



HEBER VALLEY SPECIAL SERVICE DISTRICT

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BOARD MEETING

March 14, 2024

4:00 P.M.

CONDUCTING: Board Chair, Celeste Johnson

Those in Attendance: Celeste Johnson, Jim Goodley, Heidi Franco, Brenda Christensen, Yvonne Barney, Steve Farrell, Tina Rodriguez, Wes Johnson, Brad Rasmussen

Online: David Nuttall, Bryan Provost, Heber City legal counsel

PUBLIC COMMENT: *This is the public's opportunity to comment on items not on the agenda.*

ENTITY UPDATES:

COMMITTEE UPDATES:

1. Consent Agenda Approval - (5 minutes)
 - a) February 8, Board Meeting Minutes
 - b) February 2024 Profit and Loss
 - c) February 2024 Reconciliation
 - d) February 2024 PTIF Impact Fee Fund Statement
 - e) February 2024 PTIF General Fund Statement
 - f) February 2024 Balance Sheet
 - g) February 2024 P&L Detail
 - h) March Warrants

A motion was made by Steve Farrell to approve the consent agenda. The motion was seconded by Clair Provost and the chair asked for a vote.

Celeste Johnson- Yes

Clair Provost- Yes

Steve Farrell- Yes

Yvonne Barney- Absent

Heidi Franco- Yes

Mike Johnston- Yes

Brenda Christensen- Yes

Yvonne Barney arrived at the meeting

2. Update on Heber City Agreement- Heidi Franco (20 minutes)- Possible Motion to Approve

Celeste Johnson asked the board about combining and making one agreement or having a separate agreement for each.

Heber City's attorney stated that he has reviewed the agreement, and they feel that there should be one agreement and it should be the same for each. He stated that he was open to another way if there were concerns.

Martha Wingate has also made some changes that had been discussed, that were specific for Heber City, and she has addressed this with Mat Brower on how to make it a three-way agreement. Martha stated that the redlining was just to make it for three parties. The old agreements are very old and have problems. Anytime they get more parties involved it makes it more difficult.

Steve farrell asked about the three parties.

Martha Wingate stated that maybe they bring in Midway City along with HVSSD, Heber and MSD with an appendage for Midway for things specific to them.

Brenda Christensen asked about the potential for Charleston, at some point, putting sewer in, and if they need to be a part of the agreement.

Jim Goodley said he wants to discuss this more with each entity and address this again at another time.

Martha Wingate stated that maybe she could have this conversation with Jim to address his concerns then get a draft out to everyone.

Celeste Johnson stated that Heber has made their position clear. Midway and HVSSD will address the concerns and discuss this again next month.

3. Fraud Risk Assessment – Jim Goodley -Motion and Authorization to Sign

Jim Goodley stated that they have completed the assessment for this year, and that it is an annual requirement. He stated that the district scored very high and is considered a low risk.

A motion was made by Heidi Franco to approve the fraud risk assessment. The motion was seconded by Clair Provost and the chair asked for a vote.

Celeste Johnson- Yes

Clair Provost- Yes

Steve Farrell- Yes

Yvonne Barney- Yes

Heidi Franco- Yes

Mike Johnston- Yes

Brenda Christensen- Yes

4. Industrial Protection Area Ordinance- Steve Farrell - Discuss Recent County Action

Steve Farrell gave a recap of the Wasatch County meeting regarding the protection area ordinance. He stated that Martha was in touch with Doug Smith this morning and they addressed putting the HVSSD plant as an industrial protection area and the farm as an agricultural protection area.

Martha Wingate stated that the 80 acres around the plant would be in the industrial area.

Heidi Franco asked about doing it all as one, so they don't have to do it parcel by parcel.

Steve Farrell stated that they could look into doing it as one parcel for industrial and one parcel for agricultural.

Celeste Johnson stated that they will need to file with the county and pay the fees.

Martha Wingate stated that the county will hold a public meeting.
Steve Farrell said they will need to go to the NRCS too.

Martha Wingate stated that the property owners can go in and out of the protection area at any time. It is a very strong force protecting their rights.

Steve Farrell stated that the 1000-foot area is not voluntary.

