



GOVERNING BOARD MEETING
Thursday, August 28, 2008 – 7:30 A.M.
Historic County Courthouse Ballroom – 3rd floor
51 South University Avenue, Provo, Utah

ATTENDEES:

Lewis K. Billings, Chairman
Commissioner Larry A. Ellertson, Vice-Chair
Reed Price, Utah Lake Commission
Mark Atwood, Pleasant Grove
Dick Buehler, Forestry, Fire & State Lands
Don Blohm, Highland
Mayor Jim Dain, Lindon
Chris Finlinson, Central UT Water Conservancy District
Bob Fisher, Woodland Hills
Mayor Howard H. Johnson, Lehi
Leah Ann Lamb, UT Dept. of Environmental Quality
James Linford, Santaquin
Dean F. Olsen, Springville
Nathan Riley, Vineyard
Michael Styler, UT Dept. of Natural Resources
Mayor Heber Thompson, American Fork
Michael Vail, Genola
Jerry Washburn, Orem
Steve Densley, Provo/Orem Chamber
David Lifferth, Eagle Mountain

Other Interested Parties

Stephen Schwendiman, Attorney General's Office
Clyde Naylor, Utah County
Bruce Chesnut, Orem
Chris Keleher, Dept. of Natural Resources
Greg Beckstrom, Provo
H. Barry Tripp, Forestry, Fire & State Lands
Michael Mills, JSRIP
David Grierson, Forestry, Fire & State Lands
Brent Arns, Payson
Gene Shawcroft, Central UT Water Conservancy District
Robert West, Provo
Rick Cox, URS, Inc.
Marc Heilesen, Sierra Club
Marsha McLean, Visions of Utah Lake
Taylor Oldroyd, UT County Association of Realtors
Ed Belliston, Property Reserve
Donald W. Meyers, Salt Lake Tribune

ABSENT: Mapleton, Saratoga Springs, UT County Legislature.

1. Welcome and call to order.

Chairman Lewis K. Billings called the meeting to order at 7:32 A.M.

2. Review and approve the Utah Lake Commission minutes from June 26, 2008.

In discussion of the minutes, Mr. Dick Buehler requested that on page 13, paragraph 7 the word "wellness" be changed to "wetlands."

Mayor Heber Thompson moved to approve the minutes with that amendment and Mayor Howard H. Johnson seconded the motion. The minutes were approved unanimously as amended.

Representative Steve Clark asked to be excused as his daughter and son-in law were involved in a plane crash in Mesa, Arizona and were severely burned. Mr. Price was asked to convey the good wishes and sympathy of the Governing Board to the Clark family.

3. Review and approve the monthly financial report of the Commission for June and July 2008 and the year-end summary for FY2008.

Mr. Price reviewed three financial reports; 1) month ending June 30, 2008, 2) month ending July 31, 2008, and 3) Fiscal Year 2007-2008 Budget/Expense Summary. He reviewed that at the end of July the Zion's Bank Checking account balance was \$2,162.45. The Zion's Bank Money Market account balance was \$230,939.86 with Year-to-date Interest Earned at \$327.70. The expenses for July were \$17,338.39 and the Budget Report shows that there are 97% of the year's funds remaining with 93% of the year remaining.

Expenses for the month of June were \$8,274.70. At the end of the fiscal year for 2007-2008 there was 25% of the budget remaining. A portion of that was used for the current fiscal year and a portion was left in Fund Balance which is listed in the Final Document of the Budget/Expense Summary at \$41,985.76.

Mr. Price reported that most of the dues payments for this coming year from the Governing Board members have been received with the exception of two participants. Both of those members are aware of this and are in the process of getting those funds to the Commission. The Commission will be fully funded for the coming year very shortly.

Mayor Jerry Washburn moved to approve the June Financial Report and it was seconded by Mayor Jim Dain. The report was approved unanimously.

There was a motion to approve the July Financial Report by Mr. Bob Fisher and seconded by Mayor Washburn. The motion passed unanimously.

