

Timpanogos Special Service District  
Administrative Board  
Electronic Meeting Minutes  
6400 North 5050 West Utah County, Utah  
December 21, 2023 6:00 p.m.

**APPROVED**

Conference Room/Electronic Meeting

**Board Members:**

**Present:** Sullivan Love - Chair Jay Meacham – Vice Chair  
Lon Lott Blaine Thomas Chandler Goodwin  
Mack Straw Chris Condie Brian Braithwaite  
Neal Winterton Richard Nielson David Bunker

**Electronic:** Mark Christensen

**Excused:** Joel Thompson

**District Staff:** Richard Mickelsen, District Manager  
David Barlow, District Engineer  
Shannon Hansen, Administrative Manager  
Danette Smith, Board Secretary  
Joe Martin, CPA

**Others:** Mark Bell, Hayes Godfrey Bell  
Ryan Bench, Carollo Engineers

**Call to Order**

Sullivan Love, Board Chair, called the meeting to order. 6:00 p.m.

**Public Comment**

There was no public comment.

**Approval of Minutes**

**1. Approval of the November 16, 2023 Administrative Board Meeting Minutes**

Lon Lott made a motion to approve the minutes of the November 16, 2023 Administrative Board Meeting as presented. Mack Straw seconded the motion. Those voting “Aye” – Sullivan Love, Jay Meacham, David Bunker, Lon Lott, Mark Christensen, Mack Straw, Blaine Thomas, Brian Braithwaite, Chandler Goodwin, Richard Nielson, Neal Winterton and Chris Condie. Those voting “Nay” – None. The motion passed unanimously.

**Consent Calendar**

1. TSSD Check Register
2. CL-N1: Sundt Pay Request No. 14 (\$769,479.45) retainage (\$40,498.92)
3. TP-3/NT-2: TO 2023-05; Design engineering for aeration diffuser replacement (\$218,092)
4. TP 4/5 Amendment No. 1: TO 2021-03; Additional Secondary Clarifier Rehabilitation Design Scope – (\$179,576)
5. TP 4/5: TO 2023-06; East Secondary Clarifier Improvements CM Services – (\$297,555)
6. AD-8: TO 2023-07; Parcel 2/3 Trail Final Design (\$304,283)
7. EL-1: Switch Gear change orders (\$218,850.80)
8. MP-1.6: Dominion Energy agreement (\$50,000)
9. MP-1.6: Award Quadrogen gas purification RFP (\$9,823,027.50)

1 **10. MP-2: RMP TO 2023-01; Rocky Mountain Power realign Overhead Power (\$7,742,496)**

2 **11. Workers Compensation Fund Insurance (\$19,867)**

3 **12. TSSD Board meeting schedule 2024**

4  
5 Chandler Goodwin said there was a conflict with the April 18, 2024, meeting date. Rich said the meeting could be  
6 moved from April 18<sup>th</sup> to April 25<sup>th</sup>.

7 **Brian Braithwaite made a motion to approve the items on the Consent Calendar with the change to D.12- 2024**  
8 **Board Meeting Schedule - moving the April 18, 2024 meeting to April 25, 2024. Richard Nielson seconded the**  
9 **motion. Those voting “Aye” – Sullivan Love, Jay Meacham, David Bunker, Lon Lott, Mark Christensen, Mack**  
10 **Straw, Blaine Thomas, Brian Braithwaite, Chandler Goodwin, Richard Nielson, Neal Winterton, and Chris**  
11 **Condie. Those voting “Nay” – None. The motion passed unanimously.**

12  
13 **Finance**

14 **1. Financial Report**

15 October financials were in the board packet for review. Sullivan said there were impact fees paid by a developer to  
16 Vineyard. Those impact fees were paid under protest. Rich said they protested the amount and reserved the right for  
17 one year to come back and challenge that fee. Sullivan said that particular development is an apartment complex with a  
18 lot of studio apartments. Their protest is that the water usage will be less than typical water use and therefore would be  
19 much less wastewater discharge. Sullivan said he is concerned that one year will not give them an adequate amount of  
20 time to have a model of flows. Rich said Jodi Hoffman, who is our impact fee attorney, has been apprised of the  
21 protest letter and we will let legal handle it.

22  
23 **Action Items**

24 **1. Approve Resolution 2023-05 – A Resolution of the Timpanogos Special Service District Approving a User**  
25 **Rate Study and Adopting New User Rates for the Year 2024**

26 Rich said last month the board adopted the new user rate increase of 40%. This puts that new user rate in resolution  
27 form along with the user rate study from Zions. Brian Braithwaite said one of the key elements of this user rate fee  
28 increase was to help the cities be prepared since they take the brunt of the issues and problems that come with this. We  
29 didn't send out the official notice to the cities until December 6<sup>th</sup>. Most of the cities have one meeting in December and  
30 it makes it difficult for them. Even though we had been communicating that information for several months, it wasn't  
31 official, and they watch for that notice. Brian thinks we need to communicate better to make sure they are prepared for  
32 it. If they haven't passed a resolution in their city, then they eat the cost or run a special session. We need to provide  
33 them with the official notice in time so they can take action. David Bunker clarified that the District complied with the  
34 impact fee law and noticed that change 90 days in advance. Rich said the impact fee notice was done in the 90-day  
35 timeline; Brian is talking about the user rate increase. Rich said it is correct that this notice went out to the cities on  
36 December 6<sup>th</sup> as Rich was waiting for both pieces to come together to send it out appropriately. Rich said we will be  
37 forward thinking in the future. Brian said we have more of these to come and we want to make sure that we are taking  
38 care of the cities because they face the brunt of this.

