

APPROVED

1 Timpanogos Special Service District
2

3 Administrative Board
4

5 Electronic Meeting Minutes
6

7 6400 North 5050 West Utah County, Utah
8

9 December 18, 2025
10

11 6:00 p.m.
12

13 Conference Room/Electronic Meeting
14

15 **Board Members**

16 **Present:**

17 Sullivan Love (Chair)
18 Blaine Thomas
19 Mack Straw
20 Dave Norman
21

22 Brian Braithwaite
23 David Bunker
24 Richard Nielson
25 *Neal Winterton
26

27 Brent Rummller
28 Joel Thompson
29 Chandler Goodwin
30

31 **Excused:**

32 Mark Christensen
33

34 **District Staff:**

35 Richard Mickelsen, District Manager
36 Shannon Hansen, Administrative Manager
37 Joe Martin, CPA
38 Sam Grimes, Treatment Manager
39

40 David Barlow, District Engineer
41 Danette Smith, Board Secretary
42 Addison Winn, Risk Manager
43 Devin Langfor, CTO
44

45 **Others:**

46 Mark Bell, Hayes Godfrey Bell PC (online)
47 Wade Stinson, Aqua Engineers
48 Mason Kjar, Fabian Vancott
49 Devan Peterson, Vineyard City (online)
50

51 Brandon Nielsen, JUB Engineers
52 Brandon Wyatt, Bowen Collins
53 Susan Spore, Brown and Caldwell
54 Naseem Ghandour, Vineyard City (online)
55

56 **Call to Order**

57 Sullivan Love, Board Chair, called the meeting to order. 6:03 p.m.
58

59 **Public Hearing**

60 To receive public comments on the TSSD Board Compensation
61

62 **Mack Straw made a motion to go into Public Hearing to receive comments on the TSSD Board
63 Compensation. Richard Nielson seconded the motion. Those voting "Aye" – Sullivan Love, Brent Rummller,
64 Brian Braithwaite, David Bunker, Joel Thompson, Blaine Thomas, Mack Straw, Richard Nielson, Dave
65 Norman, and Chandler Goodwin. Those voting "Nay" – None. The motion passed unanimously.**

66 There was no public comment.

67 **Dave Norman made a motion to close the Public Hearing. Richard Nielson seconded the motion. Those
68 voting "Aye" – Sullivan Love, Brent Rummller, Brian Braithwaite, David Bunker, Joel Thompson, Blaine
69 Thomas, Mack Straw, Richard Nielson, Dave Norman, and Chandler Goodwin. Those voting "Nay" – None.
70 The motion passed unanimously.**

71 **Public Comment**

72 There was no public comment.
73

74 **Approval of Minutes**

75 Approval of the meeting minutes of November 20, 2025 Board Meeting
76

77 **Brent Rummller made a motion to approve the minutes of November 20, 2025 Board Meeting. Mack Straw
78 seconded the motion. Those voting "Aye" – Sullivan Love, Brent Rummller, Brian Braithwaite, David Bunker,
79 Joel Thompson, Blaine Thomas, Mack Straw, Richard Nielson, Dave Norman, and Chandler Goodwin. Those
80 voting "Nay" – None. The motion passed unanimously.**

1 **Consent Calendar**

2 1. **TSSD Check Register**

3 2. **2026 Administrative TSSD Board Meeting Schedule**

4 3. **Yamas camera/security update for current plant (\$166,980.00)**

5 4. **CL-R1 –**

6 a. **Replace & Upsize Lehi/AF outfall: Sundt pay Request #20 (\$1,774,797.05) retainage (\$)**

7 5. **TP-4/5 – Clarifier**

8 a. **East Clarifier: Archer Western pay Request #15 (\$190,950.00) retainage (\$10,050.00)**

9 6. **Package B – Tertiary filtration and UV Disinfection**

10 a. **Gerber pay Request #10 (\$2,295,903.00) retainage (\$120,837.00)**

11 b. **Ratify Builders Risk (\$779,770.00 - \$695,012.00 = \$85,758) previously approved 250619**

12 c. **Ratify support: Title XVI Letter to US Subcommittee on Energy and Water Development.**

13 7. **Package C – PCAD**

14 a. **GMP3 digester Complex Piles and Deep Foundations – Alder Construction pay Request #10 (\$2,729,939.95) retainage (\$143,681.05)**

