

**Perry/Willard Wastewater
Facility Board Meeting
975 West 1000 North
Willard Utah 84340
January 12, 2015
5:00 p.m.**

Members Present: Chairman Steven Pettingill, Bruce Howard (arrived at 5:10 p.m.), Paul Nelson, Rod Mund, and Bob Beebe

Others Present: Mayor Kenny Braegger, Willard Council Member Dale Freede, Susan K. Obray, Minutes Clerk

Members Excused: Jeff Hollingsworth, Plant Manager

1. Welcome & Call to Order

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

2. Approval of the December 8, 2014

Board Member Beebe moved to approve the December 8, 2014 minutes. Board Member Nelson seconded the motion. All in favor.

3. Agenda Items

A. Approval of the Agenda

Board Member Nelson moved to approve the agenda as presented. Board Member Beebe seconded the motion. All in favor.

B. Public Comments (if any)

There were no public comments.

C. Plant Manager Items

Jeff was excused and left the notes for the Board Members to read through. There was no discussion on the Plant Managers notes.

- 12/9/14** Called Smith & Smith on switch station pm. He said they could come out and do a visual and be glad to charge me. Chuck said just watch screen for faults, it is running a self-check on switch station. Talked with Matt Garn he does know what State samplers are doing.
Talked with Leland Myers on plant expansion, Leland said you can't out guess technology. Leland also mentioned the governing body can change technology process at any time.
- 12/10/14** Perry was down to get Vactor. Driver had engine light on, told driver where I had set up maintenance.
- 12/11/14** Discharge Monitoring Report sent for November. UV system failed, Reset.
- 12/13/14** Weekend no problem.

12/14/14 UV system sent and alarm on UV Intensity.
12/15/14 Cleaned UV system. Contacted Universal on temps of blowers, he said remove covers it is not helping blower equipment. UV systems UVI sensor not working on East unit. Contacted Western Engineering they will replace on next system maintenance. Jim Judd from Westech was up with some cover drawings and wanted more data on IFAAS # 8 drive box.
12/16/14 Working on data for Westech.
12/17/14 Ford F550 lost hose on turbo boost, this is the second time. Sent date to Jim Judd at Westech. Digester plug valve is starting to leak like the north side. Contacted Rocky Mountain Valve to start on a spool and butterfly valve fit.
12/18/14 Replaced battery in forklift. Ford called F550 repaired under warranty. Power failure time 20:40 hours.
12/20/14 Plant ok 09:00
 1048 Grit system failure
 1749 Power loss, power back at 2:15 a.m. Generator used 120 gallons of fuel.
12/21/14 Plant ok weekend.
12/22/14 East compressor has Kunkle (relief) valve starting to leak. Alum building had some ground water in.
 Digester wall still seeping.
12/23/14 Washed down UV system, checked alarms and phone lines.
12/24/14 Sent UPDES samples off. Power failure 09:46
12/25/14 No problems 11:30
12/26/14 UV failure 15:06 reset by phone. Then at 18:37 system would not reset from home, came out and modified programming to get running until Western Engineering can respond.
12/27/14 Weekend no problems.
12/28/14 Weekend no problems.
12/29/14 Grit system failed. Dirt in sensor, and water in vacuum pump.
12/30/14 Cold front hit valley, heat not working in UV room. Willard City entered by gate system to read meter.
12/31/14 Credit card audit by Perry City. Heat out in UV room and shop, contacted comfort heating in Brigham for repairs.
01/01/15 Plant ok holiday.
01/02/15 Sludge to C/W
01/03/15 Plant ok weekend.
01/04/15 plant ok weekend.
01/05/15 Blower 1211 running rougher than when we had them looked at it. Called the manufacturer and was told that a new flexible coupling to replace the bad one and will be around \$2,000.00 dollars. There are only two couplings in the US so I told them I wanted both couplings. If one is bad the other is not far behind.
 Talked with Matt Garn at State of Utah, ask him if we had and extreme emergency and lost our generator could we pump flow to State Park lagons to the south. He said if the State Park people gave us the ok. Option B would be to pump to our ditch or back to the front of plant. Van Mund, of the Willard Fire Department, and I have talked they

can pump 1200 gallons a minute with their old pumper truck and could support the plant.. This would eliminate need to call "Rain for Rent" to do the pumping.

