.

The Utility team responded to a customer who had sewer backed up into their yard. They were actually using a septic tank. John informed the Board that there were further issues with the house. The house will no longer be occupied until corrective action is taken.

Vincen informed the Board that on-line and IVR payments for utilities are now available. 20% of the customer base has already signed up in one week's time.

JVar asked about water storage for the upcoming months. Weston stated that all of the wells are not currently running. The tanks are refilling at approx. 1,000 gallons per minute, they are not planning on any water restrictions this summer.

#9. Financial Report

Weston Barlow presented. The financial report provided in the packet goes through May 31, 2018. Transfers are caught up. There are not a lot of concerning items. Some unexpended monies budgeted for judgment resolution were taken to pay for legal litigation defense. When the 2018 budget was adjusted these discrepancies were fixed, which will reflect on the next month's report.

#10. Consideration and Approval to Pay Bills

Weston presented an invoice register for the Board to refer to. He walked the Board through explanation on a few of the items.

**JVar Dutson moved to pay bills as they come due and funds become available.
Jason Black seconded. Roll call vote:**

Board Members:	Yes	No	Abstain
Haven Barlow	X		
Sterling Jessop, Jr.	X		
Ralph Johnson	X		
Arvin Black	X		
Jason Black	X		
Nathan Burnham	X		
JVar Dutson	X		

Stacy Seay	X		
Michael Cawley	X		

Motion carried.

Arvin and JVar both commended the utilities staff and cities on working together and moving forward.

#11. Consideration and Possible Action on Pure PH8 Request

Carl Johnson addressed the Board. He provided a handout with a history of the company and a signed petition. They request to change the line for Canaan Mountain Spring Water/St. George Water Store to 4” line provided for distribution. And further, to allow Pure PH8 to continue having a fill-up location on Louis Street. The fill point is presently on the city easement.

Stacy would like to speak with the City Attorney before making a recommendation. Arvin asked for explanation on the installation of the water line. Mayor Allred explained that prior to this, there was an old steel line that tied into the distribution on Jessop Avenue. Pure PH8 wanted to hook on at a point where they would get nothing but Spring Water because they would be distributing it. They replaced the steel line with the poly line and the 2” service line at this time. He explained that the controversy is whether the 2” line belongs to the City or Pure PH8. Jason explained that another controversy is where the fill station is located. He understands their concerns and would like Pure PH8 to meet with Weston and Vincen to see if something can be worked out.

The meter that is for Pure PH8 was installed next to the building that they were using but no longer are. Stacy stated that the situation is very abnormal. Carl explained that 1040 North Louis Street already had water ran to it, the 2” line was put into place purely for business purposes.

Jason asked for a history of why the fill station ended up on the city easement. Carl worked with Scott Jessop from Twin City Water Works, not realizing the difference between that company and the City, to move the fill station because the UEP was evicting homes and businesses for not signing an occupancy agreement. Carl is trying to pursue a land-use permit for the fill station.

JVar and Carl discussed ownership of the line. Carl has requested records from the City and is waiting for a response.

Nathan explained that the Utility Board has to look at setting precedence going forward. Stacy and Carl discussed the business getting a building and moving the fill station off the city easement.

Arvin stated that Carl will have to come to a realization that changes have been made that everybody has to deal with. Speaking as a contractor, he stated that the city owns any line that goes through a city easement. Carl asked about going across property lines to tie on, stating that there is a breach in our utility agreements. Arvin explained that the Board’s responsibility is to make a good decision going forward, while trying to get Pure PH8 where they need to be.

Arvin asked if Pure PH8 was having trouble with water pressure or quantity with the other company hooking into the line. Carl stated they are not. He feels it is an unfair advantage that they get to benefit from his investment when there is another line they can tie to. Michael asked if Carl thought this was a direct attempt to steal the business, Carl said yes and gave history as to the relationship between Pure PH8 and Canaan Mountain Spring.

Arvin asked for information from Hildale City regarding the Canaan Mountain Spring hook-up. John explained that the Utility Board was briefed on what the Hildale City Attorney was going to recommend to the Hildale City Council, which Carl Johnson was invited to speak at. During that discussion the crossing of lot lines was discussed and it is an issue that needs to be discussed further. Weston explained that the City has a right-of-way easement from the UEP. John suggested that any communication on pending litigation matters be discussed through Attorney's. Carl stated that right now he has withdrawn any legal action. He cannot keep up financially with the legal fees. He is looking for options on recommendations from the Board. Stacy suggested that this be tabled until they can get a legal recommendation.

James Johnson stated that he spoke with David Boshard, and David informed him of the approval of the other company hooking onto the line, and claims that David approved the moving of the fill-up point. They also spoke with Jim Peterson who said they were not violating any land-use laws.

Ralph Johnson Jr. questioned the difference between construction tankers filling up at fire hydrants and businesses having a fill station. Arvin said there is a difference between private business use and temporary construction use.

Mayor Allred said the two main questions that the Board needs legal advice on are if the fill point is acceptable or needs to change, and if the connection of Canaan Mountain Water is acceptable or needs to change. Stacy indicated that there is more than just two questions. Mayor Allred referred to the water service regulation regarding crossing lot lines.

Jesse Barlow addressed the council. He lives on Louis Street. He asks that Pure PH8 clean-up after themselves a little better, but does not see an issue with the fill station besides that.

JVar Dutson moved to table this item for legal review.

Nathan Burnham seconded. Roll call vote:

Board Members:	Yes	No	Abstain
Haven Barlow	X		
Sterling Jessop, Jr.	X		
Ralph Johnson	X		
Arvin Black	X		
Jason Black	X		
Nathan Burnham	X		
JVar Dutson	X		
Stacy Seay	X		
Michael Cawley	X		

Motion carried.

#12. Discussion on IGA

There were no comments at this time.

#13. Closed Executive Session

Not needed

#14. Discussion of Pending or Contemplated Litigation, Claims and Demands


None

Mayor Allred requested that there be a policy put in place regarding informing customers of when their waiver request will be put before the council and inviting them to attend.

#15. Adjournment


With no other business, the meeting adjourned at 8:32 p.m.

Minutes were approved at the Colorado City Council Meeting on July 16, 2018.
Minutes were approved at the Hildale City Council Meeting on August 1, 2018.



Vincen Barlow, Hildale City Recorder





Vance Barlow, Colorado City Town Clerk



Summary of Board Actions:

- Approval of Minutes
- Approval to Pay Bills
- Review of Utility Waiver Requests