15 b. **GMP EQ-01 Equipment purchase – Alder Construction pay App #1 (\$6,613,669.24) retainage (\$348,087.85)**

16 c. **Enbridge RNG Agreement**

17 i. **Renewable Natural Gas Receipt Point Service Agreement**

18 ii. **Renewable Natural Gas Facilities Agreement (\$2,702,042)**

21 Mack Straw made a motion to approve the Consent Calendar as presented. Blaine Thomas seconded the motion. Sullivan Love, Chair, took a roll call vote. Those voting “Aye” – Sullivan Love, Brent Rummler, Brian Braithwaite, David Bunker, Joel Thompson, Blaine Thomas, Mack Straw, Richard Nielson, Dave Norman, and Chandler Goodwin. Those voting “Nay” – None. The motion passed unanimously.

27 **Finance**

28 1. **Financial Report**

29 The November financial report was in the board packet for review. There were no questions for Joe Martin.

31 **Action Items**

32 1. **Well**

33 a. **Drill New Well (\$2,640,300): Note the Well #3 can prove TSSD water rights**

34 b. **Well #3 (1978)**

35 i. **High Head Pump option (\$351,000)**

36 ii. **Low Head Pump option (\$344,000)**

37 iii. **Artesian flow option (\$0)**

38 *Neal Winterton arrived. 6:16 p.m.

39 Rich Mickelsen said this was discussed at the Board Retreat. JUB engineers did a feasibility study on well 3 and there is a summary report in the board packet. This is to protect the District’s water rights and provide higher quality water for plant operations. There are three options for well 3 (1978) and the first two can prove water rights. The first option is a high head pump for \$351,000 and the second is a low head pump for \$344,000. The high head pump will allow us to use our well water in the dewatering building. Both options will provide water for package B and let us utilize that water in our utility pumps throughout the plant. The third option, Artesian flow, which we are doing now, does not prove our water right. Rich said there was also some interest in drilling a new well as there is quite a bit of construction just east of the dewatering building. We have a well there that is not performing as well as we would need to prove our water rights. Rich said his hope is that the board will make a decision on well 3. If the board chooses to do both a new well and well 3, we will be over budget.

49 David Bunker said his understanding is the high head pump option would prove our water rights and be able to deliver the water needed for the plant. Rich said yes. Chandler said he is in favor of making sure the district can prove their water rights and asked if any argument that can be made for why option 1 is the wrong direction.

1 Rich said he would have Brandon Nielsen, JUB Engineers, talk about the video that was done of the well 3.
2 Rich's understanding is the well started out with a 10" casing and is now a 6" casing and we do not know how long
3 that will last; and if it fails, we will need to drill another well and it will not be in that same location. Rich said
4 currently there is enough money in the budget to drill a new well (\$2,640,300) but not enough money to drill and
5 new well and do option 1 or 2 on #3 well.

6 Brandon Nielsen said the well driller's report from 1978 indicated that there was 10" casing that went 190
7 feet deep. When they went to pull apart and video the well, they discovered there was a 6" casing inside the 10"
8 casing and it went deeper than the original depth of the well. Even though they could not find a record, it was
9 apparent that well had been lined with a 6" casing and deepened. The condition of that casing is heavily
10 encrusted, which makes Brandon think it was done some time ago. Dave Norman asked how much water is
11 needed to supply the needs of the plant. Rich said 208 gpm and this high head pump would do 260 gpm. Dave
12 asked thoughts on the benefits of redundancy. Rich said we typically have redundancies on our treatment systems
13 at the plant, but we do not have redundancy on the well. Dave Norman said if we were to approve the new well
14 and the high head pump, it would give us the redundancy that would be desirable. Rich said yes.

15 Rich's understanding is we need to use our water rights before we can reuse the water. If we use it in our
16 process, then it becomes available for us to do reuse. Sullivan asked what rate we are currently pumping. Rich
17 said we have not been pumping, we have used it as an artesian flow for different processes around the plant.
18 Sullivan asked if we choose not to drill a well now, but drill one in the future, will it need to be in a different
19 location, and will that require us to file a change application? Rich said he does not know what we will do in the
20 future if we do not drill a well now. We have to stay within 150ft of our current well and we have package A, B,
21 C and E that come together at this time and at this location. There is always the option to make a change
22 application with the state engineers office for our water rights and move that to a different location. Rich does not
23 know if we will get approval of that application. Rich said, as he understands it, they have overallocated three
24 times of what is there and now they are really starting to crunch down. Rich said it is not in his interest to do a
25 change application but to drill a well within that 150 ft. Sullivan said he would be nervous about how that well
26 would perform long term when we ramp up and begin pumping at a higher rate. Sullivan sees the benefit of
27 having a redundant well. Dave Norman said it would be prudent to drill the new well and find a way to equip this
28 existing well as a redundant back up source. Dave said he doesn't want to diminish the \$351,000 but compared to
29 what it would cost to drill a new well in the future, this is inexpensive and costs will go up every year.