The Fiscal Year summary did not require approval as it was only for the information of the Board.

Chairman Billings congratulated Executive Director, Reed Price, on staying on budget for the last fiscal year and for the format that he designed.

4. Report from the Technical Committee.

The Vice Chairman of the Technical Committee, Mr. Greg Beckstrom, requested that the meeting move forward to Item #9 on the Agenda first and there was no objection.

9. Update on Master Planning process.

Mr. Rick Cox as the Consultant for the Master Plan reported that URS and the consulting team are about 60% through the Master Plan process with three months left. The Current Conditions Report is now in its third draft. Open Houses have been held for the public. A Draft Outline plan has been distributed to the Board members describing the agenda for the planning process for the next few months.

The Vision Statements that they have been developing will become specific goals and the opportunities that are being developed through workshops and with the Technical Committee will eventually become objectives to meet those goals.

The Steering Committee is developing a section on how to amend the Master Plan. Mr. Cox then turned the time back to Mr. Beckstrom for discussion on the Broad Vision Statements.

4. Report from the Technical Committee (continued).

Mr. Beckstrom summarized that the Master Planning process has now been underway for six months which includes gathering of data, two workshops, open houses, and hundreds of hours of meetings and analysis between the Technical Committee and its' subcommittees. As they present to the Governing Board what has been done they will be asking for feedback as the planning process continues.

He referred the Board to the single-page document of the Broad Vision Statements and pointed out the correct version is dated 8-25-08 which is different from the version that was sent to them in their packet.

At the direction of the Steering Committee approval of this document is requested in this meeting.

They are not asking for it to be adopted because that will happen with the approval of the entire Master Plan. The goals for this coming month are to define and evaluate the objectives and opportunities and see if they meet the vision and expectations of the Master Plan.

The Technical Committee refined the Broad Vision Statements in their meeting on Monday morning. Mr. Cox summarized that there is a Broad Vision Statement and five areas of interest; 1) Land Use/Shoreline Protection, 2) Transportation, 3) Natural Resources, 4) Recreation, and 5) Public Facilities.

The Technical Committee evaluated and refined each statement and approved every one unanimously. Chairman Billings suggested the Board discuss the preliminary document by sections. Key principles will be included in the draft of the Master Plan but it is not a portion of the Vision Statement which is essentially the Utah Lake Commission's description of the future condition of Utah Lake.

Broad Vision Statement

Mr. Beckstrom reported that this statement was approved by the Technical Committee without any changes. The Vision Statement is written in present tense. It's not the way things are now, but what is the vision for the future. It reads as follows:

Utah Lake is the centerpiece of a natural resources system that contributes to the environmental health, economic prosperity and quality of life of area residents and visitors. Through collaborative restoration, protection and sustainable use efforts, the lake and its multiple-use amenities are fully recognized and enjoyed by current and future generations.

Commissioner Ellertson commented that the word "centerpiece" may indicate that it is the mother of all resources or that it is "in the center of." Mr. Beckstrom stated that the context intended for the word "centerpiece" was geographically. Commissioner Ellertson proposed to change that wording. Chairman Billings asked that this change be noted and tabled to be discussed after the other statements.

Land Use /Shoreline Protection

The Technical Committee recommended making the following changes to the 6-26-08 version as indicated below:

Utah Lake benefits from land use principles, and best management practices and tools that: protect the shoreline; support lake management objectives; showcase and protect natural and cultural features; maximize public ownership and access; offer diverse experiences and uses to visitors; and provide for mixed use development that protects the lake's natural features. Impacts to shorelines from development of adjacent properties are minimized. Land use plans, regulations, ordinances and policies affecting the Utah Lake study area All such land use activities are guided by and/or consistent with the Utah Lake Master Plan. a land use plan tailored to the presence and function of the lake.

Mayor Thompson commented that he liked the inclusion of the word protect in the phrase "showcase and protect" and felt it was an important addition.