- 01/06/15** Credit card audit by Perry City. Compressor pump and service recommended since we are waiting for parts to have motor replaced bearing. Contacted Skyline electric in SLC he said between 1,000-1500 dollars, a new motor is \$12,000.
Tried to contact Jim Judd on # 8 IFAS he is out. Contacted Golden Spike Electric to disconnect 1211 blower so we can pull motor out to be sent for bearing replacement.
- 01/07/15** #8 IFAS brake system came on during operation stopping #8 dead faulting out VFD. Contacted Westech they will call me back when they have a fix, put 10 amp fuse in to get it back up and running.
Contacted Matt Garn on DMR QA 35 to see if plant has to participate. Matt instructed me not to participate until EPA has meet there requirements the State has requested. This is to qualify our lab for e-coli and ph.
Vactor truck went to Perry. There was anti-freeze under the engine and hydraulic oil under PTO.
Golden Spike out to disconnect 1211 blower.
- 01/08/15** Dave Jankins from Westech called and told me to place a bolt in the #8 IFAS brake system to eliminate brake from spinning backwards.
- 01/09/15** Foggy, working 1211 blower motor.
Vactor truck to Willard.
Nate from Westech will be out tonight after hours to look at #8 IFAS electronics on motor brake system failures.
- 01/10/15** Plant ok.
- 01/11/15** Ops building upper level drains clogged.
- 01/12/15** Blower motor 1211 removed and hauled to SLC for bearing replacement.

D. Call Outs

- 12/17/2014** Power failure
12/20/2014 Grit system failure
12/20/2014 Power loss
12/24/2014 Power failure
12/26/2014 UV system

E. Items to be Purchased

- (1) Change out Motor for the blower system. \$500.00 for supplies.
- (2) Coupler (2 sets)

F. Board Member Items

Board Member Beebe asked if Jeff was still trying to build up a shelf inventory of UV lights. Chairman Pettingill stated that he was. Board Member Beebe stated that it might be a good idea to have a motor assembly, chain assembly, and a gear assembly on shelf inventory.

G. Discussion Regarding Inter-Local Agreement

Chairman Pettingill stated that the interlocal agreement that was signed (the one we have right now) reflects 66% and 34%. He said it was his understanding that the signed interlocal agreement was supposed to be used for one year until the plant was up and running. He said they were suppose to look at the interlocal agreement after that and make recommendations and modifications to it that reflected what is happening down here. He stated that since the interlocal agreement that was signed in the very first place, the construction phase had run out of money. He said that it was Perry's portion that needed to have money put in its coffers. Willard and Perry decided jointly that they would adjust the percentages so there was grant money received to Willard. Chairman Pettingill stated that the grant money was used to put the roads in, landscaping, rocks, VAC truck, and an on premises building for the VAC truck. Board Member Howard said that initially it was hoped that the VAC truck would have fit in the Willard shop.

Board Member Beebe stated that the Willard Shop was deep enough but was not tall enough. Board Member Howard stated that Perry did not get into the mix when it was decided where the VAC truck would be stored.

Chairman Pettingill stated that it was his understanding that the signed interlocal agreement (66% and 34%) and since then the ownership has changed, and the bond payments have changed, but the interlocal agreement has not been changed. Board Member Beebe stated that the bond payments have not changed yet.

Mayor Braegger stated that Willard is paying for their payment and the payment that Perry borrowed. Chairman Pettingill asked if it was at the 34% or the 39%. Mayor Braegger stated that it is all in one payment and also includes their collection system. Chairman Pettingill asked if the State recognizes their bond payment at 34% or 39%. Board Member Beebe said the payment goes up every year but has no bearing on the percentages of ownership. Chairman Pettingill stated that the cities pay the bonds besides the plant operational costs. Board member Beebe said that they have the day to day costs of the operation of the plant, they have the long term maintenance cost to the plant, and the ongoing payment of what they spent on their portion of the plant and their collection system. Chairman Pettingill stated that the State must recognize the 39% because they did change the contract.