30 Rich said this would come out of the TP-4 budget line. If we drill a new well and do option 1- high pump
31 well, that would be \$412,100 over budget. David Bunker's opinion is we should put the high pump on well 3 and
32 not drill the new well at this time. If we have an issue with that well, we can re-drill it within 150 ft. David feels
33 that is way to protect our water rights and still have access to that well right now. That casing is not perfect, but
34 there are issues with a lot of wells currently being used. In the future, if something happens, we make that
35 decision then. Neal asked if we could reuse the high pump motor if we were to re-drill the well. Brandon Nielsen
36 said we could re-use it but not on a new well because a new well would probably provide a higher flow rate. Rich
37 said the new well would replace an old well, which is not well 3. Another option is to do option 1 or 2 on well 3,
38 and when it fails, you could drill within 150 ft of that well and still use the plumbing assets. Neal said he is
39 concerned that if we do not prove these water rights, that could be a real challenge in the near future. Neal said
40 his gut says we drill this new well and use our water rights. Richard Nielson said we have a 50-year-old well that
41 we want to supply the water for a billion-dollar plant expansion and upgrade. It makes sense to him to do the new
42 well now and have it up to date as well. The 6" casing concerns him and not knowing the status of that casing. It
43 could be a good backup, but he does not think it should be the primary. Neal said the way water rights work; if
44 we are constricted now and have not been using it, that is a problem. Rich said we tasked JUB about 16 months
45 ago to prove our water rights. Rich said his understanding is that as long as we have a plan and can show that we
46 are proving our water rights, and then we use the water rights then we basically start our seven-year window over
47 again. Neal said all it takes is one crazy legislative session.

48 Rich said he is just giving the board the information, and he will go the way the board directs him. David
49 Bunker said he thinks there is more discussion to be had. David said when he worked at Cedar Hills, they had
50 some of their point of diversions changed to some American Fork wells which preserved Cedar Hill's water
51 rights. The District is hooked up to American Fork water and there might be a possibility look at changing some
52 of those points of diversion to American Fork wells and delivering through the system to the plant. David said he
53 is not saying that solves the needs here at the plant, but it could preserve the District's water rights. Neal thinks
54 that is worthy of a discussion. Dave Norman thinks the District should be handling its own water, not relying on

1 that as option. Dave said it could be a possible back-up if something catastrophic happens, but the District should
2 have its own water supply. Neal said yes, we could look at the redundancy, and we do not have the full picture to
3 see how that plays into this discussion. David Bunker asked how critical it is that the board makes a decision
4 tonight. Rich thinks we have until February 19th to show the proof of water rights so technically we have another
5 month. David Bunker said we can file an extension, and they are usually good at working with us on those.
6 Brandon Nielsen said if we file an extension we should have a plan with our intent.
7

8 **Neal Winterton made a motion to continue this item at the next Board Meeting. Chandler Goodwin
9 seconded the motion. Those voting “Aye” – Sullivan Love, Brent Rummel, Brian Braithwaite, David
10 Bunker, Joel Thompson, Blaine Thomas, Mack Straw, Richard Nielson, Dave Norman, Neal Winterton,
11 and Chandler Goodwin. Those voting “Nay” – None. The motion passed unanimously.**

