

TIMPANOGOS SPECIAL SERVICE DISTRICT
ADMINISTRATIVE BOARD MEETING MINUTES

APPROVED

April 27, 2017 6:00 p.m. Conference Room

Board Members

Present: Mark Johnson David Bunker Spencer Kyle Chris Condie
Brian Braithwaite Craig White Lynn Walker Mack Straw
Commissioner Lee Sullivan Love Chandler Goodwin

Excused: Tracy Wallace Dale Ihrke

District Staff: Jon Adams, District Manager, Shannon Hansen, Human Resource
David Barlow, District Engineer Joe Martin, CPA
Danette Smith, Board Secretary

Others: Ken Spiers, Bowen Collins & Associates
Craig Carlile, Ray, Quinney & Nebeker
Brandon Heidelberger, Brown & Caldwell
Michael Hayes, Hayes, Godfrey, Bell
Todd Godfrey, Hayes, Godfrey, Bell (phone)

Call to Order

Mark Johnson, Board Chair, called the meeting to order. 6:03 p.m. Mark welcomed two new Board members, Chandler Goodwin, from Cedar Hills, and Sullivan Love, who is from Vineyard and appointed by the county.

Public Comment

There was no public comment.

Chris Condie made a motion to go into closed session at Timpanogos Special Service District Administrative Building, Utah County, for the purpose of litigation. Brian Braithwaite seconded the motion. Mark Johnson took a roll call vote. Those voting "Aye" – Mark Johnson, David Bunker, Mack Straw, Brian Braithwaite, Lynn Walker, Chris Condie, Craig White, Sullivan Love, Commissioner Bill Lee, and Chandler Goodwin. Those voting "Nay" – None. The motion passed with a unanimous vote. 6:04 p.m.

Closed Meeting

*Spencer Kyle arrived. 6:23 p.m.

Chris Condie made a motion to go back into regular session. Commissioner Bill Lee seconded the motion. Those voting "Aye" - Mark Johnson, David Bunker, Mack Straw, Spencer Kyle, Brian Braithwaite, Chris Condie, Lynn Walker, Craig White, Sullivan Love, Commissioner Bill Lee, and Chandler Goodwin. Those voting "Nay" – None. The motion passed with a unanimous vote. 6:47 p.m.

Approval of Minutes

1. Approval of the March 16, 2017 Administrative Board Meeting Minutes
2. Approval of the March 30, 2017 Special Board Meeting Minutes

Chris Condie made a motion to approve the minutes from the March 16, 2017 Administrative Board Meeting. Lynn Walker seconded the motion. Those voting "Aye" – Mark Johnson, David Bunker, Mack

1 **Straw, Spencer Kyle, Brian Braithwaite, Chris Condie, Lynn Walker, Craig White, Commissioner Bill Lee,**
2 **Sullivan Love, and Chandler Goodwin. The motion passed with a unanimous vote.**

3
4 **Chris Condie made a motion to approve the minutes from the March 30, 2017 Special Administrative**
5 **Board Meeting. Brian Braithwaite seconded the motion. Those voting “Aye” – Mark Johnson, David**
6 **Bunker, Mack Straw, Spencer Kyle, Brian Braithwaite, Chris Condie, Lynn Walker, Craig White,**
7 **Commissioner Bill Lee, Sullivan Love, and Chandler Goodwin. The motion passed with a unanimous vote.**

8 9 **Consent Calendar**

10 There were no items on the consent calendar.

11 12 **Finance**

13 Joe Martin went through the financials with the board. Chris Condie asked Joe about the impact fee form. Joe
14 said he did not get it in the board information, but would get it put on dropbox.

15 16 **Action Item**

17 **1. Approval of Settlement Agreement for Impact Fee Litigation**

18
19 **David Bunker made a motion to approve the Settlement Agreement as presented to the Board between**
20 **Timpanogos Special Service District and the group collectively referred to as Representative Plaintiffs,**
21 **contingent upon the approval of the agreement by the court and authorize the chairman to sign the agreement**
22 **and approve the appropriate payment per the direction of the court within in the timeline as established by**
23 **the court. Brian Braithwaite seconded the motion.**

24 Chris Condie asked if the board chair was authorized to sign and make the payment regardless of the dollar
25 amount that comes back from court; is that what we really want to say in the motion. Brian Braithwaite said the
26 agreement has the amount in it, if the agreement were to change then the agreement would no longer be valid and
27 neither would the amount in the agreement. Chris said he understands that, the motion reads that if there were a
28 change we are authorizing to go ahead. Brian said all we have done is agree to accept this agreement as is.

29
30 **Mark Johnson took a roll call vote on the motion. Those voting “Aye” – Mark Johnson, David Bunker,**
31 **Mack Straw, Brian Braithwaite, Lynn Walker, Chris Condie, Craig White, Sullivan Love, Commissioner Bill**
32 **Lee, and Chandler Goodwin. Those voting “Nay” – None. The motion passed with a unanimous vote.**

33 34 **Communication**

35 **1. Manager’s Report**

36 Jon said he met with the governor’s office, the Lieutenant Governor Cox was there, Mike Mower from staff, a
37 legislative analyst, and Alan Matheson, who is the director of the Division of Environmental Quality. Jon said there
38 was discussion, concerns were presented about the water quality standards and limits. Also, there was Amanda
39 Smith, Holland and Hart, our attorney with lobbyist Kate Bradshaw. Walt Baker, Director of Water Quality, is
40 retiring next month and we have been involved in discussions of what we would like to see in his replacement. We
41 were involved with Resolution HCR15 that talks about working collaboratively; that was discussed. Jon thinks it
42 was time well spent and we will follow up with visits with Alan Matheson and Mike Mower. Jon said Central Utah
43 Water, will sponsor an overview of lake issues on May 23rd at the Convention Center in Provo; he has not seen the
44 agenda yet.

45 Jon said we had a kickoff meeting on the asset management with Brown and Caldwell and staff. Brown and
46 Caldwell sent us a summary on that meeting which was added to dropbox for the board to review. Jon said it was a
47 good meeting and gave staff a better understanding of what they will need to do. The information gathering is going
48 on now. Brian asked Jon if he is confident we will hit the August 1, 2017 deadline. Jon said right now that timeline
49 is still in place. We want to make sure we as staff do not hold them up from our end. Brian asked if the board could
50 get a monthly update. Jon said yes.

1 Jon said the plant was in compliance for the month of April. The flows were up at 18.37 MGD average daily
2 flow with a peak daily average flow of 20.02 MGD. Effluent phosphorous averaged at .5 mg/L. For about the last
3 four weeks phosphorus has been 0.24 mg/L. Jon said he is going to meet with the state to see what kind of variance
4 to proposed limits we can be granted, without making major construction. If there was a way for example, we could
5 resurrect the old dechlorination ponds, and run it through there because that will strip a lot of phosphorus. See if we
6 could use that to buy us time until the next deadline which would mean one update instead of two. We will continue
7 to work on that.

8
9 **Adjourn: Chris Condie made a motion to adjourn. Commissioner Lee seconded the motion. All present**
10 **“Aye”. Meeting adjourned. 7:08 p.m.**
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