Board Member Beebe stated what was presented to the Willard Council and was voted on was that the State required a change of ownership for the change of monies but not a change in percentages. Board Member Beebe stated that the interlocal agreement was to be in place until they got to a point to use the flow meters for the daily costs, then the big ticket maintenance items were suppose to go by ownership.

Board Member Nelson stated that the bond payment for Perry was based on what they borrowed to build the facility and that never changed. He said the only thing that changed was the cost of the facility and that went up a little bit and that money came from the grant money that Willard had and that is ownership. Board Member Howard stated that was grant money that was given to Willard to finish the facility. Board Member Mund stated that the State was gracious enough to let us utilize the money and finish the plant.

Board Member Howard stated that it was no skin off of Willard's nose because it was grant money; Mayor Braegger stated that it was still Willard's money. Chairman Pettingill stated that we have a document that says 34% and 66% and it should read 39% and 61%. Board Member Beebe said that was never suppose to change with the transfer of the monies. He said that was a paperwork deal. He stated that the ownership is supposed to maintain one level and the costs at another level. Chairman Pettingill said that Willard's ownership should be 39%. Board Member Beebe stated that was correct. Board Member Beebe stated that it was also presented that the O & M costs were not going to change. Board Member Nelson stated in the interlocal agreement it says 66% and 34%. He said it is our understanding that it is suppose to say 61% and 39%. He said this is just talking about ownership and not operations.

Chairman Pettingill stated that he did not bring it to the meeting the first time it was Duncan Murray. He said that Mr. Murray told him to take the agreement and discuss it and get it revised the way it should be. He said in other words with Perry's piping problems, and the plant running long enough, we needed to write a document that reflects what is going on down at the plant. He said that was his understanding for receiving the document here which was about a year and three months ago (just before the elections). He said just after that he talked to Shanna Johnson and he told her that he needed to get it signed. He said they started a discussion about incorporating language in the document that talks about flow. He said that she told him that is not going to happen. Chairman Pettingill stated he told her there are other people that think differently. He said he has been accused of not being fair to Perry and putting out numbers that does not match what happens down here. He said he has been as fair as he possibly can be. He said he does not appreciate accusations for numbers when he gets the numbers from the plant. He stated that other numbers he has received were from officials from both cities on numbers that were used to identify the amount of users, and ERU's.

Chairman Pettingill stated as they go through this that the board express their views and asked them to use the golden rule, if you are from Willard put yourself in Perry's position and if you are from Perry put yourself in Willard's position, and understand where each other are at. He said we have to treat each other as sewer plant owners not as different cities. He said he has been told by people from Perry their position and from his understanding Perry has no other wants or needs, other than the percentage that is indicated in the contract. Chairman Pettingill stated what he has heard from Willard is that they would like to use flow data to interpret what the operating costs are at the plant. He said Willard does not have all of it occupants hooked up. Board Member Beebe stated that he guesses that it was about 65 not connected.

Chairman Pettingill explained that this is nothing binding; this is a recommendation to each City. He believes that this is a forum for it to take place; this is the board that runs the sewer plant. He said that the board still needs to get on board with the financial direction. Chairman Pettingill stated that it is important for the board to know. He said his feeling is that we are not going to go on ownership only; he felt that Perry's position is something that

is self serving to Perry. He said if they had the knowledge of how other sewer plants do this and how other boards operate. He stated that they have done enough investigation that every sewer plant that divides monies up is based on flow.

