

Timpanogos Special Service District
Administrative Board
Electronic Meeting Minutes
6400 North 5050 West Utah County, Utah

APPROVED

October 19, 2023

6:00 p.m.

Conference Room/Electronic Meeting

Board Members:

Present: Sullivan Love - Chair David Bunker Lon Lott
Blaine Thomas Chandler Goodwin Joel Thompson
Chris Condie Brian Braithwaite

Electronic: Mack Straw *Mark Christensen Jay Meacham
*Neal Winterton

Excused: Richard Nielson

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
Wade Stinson, Aqua Engineering
Ryan Bench, Carollo Engineers

Call to Order

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

There was a discussion about whether a motion was needed to open a public hearing. Mark Bell said the Board Chair could open the public hearing if that is the practice the District has taken in the past.

Public Hearings

1. Public Hearing on the 2023 Tentative Amended Operations and Maintenance and 2023 Tentative Amended Capital Budgets

Sullivan Love, Board Chair, opened the public hearing on the 2023 Tentative Amended Operations and Maintenance and 2023 Tentative Amended Capital Budgets

There was no public comment.

2. Public Hearing on the 2024 Tentative Proposed Operations and Maintenance and 2024 Tentative Proposed Capital Budgets

Sullivan Love, Board Chair, opened the Public Hearing on the 2024 Tentative Proposed Operations and Maintenance and 2024 Tentative Proposed Capital Budgets

There was no public comment.

Sullivan Love, Board Chair, closed the public hearings on the 2023 Tentative Amended Operations and Maintenance and 2023 Tentative Amended Capital Budgets and the 2024 Tentative Proposed Operations and Maintenance and 2024 Tentative Proposed Capital Budgets.

1 **Public Comment**

2 There was no public comment.

3
4 **Approval of Minutes**

5 **1. Approval of the September 21, 2023 Administrative Board Meeting Minutes**

6 Lon Lott made a motion to approve the minutes of the September 21, 2023 Administrative Board Meeting as
7 presented. Chandler Goodwin seconded the motion. Those voting “Aye” – Sullivan Love, Jay Meacham, David
8 Bunker, Lon Lott, Mark Christensen, Mack Straw, Blaine Thomas, Brian Braithwaite, Chandler Goodwin, Joel
9 Thompson, and Chris Condie. Those voting “Nay” – None. The motion passed unanimously.

10 *Neal Winterton arrived. 6:06 p.m.

11
12 **Consent Calendar**

13 **1. TSSD Check Register**

14 **2. CL-N1: Sundt Pay Request No. 12 (\$692,402.58) retainage (\$36,442.24)**

15
16 Blaine Thomas made a motion to approve all items on the Consent Calendar as presented. Mack Straw
17 seconded the motion. Those voting “Aye” – Sullivan Love, Jay Meacham, David Bunker, Lon Lott, Mark
18 Christensen, Mack Straw, Blaine Thomas, Brian Braithwaite, Chandler Goodwin, Joel Thompson, Neal
19 Winterton, and Chris Condie. Those voting “Nay” – None. The motion passed unanimously.

20
21 **Finance**

22 **1. Financial Report**

23 Joe Martin reviewed the financials for August 2023. Through August, we are 67% through the year. The budget to
24 actual, salaries and benefits are about 50%, utilities are little higher than originally budgeted. The solid waste disposal is
25 high, which is why it is amended in the budget. Joe said overall things look in line with the budget except the interest
26 income which is significantly above what we budgeted.

27
28 **Action Items**

29 **1. Adopt the 2023 Tentative Amended Operations and Maintenance and 2023 Tentative Amended Capital**
30 **Budgets as the Final Budgets for the Year 2023**

31
32 Chandler Goodwin made a motion to adopt the 2023 Tentative Amended Operations and Maintenance and
33 2023 Tentative Amended Capital Budgets as the Final Budgets for the Year 2023. Lon Lott seconded the motion.
34 Those voting “Aye” – Sullivan Love, Jay Meacham, David Bunker, Lon Lott, Mark Christensen, Mack Straw,
35 Blaine Thomas, Brian Braithwaite, Chandler Goodwin, Joel Thompson, Neal Winterton, and Chris Condie.
36 Those voting “Nay” – None. The motion passed unanimously.