39 David Bunker said the user rate increase goes into effect on January 1<sup>st</sup> so the first billing that would include the  
40 increased rates would be in February. Mark said his city already adopted the rate effective January 1, 2024. As a board  
41 member Mark communicated with the council, so they are primed and ready for it as of January 1st. Mark said to  
42 Brian's point, the city does not just have to absorb that cost. If they are not ready, they could take the January delta  
43 between what they collect and could have collected had they raised their rates and they can spread that over the  
44 remaining eleven months of the year. Brian said he is communicating how we can improve, not how we screwed up.

45  
46 **Brian Braithwaite made a motion to approve Resolution 2023-05 approving the User Rate Study and**  
47 **Adopting the New User Rate for the year 2024. Chandler Goodwin seconded the motion. Sullivan Love, Chair,**  
48 **took a roll call vote. Those voting “Aye” – Sullivan Love, Jay Meacham, Neal Winterton, Mack Straw, Blaine**  
49 **Thomas, Lon Lott, Brian Braithwaite, Chris Condie, Richard Nielson, Chandler Goodwin, David Bunker, and**  
50 **Mark Christensen. Joel Thompson was absent. Those voting “Nay” – None. The motion passed unanimously.**

1       **2. Award Tax Advisor**

2       Rich said the finance committee would present this item. Brian Braithwaite said the finance committee met to  
3 prepare and discuss identifying the right company to work with. There were five companies that submitted their  
4 information. The top ranked score was Deloitte, in meeting the compliances and all pieces involved. They were more  
5 prepared and sensitive to the needs the District will have. We will rely on their service to be able to be in compliance  
6 with the needs for the IRA that will be happening. We wanted to make sure we have expertise working with staff on  
7 this.

8  
9       **Brian Braithwaite made a motion to approve Deloitte to be the District’s Tax Advisor for the IRA. Mark  
10 Christensen seconded the motion. Those voting “Aye” – Sullivan Love, Jay Meacham, Neal Winterton, Mack  
11 Straw, Blaine Thomas, Lon Lott, Brian Braithwaite, Chris Condie, Richard Nielson, Chandler Goodwin, David  
12 Bunker, and Mark Christensen. Those voting “Nay” – None. The motion passed unanimously.**

13  
14       **Communication**

15       **1. Manager’s Report**

16       Rich said the phosphorus numbers are back down. There was just the month of October that was higher. The yearly  
17 average still remains below 1.0 mg/L at .81 mg/L. The flows are consistent, and the yearly average is 20.5 mgd. There  
18 was an article in the Salt Lake Tribune on water reuse and Rich was quoted in that article. Sullivan said the article  
19 indicated that the District would extend a pipeline over to the power plant to take reuse water over there and allow the  
20 culinary water they are using to be used somewhere else. Rich said CUWCD has water rights and is one of the ten who  
21 submitted for water reuse rights. If they want to come and get the water, then they can put the pipe in and go from there.  
22 Rich said we still haven’t worked out exactly how the pumping goes, but if CUWCD wants the water then they have to  
23 come get the water. That is direction Rich has received from the Board. Rich said there is still come clarity as the cities  
24 move forward on how this water is getting to them and the state engineer needs to know how those water rights are  
25 going to be moving back and forth.

26       Neal asked Rich if he had ever matched up the flow and the population and ran a chart on that. Rich said he has not,  
27 but it has been noted that Pleasant Grove’s flows have been decreasing over the last number of years. We do not know  
28 if that is due to efforts Pleasant Grove has been making to reduce infiltration. Neal said overall, he didn’t know if that  
29 data was being captured and if we have that available. Rich said some cities are looking at theirs individually, but we  
30 have not aligned it with population to the particular city.

31       Rich said it was Jay’s last meeting. Sullivan thanked Jay for his service to the District and his insights and said we  
32 wish him much success in his endeavors. Rich had a card for Jay that everyone had signed, along with a gift. Jay said it  
33 has been educational for him and good to see the plant grow and the changes. He has appreciated working with  
34 everyone. Sullivan said there will be a vote for Board Vice Chair at January’s meeting.

35  
36       **Closed Session**

37       There was no closed session.

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39       **Adjourn: Blaine Thomas made a motion to adjourn. Jay Meacham seconded the motion. All present “Aye.”**  
40 **Meeting adjourned. 6:25 p.m.**