

MINUTES OF THE MEETING OF THE TRUSTEES
OF THE CENTRAL WEBER SEWER IMPROVEMENT DISTRICT
HELD MONDAY, AUGUST 17, 2020. THE MEETING WAS HELD ELECTRONICALLY
WITH A PHYSICAL ANCHOR LOCATION AT THE DISTRICT OFFICE LOCATED AT
2618 WEST PIONEER ROAD, MARRIOT-SLATERVILLE, UTAH, WITH PUBLIC ACCESS
TO THE MEETING

Trustees Present: Mark Allen, Neal Berube, Bart Blair, Sharon Bolos, Mike Caldwell, Leonard Call, Lee Dickemore, Dale Fowers, Rich Hyer, Scott Jenkins, Russ Porter, Norm Searle, Jo Sjoblom, Michelle Tait, and Scott Van Leeuwen

Others Present: Lance Wood, John Cardon, Kevin Hall, James Dixon, Mark Anderson, Jeff Beckman, Ryan Bench and John Richardson

Call to Order:

The meeting was called to order at 5:01 p.m. by Chairman Allen, who was the only Trustee present at the anchor location. Chairman Allen then read the following document.

**CENTRAL WEBER SEWER IMPROVEMENT DISTRICT
ELECTRONIC BOARD MEETING DETERMINATION**

Consistent with provisions of the Utah Open and Public Meetings Act, specifically Utah Code Ann. § 52-4-207(4), and acting in my capacity as the Chair of the Board of Trustees of the Central Weber Sewer Improvement District (the "District"), I hereby make the following written determinations in support of my decision to hold and convene electronic meetings of the Central Weber Sewer Improvement District Board of Trustees without a physical anchor location:

1. Conducting Board meetings with an anchor location that is physically accessible for members of the public to attend in person presents a substantial risk to the health and safety of those who may be present at the anchor location.
2. This determination is based upon the following facts, among others:
 - a. The COVID-19 pandemic is ongoing and significant, continued person-to-person transmission of the SARS-CoV-2 virus continues to occur in the state of Utah in general and in populated regions of the Wasatch Front, of which the District's service area is a part, in particular;
 - b. State and local health authorities have adopted guidelines for the general public and businesses which encourage institutions and individuals to take precautions,

including limiting in-person interactions and recommending increased virtual interactions;

- c. The health and safety of District Trustees, officials, employees, staff and contract service providers and members of the public is best served by holding electronic meetings of the District Board of Trustees with limited in-person interaction of fewer than 20 individuals; and
- d. The District Board of Trustees has prepared for and demonstrated the ability to effectively conduct its public meetings electronically, including providing members of the public means to observe the Trustees' meetings and provide comments electronically, as appropriate or as required by law.

These written determinations shall be read into the minutes at the beginning of the District Board meeting held in Marriott-Slaterville, Utah on August 17, 2020, and future Trustee meetings as appropriate. District staff are instructed to include in the public notice of each District Board meeting information on how a member of the public may view and make comments during the District's electronic Board meetings.

This written determination is effective until midnight on September 16, 2020, and may be re-issued by future written determinations of the District Board Chair at that or any other appropriate time.

Dated this 17th day of August, 2020.

It being an electronic meeting, there was no pledge of allegiance. The invocation was offered by Trustee Jenkins.

Public Comment:

There were no public comments.

Minutes of July 20, 2020 Board Meeting Approval:

There being no corrections for the minutes, it was moved by Trustee Jenkins and seconded by Trustee Hyer as follows:

That the July 20, 2020 Board meeting minutes be approved as presented.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom and Tait.

Ratification of Vouchers:

John Cardon recommended ratification of the vouchers, which is a list of all checks and ACH payments issued during the month, as presented. Following a brief review, it was moved by Trustee Berube and seconded by Trustee Porter as follows:

That the payment of vouchers issued during the month of July, 2020, in the total amount of \$4,033,053.07, be approved and ratified as presented.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom and Tait.