Heidi Franco stated that when they are in the buffer zone, they are protected from complaints of nuisance.

5. DHHS Community Needs Meeting Recap- Jim Goodley-Discuss Possible Next Steps and Follow Up with DHHS

Jim Goodley stated that on February 27th a public hearing with DHHS was held to hear concerns and complaints from the public regarding odor issues. There were about 2 dozen citizens at this meeting. Their complaints were about quality-of-life issues, health and odor. It was a listening exercise. DHHS listened, and mostly, questions were not answered, or was there any interaction with the public. This was a meeting just for DHHS to hear their concerns.

Steve Farrell asked when they would receive a report of findings.

Mike Johnston stated it was great they were there.

Yvonne Barney said she felt the DHHS was positive, and all concerns were expressed.

Celeste Johnson stated that a couple of other things came up but that the DHHS was there for odors only.

Jim Goodley said it started to evolve at the end as to what the next step would be for them, how it would be addressed, and when the air monitoring would occur. They did not have a timetable for the response time. They did set up a page on their website specifically for HVSSD complaints. This is the first time they have dealt with an issue like this.

The only other issue was a papermill from out of stated.

Celeste Johnson stated that Alejandra has a PHD, and their job is to address industrial complaints.

Yvonne Barney stated that what they have knowledge of is testing for harmful substances.

Celeste Johnson stated that they do not have the equipment to monitor the air. Most monitors read at ppm and they are looking at ppb. We will have to rent this for a cost of \$10,000. This is the cost for 3 monitors for one month. This will include the software and the readings. The board would need to approve this expense.

Jim Goodley stated that coming out of the meeting was the understanding that DHHS will acquire the equipment and their contributors will help fund the equipment needed. He stated that he met later with Gilbert and he was notified that they could not provide the equipment for us, but they did locate rental equipment. They have asked that HVSSD pay this cost. DHHS will handle the equipment and the monitoring.

Heidi Franco asked if they knew how to use the equipment and if they would be certified to run it.

Steve Farrell stated that there have been other issues with plants in Utah.

Celeste Johnson stated that the levels have been parts per million in the past and now they are requiring parts per billion. Once they decide on the equipment they can be here within a week.

Heidi Franco said she is concerned with the equipment and data accuracy.

Celeste Johnson stated that OSHA has a ppm regulation and the DHHS requires ppb. They determined this by looking at the most concerning health issue to make the benchmark. They determined it based on a child with asthma.

Jim Goodley stated that they are taking it to the next level by taking it from industrial to private and the weakest population to set the standard.

Steve Farrell stated that with drinking water as they get more refined this changes the standard.

Celeste Johnson stated that she just got an email from Alejandra. She is looking for funding for a second month. This equipment will give 1300 reports per day, and it will also show how long the event was.

Celeste Johnson said she was surprised with the other issues brought up.

Jim Goodley stated that the residents expressed concern with water quality and seepage from lagoons into the river, ground water, and reservoirs. They also asked about contaminants such as heavy metals getting to the cattle and ingesting them. They also were concerned with aerosols from the bubblers.

Heidi Franco stated that heavy mining is not allowed and wondered where heavy metals would come from.

Jim Goodley said that after a follow-up meeting with them, they are now testing the hay for seepage. They have brought in DWQ for testing also.

Celeste Johnson stated that they have tested this and have been fine. If they were leaking into the river the state would have addressed this long before now. Alejandra was only here to hear odor issues and handed off to other entities for the other issues expressed.

Celeste Johnson said they would need to make a change in the budget for this expense, and the board members all stated they were on board for it.

6. Headworks Screen Replacement- Engineering Design Services Proposal- Jim Goodley

Jim Goodley stated that Ovivo is the vendor for the two new headworks screens. They are not under contract with Aqua to integrate them into the headworks. He has a proposal from Aqua to do this for \$184,000.00. They will perform the design work and oversee the construction.

Brad Rasmussen stated that these screens are fine for the plant, and they will be compatible with the other new equipment.

Celeste Johnson stated that these expenses were not anticipated.

Jim Goodley said they want to put odor control to the new headworks. Another concern is that they will need to divert all flow into the lagoons for an estimated time of 6 months.

