

# Cottonwood Mutual Water Company

## Board of Directors Meeting Minutes

Wednesday, October 11, 2023; 6:30 PM

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### Board Members:

Earlene Lee	District 1	2022-2025	Present
Mark Greenwood	District 2	2022-2025	Present/ Zoom
Heidi Dorius	District 3	2021-2024	Present
Matt Bingham	District 4	2021-2024	Present
Sean Dorius	M at L	2021-2024	Present
Mike Johanson	Manager		Present

Visitors: Dale Harding, Noelle Dunkley, Cynthia Mattson, Rand Mattson, LaNeece Flamm, Brent Flamm, Ted Taylor, Robert McConnell, Reg and Janda Busson, Richard Mann, Joe & Lisa Pettegrew, Jeremy, David Gosling, Joe Sadler, Lori Glenn, Jesse Summers, Christy Johnson(?) Dave Larsen and Mindy Anderson, On Zoom: Bill Chipp, Kristin Steal, Lindsay Phone, Zach Swenson, Jamies phone, Justin Kilgore, Mark Greenwood.

1. Vice-President: Heidi
  - Call Meeting to Order: 6:30 pm
  - Declare any conflicts of interest: None
  - Specify Allotted Time for each agenda item: 15 minutes.
2. Appointment of District 4 Representative – Matt Bingham
3. Approve meeting minutes of September 13, 2023; Work meetings of September 19<sup>th</sup> & 26<sup>th</sup> 2023. Motion by Heidi, 2nd by Sean Unanimous
4. Approve share issuance cancellations and re-issues: Motion by Sean, Heidi 2<sup>nd</sup> unanimous.
5. Review Profit/loss report through September 30, 2023, and start 2024 budget preparation. Mike goes over the budget including the 1.5 acre of landscaping that the MOA is no longer taking care of, adding into the budget the cost for mowing, leaf removal and winterizing. Further discussion with the board about how to proceed in taking care of the maintenance in the 2024 budget.
6. Update regarding Silver Leaf Reservoir and bids to purchase. No update due to new board member.
7. Discussion/Decision on Slide Gate, Piezometer, and Staff Gage RFP (one bid was submitted) Mike sent out 14 requests to engineering firms. Mike explains that some companies refused due to the quick turnaround of when it needed to be completed. The company that did put in the bid will need a sure answer by the end of October. The items have not been budgeted and the state is not requiring it. Heidi explains that the minimum is required, but not having to be done this year. The State will help when the money is available to meet the minimum requirements. Putting in the gate will not make the dam any safer. Matt suggested receiving more bids.
8. Update on the MOA use of storage space and mail. Landscaping CMWC responsibility.
9. Mountain Green Mutal Water Company (UT15046) Storage tank: Table due to new board member.

10. Update on Old Highway LDS Church desire to connect to CMWC System: Table so Information can be reviewed by the new board members. Mike shares the back history of the proposal. Possible upgrade the water lines and fire hydrants. Mike has looked into their water rights 35-3908, 35-11264, total of 4 AF. The Church would like to have participation with the cost. More discussion for new board members.
11. (28:01) Discussion and review of how capacity credits are determined: Mike has a table showing how the credits are calculated. Heidi suggests that he email a copy to Ray Nettleton.
12. Points of Diversion We have 14 points of diversion with the water rights, but only five wells that we use. There are at least four wells that we don't own. State requirements that they need to know all water that is pumped from the wells. Mike explains that we have the right and that it will be easier in future development to keep the points of diversion where they are. Each party using the water will be responsible for reporting what the water is used for to the state.
13. Discussion Lee's Marketplace (35:37) Heidi shares the proposal from Lee's Marketplace and what we could provide. Haven't heard from Lee's Market since March. Since then, we have no agreement for a storage facility. At this time CMWC is not capable of issuing a will serve. However, Cottonwood water can serve a will serve. Mark, Rulon and Mike had a discussion regarding the service area including some of Gardner property. Need to sort out the tank before anything can happen. Rulon suggested that he would give the tank to CMWC for storage credits. Johnson owns half the tank and was not involved in their conversation. Zach from Lee's Market Place claims that he has spoken to Johnson and is on board with the discussion. Matt suggestion to get the legal contract in writing from Gardner's. More discussion is needed with everyone to get it worked out. Mike mentioned a Resolution which is the first time any of the board members have heard about it. Robert McConnell stated that he was a board member when the Resolution was adopted. Mike didn't have a copy of the signed document and due to the change of secretary he was unable to locate the Resolution. Mike proposed to sit down with all parties to discuss and reach a resolution. Mike agreed to set up a meeting with everyone for more discussion with all parties involved. Storage Tank issue needs to be resolved whether it helps Lee's or not.
14. Service Area Boundary Change: Question to Mike, why he changed the service boundary and not when it was approved. Mike reported it to Water Resources at The Rural Water conference in the fall 2017. He told them of the changes and doesn't know why they were not updated.
15. Water System Calculation sheet: Heidi did receive it so we could make sure we cover all our bases.
16. Draining the reservoir to inspect outlet: Mike informed us that the reservoir is being drained and when Secondary water shuts off for their season. Mike has contacted Twin D to come and inspect it. Possibly getting a staff Gate installed this year for one of the improvements listed on the report.
17. CMWC legal representation: Attorney Johnson will get the board a copy of a retainer for his service for signatures.
18. CMWC legal representation: Already discussed earlier.
19. Question regarding applications for the MAL board member. Mike will send out an email to all the shareholders tomorrow as a reminder. Four candidates as of today. Possible interviews next week.
20. Adjourn Earlene motion, Heidi 2<sup>nd</sup> unanimous.