Consideration of Pay Requests & Equipment Purchases:

James Dixon presented five payment requests to the Board.

Gerber Construction requested a payment of \$588,949.28 for work on the Phase I Nutrient Removal Project. Of the total amount requested, \$29,447.47 (5%) is to be deposited into a retainage account, resulting in a net payment to Gerber Construction of \$559,501.81. Mr. Dixon recommended approval of the payment request.

It was moved by Trustee Hyer and seconded by Trustee Searle as follows:

That the payment request from Gerber Construction be approved as presented for work completed on the Phase I Nutrient Removal Project in the total amount of \$588,949.28, less a 5% retainage.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom and Tait.

Gerber Construction also requested a payment of \$100,823.00 for work completed on the Headworks and Dewatering Platforms. Of the total amount requested, 5% (\$5,041.15) is to be deposited into a retainage account. The net payment to Gerber Construction will be \$95,781.85. Mr. Dixon recommended approval of the payment request.

It was moved by Trustee Hyer and seconded by Trustee Sjoblom as follows:

That the payment request from Gerber Construction be approved as presented for work completed on the Headworks and Dewatering Platforms Project in the total amount of \$100,823.00, less a 5% retainage.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom and Tait.

Andritz Separation requested a payment of \$175,000.00 for a new Belt Press. No retainage is required on the purchase of equipment. The Belt Press has been installed and is

working. One additional payment will be made when the remaining parts are received. Mr. Dixon recommended approval of the payment.

It was moved by Trustee Hyer and seconded by Trustee Porter as follows:

That the payment request from Andritz Separation be approved as presented in the total amount of \$175,000.00.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom and Tait.

A \$380,657.50 payment request was received from Whitaker Construction for work completed on the Burch Creek Project. A 5% retainage of \$19,032.88 will be placed in a retainage account, resulting in a net payment of \$361,624.62. Mr. Dixon recommended approval of the payment request.

It was moved by Trustee Call and seconded by Trustee Searle as follows:

That the payment request from Whitaker Construction be approved as presented for work completed on the Burch Creek Project in the total amount of \$373,842.92, less a 5% retainage.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom and Tait.

A second request from Whitaker Construction was for work finished on the North Area Relief Sewer in the total amount of \$373,842.92. Of the total amount requested, \$18,692.03 (5%) will be deposited into a retainage account, resulting in a net payment of \$355,150.89. Mr. Dixon recommended approval of the payment request.

It was moved by Trustee Jenkins and seconded by Trustee Hyer as follows:

That the payment request from Whitaker Construction be approved as presented for work completed on the North Area Relief Sewer Project in the total amount of \$373,842.92, less a 5% retainage.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom and Tait.

Certification of Annexation/Withdrawal Petitions:

Lance Wood presented an Annexation Petition for the Nada Lewis Property, which is an approximately a 5.34 acre parcel of land located at 174 North 2550 West in Marriott-Slaterville City. The property will be used for one residential building lot now and possibly two other building lots in the future. Mr. Wood recommended that the Annexation Petition be certified by the Board. It was then moved by Trustee Hyer and seconded by Trustee Sjoblom as follows:

That the landowner Annexation Petition for the Nada Lewis Property be certified, with the final approval of the annexation of the subject property to be placed on the agenda for consideration during a future Board meeting.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom and Tait.

Consideration of Annexation Approval (Resolutions 2020-08, 2020-09 & 2020-10):

Trustee Van Leeuwen joined the Zoom Board meeting.

Lance Wood presented three annexation approval resolutions for Board consideration. Resolution 2020-08 concerns the Tyler Cazier Property, which is a 2.1814 acre parcel of land located at 2200 South 4850 West in Weber County. The property is planned to be developed into a single lot residential subdivision. Resolution 2020-09 involves the John Gibson Property located at 1223 South 4100 West in Weber County. The property is planned to be developed into a single residential lot subdivision on a 45,000 square foot parcel of land. Finally, Resolution 2020-10 involves the Rawson Ranch Agriculture Subdivision Property located at 3300 South 5100 West in Weber County, which is a 29.771 acre parcel of land. The property is planned to be developed into a two-lot agricultural subdivision.

