

# Utility Departments of Hildale/Colorado City

Utility Board Meeting Minutes  
320 East Newel Ave, Hildale Utah  
Tuesday July 31, 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		
Michael Cawley	X		

Staff Present: Ralph Johnson Jr., Weston Barlow, Vincen Barlow, Mariah La Corti, Mayor Donia Jessop, Mayor Joseph Allred, Vance Barlow

Court Monitor: Roger Carter

Public Present: Christopher Jessop, Jesseca Jessop, George Jessop, Miriam Jessop, John Barlow, Jeff Barlow, Christian Kesselring, Joan Barlow, Jethro Barlow, Maha Layton, Brooke Barlow, Alan Barlow, Harrison Johnson, Janet Jeffs, James Spendlove, Eric Velander, Charles Hammon, Willie Jessop, Carl Johnson, James Johnson (this list may be incomplete)

## #1 Call to Order

Arvin called the meeting to order at 6:00 p.m.

## #2. Prayer and Pledge of Allegiance

Michael led the prayer and the crowd joined in the pledge of allegiance.

## #3. Approval of Minutes from June 26, 2018 Meeting

**JVar Dutson moved to approve the minutes of the June 26, 2018 meeting.**

**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.

**#4. Public Comment**

**None**

**#5. Consideration of Utility Waiver Requests and NOV's**

Weston went through each one individually. Willie Jessop addressed the Board regarding the NOV that he received for 985 North Maple Street. Weston explained that the concern is that he has a pipeline installed across Jessop Ave. There is also a concern with the cow trough filling. Arvin explained that the liability down the road has to be considered to make sure that the rules are established and abided by for everyone. Michael Cawley pointed out that to be fair it only makes sense to govern everybody the same.

Willie continued his argument against the allegations passionately, stating that he was up front with the city when the meter was installed. He did not understand why it is an issue. Arvin explained that it is a violation of the code because Jessop Ave. is a dedicated street. There was discussion on why the utilities were installed where they were. Jason explained that Weston was asked to seek out these violations and bring them to the attention of the Board.

Christian Kesselring, Hildale City Attorney, addressed the Board. He has been working with Weston. He pointed out that things simply were not done properly for a long time. Christian explained that the issue is making sure that Development Standards are being followed. He suggested that the NOV's be tabled while the City Council sorts out their land-use issues.

Jeff Barlow, Executive Director of the UEP, addressed the Board regarding the 485 East Newel Avenue NOV. He stated that the UEP wishes the west parcel that is occupied to keep the present services. He understands that the other parcel, when ready for services, will need to start from scratch regarding utility services.

**Michael Cawley moved to move the sewer and water meters for 485 East Newel Avenue to the proper lot.**

**JVar Dutson 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.

1465 West Newel Avenue is a similar situation. The services belong to the south lot, the customer is willing to do the construction to have the meter moved.

**Nathan Burnham moved to move the sewer and water meters to the proper lot.**

**JVar Dutson 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.

825 North Mulberry Street. The customers contacted Weston and will remove the violation. No action is needed.

For 1040 North Louis Street and 1060 North Hildale Street a service tap was installed without permission in the city’s right-of-way. Both customers have service lines crossing lot lines, and did not have permits or authorization for the connection to the water tank. Weston recommended to the Board several possible solutions in the staff summary. Jeff Barlow stated that these are both UEP properties. He recommended that no action be taken until he sits down with the Utility Business Manager and work out a plan to be presented to the Utility Board. Carl Johnson was invited to address the Board. He stated that they are working on details to clear up the current issues. It is vital to the success of his company to have access to that water source.

**Michael Cawley moved to table the issues with 985 North Maple Street, 1040 North Louis Street and 1060 North Hildale Street to allow time for the individuals to come up with a resolution to present to the Utility Board.**

**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.

Weston presented the Wastewater Waivers to the Board.

385 West Utah Avenue. The customer was not connected to the sewer system, in violation of regulations. Utilities was not aware that they were not connected, they have been billed for sewer since the account opened. The septic system was not maintained and the property is a biohazard. The customer requests consideration on the sewer fees that they have been paying. Weston recommended denial of the waiver.

280 South Central. Customer moved into the property in March. The sewer rates were based off previous owners. Staff recommended use of the April, May and June usage, reducing their sewer rate to \$70.00 a month and crediting the difference back to when they moved in in March.

340 West Harker Avenue is a water usage issue. When staff responded to the customer’s request for assistance they did not notice a significant amount of water. Staff recommended denial of the waiver request.

125 North Pioneer Street the customer came before the Utility Board previously and was directed to return after several months of decreased usage if further consideration was needed. Based on the decreased usage, staff recommends that the sewer rate be recalculated using March, April and May usage and customer be credited for the difference for these months.