37
38 **2. Adopt the 2024 Tentative Proposed Operations and Maintenance and 2024 Tentative Proposed Capital**
39 **Budgets as the Final Budgets for the Year 2024**

40 Chandler asked if anything had changed since the board last reviewed this. Rich said there were no changes.

41
42 Blaine Thomas made a motion to adopt the Tentative Proposed Operations and Maintenance and 2024
43 Tentative Proposed Capital Budgets as the Final Budgets for the Year 2024. Brian Braithwaite seconded the
44 motion. Those voting “Aye” – Sullivan Love, Jay Meacham, David Bunker, Lon Lott, Mark Christensen, Mack
45 Straw, Blaine Thomas, Brian Braithwaite, Chandler Goodwin, Joel Thompson, Neal Winterton, and Chris
46 Condie. Those voting “Nay” – None. The motion passed unanimously.

47
48 **3. Ratify November 16, 2023 Publication of Notice of Public Hearing on Proposed User Rate 40% Increase**
49 **effective January 1, 2024**

1 Rich said this action item is to ratify the public notice that was posted on October 16, 2023 for the November 16,
2 2023 public hearing on the Proposed User Rate 40% increase. Rich said he included information in the packet from the
3 WFWQC rate study and the financial update. Page 5 - User Rate Discussion was amended to show the correct yearly
4 funding with 2024 at \$330 million and 2025 at \$390 million. Rich added page 11 with a rate of \$/1000 gal because as a
5 District we bill per 1000 gallons and the BOD/TSS load. Brian said this presentation is good and the cities should know
6 where they can see this information. Rich said there are two additional educational videos from the Board Retreat posted
7 on the District's website. Mark Christensen thanked Rich for all the work on this.

8 **Brian Braithwaite made a motion to Ratify the Notice of Public Hearing for November 16, 2023 on Proposed**
9 **User Rate 40% Increase effective January 1, 2024. Chandler Goodwin seconded the motion. Those voting "Aye"**
10 **– Sullivan Love, Jay Meacham, David Bunker, Lon Lott, Mark Christensen, Mack Straw, Blaine Thomas, Brian**
11 **Braithwaite, Chandler Goodwin, Joel Thompson, Neal Winterton, and Chris Condie. Those voting "Nay" – None.**
12 **The motion passed unanimously.**

13 14 **Communication**

15 **1. Manager's Report**

16 Rich gave available dates for the Christmas Dinner and the Board decided on December 11, 2023. Rich said the plant
17 is running well and the flows are consistently above 20 mgd. The effluent phosphorus yearly average is at .6 mg/L. Rich
18 said he cannot thank staff enough for the work they have been doing behind the scenes. For example, they just installed
19 a gate today that shut off the old main flow going into the clarifiers, for the east clarifier improvements. Rich said staff
20 did a fantastic job and he is pleased with the work they have been doing.

21 Rich reported on the Utah Lake Authority Symposium where the keynote speaker was Dr. Bajer of Minnesota. Rich
22 said Dr. Bajer is very knowledgeable on carp removal. He had a lot of ideas and was interested in what we were doing.
23 Rich told him that carp come into the last pond, and in the spring, it is so thick with carp, they are on top of each other.
24 Rich asked him if carp would realize not to come up that channel because they get harvested. He said no, we could keep
25 harvesting year after year after year. Rich said Dr. Bajer baits the carp with cracked corn, because the other fish do not
26 come for that, so we can selectively harvest carp with cracked corn. Rich said there was quite a bit of interaction with
27 the Utah Lake Authority presenters, and they are doing a lot of good work. Rich thinks they are waiting to see the report
28 from our Limno Corral study. We will share that with the ULWQC Science Panel. The reason we are doing all the
29 research projects is to help the narrative go in the direction that it is not always the sewer plants that are the problem and
30 to see what we can do to help clean the lake.

31 Sullivan said there are many different individuals studying and working on the lake. The carp removal is a key thing
32 because adult carp can produce a million eggs per carp. Sullivan said our discharge point could be a perfect point for
33 them to increase the harvest numbers. They have electronic fences they can use to herd the carp into a small enclosure
34 and then load them right up into a conveyor and into a bin. Sullivan said he is not suggesting we do that, because the
35 lake authority has money set aside for carp removal but those are some things that may benefit the lake.