12 Brian said the board should give direction to Rich about what to bring back for the next meeting so there is
13 something actionable. Brian said there is the possibility of having American Fork hold those rights for a period of
14 time and he is in favor that being a back-up but not a primary. Brian is content with continuing to run well 3, as
15 long as it provides what we need right now, and as long as we have a back-up. Sullivan said we need answers to
16 whether our current connection to American Fork is large enough to provide the needed water, transportation
17 costs to provide that water, and contract costs, expenses. Richard Nielson does not think American Fork will be
18 holding the District's water rights. The point of diversion would change to an American Fork well but still be in
19 the District's name. Brian said yes, and we need clarification of what that would look like. Rich Mickelsen said
20 he hears he needs to talk to American Fork to learn costs and work with the distribution staff to see if that is
21 feasible. He also needs to look at water right options and whether there is a possible extension on the February 19,
22 2026, date. Sullivan said he does not think our current connection (2 inch) to American Fork, will provide needed
23 flow plus plant flow so we would need to look at piping and upsizing costs. Neal said part of the discussion with
24 American Fork should include delivery reliability and redundancy. Neal said the redundancy and the water right
25 protection is at the forefront of the decision making. Rich said unless he misunderstands the use of our water
26 rights, we've used the artesian flow which counts for half the flow, so we have proved that already, it is the other
27 half that needs to be proved. David Bunker said it still doesn't prevent us from putting that high pump on the
28 system and if something happens, we can still show beneficial use. Rich said he will look at those options and
29 costs and bring them back to the board.

30 **2. Package A:**

31 **a. Award construction contract – Alder Construction Company (\$65,996,000)**
32 **b. Engineering Services During Construction (ESDC) – Aqua Engineering (\$4,873,708.16)**
33 **c. Control System Integrator (Package A) – IC Tech (\$2,094,545.17)**

35 Rich said we went out to bid on package A. There is a budget for each of these three items. We started off
36 with project costs, and those have escalated over the last number of years. The budget for 2026 is just over \$76
37 million for Pkg A and with all these costs it puts us over budget by almost \$6 million. There were four pre-
38 approved contractors that bid, and Alder came in the lowest at \$65,996,000. Rich recommends moving forward
39 with Alder for package A construction contract.
40

41 **Chandler Goodwin made a motion to award Package A Construction Contract to Alder Construction
42 for \$65, 996,000 and award Package A Engineering Services During Construction to Aqua Engineering for
43 \$4,873,708.16, and award Package A Control System Integrator to IC Tech for \$2,094,545.17. Brian
44 Braithwaite seconded the motion. Those voting “Aye” – Sullivan Love, Brent Rummel, Brian
45 Braithwaite, David Bunker, Joel Thompson, Blaine Thomas, Mack Straw, Richard Nielson, Dave Norman,
46 Neal Winterton, and Chandler Goodwin. Those voting “Nay” – None. The motion passed unanimously.**
47

48 **3. Resolution 2025-09: TSSD Board Compensation**

49 **a. TSSD recommendation**

50 Rich said it has been a number of years since there has been a change in the board compensation. The law
51 has changed to remove the ceiling on the board compensation for Districts. Rich said there are two resolutions;
52 one is blank if the board has an amount they decide to enter and the other resolution has a dollar amount that gets
53 us closer to the \$5,000/year at \$375.00/month, and \$1,000.00/month for Board Retreat all day meeting. Rich said

1 as we move towards Timpanogos Sanitary Sewer District, we will address compensation for ad hoc board
2 members. Brent Rummller asked Mark Bell to explain the statutory authority for compensating the board, why the
3 cap was removed, and whether there is any statutory language relating to whether a city employee serving on a
4 district board in their official capacity as city employee also receiving compensation from both the city for their
5 time and the District for their time. Mark Bell said there has historically been a \$5,000.00 limit on the amount to
6 be paid to board members. A state senator asked someone at the UASD why there is a limit for special districts
7 when there is no such limit for municipal service (city council). As a result, legislation was changed to remove
8 that cap. In exchange for the removal, we need to be transparent in the way that we adopt and compensate board
9 members; like the public hearing we had at the beginning of this meeting and the resolution to declare that
10 amount. Mark said there is nothing in the Special District's Act that would prohibit compensation for service in
11 both capacities, unless a city has prohibition against it. Mark said he would leave that with individual city
12 representatives to make sure that's not a problem. Mark does not think that would be an issue, as with this district,
13 much of the work is done at times when board members are not actually wearing a city hat.

