

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

APPROVED

January 16, 2025

6:00 p.m.

Conference Room/Electronic Meeting

Board Members

Present: Sullivan Love - Chair David Bunker Chandler Goodwin
 Brian Braithwaite Blaine Thomas Chris Condie
 Richard Nielson

Electronic: Joel Thompson Brent Rummler Mark Christensen
 Mack Straw

Excused: Neal Winterton

District Staff: Richard Mickelsen, District Manager David Barlow, District Engineer
 Danette Smith, Board Secretary Joe Martin, CPA
 Devin Langford, CTO

Others: Mark Bell, Hayes Godfrey Bell (electronic)
 Brandon Wyatt, Bowen Collins & Associates
 Wade Stinson, Aqua Engineers
 Ryan Bench, Carollo Engineers
 Josh Hinckley, Alder Construction
 Jodi Hoffman, Hoffman Law

Call to Order

Sullivan Love, Board Chair, called the meeting to order 6:13 p.m. Sullivan said we are still waiting for Rich Mickelsen, who is in traffic, but we could get the meeting started.

Public Comment

There was no public comment.

Approval of Minutes

1. Approval of December 19, 2024 Board Retreat Minutes

Chandler Goodwin made a motion to approve the minutes of the December 19, 2024 Board Meeting. David Bunker seconded the motion. Those voting "Aye" – Sullivan Love, Mack Straw, Blaine Thomas, Mark Christensen, Brian Braithwaite, David Bunker, Chandler Goodwin, Chris Condie, Richard Nielson, Brent Rummler, and Joel Thompson. Those voting "Nay" – None. The motion passed unanimously.

Consent Calendar

1. TSSD Check Register
2. CL-N1 – 66-inch Parallel line: Sundt pay Request #27 (\$1,002,314.70) retainage (\$52,753.41)
3. CL-R1 – Replace & Upsize Lehi/AF Outfall: Sundt pay Request #9 (\$1,628,295.18) retainage (\$85,699.75)
4. GMP1 Mobilization and Site Prep – Alder Construction pay Request #3 (\$975,276.65) retainage (\$51,330.35)
5. GMP2 Earthwork and Shoring – Alder Construction pay Request #1 (\$70,172.90) retainage (\$3,693.32)
6. Cardinal 2024 manhole Rehab pay Request (\$258,197.15)

David Bunker made a motion to approve the Consent Calendar. Brian Braithwaite seconded the motion. Sullivan Love asked for a roll call vote. Those voting "Aye" – Sullivan Love, Mack Straw, Blaine Thomas, Mark Christensen, Brian Braithwaite, David Bunker, Chandler Goodwin, Chris Condie, Richard Nielson, Brent Rummler, and Joel Thompson. Those voting "Nay" – None. The motion passed unanimously.

Finance

1. Financial Report

The November 2024 financials were in the packet for review. Brian Braithwaite asked if there has been any update on Eagle Mountain and their impact fees. Shannon Hansen said they had sent us their reports and let her know today that we would be receiving the check soon for the months owed. Brian asked if they were paying interest on the late payment. Shannon said we have not asked for that. They have a new accounting system they have been struggling with.

Rich Mickelsen arrived. 6:18 p.m.

Rich Mickelsen said from what he understands with Eagle Mountain they did not collect impact fees in November and then September and October they had a new system and are now putting that together to send us. Rich said, according to the agreement, if it is over 30 days they are supposed to pay interest. Brian asked if we are anticipating them paying that interest or are we going to respond. David Bunker said he thinks we should follow our policy and send them the notice and work it out with them.

Action Items

1. GMP3: Digester Complex Piles and Deep Foundations – Alder Construction (\$29,971,661)

Rich said GMP3 is part of Package C construction. GMP1 is the site preparation. GMP2 required engineering approval from DWQ. They approved that and we began construction December 2, 2024. Rich said GMP3 will require a number of steel piles to secure the foundation associated with the digester complex. The foundation and steel piles are going to take eighteen months to get to grade level, which is 4500.25 ft, which is what is in the plans. Those plans were approved by DWQ Engineering at 90%. The 100% drawings will be submitted and stamped in early February. That will take care of this section of the anaerobic digesters and the thickening building. Rich said it is going to start getting tight to make sure we meet the budget that we have set forth with the rate increases and the impact fee increases. Rich went through the budget and the potential funding sources. Rich said he will continue to put funding sources into all the packages, so the board is aware of potential funding to help us pay for these projects. With GMP3, the total contracted expenses for package C are \$99,234,835 with \$318,229,147 remaining in the budget.

David Bunker said he is having consternation about having an elevation be the demarcation point for payment when we are talking about piles and footings. They should be complete as the footing and the piles that we need. David said he has a problem with having a 4500.25 elevation because things can change and sometimes they need to change in the field. David would rather not have that be the criteria in this scope. Rich deferred to Josh Hinckley, Alder Construction. Rich said the plans state 4500.25 ft., and DWQ has approved those plans. Josh Hinckley said 4500.25 is a construction joint and because they built from the ground up, they are going to that construction joint. Everything above that elevation will be in GMP4. Josh said they do not have the full design done for the remaining levels and they thought to keep the IRA funding progressing, it would be best to get everything up to that construction joint complete. David said normally we do not use an elevation as a stopping point, it is “structural piles and foundations complete as per plan.” Josh said they could change it to say the lower foundations as per plan and leave that number off. David Bunker said he was good with that.