Board Member Howard said since he lives in Perry and not being served by the sewer he does not have an agenda. He stated the only thing he wants is for the board to come to a consensus. Board member Howard explained that it does not financial affect him one way or the other. He said way back when this started and he was the sole member of the Wastewater Board and in talking with Eric Johnson they talked about a fair way, what is the right thing to do. He said Mr. Johnson's opinion based on his experience, with a lot more than this one plant. He said Mr. Johnson said if you go by flow you'll drive yourself crazy and you'll have all kinds of animosities. He said with that said if you are bound to go with the flow data, get your initial data based on flow and then from that point whether you do it no less than one year. He said Mr. Johnson said that you would be better off going for longer term before you look at readjusting again based on the data of the flow. Board Member Howard stated this is his opinion, and this is the best of his memory in talking with Mr. Johnson. He said based on all of the discussions we ended up with the original interlocal agreement. He said at the time the best to everyone's satisfaction. He said that is what Mayor Nelson and Mayor Tingey worked out as a starting point.

Board Member Mund said he agrees with Board Member Howard. He said there was discussion back and forth, but certainly for the start up of the plant we had no data and how it was going to work and where we were going to be at flow wise. He stated and so we were going to collect data for a period of time. Board Member Mund said that we put the flow meters in so that we could access that. He said now years later we have a data base and he did not think that a big development or a shutdown, that probably those flows are going to vary too much now, unless there is some building that goes on in either City. He felt now we have the data it doesn't matter if you use flow rates set for 2 years, 1 year, or 5 years unless there is a lot of building. He said what we got is what we got. Board Member Mund stated that the empirical information is there for the last three years. He said one nice thing the way that it was initially set up in the interlocal agreement was it gave Perry an opportunity to see how much transit water was being shipped in and get their program squared away, so when we did look at the flows they would have a legit number, that would be a better number for them. He said it has worked for the advantage for both cities the question is where we go from here. Board Member Mund expressed that we need to make it as fair to both cities as we can. He said if Perry gets a lot of building up there and Willard doesn't then those flow rates become more important because in the end all of the flows indicate how much produce we are processing. He stated it doesn't have anything to do with the ownership of the facility; it has to do with the product that we are putting out.

Board Member Nelson: Paul stated that he would express Perry City's position and then his own. He said the interlocal agreement says that it is a 50 year agreement. Board Member Nelson stated that it says that it is 66%/ 34% and the collections on a monthly basis 66% of Perry's

Proportionate share of the operation and maintenance expense will apply to those payments of the annual budget, and the same 34% for Willard City. He said he remembers asking the question what is the basis of the 66% and the 34%. He said the answer was that is the projected build out of each city. He stated then all of the sudden we change the ownership to 61% and 39%, does that mean that Perry is going to be 61% and Willard will be 39%? No that was out projected build out. He said did it change the ownership? No it didn't. He said there are a lot of other factors that enter into this that might change what each City's proportionate share is. He said all of the factors and the operation of the plant need to be considered, and if it came out that it was pretty similar to what we are doing already, he would say that is a pretty simple formula that we have, but if is not then there needs to be some adjustments, so that it is fair to both cities. Board Member Nelson stated that over the last 2 years Perry has built 25 or 26 homes. Board Member Beebe stated that Willard had 2 homes built last year. Paul said you do that for 3 years you will have 75 to 80 homes versus 6 or 7 that is significant. He stated it is significant with the amount of waste we are hauling to the landfill.

Bob Beebe: Board Member Beebe stated that Willard has a 5% problem. He said we need to see what Perry was presented with concerning the 5% ownership change. He stated we know what Willard was presented with but we don't know what Perry was presented with. He said if we haven't learned anything else, we better write stuff down. He said there were a lot of things that were not written down and the 5% is one of them. Board Member Beebe stated he has been wondering about the flows for a while and I made a statement, if we weren't going to go by flows why didn't they put a "T" in it would have saved a lot of money. He said he thinks if we don't go with flows the percentages are eventually , we have a couple of elephants in the room one of them is South Willard, if South Willard is annexed into Willard, we already know there are 3 developers that have already paid money and one is putting in 1400 homes. He said we all know what is going to happen when a sewer line is going to be run along the tracks the State is going to step in. He felt that all the effluent with the 66% 34% or 61% 39% it won't take a lot of time before Willard will be running 61% of the effluent and Perry is running 39% of the effluent. He said the feelings that Willard has are exactly mirrored by Perry's residents when the shoes on the other foot. He said he would to see what was presented about the 5% on the Perry's side. He said he has what Scott Archibald came in and told the Willard City council and what was voted on. Board Member Beebe commented that he would like to see what was presented to the Perry City council and what was voted on. He said he would like to sit down with the numbers and see just exactly where they are at. Bob stated that we know we are running 28% effluent currently coming into the plant. He said that we need to decide what the most fair and equitable arrangement will be for both cities.

