**Perry/Willard Wastewater**

**Facility Board Meeting**

**975 West 1000 North**

**Willard Utah 84340**

**March 9, 2015**

**5:00 p.m.**

**Members Present:** Chairman Steven Pettingill, Board Member Greg Hansen, Board Member Bob Beebe

**Others Present:** Plant Manager Jeff Hollingsworth, Perry City Council Member Esther Montgomery, Perry City Council Member Todd Christensen, Willard City Council Member Dale Freede, Ryan Tingey, Doug Thompson, Jerry Nelson, Bruce Howard, Kevin Mcgaha, Willard City Attorney; Nelson Phillips, Box Elder News Journal; Bill Walker, Susan K. Obray, Minutes Clerk

**Members Excused:** Board Member Rod Mund, Board Member Paul Nelson

1. **Welcome & Call to Order**

Chairman Pettingill welcomed and called to order the Perry/Willard Wastewater Board Meeting.

1. **Approval of the February 9, 2015 Minutes**

Board Member Beebe moved to approve the February 9, 2015 minutes. Chairman Pettingill seconded the motion. All in favor.

Chairman Pettingill stated that he wanted to read a statement before they continued on with the agenda. He said before we get to that point we need to have an understanding. The statement reads as follows:

It is my understanding that some members from this board may have a dispute about me acting as board chair for the WWTP. I have been released by the city of Perry following our last board meeting. Although I was released from Perry, I have been upheld by unanimous vote of Willard City Council Members to continue to serve as board member and chair. As I am the only board member to serve and be co-appointed by both cities as outlined in the inter-local agreement, I will continue to serve until a co-appointed member is nominated, presented to, and agreed upon, by both cities. At this point because I believe that I can continue to serve until replaced, I will continue to serve as the board chair person. Respectfully, Steve Pettingill

He asked the board members if they had a problem with him serving as Chairman. Board Member Hansen stated that he did not have a problem. He said his take on it was Steve’s position was a joint position appointed by Perry City and Willard City. He felt both cities would have to dismiss him as Chairman. Board Member Beebe stated up until 2 weeks ago both cities agreed that Steve was the Chairman and the State agrees that he is the Chairman. Chairman Pettingill stated that no official word has been delivered to the State.

1. **Agenda Items**
2. **Approval of the Agenda**

**MOTION:** Board Member Beebe stated that since the agenda was not generated by the board or the Chairman he puts forth a motion to reject it. Chairman Pettingill seconded the motion. Chairman Pettingill and Board Member Beebe voted in favor and Board Member Hansen voted nay. Chairman Pettingill stated that the motion failed.

1. **Public Comments (if any)**

**Ryan Tingey**: He said he would like to make a suggestion to the Board

that the Board should develop a policy that does not have Board Members that are employees of either City. He stated his reason was that it puts the employee in a very difficult situation on being completely bias on board decisions from one city or the other.

**Jerry Nelson**: As a former Mayor and Citizen he concurs.

**Ryan Tingey**: He said he thinks the board will function a lot smoother if the board members don’t have to feel the pressure of their decision, not that it ever would, it could jeopardize their position as an employee of that City. He said it might be something they want to think about in the future.

**Esther Montgomery**: She asked about Elected Officials serving on the board.

**Ryan Tingey**: He stated that Elected Officials are fine. He felt it was too much of a conflict for the employees to be on the board.

**Bruce Howard**: He stated that he totally concurs. He said conflict of interest at every City Council meeting is checked. He said that roll is taken, the same will have to happen by putting the right people in place whether the person was a direct employee or a contract employee. If the city is paying them there is a conflict of interest.

**Bill Walker:** Stated he did not understand why the position that Steve holds is causing so many problems. The bylaws were put together and run through the State and everybody all agreed on them and they were very clear that the Chairman position would be appointed by mutual agreement between the two cities. If they vote to replace you it has to be a mutual agreement between the two cities. He said someone is trying to take the laws of the board and change it to someone else’s feelings. He said he didn’t know that for sure but that is how he feels. He stated that the plant was running beautiful when he was on the Council; he was the council member over the sewer for Perry. He said the problems were getting things done for the State, the water purification on the back side of the plant. He said you have to make notes of things that need to be changed, like Mr. Tingey stated a perfect good example of something that should be done, go forward and take one thing at a time and work it through.

1. **Introduce New Board Member**

Greg Hansen is the new board member for Perry. He said he has lived in Perry for 14 years and is the owner of Hansen and Associates Engineering and Surveying firm in Brigham City. He stated he was asked to serve as a board member in Bruce Howards place.