Transportation

The Transportation statement was the statement with the most substantive changes. There was a lot of discussion on balancing the focus of the Master Plan within the geographical study area as defined in the Interlocal Agreement. Some issues are significantly impacted that are outside of the study area. This statement and the Natural Resources statement were reworded with consideration of those interests. The statement was edited and approved by the Technical Committee as follows:

Utah Lake residents are well served by A comprehensive multi-modal transportation system provides that is both functional efficient mobility and access options (e.g., high volume commercial traffic, commuting, and adequate parking) and aesthetically pleasing (e.g., scenic drives and overlooks). East west and north

~~South road systems provide efficient transportation routes~~ while safeguarding the ecological integrity and natural features of the area. Motorized transportation routes are complemented by ~~other modes, such as~~ a non-motorized trail system encircling the lake with multiple access points. A Long term transportation ~~plans~~ addressing highways, trail systems, mass transit and air transport ~~is~~ **are** in place to ensure that the presence and function of the lake is appropriately considered and protected.

Mr. David Lifferth questioned whether the statement is neutral on a proposed causeway. Mr. Beckstrom said that it was the intent of the Committee to remain neutral in terms of a cross-lake corridor at this point. The Commission's interests are that if it is determined that a corridor is necessary and appropriate from a transportation standpoint, then it could be implemented after recognizing and protecting the ecological interests.

Natural Resources

In this statement some of the specific examples were removed. The current version was edited by the Technical Committee as follows:

~~Utah Lake supports healthy populations of native~~ **and/or other desirable** plant and animal species. ~~and protects and preserves~~ Other natural features ~~(e.g., wetlands, shorelines, and habitat)~~ **are protected and preserved** for both their ecological benefits and the enjoyment of visitors. Throughout the watershed ~~;~~ laws, regulations, ordinances, policies, programs, and research/monitoring efforts are coordinated and harmonized to both ~~restore and protect~~ **and improve** the quality of water and related natural resources for all current and prospective uses. Resource enhancements ~~(e.g., selective dredging, habitat construction and lake level regulation)~~ **are implemented** balancing stakeholder interests with the ecological integrity of the lake.

Mr. Beckstrom reported that some of the specific examples were deleted because they might create biases or that they weren't too clear. Mr. Cox commented that the word "desirable" had been added in the first sentence. Mayor Thompson commented that he felt the first e.g. examples in the first sentence would be helpful in making this a more public friendly document. Mr. Beckstrom explained that in his memory removing the examples were not a critical point, but an attempt to avoid being verbose.

Mr. Dick Buehler expressed that, on the other hand, by not having the e.g. examples in the document it could help the Commission in staying neutral. Mr. Beckstrom stated the question had been discussed that by including examples it could express favorability and thereby excludes other possibilities that may come forward in the future. Mr. Jim Linford commented that he views the document to be similar to a mission statement and by putting e.g.s in a document may not only express support, but may exclude other things that are not mentioned. He supported leaving details out of the Vision Statements and reserved for the main body of the Master Plan.

Mr. Cox said that the first set of e.g.s appear to be more neutral than the second set of e.g.s. Further discussion will continue later with a motion. Mayor Thompson agreed and suggested the first set of examples remain in the statement.

Recreation

This statement is essentially the same as the June draft. In the last sentence the phrase "the lake's natural amenities" was changed to "the lake's natural and cultural features." In this case the e.g.s were left in as it was decided they were more helpful and informative and did not create problems of exclusion.

Mr. Don Blohm suggested that the word “spot” in the phrase “destination spot” be changed to location or venue. The statement as edited by the Technical Committee, reads as follows:

Utah Lake is a destination spot that ~~is an~~ provides economic benefits to the area and is perceived positively ~~county and enjoys a positive perception by local residents and other as well as state, regional, and national~~ visitors. Multiple access points and a variety of well-maintained facilities offer visitors many options that support active recreation (e.g., parks, sandy swimming beaches, boat launches, marinas, campsites, fishing/hunting, and special events); passive recreation (e.g., natural areas, trails, and boardwalks); educational opportunities (e.g., interpretive sites and research areas); and supporting amenities (e.g., concessions, shops, overnight accommodations, roads) that both safeguard and showcase the lake’s natural ~~amenities~~ and cultural features.