Mr. Wood stated that all legal requirements for the annexations have been satisfied and recommended approval of the proposed annexations. It was then moved by Trustee Porter and seconded by Trustee Bolos as follows:

That Resolutions 2020-08, 2020-09 and 2020-10 be adopted, thereby approving the annexation of the subject real property into the District.

The motion carried, using a roll call vote, by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom, Tait and Van Leeuwen.

Consideration of Biosolids Disposal Procurement:

Kevin Hall reminded the Board that a committee, consisting of Trustees Rich Hyer and Russ Porter, General Manager and Procurement Officer Lance Wood, and Assistant General Manager Kevin Hall, was given the task of investigating biosolids disposal procurement options and providing a biosolids disposal proposal for Board consideration.

Mr. Hall explained that the District utilizes a variety of composting and land application services to dispose of the biosolids that are produced each year by the District's sewage treatment plant. Western Basin Land & Livestock, LLC (Western Basin), a Randy Marriott company, has provided land application services to the District for many years. Western Basin has been the only available service with sufficient capacity to dispose of all of the biosolids produced by the District. Western Basin has requested to be paid a fee to continue providing

biosolids disposal services. The fee would cover loading, hauling and land application of the biosolids.

The committee and staff searched for other service providers that are able to dispose of biosolids at the capacity needed by the District. The search included posting a public notice. No other options were found that could provide the volume and flexibility of Western Basin. The negotiated Western Basin fee structure would be \$1.00 per ton to load, \$3.00 per ton to haul, and \$3.50 per ton to land apply the biosolids, or a total cost of \$7.50 per ton. Each sewage treatment plant operator has different needs and distances to haul biosolids for disposal, but the price of \$7.50 per ton compares very favorably to the next lowest identified cost paid by other sewage treatment plant operators of \$14.00 per ton and ranging up to a high of \$27.00 per ton.

The contract would be for a five year term at a beginning price of \$7.50 per ton, subject to future cost of living adjustments, with possible renegotiation if the increase exceeds 5% in any year. Mr. Hall recommended approval of the contract with Western Basin. Mark Anderson reviewed the draft Western Basin contract provided by Kevin Hall, and suggested changes. Lance Wood, acting as the District's Procurement Officer, has made a written determination in support of entering into a contract with Western Basin.

It was moved by Trustee Hyer and seconded by Trustee Caldwell as follows:

That the Contract with Western Basin Land and Livestock, LLC be approved as presented, including changes suggested by Mark Anderson, and be submitted to Western Basin.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom, Tait and Van Leeuwen.

Consideration of Engineering Firm Contracts (Collection System Pipeline Rehabilitation):

James Dixon reminded the Trustees that, during last year's inspections of the District's outfall lines, issues were found in the Hooper and Pioneer Road Trunk Lines that require rehabilitation. This year, \$1,000,000 was budgeted to get started on this work. A portion of this budget will be used for engineering design, planning services, and generating engineering cost estimates which will be used to help develop a budget for construction work during 2021. The District has limited experience doing this type of rehabilitation work, so an experienced engineering consulting firm has been sought to prepare design documents for this and future Trunk Line rehabilitation work.

Three engineering firms responded to a request for Statements of Qualifications (SOQs) to design the Hooper and Pioneer Road Trunk Line rehabilitation work, namely Bowen Collins & Associates, Brown & Caldwell, and Stantec.