1. **Plant Manager Items**

(1) Draining system clogged on grit system. Looking at re- plumbing to the effluent.

**(2)** Discharge Monitoring Report sent for January.

**(3)** **Received certified mail from DEQ** on UPDES Permit No UT0025721 Perry/Willard

Regional WTP, **Technology-Based Phosphorus Effluent Limit Rule (TBPEL)**. **Letter**

**attached to notes. I do not know where Bruce Howard was with this. Jeff stated**

**maybe we should revisit Phosphorus Removal Optimization. (Letter was given to Susan**

**to put in notes)**

**(4)** Turned in final billing for 2014 sludge for $240.00 and first bill for 2015 for $1120.00.

**(5)** Ordered organic and metals sampling bottles for 2015.

**(6)** Jeff Talked with Steve Pettingill on new sampling requirements for **(TBPEL).** Jeff stated

that he is going to be required to do more sampling.

**(7)** Generator was tested for month. No problems.

**(8)** Phone lines and alarms tested for month.

**(9)** Matt Garn from DEQ called to see who new board chairman was for legal notifications. Jeff

told him he did not know but would get back with him.

**(10)** Polymer pump lost efficiency, so it was torn down inspected and cleaned. Jeff stated that

he would recommend we purchase a pump replacement for shelf at a cost of $2,007.00.

**(11)** For (PPE) and biological hazards ordered work clothes from G&K. It will be $100.00 per

month and comes with disinfectant dispensers and lab coats.

**(12)** Set Ken up for March training and April test session.

**(13)** With (TBPEL) we need to order back-up Alum pump $4000-$9500 so we do not violate

our discharge requirements in the future. Our current pump has been rebuilt under

warranty once. New added sampling requirements start July 1, 2015. Jeff stated that this

will be the plants to maintain. Jeff stated that the letter says that he will provide treatment

processes which will produce effluent less than or equal to an annual mean of 1.0 mg/L

for total phosphorous. Board Member Beebe asked how much a pump was going to cost.

Jeff stated that the last one was $500.00 and has sent it back to be rebuilt once and that was

with a warranty.

**(14) Interlocal agreement, Under Definitions and interpretations (7).** Each cities Public

Works Department will be responsible for their flow measuring devices. These are to be

calibrated **weekly within 10%.** Jeff stated that each city should calibrate their own flow

so that they will know how each cities meter is flowing and if it is reading accurately if that

ever becomes an issue, you’re taking care of your own flow meter, and then you will know

it.

Jeff explained that it needs to be calibrated weekly with 10%. He said in the inter-local

agreement item 7 says that each city is responsible for their own flow metering device. Jeff

explained when the sampling crew comes out they will ask him if it has been calibrated.

Jeff said sometimes they will go over and look. Jeff stated that he needs those numbers to

run the plant. Chairman Pettingill stated this will be something new for Perry City to

maintain.

Board Member Hansen asked if they have been calibrated in the past. Chairman Pettingill

stated as they have read the inter-local agreement more closely it says that each city is

responsible for their flow measuring devices. He said during the permitting process then we

are asked to calibrate the meters once a week. Jeff stated when the State comes out they

will ask if they have been calibrated. Ryan Tingey stated that he knows that Willard City

owns their own confined space equipment, so if Perry City is going to be responsible for

doing that are they going to borrow from Willard City? Chairman Pettingill stated that

needs to be a discussion between the two cities. The equipment was originally purchased

for the plant. Jeff stated he gave it to the fire department and if he needed it he knows

where it is. Mr.Tingey asked if every time the flow meters are checked, you have to

spend the 45 minutes setting up the confined space. Jeff stated that is what is required. He

has been using a cable pulley system. Chairman Pettingill stated we are going to have to

coordinate that between the two maintenance departments to make sure that gets done. He

said it is to each city’s benefit that the meter is calibrated properly. Jeff stated if you own

it you are going to make sure it is accurate especially down the road if it becomes an issue.

He said he is not going to tell the cities what to do. They can generate their own log sheets.

1. **Call Outs**

3-7-15 Scada lost communication. Jeff said it is now working.

1. **Items to be purchased**
2. PPE equipment.
3. Lab supplies.
4. Semi load of Aluminum Sulfate. 38,040 lbs. 3,408 gallons.
5. Alum Pump
6. Progressive Cavity Pump Housing

Jeff asked if he should order another Alum pump. He said he knows he will need a

Backup pump because the other pump was under the 5 year warranty. He commented

that they are around $9,500. Jeff explained that he did find one that was

$4,500 through another company and would like get away from the company that he bought the other pumps from. He said he could get something until he could get this one shipped back to Watson Marlow, and rebuilt, and back on the shelf. He said we would at

least have something in place. Jeff felt it would be in our best interest to have a pump on the shelf.