Public Facilities

The Public Facilities statement remains unchanged. Some of the areas that were originally in the Public Facilities area were determined to fit in other Vision Statements. Mr. Beckstrom emphasized that the Technical Committee invites input from the Governing Board.

Chairman Billings directed that discussion return to the previously discussed statements and address any amendments.

Broad Vision Statement

Commissioner Ellertson expressed concern that he didn’t want the document perceived as being overreaching. He reviewed that the word “centerpiece” could be replaced. Mayor Washburn moved to change the statement to read “Utah Lake is ~~the~~ a centerpiece of ~~a~~ the natural resources system in Utah County...” and it was seconded by Commissioner Ellertson.

Mayor Johnson requested clarification of the Specific Vision Statements. Mr. Beckstrom answered that the Specific Vision Statements will be the next step for the Technical Committee to address. They plan to evaluate and bring back an edited version of those to the next Governing Board meeting in September. Mr. Buehler suggested making the word “system” plural. After further discussion he suggested changing the sentence to “Utah Lake is a focal point of natural resource systems...” Mayor Washburn agreed to amend his motion to read “Utah Lake is a focal point of natural resource systems that contribute to the environmental health...” And Commissioner Ellertson seconded the motion. It was approved unanimously. It is approved as follows:

Broad Vision Statement

Utah Lake is a focal point of natural resource systems that contribute to the environmental health, economic prosperity and quality of life of area residents and visitors. Through collaborative restoration, protection and sustainable use efforts, the lake and its multiple-use amenities are fully recognized and enjoyed by current and future generations.

There was discussion in regard to the suggested changes for the Natural Resources statement. Mayor Thompson and Stephen Schwendiman gave input in regard to the inclusion, modification or deletion of the examples given in the statement.

Commissioner Ellertson moved to add the word “enhance” to the statement to read “protected, ~~and~~ preserved, and/or enhanced.” It was seconded by Mayor Johnson and approved unanimously. The approved Natural Resources Vision Statement now reads:

Natural Resources

Utah Lake supports healthy populations of native and/or other desirable plant and animal species. Other natural features are protected, preserved, and/or enhanced for both their ecological benefits and the enjoyment of visitors. Throughout the watershed; laws, regulations, ordinances, policies, programs, and research/monitoring efforts are coordinated and harmonized to both protect and improve the quality of water and related natural resources for all current and prospective uses. Resource enhancements balance stakeholder interests with the ecological integrity of the lake.

Discussion was initiated on the Recreation Vision Statement. Commissioner Ellertson moved to eliminate the word “spot” in the first sentence to read “Utah Lake is a destination ~~spot~~ that provides...” and it was seconded by Mayor Johnson. The motion was approved unanimously.

Mr. Mike Styler requested that the words “sandy, swimming” be deleted from the phrase “sandy swimming beaches.” There was additional discussion on the examples listed in the statement. Mr. Schwendiman commented that the e.g.s listed in this statement as opposed to the Natural Resources Statement are that the examples in this statement are not specific and not as binding. He said he did not see them as being problematic.

Mayor Johnson moved to adopt the statement with the removal of the words “sandy swimming” from the statement and it was seconded by Mayor Thompson. The motion was approved unanimously. The approved Recreation Vision Statement reads as follows:

Recreation

Utah Lake is a destination that provides economic benefits to the area and is perceived positively by local residents and other visitors. Multiple access points and a variety of well-maintained facilities offer visitors many options that support active recreation (e.g., parks, beaches, boat launches, marinas, campsites, fishing/hunting, and special events); passive recreation (e.g., natural areas, trails, and boardwalks); educational opportunities (e.g., interpretive sites and research areas); and supporting amenities (e.g., concessions, shops, overnight accommodations, and roads) that both safeguard and showcase the lake’s natural and cultural features.

