

**MINUTES OF THE WASATCH COUNTY COUNCIL
ACTING AS
GOVERNING BOARD OF THE TWIN CREEKS
SPECIAL SERVICE DISTRICT
FEBRUARY 13, 2024**

PRESENT: Board Chair Karl McMillan
Board Member Luke Searle
Board Member Kendall Crittenden
Board Member Steve Farrell
Board Member Eric Rowland
Board Member Mark Nelson
Board Member Spencer Park

STAFF: Max Covey, the General Manager
Dana Kohler, Administrative Assistant
Kierstan Smith, CPA
David Fuller, Assistant General Manager
Chance Morris, Distribution/Collections Manager
Shari Coleman, Accounting Assistant
Theresa Baronek, District Treasurer
Wade Webster, Keetley Water Treatment Plant Manager
Rick Tatton, taking minutes via zoom.

Board Chair Karl McMillan called the meeting to order at 4:14 p.m. on Tuesday February 13, 2024. The record should show that all the Governing Board of the Twin Creeks Special Service District are present. The record should also show that the Governing Board of the Twin Creeks Special Service District is meeting in the Wasatch County Council Chambers which is in the Wasatch County Administrative Building located at 25 North Main, Heber City, Utah, 84032. Board Chair Karl McMillan then called the first agenda item.

REGULAR SESSION

APPROVAL OF THE MINUTES FOR JANUARY 9, 2024

Board Member Kendall Crittenden made a motion to approve the minutes for the January 9, 2024, meeting as written. Board Member Luke Searle seconded the motion, and the motion carries with the following vote:

**AYE: Board Chair Karl McMillan
AYE; Board Member Luke Searle**

AYE: Board Member Kendall Crittenden
AYE: Board Member Spencer Park
AYE: Board Member Eric Rowland

NAY: None

ABSTAIN: Board Member Steve Farrell (absent)
ABSTAIN: Board Member Mark Nelson (absent)

WARRANT LIST APPROVAL

Board Member Kendall Crittenden made a motion to approve the warrants in the amount of \$512, 691.45. Board Member Steve Farrell seconded the motion, and the motion carries with the following vote:

AYE: Board Chair Karl McMillan
AYE: Board Member Luke Searle
AYE: Board Member Kendall Crittenden
AYE: Board Member Steve Farrell
AYE: Board Member Spencer Park
AYE: Board Member Eric Rowland
AYE: Board Member Mark Nelson

NAY: None.

CENTER CREEK WATER MAINTENANCE AGREEMENT

Max Covey, the General Manager, addressed the Governing Board of the Twin Creeks Special Service District and indicated that in July of 2022, TCSSD and CCWS entered into an agreement that would provide Center Creek with a connection to the TCSSD water system. This connection would be used to wheel M&I water to the Center Creek System for culinary purposes. During the discussion and negotiations of this agreement TCSSD Management and Board felt strongly that language should be added to two options that CCWS must comply with by December 31, 2024. The two options are as follows:

1. Prepare an operations plan demonstrating how CCWS intends to operate and maintain their system in the future including how it intends to fund such operation and maintenance.
2. Prepare a transfer plan demonstrating how it intends to transfer ownership and responsibility from CCWS to TCSSD.

As outlined in the water delivery agreement, we are now negotiating the short-term maintenance agreement which has the same termination dates. CCWS has requested to amend the termination dates to December 31, 2025, to allow them more time to consider their options.

Max Covey also indicated that Allan Sweat of Center Creek Water feel they don't like they will have a plan together by the end of this year so they are asking that we amend that agreement to where they could provide that information to us by the end of 2025. With that this short-term maintenance agreement that we would have with them would have the same expiration date as that. That has been a request by Center Creek to potentially think about that and see if we would be willing to do that. I have had conversations with Staff. We are in a position when a local entity or neighboring entity call and they have a water line break or a problem and don't have the means to fix it we are going to help them, doing what is being asked for here. We agree to the short-term maintenance agreement, and it outlines what we would do, which honestly, we would do it more than likely anyway when they have some problems. We would do their blue staking for them and some inspections and different things like that. The staff would recommend to the Governing Board to amending that agreement and give them to the end of 2025. They have been honest with us regarding this, and they don't think they are going to make it this year and rather than getting to the end of the year and then trying to amend it.

Max Covey also indicated one of his biggest concerns now is that their water system with a few more connections are going to put them into another category to where they have to start doing lead and copper sampling and cross connection control and all these other things that administratively are going to be very difficult for a small system like that and they are just trying to see how things land this year and see how the growth works out for them.

The water that they are going to use is their M&I and will come out of the new treatment plant which will be operational in July. Max Covey indicated that the water delivery agreement works because we are always going to provide that and if they pay us a water impact fee then we will provide the water. If this agreement is void, then we wouldn't accept any more above and beyond that because they can't approve a development based off this water being delivered and then have that agreement terminated and so they collect all their impact fees up front from the developer and they pay their impact fees. We will deliver you your water and however we just send them a certain amount of water and they pay for it. We would control that if we operated the system.

Board Member Kendall Crittenden made a motion to approve the amending of the 2022 water delivery agreement termination date with Center Creek Culinary water and execute the inspection and maintenance agreement that is in place. And recommend leaving it up to the discretion of the Twin Creeks management staff. Board Member Steve Farrell seconded the motion, and the motion carries with the following vote:

**AYE: Board Chair Karl McMillan
AYE: Board Member Luke Searle
AYE: Board Member Kendall Crittenden
AYE: Board Member Steve Farrell
AYE: Board Member Spencer Park
AYE: Board Member Eric Rowland
AYE: Board Member Mark Nelson**

NAY: None.

GENERAL MANAGER'S REPORT

Max Covey, the General Manager, addressed the Governing Board of the Twin Creeks Special Service District and indicated that we sent our PRV project, and we have an ARPA project to connect some PRV's. We will be connecting some of the lines from Lake Creek Road to 1200 South just to have better service in looping our system. That went to bid. Next month they will be bringing a suggestion and hopefully we bid on the contract last year and didn't have any bidders on the project and hopefully we can get some now.

Max Covey indicated that the water outlook is good. Around the Lake Creek drainage we are at about 120 percent, with Currant Creek being at 140 percent, Daniel Summit at 120 percent, Beaver Divide 120 percent and looks to be a pretty good year.

OTHER BUSINESS

Max Covey, the General Manager, and the Governing Board of the Twin Creeks Special Service District both indicated that they have nothing further.

ADJOURNMENT

Board Member Kendall Crittenden made a motion to adjourn. Board Member Steve Farrell seconded the motion, and the motion carries with the following vote:

**AYE: Board Chair Karl McMillan
AYE: Board Member Luke Searle
AYE: Board Member Kendall Crittenden
AYE: Board Member Spencer Park
AYE: Board Member Steve Farrell
AYE: Board Member Eric Rowland
AYE: Board Member Mark Nelson**

NAY: None.

The meeting adjourned at 5:00 p.m.

Board Chair Karl McMillan