Jeff asked what the board wanted to do with the Polymer injection pump because if it goes he can’t press. Jeff said he has one Sepeex housing on the shelf but not the Polymer one and asked if he should just get housing. Board Member Beebe stated to call the State and see where they stand on the Alum pump. Chairman Pettingill asked Jeff to check on the housing and then get with them and they would give him some kind of direction. Board Member Beebe asked how Jeff was doing on the UV lamps. Jeff replied that they need to start looking at ordering another shipment. He said he would like to look at going a different way with purchasing the lamps; the price would be almost half. Jeff stated Coombs Hopkins guarantees disinfection 100% and if the system doesn’t work they

come out and do whatever they have to do to make it work if we buy their product. If

we go away from their product, then they won’t come look at our system. Jeff stated

he will call on the prices of the pumps.

1. **Board Member Items**

**Board Member Beebe** **:** He stated that he strongly urges both cities to step back from the edge right now before this goes any further and act like adults. He said this has gotten way out of hand.

**Board Member Hansen:** He asked about the agenda and if it was set up at each meeting

and then published in the paper. He said this is how the Flood Control does it, How does that work here?

Chairman Pettingill asked Susan how the agenda is generated. Susan stated that the Chairman calls her and those agenda items are put on the agenda. Chairman Pettingill

stated also at the end of every board meeting there are items for the next agenda printed on

the agenda, so any board member or anything that you have heard in the last month can

be put on the agenda. Chairman Pettingill asked Susan if she was able to put anything on

this month’s agenda. He asked what caused that interference. She stated that she was told

he was no longer the Chairman or member of the board. Chairman Pettingill stated so we could not formulate our own agenda. He said as for last month’s minutes it has four items for next agenda. (1) Inter-local agreement, and independent contractors, and for action taken (1) get a checking account, (2) and get proposals for independent accounting firms. He said for some reason these things got two board members boosted off the board. He said it is sad when the democratic process won’t work, and interference from other sources take place to disrupt that. He said that is how the agenda had been handled in the past. Board Member Hansen stated 2 weeks before the meeting the chairman calls in and reports what he wants on the agenda. Greg stated he read the minutes from the last month’s meeting and asked if the employees will be under the direction of Perry City, or is the board looking at handling wages, taxes, and insurance. Chairman Pettingill stated that the board should formulate the employee wages by an accounting firm and then tell Perry City how much to write the checks for. They will still be employees of Perry City. Chairman Pettingill stated the accounting firm he contacted has two different inter-local agencies just like this and they do very similar things we are talking about. He said this is nothing new or re-inventing a wheel. Chairman Pettingill believes that these things keep us and help us be above board. He said just for the record, Willard City was not billed for 4 months by Perry City. That raises a red flag to him. Chairman Pettingill stated it says on a monthly basis in the inter-local agreement. He reported that he had a snapshot of the budget taken on January 20, 2015 and a different snapshot of our budget taken on January 21, 2015 which had some $2,500 discrepancy in the budget. He said he does not appreciate the budget being changed without either city knowing. He commented that he does not appreciate the administrative interference from either city. Chairman Pettingill stated that the administrative process of this facility is supposed to be conducted at this table; he has said that from day one. He felt the inter-local agreement supports everything he has said.