36 Rich said we are in discussions with DWQ, FFSL, ACE, and Utah County for the District to be able to do the
37 wetland mitigation, on the property just west of the ponds. It looks like we are going to get that approval and be able to
38 start package B as anticipated, in the third quarter of 2024. We are getting support from multiple agencies that are happy
39 with the work that we are trying to accomplish. One thing the board has previously asked is why is the District putting
40 effort into a trail system that connects Lindon Marina and Boat Harbor with the trail. Rich said the agreement being put
41 together is we do the engineering so that we mitigate our needs to be able to put package B in those wetlands. We design
42 it, let them choose how they want it to be, then they build it and maintain it.

43 Rich said November 1st is the deadline for water rights for reuse to be filed with the State Engineer's Office. We have
44 filed eight of the then cites. The water rights of Eagle Mountain, and CUWCD will be filed with the state engineer's
45 office tomorrow. Draper did not want to participate, and Vineyard cannot participate because they do not have any water
46 rights. We have already prepared our reuse project for DWQ and submitted it as a preliminary review for them. Our
47 water rights attorney has been working feverishly with each of the cities and Rich thinks that is coming to completion.
48 Each of the cities will have the opportunity to see those water rights approved or negotiated when they go to the state
49 engineer's office. The next step is to have an interlocal agreement with all the different cities. The interlocal agreement
50 may take time and it will take a number of years before that is built. Also how that will reuse water will be conveyed is

1 still yet to come. Blaine Thomas asked if the state’s push to get more water into the Great Salt Lake will hamper us
2 getting this water back to the cities. Rich said he does not know whether the GSL is going to get more or less water
3 through this process. This process has encouraged the member cities to look at this reuse as a viable project for their
4 water. Mark Christensen said we have a right to reuse these water rights, and the state cannot take them or commandeer
5 them without due process. Mark said he has been anticipating this for the thirteen years he has been with Saratoga
6 Springs. Blaine asked how this is going to affect the cities that cannot pump the water as far out. Rich said American
7 Fork has been very gracious and they have water rights they are prepared and willing to discuss and exchange with
8 Alpine. That is part of the negotiation that must happen within the interlocal agreement, which has not been established
9 yet. Rich said the delivery method that has been submitted to the state engineer’s office is either direct or exchanged.
10 Direct will be Saratoga Springs, Lehi, American Fork, CUWCD and TSSD. The other cities will have to do an exchange
11 with one of those cities.

12 Mark Bell updated the board on discussions with Eagle Mountain regarding TSSD becoming a local district. Eagle
13 Mountain is against signing the proposed resolution without a guaranteed seat on the Board. Mark said the only way we
14 can make that happen is to redraft the legislation. Mark said he is working on a new draft of the resolution that makes
15 sense for everyone, but he thinks it will be several months before it is finalized. Eagle Mountain will have the proposed
16 resolution on their agenda at the November city council meeting.

17 *Mark Christensen left. 6:45 p.m.

18

19 **Closed Session**

20 **David Bunker made a motion to go into closed session to discuss personnel. Brian Braithwaite seconded the**
21 **motion. Sullivan Love, Chair, took a roll call vote. Those voting “Aye” - Sullivan Love, Jay Meacham, David**
22 **Bunker, Lon Lott, Mack Straw, Blaine Thomas, Brian Braithwaite, Chandler Goodwin, Joel Thompson, Neal**
23 **Winterton, and Chris Condie. Those voting “Nay” – None. The motion passed unanimously. 6:46 p.m.**

24

25 **Chandler Goodwin made a motion to go out of closed session and back into regular session. Those voting**
26 **“Aye” – Sullivan Love, Jay Meacham, David Bunker, Lon Lott, Mack Straw, Blaine Thomas, Brian Braithwaite,**
27 **Chandler Goodwin, Joel Thompson, Neal Winterton, and Chris Condie. The motion passed unanimously. 6:52**
28 **p.m.**

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31 **Adjourn: Chandler Goodwin made a motion to adjourn. David Bunker seconded the motion. All present**
32 **“Aye.” Meeting adjourned. 6:55 p.m.**

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