David Bunker made a motion to approve Pkg C GMP3: Digester Complex Piles and Deep Foundation with Alder Construction for \$29,971,661.00, with the change in elevation to remove the 4500.25 elevation and rather show it as per plan. Brian Braithwaite seconded the motion. Sullivan Love called for a roll call vote. Those voting “Aye” – Sullivan Love, Mack Straw, Blaine Thomas, Mark Christensen, Brian Braithwaite, David Bunker, Chandler Goodwin, Chris Condie, Richard Nielson, Brent Rummier, and Joel Thompson. Those voting “Nay” – None. The motion passed unanimously.

Sullivan said Josh Hinckley with Alder Construction is accepting that change and they will make those changes in their documentation.

Communication

1. Manager’s Report

a. New Hire CTO Devin Langford

Rich introduced the new TSSD Chief Technical Officer, Devin Langford. Devin said he has been in the IT work world for about 20 years. He has handled everything from hospitals, restaurants and businesses.

b. HB80-Conflict of Interest

Rich said each Board Member needs to get this conflict of interest signed, notarized, and returned to Danette so we can get it posted to the website accordingly.

c. SSO Report

Rich said a Sanitary Sewer Overflow (SSO) happened December 24, 2024. A report was filed with DWQ as per the requirements on our permit. The board can read that report in the packet. We were notified at about 9:18 p.m. on the 24th that there was sewage coming out of the manholes and down the street. TSSD staff were initiated to start at the plant to find the problem and begin cleaning up. We are grateful to staff for taking the time to come here and pump what ended up in the storm drain at the end of 1500 south by Boat Harbor. We were lucky that most of that water was going to the storm drain as that drain was plugged for some reason, and we were able to pump the sewage back into the manholes and treat it at the plant. The Vineyard line that comes into the plant was easily cleaned up. Rich said he appreciates Lindon, and American Fork for the quick response to help us locate their storm drains. We are still in the process of cleaning up and paying for that.

Rich said he grabbed samples (BACT). Those samples were taken upstream, downstream, and where there could be a potential impact. Rich said, from that data, he learned there is a lot of agricultural run-off into our streams. We could see no difference whether we were there or not because of the high impact from up-stream in our waterways. Brian Braithwaite asked what the next step was. Rich noted that the main failure was the cards that operate our connections to the pumps that notify us if we have a problem. The EL-2 project was approved at the board meeting on December 19, 2024. That is the electrical upgrades needed for our panels. Those panels are 15 years old, and we had already previously identified those as an issue. We are in the process of doing those now, all the cards in the electric panels need to be updated. We can look and see the logs on those and there didn't seem to be any visual logs that those were breached externally. We pulled the cards and reset them, and we tried to replicate the problem, and we couldn't. Rich said we stay on course to replace the cards in that EL-2 project, as we have previously identified in our asset management program. We have reported it to DWQ and now it is in their court. We completed all the appropriate notifications including notifying EPA.

We tried an inexpensive deer cam, as a secondary response but those have a 90% fail rate, so that is not going to work. Rich said Devin is looking into some other alternative ways to help us out. We are spending significant dollars to make sure we get the typical sewer response, but everything still comes down to notification. Rich thinks the SCADA is robust and that we continue to replace the cards as proposed. Rich would still like to have a secondary completely separate system, and Devin is looking into that for us. Sullivan thanked Rich, staff and responders. Sullivan said he came out that night and staff were doing a good job spraying everything down and looking at auxiliary facilities as well. David Bunker said thanks to everyone; that is not a present you want to get at Christmas.

d. Plant Performance

Rich said this is the year-end numbers. The plant influent YTD average is just short of 22 mgd. Rich said that is a significant increase from when he started 6 years ago. The plant performance is doing well. The total effluent phosphorus is below 1.0 mg/L, which is what we need to be. We are below all our other required permit parameters.

Closed Session

1. To discuss Litigation, Property Acquisition and Personnel

Chris Condie made a motion to go into Closed Session for property acquisition and potential litigation. Richard Nielson seconded the motion. Sullivan Love asked for a roll call vote. Those voting "Aye" – Sullivan Love, Mack Straw, Blaine Thomas, Mark Christensen, Brian Braithwaite, David Bunker, Chandler Goodwin, Chris Condie, Richard Nielson, Brent Rummler, and Joel Thompson. Those voting "Nay" – None. The motion passed unanimously. 6:44 p.m.

1 Jodi Hoffman arrived. 6:44 p.m.

2 Blaine Thomas left the meeting. 7:55 p.m.

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4 **Brian Braithwaite made a motion to go back into regular session. Mack Straw seconded the motion. Those**
5 **voting “Aye” – Sullivan Love, Mack Straw, Blaine Thomas, Mark Christensen, Brian Braithwaite, David**
6 **Bunker, Chandler Goodwin, Chris Condie, Richard Nielson, Brent Rummier, and Joel Thompson. Those voting**
7 **“Nay” – None. The motion passed unanimously. 8:33 p.m.**

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9 **Adjourn:**

10 **Chandler Goodwin made a motion to adjourn. David Bunker seconded the motion. All present “Aye.”**
11 **Meeting adjourned. 8:34 p.m.**