In discussing the Land Use/Shoreline Protection Statement Mr. Buehler stated that he did not think the word “maximize” in the phrase “maximize public ownership and access” was adequate. He moved that the words “enhance and protect” be added to read “maximize, enhance and protect public ownership and access” and it was seconded. Discussion followed and Mr. Linford suggested eliminating the word “maximize” and substitute the phrase “enhance and protect.” Mr. Buehler accepted the suggestion as a substitute motion and the second agreed. There was further discussion about other possible suggestions. The motion was approved unanimously as stated. The Land Use/Shoreline Protection Vision Statement as approved reads as follows:

Land Use/Shoreline Protection

Utah Lake benefits from land use principles, best management practices and tools that: protect the shoreline; support sound lake management objectives; showcase and protect natural and cultural features; enhance and protect public ownership and access; offer diverse experiences and uses to visitors; and provide for mixed use development that protects the lake’s natural features. Impacts to shorelines from development of adjacent properties are minimized. Land use plans, regulations, ordinances and policies affecting the Utah Lake study area are guided by and/or consistent with the Utah Lake Master Plan.

Chairman Billings verified that the Technical Committee’s intent was to have the Governing Board approve the Utah Lake Vision Statement one page document as a preliminary draft. Mr. Beckstrom emphasized that

with the adoption of the document it would still be considered a draft document subject to changes. The Specific Vision Statements will be presented with a similar discussion at the September Governing Board meeting. Mr. Price added that the Specific Vision Statements have been reviewed by subcommittees and the Technical Committee will determine if the Specific Vision Statements follow in line with the Broad Vision Statements. They will determine if they are achievable and determine a level of priority.

Mr. Styler moved to adopt this amended document as a draft document to be further refined and taken back to the respective entities and approved as a final document at a future time. Mayor Johnson seconded the motion. The motion was approved unanimously.

Mr. Styler asked that a revised copy be sent to all the Governing Board members.

Mr. Beckstrom expressed the appreciation of the Technical Committee to the Governing Board for all their feedback and modifications. They view themselves as a supportive, recommending body to the Governing Board.

Mr. Cox stated that the public involvement at the Open Houses provided rewarding input although there was a small turnout. He reviewed that the Open Houses began with a Power Point presentation and then the public was able to visit different stations for every Master Plan area. The public had the opportunity to mark on maps their own ideas and comments. He passed out copies of the map that was created from the public input at the Open Houses.

Mr. Price thanked the Governing Board and voiced particular gratitude to the Technical Committee for all their work. It has required extensive work and is not an easy process. In his opinion they are getting the input that is needed and the appropriate discussion.

Chairman Billings requested that a current roster of the Subcommittees be sent to the Governing Board members along with the Broad Vision Statements and requested the Governing Board members express gratitude and encouragement to their Technical Committee and subcommittee representatives.

5. Report from the June Sucker Recovery Implementation Program

Mr. Price introduced Mr. Michael Mills from the June Sucker Recovery Implementation Program (JSRIP) who addressed the Technical Committee on Monday and was invited to update the Governing Board as to the progress with their projects.

Mr. Mills reported that the JSRIP is moving forward with the restoration project on lower Hobble Creek west of I-15. The project is to relocate and reconstruct a stream channel that will provide a natural spawning and rearing habitat for the June Sucker. In cooperation with UTA they have been able to begin the project sooner than they anticipated with actual construction beginning this week and it is expected to be completed by the end of October.

In regard to the Carp removal, a Request for Proposal (RFP) was released in May and received several proposals in June. The goal was to find an applicant who could catch, market and dispose of the fish. The proposals ranged in quality and price. Among those proposals received there was one from an entity to remove and market the fish at no cost to the state. The company said they didn't need any of the fundings that the JSRIP had acquired from the state. They own a seafood company and are involved in bio-fuel and feel they can make a profit in that way.