Celeste Johnson asked if they could do this during the winter.

Jim Goodley said there will be two channels, and they will make one larger channel and both will be out of commission when they knock the walls down.

Wes Johnson questioned if they could pump around.

Jim Goodley stated that this would be a large expense for 6 months. The higher loading could also cause problems. Dredging first may help.

Celeste Johnson said they went with a plan for the CIB loan and may need to go to them for a revision.

Steve Farrell stated that if the amount is the same it should be easier.

7. Manager Update – Jim Goodley

- Zions Bank- Motion Authorizing New Account Signatures

A motion was made by Clair Provost to authorize the signature form for Zions Bank. The motion was seconded by Steve Farrell and the chair asked for a vote on the motion.

Celeste Johnson- Yes

Clair Provost- Yes

Steve Farrell- Yes

Yvonne Barney- Yes

Heidi Franco- Yes

Mike Johnston- Yes

Brenda Christensen- Yes

- District Purchasing/Expense Policy - Motion Authorizing Legal Counsel to Finalize Ordinance Facility and Projects Status Update

Jim Goodley presented a draft of the purchasing policy for the board to review. He stated that they may need legal counsel to review this and would like the board to set a limit for this.

A motion was made by Steve Farrel to set the limit of the proposed purchasing policy at \$15,000.00 and approve the policy subject to legal review. The motion was seconded by Clair Provost and the chair asked for a vote on the motion. She stated that if needed, they could come back and analyze it later.

Celeste Johnson- Yes

Clair Provost- Yes

Steve Farrell- Yes

Yvonne Barney- Yes

Heidi Franco- Yes

Mike Johnston- Yes

Brenda Christensen- Yes

Janet will send it to Martha for review.

- Facilities update

Jim Goodley gave an update on the facilities and projects. He stated that if they are going to address the odor issues, they will need to dredge to get the sludge out. They will need to work around the aerators. He has checked with Marine, and they said this would be manageable. They are on concrete anchors and have been there for 40 years and could be damaged if they try to move them. Dewatering is also an option but that is one he would not like to do. They could create more odor issues and he feels that dredging is the best option.

Celeste Johnson stated that DHHS will be giving a report and making recommendations. Her objective is to put this to bed. Hopefully it shows people that it is safe.

Jim Goodley stated that the report should be out before they start dredging. This process is to address the concerns. They hope to get the sludge out and get it offsite as soon as possible.

Celeste Johnson directed the manager to research all options for dredging.

Brad Rasmussen stated the Wes and Dennis have done research on this and the cost could be five million.

Heidi Franco stated that they do not have the funding for this now.

Celeste Johnson stated that this will have to be put at the top of our list of projects.

Steve Farrell stated that this does not qualify for impact fee money. They could look at a grant for this or to the CIB for more funding. He stated that JSSD takes their sludge to Wanship.

Jim Goodley stated that if they do this, they will need to take the water out. ET Technology takes the solids, and he has contacted them about their requirements.

Steve Farrell left the meeting.

Jim Goodley addressed the airline repairs. He stated that there are four options. One is to repair in place, replace the weak sections, replace the entire section or to put one parallel to it. They could also install surface aerators. They would be floating with a motor and would cover a large radius. They would need 4 to for the areas where they are not working. There are also solar ones, but they do not have enough power. They could replace the entire system. There is a floating system with cables to hold it in place. This could be installed while it is still working and just abandon the current system. 60% of the current system is still working.

Heidi Franco stated that she would be more interested in a replacement. If they replace one area, then it could break in another area.

Yvonne Barney stated that she agrees with Heidi. With the age of the current system, they need to get ready for the next phase of the community and they should replace them.

Celeste Johnson stated that the cost of this is an issue.

Jim Goodley said they have 42-year-old blowers in the blower building. They are currently working but may have issues.

Wes Johnson stated they they have discussed retrofitting them.

Yvonne Barney asked about the priority for each of these issues.

Celeste Johnson said they had not anticipated these expenses and need to review first.

