

Utah Lake Commission
April 19, 2007
Utah Lake State Park Visitor Center
4400 West Center Street, Provo, Utah
7:30 am

ATTENDEES:

Members

Mayor Lewis K. Billings, Provo
Mayor Jim Brady, Mapleton
Dick Buehler, Forestry, Fire and State Lands
Representative Steve Clark, Utah County Legis.
Commissioner Larry Ellertson, Utah County
David Grierson, Forestry, Fire and State Lands (Alt)
Chris Finlinson, Central Ut Water Conservancy Dist.
Mayor Gene Mangum, Springville
Diane Nielson, Utah Dept of Env Quality
Clyde Naylor, Utah County
Mayor Tim Parker, Saratogaa Springs
Robyn Pearson, Utah Dept of Natural Resources
Mayor Jerry Washburn, Orem

Other Interested Parties

Helen Anderson, Utah Valley Homebuilders Assoc.
Greg Beckstrom, Provo
Kris Beulow, JRSIP/CUWCD
Kevin Call, Utah County Assoc of Realtors
Jim Carter, Logan Simpsen Design
Bruce Chesnut, Orem
Rick Cox, URS Corp.
Ken Culmone, Lakeshore resident/lake lover
Steve Densley, Provo/Orem Chamber of Commerce
Joe Donaldson, Logan Simpson Design
George Faust, State Parks and Recreation
Bob Fisher, SUVMWA
Deon Giles, Pleasant Grove
Reed Harris, Utah Dept of Natural Resources
Mark Kehoe, Saratoga Springs
Chris Keleher, Utah Dept of Natural Resources
Joel Racker, Utah Valley Conv and Vistors Bureau
James Riley, GEI Consultants
Jeff Salt, Great Salt Lake Lakekeeper
Steve Schwendiman, Attorney Generals' Office
Barry Tripp, Forestry, Fire and State Lands
Robert West, Provo
David Wham, Utah Division of Water Quality

1. Welcome and Call to order. Mayor Billings welcomed and called to order the first official meeting of the Utah Lake Commission.

The Mayor noted that it has been the policy of this committee that anyone who is willing to invest the commitment of heart and time will be put on the list for meeting notices, but if they fail to attend three consecutive meetings, their names will be dropped from the mailing list. Anyone not receiving notices was asked to give their contact information to the secretary.

2. Review and approve minutes of February 22, 2007 meeting. The minutes were approved as written.

3. Acknowledge the appointments, by Member entities, to the Governing Board and Technical Committee.
Governing Board:

Names representing the member entities to the Governing Board were read by Mayor Billings. (See attached).

It was noted that Highland City and Pleasant Grove City have committed to participate, but do not have names submitted at this time. It was asked that appointed names be submitted *in writing* to the Board for approval. It was also mentioned that Representative Steve Clark has agreed to represent the Utah County Legislature. This action is pending a joint formal Appointment from the Senate President and Speaker of the House.

A motion was made, seconded and unanimously approved to acknowledge presented names as official members of the Utah Lake Commission Governing Board under the process specified by the Agreement.

Technical Committee:

Names representing the member entities to the Technical Committee were read by Clyde Naylor. (See attached).

Highland City, Pleasant Grove City, Santaquin City and the Division of Wildlife Resources have not yet made their appointments. Reed Harris will represent Utah Department of Natural Resources, Division of Water Resources, Ty Hunter will represent Utah Division of Parks and Recreation.

Mayor Billings noted that if there is someone who feels that they or someone they know would bring value to having an official membership on the Governing Board or Technical Committee to please send requests in *writing*.

A motion was made, seconded and unanimously approved to acknowledge presented names as official members of the Utah Lake Commission Technical Committee under the process specified by the Agreement.

4. Determine terms for initial board member terms (proposed to be done by drawing – half to serve from July1, 2007 to June 30, 2009 and half to serve from July1, 2007 to June 30, 2011).