Since they didn't request any money from the RFP the JSRIP did not have to award the contract, but did work with the state in order to help the company be issued a commercial fishing license. As part of the agreement, they have several benchmarks they are required to meet in order for the license to be renewed. The JSRIP feels they are pressed for time and therefore, the company's significant benchmark is that they are required to remove 1.6 million pounds of carp from the lake by the end of January. If they fail to meet that benchmark the JSRIP will probably issue another RFP.

Mr. Steve Densley questioned how this company can catch the carp without catching the June Sucker. Mr. Mills explained it is a labor-intensive task. They have to basically put the June Sucker back into the lake. Mr. Washburn shared information about a news article he had read where there is research to develop a method

for liquefying the carp, removing the PCBs, and then using the residual good products for multiple products. Mr. Mills said they had researched many alternatives in the last two years that hold promise, but it will take a few more years for those to be developed.

Mr. Lifferth asked if the company's business plan had been verified to see if it is valid. Mr. Mills replied that the JSRIP spent several months checking out the company to see if they had the resources and the ideas to accomplish this project. He also pointed out it's hard-pressed to take a proposal that is offered for free and turn around and choose to pay someone else to accomplish the same goal. The JSRIP has the confidence that there is a reasonable chance for success and there is the prescribed benchmark to check on their progress.

Mayor Dain asked what can be expected in terms of equipment on the lake for the operation. Mr. Mills said what they have been told is that there will be several boats with nets 100-200 yards long. There may be some impact on recreation. This deadline, if met, will mean that by January 300,000 to 400,000 carp will be removed.

Mr. Densley commented that he had been approached by some people who were concerned that the carp would be marketed for human consumption and that the PCB levels in the fish were not acceptable for human consumption. Mr. Mills stated that the PCB levels are below FDA levels. Mayor Washburn questioned whether Utah PCB levels are similar to levels in other states in the United States. Mr. Mills replied that the JSRIP has collected data and found that PCBs haven't been tested in any other body of water in the state. However, in other areas of the country, specifically back East, some levels of contamination have been tested as the same as Utah Lake and many even higher.

Chairman Billings suggested that it might be helpful if the contractor for removal of carp would come and speak to the Governing Board and present their plans. Mr. Mills will invite them to the next meeting. Mayor Dain suggested it be relayed to them that the Board is not negative about their endeavor, but only curious.

6. Report from the Executive Director

Mr. Price reported that he had been contacted by Payson City and they are reviewing the Interlocal Agreement in consideration of joining the Utah Lake Commission as a voting member. Payson City is currently an Ex-Officio member.

There are a few transportation studies going on right now. As the Board is aware, UDOT received funding from the Legislation to conduct studies for the Utah Valley Connector and Mr. Price was invited to be on the selection committee to select an engineering firm that will perform that study. The firm selected will be researching the different possibilities to alleviate the East-West congestion. The Utah Lake Commission is involved in the process because there is the potential that an alternative route would involve the crossing of Utah Lake or would go along the side of Utah Lake.

There is also the Provo-Nebo study going on which has proposed studying two roads that fall within the Utah Lake study area and includes a crossing of the west side of Provo Bay, and also along the frontage road along the East side of Provo Bay, west of I-15. Both of the studies are in preliminary stages and they are not looking at any specific transportation structure, but they are planning for the future.

The Commission will be working with the Central Utah Water Conservancy District (CUWCD) and the JSRIP on September 5 and 6 at an event in Spanish Fork called the Sky Spectacular. Spanish Fork is promoting their Wind Energy and is trying to educate the public on some other beneficial programs going on.

Mr. Price commented that the Utah Lake Commission expressed support for the efforts of the JSRIP in seeking funding for a solution for carp removal and will help seek funding in the future if needed.

He met with the Natural Resources subcommittee to let them know more about the Utah Lake Commission. It was reported on KSL a few days ago that Governor Huntsman has appointed an advisory group to look at forming a commission such as the Utah Lake Commission for the Great Salt Lake. Mr. Price expressed excitement that the Utah Lake Commission is being used as a model.