Chairman Pettingill stated that we are in this together and we are the owners.

Board member Howard stated he does not have any more loyalty to Perry than I have to Willard; he has loyalty to the board and to make this plant work the best for my part of it. He said that is my loyalty.

Board Member Mund stated we need to sit together as a board and decide how we are going to treat this because we are setting precedence. He said if we have questions about some of these issues he suggests getting Eric Johnson to come to a meeting and some of the other people that were involved and have a little hearing. He stated that his impression when he was there was that there were yet to be things decided and put in writing.

Chairman Pettingill stated that typifies why the document came back to the board. He said he did not initiate that it was brought to him by Duncan Murray.

Board Member Mund stated it was a starting point to get to another point to make some decisions to go forward because we did not have the information.

Chairman Pettingill stated that what we need to do is look at what is happening here and make it reflective on the interlocal agreement. He said he did contact Eric Johnson's office and left a voice mail. He said he will ask the board to vote to solicit Mr. Johnson's help.

Board Member Howard stated when we were working with Eric to get this agreement set up Mantua was looking to join in. Mr. Johnson's recommendation was just what Brigham City tried to do to us is we will take their crap but they do not pick up any ownership, we would charge them so much for ERU's based on flows.

Board member Mund stated what they have going with South Willard there was only monies put up to upsize the lines that are right there in that booster station to accommodate them. He said there were no agreements, no promises, there was no discussion about any ownership on their part other than when the time came we would have the lines upsized so they could send their product this way.

Board member Howard stated that the State Water Board beat up him and Mayor Tingey to have the upsized lines there. He said that was the only way they would give the final approval for the monies, and that is where it ended.

Board Member Mund stated that it had no promissory action as to future rate.

Board Member Beebe asked how much money the lift station cost (the one down South).

Mayor Braegger stated that it was just under a million because it is undersized. He said the lift station will not accommodate South Willard. Mayor Braegger explained that the trunk line that goes through Willard was designed to accommodate South Willard with a 24 inch line. He said when you get to 200 West down by Helen Jane Lemon's there is a 4 inch pressure line in place and an 8 inch pressure line. He explained that the 8 inch pressure line is for future growth in Willard. He said the 4 inch line is currently being used because that is what accommodates the homes that are there right now. Mayor Braegger stated that the lift

station was designed to feed that 4 inch line and it would need to be upsized. He said it has nothing to do with South Willard.

Chairman Pettingill stated that we do know that if South Willard comes on they will use this plant.

Board Member Nelson stated he likes the idea of contacting Eric Johnson and getting him involved and getting all the facts. He said this was the first time he heard about the 28%. He will want some information of what each city is paying, and what we have been doing since we have been operating.

Board member Beebe asked if the board could get documentation on the 5% purchase that was voted on by Perry City.

MOTION: Board member Mund moved to contact Eric Johnson and get his input and find out what it would cost us to do that and what information he would need. Board Member Nelson seconded the motion. All in favor.

Mayor Bragger thanked the board for all their efforts and concerns.

The board members agreed that the information needs to be gathered on both sides.

Board member Mund stated that we may need to contact past Council members, Mayors.

Board Member Beebe said he has the time frame when it was in the council in Willard.

Board Member Howard asked Board Member Beebe to get the time frame to Susan so she could research some minutes.

H. Payment Approval

The Board Members signed the payment approval.

4. Action Taken

Chairman Pettingill will make an appointment to talk to Eric Johnson regarding the interlocal agreement.

5. Items for Next Agenda (if any)

Same agenda items for the February agenda.

6. Adjournment

MOTION: Board Member Howard moved to adjourn. Board Member Beebe seconded the motion. All in favor.