**Jason Black moved to approve the staff recommendation on each waiver request. JVar Dutson 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. Closed Executive Session  
Not needed**

**#7. Manager Report**

Weston Barlow presented. He provided a report highlighting a few items from the last month. He is looking for quotes on dredging to remove some of the sludge from pond #1. He has turned on the power plant well and has been running that. Arizona will not accept ADEQ result so they are flushing the Academy Well to prep for the re-test with an Arizona certified lab. The radio access point at the million gallon tank quit working and will need repaired.

The Utah State Deputy Fire Marshal contacted Weston and informed him that the staffs propane certifications had lapsed. They each took and passed the 4 hour test to get certified. He provided a copy of his response to the 2018 pipeline safety audit.

There was an incident with a customer who had a broken private irrigation line leaking. While it was not the city’s pipe or problem, he and Victor responded with the jetter truck and helped the customer shut the leaking line off.

JVar thanked Weston for keeping everything together and running. John Barlow stated that the under staffed Utility Department is doing a great job and also thanked Weston.

**#8. Financial Report**

Weston walked the Board through the invoice register. JVar specifically asked about the Preferred Parts Litigation. Ralph asked why the litigation is continuing. Christian explained that these charges were for services provided a while ago, there was a billing issue resolved right at the end of the fiscal year, so we are just catching up on payments. There was discussion on why the Utility is paying a portion of the litigation defense fund.

**#9. Consideration of Approval to Pay Bills**

**JVar Dutson moved to pay the bills as they become due and as 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.

**#10. Discussion and Possible Action on Resolution to Allocate and Segregate Joint Utility Funds**

Weston Barlow presented. He explained the reason for this resolution. He recommends approval of the resolution and recommendation of this resolution to the city council for adoption. This is a routine thing to do every year for auditing purposes. John Barlow explained that the funds are kept in a joint fund and then allocated out at the end of the year.

**Michael Cawley moved to approve the resolution and recommend to the cities for adoption.**

**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.

**#11. Consideration and Possible Action on Large Purchase**

Weston Barlow presented. The Utility Department hopes to obtain a laser methane detector. With this piece of equipment they will be able to see methane in the air from a distance. Each year a leak survey must be done on a high pressure line as well as school districts and businesses, this will get that done much more efficiently. He recommends borrowing from the R&R fund to purchase the item. There was brief discussion on why this particular unit was selected.

**JVar Dutson moved to approve the purchase of a Laser Methane Detector with R&R funds and add item to R&R fund plan for future replacement.**

**Stacy Seay 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. Consideration and Possible Action on Pure PH8 Service for Application**

Item tabled.

**#13. Consideration and Possible Action on Colorado City Subdivision**

Charles Hammon, representative of Excel Design Associates, presented. He gave a brief backstory about what he is trying to do, which is to submit required filings about the availability of water and sewer to the Department of Real Estate so that the subdivider can sell lots in the subdivision. Charles explained that he is asking for a set of disclosures that explains the process for getting a water hook up in this subdivision. He is trying to create a document, with the Board, that he can take to the State about our situation. It is important that the public knows what they need to do to obtain a water hook-up. He has a very similar situation with the propane that will need a letter of intent to serve.

Ralph asked if this has been addressed with the Town of Colorado City. Charles explained that he has not because this is a utility issue, so this is the first step.

Arvin gave his input that it would be helpful if the Mayor of either City voiced their opinion.

Joseph Allred expressed his concern. If there are locations in the city that there are insufficiencies in the system the city not be held responsible to. The Town needs to be absolved of the expenses.

John Barlow recommended a committee be put together to create the requested document. Jason volunteered to be on the committee.

**Michael Cawley moved to authorize Jason Black, Weston, Vincen, the new Utility Business Manager, and both city Managers as a committee to form a notice of intent to the public, to be reviewed by Hildale City Attorney.**

**Stacy Seay 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.

**#14. Consideration to Recommend to the City Council Adoption of a Resolution on the Memorandum of Understanding between Twin City Water Works and UEP**

Jeff Barlow gave a brief history on the reason for the memorandum. If TCWW and UEP can agree to jointly deed the well to the city that the well sits on, the dispute that has been going on for about 30 years goes away. The Utility Board can then manage the assets. He pointed out a few important negotiation topics/conditions. A draft resolution was provided for the Board to consider recommending to the Cities.

Jason Spendlove, Twin City Water Works Attorney, addressed the Board. TCWW is a non-profit organization to serve the people in the community. He pointed out that the cities will assume maintenance and power fees for the wells. TCWW and the UEP feel that giving the water to the municipalities is the best way to benefit the people in the community.

Jeff explained his game plan for taking this to the State of Arizona regarding the tax lien against TCWW; with Utility Board approval it will go before Hildale City Council, followed by the Colorado City Council and finally the State of Arizona.

Weston asked about assets not on UEP property. Jason stated that the understanding is that all water rights would transfer. There may be wells not included in the memorandum that need to be addressed. Jeff explained that the agreement specifies that ownership of any and all additional wells, water rights, and related equipment, shall transfer to the cities.