Mr. Densley said that he was aware that Bear Lake has a huge new resort plan and that it would be informative to hear about it since our Commission was patterned after the Bear Lake Commission.

7. Review and approve the recommended amendment to the Bylaws of the Utah Lake Commission.

Mr. Price summarized that there were three issues to be addressed in the Bylaws of the Utah Lake Commission which require amending five articles. The first concern was that the Ex-Officio Membership would eventually become too large. A committee was formed which consisted of Mr. Price, Mr. Dean F. Olsen, Ms. Chris Finlinson, Mr. Walt Baker, and Representative Steve Clark. This committee recommended phasing the Ex-Officio Membership out, but keeping it in the Interlocal Agreement to allow other municipalities, that would qualify to become members, the opportunity to be an Ex-Officio member for the duration of one year before joining the Commission. Current Ex-Officio members and non-governmental organizations would be phased out by the end of the year as of June 30, 2009. The new Section would read as follows:

Section 5.4- Ex-Officio Membership

Ex-Officio Membership is limited to qualifying governmental organizations who are considering joining the commission as members. Ex-Officio status can be granted for up to one year as the organization considers joining the Commission. If no action is taken after the one year time period, the organization will forfeit its status as an Ex-Officio member. The qualifying member may request Membership on the Governing Board at a later date. Recognized Ex-Officio members who qualified to become Members on July 1, 2008 will have until June 1, 2009 to join the Commission as a Member. Recognized Ex-Officio members who do not qualify to become members on July 1, 2008 will be asked to participate in the Public Advisory Group and will forfeit their Ex-Officio status on June 30, 2009.

A Public Advisory Group would be formed and Section 10.6 – Public Advisory Group article would be added to the Interlocal Agreement. Mr. Price would serve as the coordinator of the Group to facilitate those meetings. Members of the Public Advisory Group would include stakeholders with a legitimate interest in Utah Lake and also non-governmental organizations. The Provo/Orem Chamber of Commerce and South Utah Valley Municipal Water Association (SUVMWA) who are current Ex-Officio members would be asked to join the Public Advisory Group. The new Section 10.6 reads as follows:

Section 10.6 – Public Advisory Group

The Public Advisory Group is provided for in Article 11.1.5 of the Interlocal Cooperation Agreement establishing the Utah Lake Commission. The Commission’s Executive Director will act as the Public Advisory Group Coordinator. The membership of the Public Advisory Group shall consist of stakeholders with a legitimate interest in Utah Lake and the decisions made by the Utah Lake Commission. Applications for membership in the Public Advisory Group will be received and reviewed by the Governing Board. The Governing Board will approve or disapprove applications at a regularly held Board meeting. After initial approval of membership in the Group, applicants must re-apply in January of each subsequent calendar year to officially participate in the Group. The Public Advisory Group can report to the Governing Board at their regularly-scheduled meetings to offer ideas and voice concerns. Members of the Public Advisory Group who do not agree with the Group’s majority report may prepare a separate report to the Governing Board describing those matters where they differ from the reports given by the Group’s majority spokesman. Members of the Utah Lake Commission may elect to participate in the Public Advisory Group. The Public Advisory Group shall maintain minutes for their meetings.

Mr. Price stated that the purpose for this Public Advisory Group is to allow non-governmental organizations to have a clear voice to the Commission. Adoption of this Section would necessitate changing the numbering of the current **Section 10.6** to **Section 10.7**.