In accordance with the District's Procurement Policy and Utah State Code (Section 17B-1-108), the selection of engineering firms is based on qualifications, rather than on cost. The evaluation committee met, reviewed the SOQs, and selected Brown & Caldwell as the most

qualified firm for this work. A draft Master Services Agreement and Task Order 2020-01 were developed through negotiation. The Task Order includes a scope of work and a budgeted cost of not to exceed \$541,548.00.

Mr. Dixon recommended approval of the Master Services Agreement and Task Order 2020-01 covering design services for the Collection System Pipeline Rehabilitation Design Project to be provided by Brown & Caldwell. It was moved by Trustee Porter and seconded by Trustee Tait as follows:

That the Master Services Agreement with Brown & Caldwell and Task Order 2020-01, at a cost of not to exceed \$541,548.00, be approved as presented.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom, Tait and Van Leeuwen.

Consideration of Proposed Policies and Procedures Changes:

Lance Wood explained that changes and upgrades to the payroll system make it necessary to change the Policies and Procedures of the District to accommodate every other week salary payments, as opposed to paying staff members twice per month. He suggested the following changes.

3.6.1 Paydays. District employees will be paid every other Friday.

3.6.2 Direct Deposits Required. Employees shall be required to establish an account for direct deposit of their paychecks prior to their first payroll.

3.7.7 Time Cards. A daily timecard is required to be filled out in order to receive a full paycheck for time worked.

5.3.2 Time Off. Upon the death of an immediate family member, an eligible employee will be granted time off as follows:

(a) Depending upon need and location of the funeral, eligible employees shall be granted paid leave following the death of an immediate family member. Employees who must travel more than 150 miles to attend the funeral of an immediate family member shall be granted paid time off through the day after the funeral not to exceed three (3) working days.

Mr. Wood recommended approval of the changes. It was moved by Trustee Hyer and seconded by Trustee Berube as follows:

That the proposed Policies and Procedures changes be approved as presented.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom, Tait and Van Leeuwen.

Possible Closed Meeting Concerning Pending & Threatened Litigation, Purchase of Real Property and/or Personnel Issues:

Chairman Allen declared that there was no need to close the meeting.

General Manager:

Lance Wood reminded the Board that the annual salary survey will be presented during the September Board Meeting. He suggested that the Personnel Committee meet sometime between September 8th and the 11th to discuss the results of the survey preparatory to the September Board meeting. It was determined that Kevin Hall will work with the Committee members to choose a date and time for the meeting.

Mr. Wood explained that he started as a consultant with the District more than thirty years ago and has been an employee of the District for 27 years. He then announced that he will retire around the middle of October of this year. The Trustees joined in congratulating Mr. Wood and wishing him well.

Chairman Allen reminded the Board that the District has been working on and preparing for this change for the past year. Last year, Kevin Hall was promoted to Assistant General Manager and he has spent the year being trained by Lance Wood. James Dixon was hired to replace Kevin Hall as the District's Technical Director, and has been trained by Kevin Hall. The transition should be smooth. Further discussions will take place during the Personnel Committee meeting in September.

Attorney:

Mark Anderson informed the Board that the 2020 Utah Association of Special Districts Convention has been cancelled, but some training will be offered on line for those who would like to participate.

Trustee Jenkins requested an update on the Frank Blair lawsuit. Lance Wood responded that a mediation session will be held on August 31, 2020. The District is represented by an attorney provided by the District's liability insurance provider who is well versed in the case. Frank Blair plans to make a statement at the start of the mediation and then leave it to his family to negotiate a settlement.

Other Business:

There was no additional business to bring before the Board.

Adjournment:

There being no further business to come before the Board, it was moved by Trustee Jenkins and seconded by Trustee Hyer as follows:

That the Board meeting be adjourned.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Bolos, Caldwell, Call, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom, Tait and Van Leeuwen.

Chairman Allen declared the meeting to be adjourned at 5:55 p.m.

Approved by the Board of Trustees of the Central Weber Sewer Improvement District this 21st day of September, 2020.

Mark C. Allen, Chairman

ATTEST:

John Cardon, Clerk