



HEBER VALLEY SPECIAL SERVICE DISTRICT

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BOARD MEETING

February 9, 2022

4:00 P.M.

Administration Building
1000 E Main Midway, UT 84049

AGENDA ITEMS

CONDUCTING: Board Chair, Celeste Johnson

THOSE IN ATTENDANCE: Celeste Johnson, Yvonne Barney, Heidi Franco, Steve Farrell, Mike Johnston, Brenda Koslowski, Dennis Gunn, Wes Johnson, Dave Nuttall

ONLINE ATTENDEES: Bryan Provost, Martha Wingate, Clair Provost-arrival time noted in the minutes

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

ENTITY UPDATES:

COMMITTEE UPDATES:

ACTION ITEMS:

1. [Consent Agenda Approval](#)
 - A. January 12, 2023, Board Meeting Minutes
 - B. January 2023, Profit & Loss
 - C. January 2023, Reconciliation
 - D. Warrants

The board addressed the consent agenda. There were no questions or concerns from the board members.

Dennis Gunn informed the board members that there is now VIP web access for the board members so they can have high speed access to the internet during the meetings.

A motion was made by Steve Farrell to approve the consent agenda as presented.

He also stated that there was one additional PO that was not on the original list. It was Zion's credit card bill. This bill just came in and needs to be paid by a certain date.

Celeste Johnson stated that she does not like to see penalty and interest charges and suggested that they talk to Zions about making the date fit the timeframe for the meeting.

Steve Farrell amended his motion to approve the consent agenda and include approval of the Zions credit card bill. The motion was seconded by Heidi Franco and the motion passed all in favor. The chair asked for a vote on the motion.

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

Steve Farrell stated that JSSD is working on an extension that will cover any additional connections.

Celeste Johnson stated that HVSSD is the ultimate destination and should have some approval.

The board addressed the document with questions and suggestions for changes and wording.

Article 4.1 in the agreement is the area where you can approve new connections. They cannot approve any connections out of the service area. They will have to update the exhibit or map in the future if needed.

4.2-for areas within the map service area. If they are going to approve development that will increase the demand by a set percentage, they will need a written agreement.

Celeste Johnson asked if a percentage is a good way to do it or by ERU.

Dennis Gunn stated that currently the capacity is managed by watching the flow meters. They set up the impact fees to cover that. This is provided in the expansion plan. There needs to be some oversight in how that progresses.

Celeste Johnson asked about the loading range.

Dennis Gunn stated that rate structure has teeth in regarding loading.

Martha stated that loading is addressed in the agreement.

Article 3.3 addresses unusual discharge fees. Martha stated there should be a schedule for charging this fee.

Dennis Gunn stated that if it goes over a certain amount the fee is adjusted. The rate structure has a loading component in it.

Wes Johnson asked where it was policed.

Dennis Gunn stated that if they see something that they can find it in Heber or Midway and collect it from them.

Martha stated that 3.3 will cover it if they ask for a permit for a special dump or if they do it without permission.

Heber and MSD need to have the clause in their agreement also to charge the fee for loading that HVSSD will charge.

Dennis Gunn will send the user fee document to Martha and Celeste.

Clair Provost joined the meeting online.

Article 2.2 stated up to a cap of ERUs or tied to the percentage. Martha stated that she did talk to Dennis, and they did not feel that there was a need for a cap here.

Wes Johnson stated that flows do change on holidays and weekends.

Yvonne Barney asked about the future.

Heidi Franco addressed possible reuse. If they were to lease it from them and get the water back, what would they do with reuse. Would they let the entities use it.

Celeste Johnson stated that they will have this discussion at a later date.

The board addressed the term.

Celeste Johnson stated that she has been a fan of nothing for over 5 years.

Martha stated that the current agreement is over 40 years old, and, in the state, some are up to 25 years.

Celleste Johnson stated that they could look at it every 5 years.

Steve Farrell suggested that they have the contract for 5 years with 2 automatic 5-year extensions.

Heidi Franco asked if it was a conflict for the mayor to sign the contract. The mayors don't have a vote.

Celeste Johnson stated that the city council could give the mayor authority to vote on it. That should clear up any legal issues.

Martha stated that she will send a new copy with redline on the edits and come back next month with the updates.

4. UDOT – update on project/contracts.

Celeste- an email from UDOT today and EPA approved. Dennis sent it to Jeff to review.

Denis Gunn informed the board that Jeff has been working on this to make sure everything is agreeable. Because the ground is donated, they feel that what they have with the EPA should be fine.

Jeff Burningham has the agreement in place. The agreement is good enough they can move forward. He has asked for a title agreement to make sure the legal descriptions are correct. The title company stated that the district does own the land. They need to make sure the survey is correct.

Mike Johnston stated that if they have an exhibit or a figure it is easier to determine if it is correct.

Jeff Burningham will go back through to trace what they are coming up with.

Heidi Franco stated that they have approved it but just want to make sure the details are correct.

Celeste Johnson stated that she feels they need to sign it and move forward.

Jeff stated that there are two perpetual easements. The board should review this. He will send the maps out to the board. They needed the EPA approval. He has heard from them that they feel that because there is not a charge for the use of the ground, they will approve it. He is working directly with the title company for UDOT.

Celeste Johnson asked Jeff to send everything to the board to look at so they would be comfortable with it.

Heidi Franco stated that they are just working with the design right now and are not building anything yet.

6. Manager's Updates. – Dennis Gunn
7. Other Business
8. Adjourn

Dennis Gunn stated that he has had contact from a company in South Africa that has new technology. They want a non-disclosure signature prior to bringing it to HVSSD. He doesn't know what it is exactly. GAST is the company, and it is a membrane treatment process. They can't go into detail without the NDA.

Celeste Johnson asked if this ties their hands and what the details were for the NDA.

Mike Johnston stated that he has signed the NDA and it is only an agreement regarding disclosure and not committing them to anything with the company.

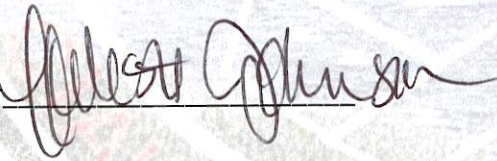
Celeste Johnson stated that Martha has looked at the agreement and is ok with the board signing. The board agreed.

A motion was made by Steve Farrell to adjourn the meeting. The motion was seconded by Mike Johnston and the chair called for a vote.

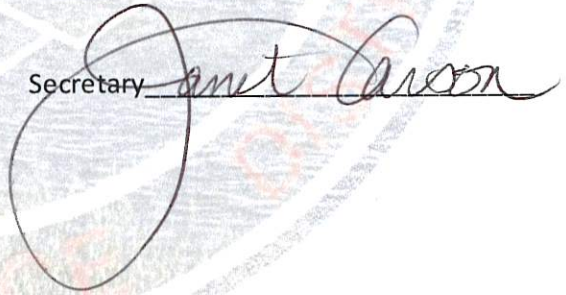
**Celeste Johnson-Yes
Clair Provost- Yes
Yvonne Barney-Yes
Steve Farrell-Yes
Heidi Franco-Yes
Mike Johnston-Yes
Brenda Koslowski-Yes**

APPROVED: 3-8-23

Board Chair



Secretary



SERVICE