The second addition to the Bylaws is in Article 9 – Governing Board Meetings. In the past there has been a problem when both the Chairman and the Vice-Chair couldn't be at the Governing Board meeting. It was recommended to amend the following section:

Section 9.2 – Notice and Agendas for Governing Board Meetings

An agenda will be provided to each designated representative and member by e-mail, fax, mail or other means as determined appropriate under the circumstances prior to each meeting. A quorum at all meetings shall consist of either the chair or the Vice Chair and a majority of the other designated members of the Governing Board. In the absence of the Chair and Vice-Chair, the Governing Board must elect a Chair pro tem in order to allow regular business of the Commission to proceed. The Executive Committee may recommend a Chair pro tem if the absence of the Chair or Vice-Chair is anticipated. The Chair pro tem will cede his responsibility to the Chair or Vice-Chair upon their arrival or upon conclusion of the meeting. The agenda will be prepared by the Executive Director or his designee for each meeting and will include items continued from prior meetings and/or new matters cleared by the Chair or the Governing Board. Board members may submit matters to the Executive Director for placement on the agenda. The agenda shall be closed one week prior to a regularly scheduled meeting so that the staff will have ample time to publish and distribute it together with any appropriate accompanying reports and materials. Notice of all meetings shall be made in compliance with the Utah Open and Public Meetings Act.

The final amendment is in Article 12- Finances, section 12.4 regarding an Annual Audit. The financial situation of last year allows the Commission to legally perform a financial review instead of an audit. A review is less expensive and less intensive and still satisfies the requirements of the law. The committee proposes the following changes:

Section 12.4 – Annual Review or Audit

The Commission shall cause an annual review or audit of its financial affairs, as required by law, to be made by a certified public accountant at the end of each fiscal year. The Commission shall direct the Executive Director to employ a certified public accountant that shall have been approved by the Governing Board for such review or audit. The review or audit report shall be made available to each of the Commission Members and to the general public.

Adoption of this proposal also requires changing Article 7 – Executive Director to read as follows:

7.5.14 Arrange for, under the supervision of the Governing Board, a certified annual review or audit of the financial accounts and records of the commission as required by law;

Chairman Billings verified that the recommended changes to the Bylaws be adopted as a whole. There was discussion of section 5.4. It was clarified that a city which forfeits Ex-Officio membership could request Ex-Officio status at a later date.

Mayor Thompson moved to adopt the document as proposed and it was seconded by Mayor Johnson.

There was discussion on the Public Advisory Group and the criteria of those who can be accepted in the Group. It was stated that if the Public Advisory Group became too big in the future then that could be re-addressed later. The Governing Board will have the authority to decide who will be invited to join the Public Advisory Group. The motion was approved unanimously. Full copies of the new Bylaws were requested to be at the next meeting. Mr. Schwendiman suggested that each version of the Bylaws be dated.

8. Approve accounting firm to conduct the Commission's annual financial review.

Mr. Price said that the Bylaws state that the Governing Board must approve the firm that is selected. The Procurement Policy requires that a RFP be issued in the process of selection. There were two responses to the RFP. Mr. Price requested that the Governing Board approve Squire & Company to be contracted to conduct the annual financial review. There was discussion in regard to the estimate for an audit for next year and if the fee could be put into the contract.

Commissioner Ellertson moved to approve the firm of Squire & Company to conduct a financial review for this year and an audit for next year. It was seconded by Mayor Johnson. Discussion followed.

A substitute motion was made to approve the firm of Squire & Company to conduct a financial review for this year if they will negotiate a contract for the audit next year with the two-year lower price, and if they will not negotiate to contract for the next year that the second firm be approved at the lower rate to conduct a financial review for this year. The substitute motion was seconded and approved unanimously.

10. Other Business

Mr. Densley of the Provo/Orem Chamber of Commerce invited everyone to attend the Utah Valley Executive Summit being held at Sundance on September 25, 2008. There will be twenty-two speakers including Governor Huntsman. The registration of \$125 includes the conference, breakfast and lunch.

11. Confirm that the next meeting will be held at the Historic County Courthouse Ballroom on Thursday, September 25, 2008 at 7:30 AM.

It was moved and seconded to accept the calendar of the next meeting. Motion passes unanimously.

12. Adjourn

It was moved and seconded to adjourn. Motion carried unanimously. The meeting was adjourned at 9:20 A.M.