Ralph asked what the power and well operation cost is per month. Janet, TCWW employee, informed him that it is between \$6,000-\$10,000 a month depending on the season. The deeper the well the more expensive it is to sustain.

Mayor Allred was asked to comment. His main question is whether or not the TCWW Board really understands what they are giving up. He feels this may have been settled between Jeff and Jason rather than the UEP and TCWW. Jason was abhorred by the accusation that he signed this document without TCWW Board support. TCWW is interested in continuing in the water business, but they think this may be the best thing for the communities and to end the dispute. Jeff also stood up for the idea that an attorney signing a document without their client understanding it is ridiculous.

Christian Kesselring was asked his opinion. He has thoroughly reviewed the agreement. He stated that as long as the numbers make sense it looks like a great deal for both cities, but, all parties must be on board to make this happen.

**Jason Black moved to approve the resolution and present it to the City Councils for adoption.**

**JVar Dutson 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.

**#15. Discussion and Possible Action on Twin City Water Works Rate Increase Proposal**

Jason Spendlove explained that the cost of maintaining the wells is increasing. 69.3 cents is the current price; they are proposing increasing the rate to \$1.07. The motion that was just made may resolve this in the long run. TCWW has offered to allow the cities to review their books for a better understanding of the proposal. This item was tabled for this review.

**Jason Black moved to table this item for further review.**

**JVar Dutson 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.

**#16. Consideration and Possible Action on Hiring Utility Business Manager**

Arvin presented. He informed the Board about the interview process. A point system decided the recommendation. The hiring Board was comprised of Mayor Jessop, Mayor Allred, Vance Barlow, Christian Kesselring and Arvin Black. Mayor Allred explained the lengthy discussion had by the board regarding the point process and admitted that there may be a flaw in the scoring process. But, there has to be a methodology behind how a candidate is chosen.



Jason was disappointed that only one recommendation was brought before the Board, he had hoped to choose between a few candidates. Mayor Jessop explained that it was the hiring boards job to narrow it down to one, not the Utility Board.

John spoke bluntly about how the city is failing. The cities desperately need administration, somebody that can address the issues and solutions. John expressed the need for someone with business expertise. The city already has an expert operations person. Arvin and Mayor Jessop both expressed their appreciation for Weston, explaining that he is the perfect person for the position that he is in.

Jason voiced his opinion strongly about having somebody with experience over education because of the need to create and sustain relationships with many different entities.

Haven spoke about how important it is to have separate people for separate duties.

Vance Barlow addressed the Board. He feels comfortable with the hiring process, there was a lengthy discussion before a conclusion was reached about how to weigh the points. He voiced his opinion that if the Board approves the hire, Colorado City wants to work closely with him to make it a big success. JVar pointed out the need for the recommended hire to get a number of different certifications.

Arvin wanted to make sure that everybody understands that this is a Utility Board hire as stated in the IGA, and the hire will have to answer to the Utility Board.

Michael Cawley recommended that a job description be written up and an evaluation process be put in place that the Utility Board is in charge of.

Mayor Allred boasted about Harrison's skills and explained that Harrison has his support.

However, he was disappointed that a copy of the points did not make it before the Board for review.

Harrison Johnson was invited to address the Board. He told the Board a little about himself. He assured the Board that he intends to meet with each of them individually to make sure that their concerns are addressed. He is here to support Weston, and make him the best that he can be by doing his duties to the best of his ability. He has already developed a 60 day preliminary concept for the Utility Department. After the 60 days he intends to provide a strategic plan to the Board for the rest of the FY2019. He welcomes evaluations, criticism and feedback.

Arvin has spoken with Weston who seems to be okay with this recommendation.

**Haven Barlow moved to hire Harrison Johnson as the Utility Business Manager at the pay rate between \$46,000 to \$56,000, with the exact amount to be agreed upon between Harrison Johnson and Mayor Allred, to be reviewed after a 6 month probation.**

**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.

**#17. Adjournment**

Meeting adjourned at 10:15 p.m.

Minutes were approved at the Colorado City Council Meeting on \_\_\_\_\_.

Minutes were approved at the Hildale City Council Meeting on \_\_\_\_\_.

\_\_\_\_\_  
Vincen Barlow, Hildale City Recorder

\_\_\_\_\_  
Vance Barlow, Colorado City Town Clerk

**Summary of Board Actions:**

Approval of 6/26/2018 Minutes

Approval of Utility Waiver Requests

Approval to Pay Bills

Recommendation of Resolution to Allocate and Segregate Joint Utility Funds

Approval of purchase of Laser Methane Detector

Committee created to form a notice of intent for Colorado City Subdivision

Recommendation of Resolution on MoU between TCWW and UEP

Harrison Johnson hired as Utility Business Manager