- Gate replacement update- Jim Goodley stated that they are installed and working.
- Odor control and mitigation- Jim Goodley stated that they have hired ERG and last week they began dosing Hydrogen Peroxide in both cell 1 and 1A at 15 gallons per day. They did up it from the original plan of 10 gallons per day. They are hoping to get a head start on the spring odors.

Heidi Franco asked if they have less chance this year based on th slower warm up.

Jim Goodley stated that the lagoons froze last year, and the freezing of the lagoons is a theory of why the odors were worse last year.

Mike Johnston said the dosing is the hope this will break the cycle of the spring odor issues.

Celeste Johnson reported that last year the complaints of odor came from mid-May to the first of June.

- Mechanical plant- Jim Goodley reported that they have upped the flow into the mechanical plant as they currently only use 20% of the capacity. By doing this he hopes to reduce issues with Cell 1. With more flow there is less risk for odors.

Celeste Johnson asked the board what they think they should focus on.

Jim Goodley stated that at the end of spring the lagoons fill. by using the mechanical plant this will fill the lagoons slower. He said he is concerned that with the proposed project the facility will still have the same capacity. Their plan will have three different treatment systems.

- Solids management- Jim Goodley stated that he is concerned with the digesters regarding odors and neighbors. The plant is growing to the north and the digesters could be an issue.

Celeste Johnson stated that they toured the other plants, and they are all on the same page for where they want to go.

Jim Goodley said the sludge from the digesters was planned to go on the farm. He stated that if they go with anerobic digestors they will need to double their staff to run it. He said he wants to revisit the costs, go back to the CIB for review and an update.

- Farm- Jim Goodley stated that they have entered into a contract with Laughlin for the quarterly monitoring of the groundwater

Celeste Johnson stated that an independent contractor for monitoring is important.

Jim Goodley stated that the DWQ survey is due April 15th. Their operating permit is in the process of renewal. Aqua has taken the lead on this and there is a lot of information. The DWQ is reformatting their renewal program, and they will wait till this is complete before continuing.

Jim Goodley reported that they received a GRAMA request from Kristy Council. Janet has been in the records portal and submitted a request for more time to gather the information requested. We are working on getting access to these reports and in the request for additional time we have also notified her that there will be a cost for this due to the time required to gather this information.

Celeste Johnson said that at Midway, if it takes over 1 hour to reply, there is a cost.

- CIB loan- Jim Goodley said he met with Mark Anderson to go over the loan and potential changes and repercussions.
- Staff meeting- Jim Goodley stated that they have started monthly staff meetings continued from Wes to keep the group updated.
- Personnel policy- Jim Goodley reported that they are working on getting the personnel policy updated.
- Confined space- They do not have the equipment or the training to do this. There are things that must be done and look at the risk and safety concerns. They may need to hire someone for this work.
- Bryan Provost will be renting a dumpster for refuse at the farm and the plant. There is a lot of old metal that they will look into recycling.
- Screens- Jim Goodley reported that they have a proposal from Aqua. He will look into what we have paid, what we still owe and what needs to be done.

Brad Rasmussen stated that there is over \$400,000.00 for equipment and then the cost for installation. The total will be around 1.7 million. This is not impact fee eligible.

Heidi Franco asked if this would come from the depreciation budget. There is a little over 1 million there.

Celeste Johnson stated that they do not have any CIB money yet. They can do the engineering now but will need CIB money to do the work. They need to get rolling on the engineering and keep moving forward.

The chair asked for a motion to award the contract to Aqua Engineering.

A motion was made by Clair Provost to award the contract to Aqua Engineering. The motion was seconded by Brenda Christensen and the chair asked for a vote on the motion.

Celeste Johnson- Yes

Clair Provost- Yes

Steve Farrell- Excused

Yvonne Barney- Yes

Heidi Franco- Yes
Mike Johnston- Yes
Brenda Christensen- Yes

A motion was made by Clair Provost to adjourn the meeting. The motion was seconded by Brenda Christensen and the chair asked for a vote.

Celeste Johnson- Yes
Clair Provost- Yes
Steve Farrell- Yes
Yvonne Barney- Yes
Heidi Franco- Yes
Mike Johnston- Yes
Brenda Christensen- Yes

Approved on this day April 11, 2004

Clair Provost
Chair

Janet Carson
Secretary