A drawing was conducted by Clyde Naylor to stagger terms of the Governing Board members. The Interlocal Agreement calls for 2 and 4 year terms for the initial appointments. Each Governing Board member's term will commence on July 1, 2007 and end December 30 of the following years (end of term date changed from June 30 to December 30 to be consistent with section 6.2 of the By-Laws):

Heber Thompson, American Fork City - 2011
Chris Finlinson, Central Utah Water Conservancy District - 2009
*Michael Vail, Genola Town - 2009
*Highland City - 2009
*Howard Johnson, Lehi City - 2011
*Jeff Acerson, Lindon City - 2011
Jim Brady, Mapleton City - 2011
Jerry Washburn, Orem City - 2011
Pleasant Grove City - 2011
Lewis Billings, Provo City - 2009
*James DeGraffenried, Santaquin City - 2009
Timothy Parker, Saratoga Springs City - 2009
Gene Mangum, Springville City - 2011
Larry Ellertson, Utah County - 2009
Steve Clark, Utah County Legislature - 2009
Dianne Neilson, Utah Department of Environmental Quality - 2011
Michael Styler, Utah Department of Natural Resources - 2011
Dick Buehler, Utah Department of Natural Resources (Division of Forestry, Fire and State Lands) - 2009
*Nathan Riley, Vineyard Town - 2011
Toby Harding, Woodland Hills - 2009

**Member was not in attendance, date was drawn on their behalf*

A motion was made, seconded and unanimously approved to accept 2 and 4 year terms for Governing Board members. Also approved was the method used to designate term lengths, which was by drawing the year that their terms will end.

5. Establish regular meeting time, date, and place for Commission meetings during 2007.

It was recommended that Commission meetings move to the Historic Utah County Ballroom to comfortably accommodate the size of the group.

A motion was made that future Commission Meetings be held at 7:30 am on the 4th Thursday of each month in the

Utah County Historic Ballroom (which would be available for free) for the balance of 2007, (with the exception of any conflicting holidays and in that case, the meetings will move to the 3rd Thursday). The motion was seconded and unanimously approved.

6. Elect a Commission Chair and Vice-Chair.

The portion of the Interlocal agreement dealing with the election of a Commission Chair and Vice Chair was summarized. It was noted that the Chair and Vice Chair serve no longer than 2 years. Whoever is elected will serve for the balance of 2007 and all of 2008, assuming the By-laws are approved. The term of Vice Chair does not automatically mean this individual will become Chair the next year. The floor was open for nomination of the Commission Chair.

A motion was made to nominate Provo Mayor Lewis Billings to serve as Commission Chair for the balance of 2007 until the end of 2008 assuming the By-laws are approved as drafted. The motion was seconded and unanimously approved.

A motion was made to nominate Commissioner Larry Ellertson to serve as Commission Vice-Chair for the balance of 2007 until the end of 2008 assuming the By-laws are approved as drafted. The motion was seconded and unanimously approved.

A motion was made, seconded and unanimously approved to close the nominations and to approve by acclamation the names presented.

7. Review and adopt tentative budget for the fiscal year beginning July 1, 2007 and authorize notice of public hearing to be held, in approximately 30 days, at next regular meeting of the Commission.

A copy of the proposed July 1, 2007 to June 30, 2008 Budget, which will be presented in an upcoming public hearing, was passed out (see attached). The budget has been revised from what was originally mailed, due to additional members being added. With the additions, contributions total \$316,270.55. Clyde also discussed the expenditures proposed to be allocated and all that will be needed to get the office up and running.

A motion was made to adopt the budget as proposed (income portion, as well as expenditure portion) and to move the budget forward to the public hearing, which will be held at the next regular meeting of the Commission. The motion was seconded and a tentative budget was unanimously adopted.

8. Appoint two Technical Committee members to conduct elections for a Chair and Vice-Chair of the Technical Committee and assign them to report at next regular meeting of the Commission.

Mayor Billings said that the Technical Committee has enjoyed the very capable leadership of Bruce Chesnut and suggested that, by motion, Bruce be appointed to select a Chair and Vice Chair for the Technical Committee. Bruce was asked who he would like to help him with this process and Bruce suggested Greg Beckstrom.

A motion was made that Bruce Chesnut and Greg Beckstrom will now formally implement the processes contemplated here with the Technical Committee (i.e. select chair and vice chair, etc.). The motion was seconded and unanimously approved.

This item will be placed on the next agenda. Technical Committee Meetings are held on Monday before the 4th Thursday of each month at 8:30 am at the Orem Public Works Office, 1450 West 550 North, Orem.