Board Member Hansen said regarding the billing process for each community, it sounds like in the past 4-5 years the billing has been broke down according to the inter-local agreement 66% and 34%. He asked if that was correct. Chairman Pettingill stated to the best of his knowledge he has never received a true accounting back from Perry City, and thinks that this process will help facilitate that. He said we will be able to go to an accounting firm and say this is what the Board decided, implement these percentages and both cities can look at it per the inter-local agreement. Chairman Pettingill explained that there are provisions in the inter-local agreement that each city can look at those records and it is following the collections portion. Board Member Hansen stated that they are planning on sticking with the inter-local agreement regarding those percentages 66% and 34%. Chairman Pettingill replied that the Board will have a chance to vote on it. He said that there is language in there that supports differences in the O & M responsibilities of each City. He said if you read section 5 the first paragraph in the inter-local agreement it will take care of that. Board Member Hansen said he did read it and he reads about the proportionate part, Perry being the biggest contributor. It doesn’t sound like Perry is getting close to the 66%. Chairman Pettingill stated that those percentages have nothing to do with the O & M expenses. He said it is his understanding that each city pays their bond payment to the State, what happens here is the O & M expenses. Board Member Hansen said doesn’t the inter-local agreement say that each city will pay their proportionate share based on the original agreement. Chairman Pettingill stated as he reads the portion of the inter-local agreement “(f) Collections. Each month the Sewer Facility Board and Facility Manager will collect from Perry City, on a monthly basis, 66% or Perry City’s proportionate share of the Operation and Maintenance Expenses. He said the basis for this is when we started up Perry’s flow was tremendously higher than even that. He said the flow rate was 1.2 million. Board Member Beebe said that there was 600-700 thousand gallons of ground water coming in the system every day. Board Member Hansen asked if that has been corrected. Chairman Pettingill stated yes, and they understood it would take time and I do think that maybe Perry City has other areas they need to draw from and conclude some maintenance that might help. He said if we had some biological standards to test Perry City’s sections of their City, he felt that would be very helpful to determine where their infiltration is. He said there are a lot of lines that go through very wet areas in Perry and they are probably picking up these springs. Chairman Pettingill explained the process for determining this document is right here at our table, and if we take leadership and we do that I think this argument will go away. Board Member Hansen asked how that differed from what the board did the last 4 years. Chairman Pettingill replied what is different is that Perry City has collected the money. We haven’t collected the money. Board Member Beebe explained another thing that needs to be taken into consideration is that over this same period of time Willard didn’t have everyone hooked up. He said Willard is very close to having everyone hooked up. He stated that there was no flow data from Willard and the flow data from Perry was skewed tremendously from ground water. Board Member Beebe said the only way to look at this was through percentage points, because if we would have gone by flow data Perry would have looked really bad, that is why we went by percentages. He commented that the argument he has brought up time and time again is if this was never going to be on flows, why did we spend $50,000-$70,000 on flow meters instead of a “T”. He said it would have been a lot cheaper. Chairman Hansen stated you have to maintain record of the flow regardless. Board Member Beebe replied that there are records of flow here. Chairman Pettingill stated that there could have been one weir and one flow meter instead of the three that we have. Board Member Hansen stated that the Board made the motion in last month’s meeting, and it is already being put into effect. Chairman Pettingill stated he wouldn’t say that because somebody has altered the agenda. He said he couldn’t get it on the agenda for this month. Board Member Hansen asked if it is the boards position to look at just simply basing the billings on flows. Chairman Pettingill responded by saying he thinks that is a hypothetical question. He said the first thing we need to do is acquire the monies, and once we have the monies here at our table, the votes at this table will decide what happens. Board Member Hansen said you are not setting a standard saying this is the way it is going to be. Chairman Pettingill stated no, that discussion needs to be at this table as it says in the inter-local agreement, not at Perry City, not at Willard City it needs to be at this table. He said that is what the document reflects.

Chairman Pettingill explained in order to do that in the public’s eye and standard of fairness it needs to be open and that discussion needs to be relevant to what we have here. He said he has been accused of not being fair to Perry or not being fair to Willard. He commented that he is trying to be as fair to both cities as he can. Chairman Pettingill read from section 5 of the inter-local agreement Sharing of Expenses. He said it reverts back to the same collections paragraph as we have talked about, what we do with the money and how we handle the money. He said if we don’t have the money we can’t do it and we can’t handle the money. He stated that those decisions are not ours to make, because we have not been able to handle the money. Chairman Pettingill stated we need to get to that point, and then when we get to that point, its hypothetical to ask me what will happen because we have not been given that opportunity. Board Member Hansen stated he wanted clarification if there was a billing process being established.

1. **Payment Approval**

Payment Approval was signed by board members.

1. **Training on Open and Public Meetings Act**

No training.

1. **Action Taken**
2. **Items for Next Agenda (if any)**
3. Inter-local Agreement
4. Independent Contractors
5. Update on the account and banking process
6. Get proposals for independent accounting firm

Chairman Pettingill stated he would like to make a proposal to hold a special meeting on Monday March 30, 2015 at 5:00 p.m. He said we need to get going on the budget and the permitting process.

**MOTION:** Board Member Beebe moved to agree to hold a special meeting on March 30th at 5:00 p.m. Chairman Pettingill seconded the motion. All in favor.

1. **Adjournment**

**MOTION**: Chairman Pettingill moved to adjourn. Board Member Beebe seconded the motion. All in favor.