14 Brian Braithwaite said if it is flat monthly compensation, one of his concerns is if you have a board member
15 that is not participating or not doing what they are responsible for, this does not really address that unless it goes
16 to a rate per meeting. This is fair compensation for real work, but it would be easy to not show up and get the pay
17 if it is a monthly amount. Brian said to him it would be a rate/meeting unless there is something else that would
18 address that issue. Neal thought there was a minimum attendance requirement as part of being a board member in
19 the state of Utah. Mark Bell said he knows there are requirements for state agencies, but he is not aware of that in
20 the special district's code; he could research to confirm that. Chandler is in support of Brian's concern. Chandler
21 said as we move away from a special district to Timpanogos Sanitary Service District, can there be something
22 created in the by-laws that stipulates an attendance requirement. Rich said yes or we could add it to this
23 resolution and have it payable upon attendance at the meetings. Mark recommended that we could adopt it by
24 resolution or make it a standard of practice, so that each board member needs to fill out a compensation form
25 indicating they have participated during that month. Brian said even though he travels a lot, and this has as much
26 impact on him as anyone, he does all he can to attend the meetings. Brian said he would have board members fill
27 out a form, so they are making a statement they attended. We have been doing it each month anyway. David
28 Bunker said we will know who is in attendance at the meeting as it is documented in the minutes. David asked if
29 you are not in attendance, is there a pro-rated amount. Dave Norman asked if should we say a committee meeting
30 is \$175 and a board meeting is \$200? Hopefully as a board member, we are invested enough that if we are away
31 from a meeting we are still up on the issues and reviewing the packet. Brian said he brings this up not because he
32 sees an issue with those that are on the board currently, but this board is not going to stay the same and over time
33 we want something in here that is clear and available when needed. Neal said we can find out what other boards
34 do, approve this resolution as it is, and contemplate the method of disallowing compensation at the January
35 meeting.

36
37 **Neal Winterton made a motion to approve Resolution 2025-09 as written with the values filled in with**
38 **the commitment to discuss the methodology to disallow compensation in the January 2026 meeting. David**
39 **Bunker seconded the motion. Those voting "Aye" – Sullivan Love, Brent Rummller, Brian Braithwaite,**
40 **David Bunker, Joel Thompson, Blaine Thomas, Mack Straw, Richard Nielson, Dave Norman, Neal**
41 **Winterton, and Chandler Goodwin. Those voting "Nay" – None. The motion passed unanimously.**

42
43 Neal said he thought Rich, Sullivan and Mark Bell direction should be to find out what other boards do to
44 quantify this compensation. Rich said he understood.

45
46 **4. Resolution 2025-10: Approving an Interlocal Cooperative Settlement Agreement and Release**
47 **Claims with Lehi City**

48 Rich said we have been discussing this matter for some time and legal counsel, Mason Kjar, is here in
49 attendance if there are any additional questions. Rich said the resolution is in the packet; he has read it, and it is
50 what was discussed during closed meetings. This settlement agreement has been approved by Lehi City, and it is
51 Rich's recommendation that we move forward with it as written.

52
53 **David Bunker made a motion to approve Resolution 2025-10 approving Interlocal Cooperative**
54 **Settlement Agreement and Release Claims with Lehi City. Brian Braithwaite seconded the motion. Those**

1 voting "Aye" – Sullivan Love, Brent Rummel, Brian Braithwaite, David Bunker, Joel Thompson, Blaine
2 Thomas, Mack Straw, Richard Nielson, Dave Norman, Neal Winterton, and Chandler Goodwin. Those
3 voting "Nay" – None. The motion passed unanimously.

4
5 The board thanked Mason Kjar for his help getting this done.
6

7 **Communication**

8 **1. Manager's Report**

9 Rich said each board member needs to sign their conflict-of-interest disclosure and turn those in.
10

11 **a. Plant performance**

12 We are still seeing increased flow in the month of November. TSS solids do not like to move around when it
13 is cold, so we are holding a larger number of solids. We are trying to waste more to get those solids out of here.
14 That is part of too many operational things going on at the same time. We went under full bypass here at the
15 headworks last Tuesday. Our effluent phosphorus numbers are below 1mg/L, but that will increase as we are
16 holding more solids, because the phosphorus is holding up in the solids. Usually, we see that number drop this
17 time of year, but we know why we are where we are at. Rich gave a shout out to staff for a great job. Neal
Winterton said managing the phosphorus takes effort and said good job to staff.

18 **Closed Session**

19 **1. To discuss Litigation, Property Acquisition and Personnel**

20 There was no closed session.
21

22 **Adjourn: David Bunker made a motion to adjourn. Dave Norman seconded the motion. All present "Aye".**
23 Meeting adjourned. 7:13 p.m.
24