9. Report from By-Laws Sub-Committee.

Clyde Naylor passed out the By-Laws that were developed by an excellent committee of Attorneys. Clyde summarized what the By-Laws cover, how they were developed and proper procedure to approving them. Several areas were discussed that required correction and/or better clarification. It was noted by Stephen Schwendiman that these By-laws are comprehensive guidelines on how to keep order and can be amended anytime by majority vote to fit the needs of the Commission. The following sections of the By-laws were proposed to be modified as shown.

Section 2.1 - Initial Business Office. The address of the Utah County Courthouse should be corrected to 51 South

University Avenue, Provo, Utah.

Section 5-2 - Designated Representatives of Commission Members. Each Member shall designate one individual in writing who shall serve on the Governing Board as its official representative and who shall have authority to vote on behalf of the member. Each Member may designate in writing an alternate representative.....

Section 6.2 - Election of Officers. Thereafter, elections shall be held ~~annually~~ bi-annually at the first meeting of the calendar year.

Section 9.4 - Voting. ~~Though~~ Members may send ~~non-designee~~ representatives to meetings in order to represent their interests. ~~when it comes to voting,~~ Only those who are officially designated in writing by the Member pursuant to Section 5.2 may vote at meetings.

10. Approve the initial Utah Lake Commission By-Laws.

A motion was made to approve the By-Laws, with modifications indicated above. The motion was seconded and unanimously approved.

11. Determine rules for accepting new members as provided in Section 5.5 of the Interlocal Agreement.

It was proposed that new public entity members be authorized to join the Commission under the same conditions as current members (i.e. accept the Interlocal Agreement by Resolution , appoint members to the Board and to the Technical Committee and to provide funding using the same formula consistent with all of the other members).

A motion was made, seconded and carried unanimously to adopt the above language as a rule.

12. Accept or reject the application from Payson City, the Provo-Orem Chamber of Commerce and the South Utah Valley Municipal Water Association (SUVMWA) as Ex-officio Members.

The term Ex-officio was defined as a member that can attend meetings, participate in discussions and have more status than the general public, but cannot vote. Ex-officio status is discretionary on the part of the Commission and should be determined on what can be brought to the table and who can add in the formal discussion.

A motion was made, seconded and unanimously approved that all three applicants be accepted to have Ex-officio status.

A substitute motion was made that the three applicants be adopted, two more be allowed, but then capped and no additional Ex-officio members be added (no more than 5 added per year). The motion failed due to lack of a second.

It was moved that a substitute motion be made to amend the original motion by adding that Ex-officio member appointments be approved for the balance 2007 and thereafter require an annual review. The substitute motion was made, seconded and unanimously approved.

13. Appoint James McMillan, of the U.S. Army Corps of Engineers to become a member of the Commission Technical Committee.

This item was continued.

14. Report from Personnel Sub-Committee.

The Personnel Sub-Committee in coordination with the By-Laws Committee determined the job description for the new Executive Director position (see attached). Clyde passed out the job description and indicated that what they are looking for is someone with a love for Utah Lake, has skills to develop information and is willing and able to work with people.

15. Approve the Job Description for Commission Executive Director and authorize solicitation and recruitment.

A motion was made to approve the job description for Commission Executive Director and to authorize solicitation for recruitment. The motion was seconded and unanimously approved.

16. Discuss appointment of Interim Commission Executive Director and Interim Secretary.

Mayor Billings proposed that the Board consider by motion and official action Clyde Naylor's appointment, on an interim basis, to serve as the Commission Executive Director. He has the qualifications and passion and his assistance will greatly help to advance the cause and accelerate the process for the Commission.

A motion was made that Clyde Naylor be appointed as the Interim Commission Executive Director for as long as he is needed and for the time that it takes to formally fill the position. The motion was seconded and it carried unanimously.

It was proposed that Lanice Groesbeck, Provo City Recorder, be appointed as Interim Secretary.

A motion was made that Lanice Groesbeck be appointed as Interim Commission Secretary, along with thanks for her willingness to serve and thanks to Mayor Billings for his willingness to let her have the time to assist the Board. The motion was seconded and unanimously approved.

17. Other business. None

18. Confirm date, place and time for next meeting. The next meeting will be held on Thursday, May 24, 2007 at 7:30 am in the Utah County Historic Ballroom, 51 South University, Provo.

19. The meeting adjourned at 9:15 am.

Minutes were approved 5-24-07

Lewis Billings, Chair