

MINUTES OF THE MEETING OF THE TRUSTEES
OF THE CENTRAL WEBER SEWER IMPROVEMENT DISTRICT
HELD MONDAY, FEBRUARY 24, 2020 AT THE DISTRICT OFFICE
LOCATED AT 2618 WEST PIONEER ROAD, MARRIOTT-SLATERVILLE, UTAH

Trustees Present: Mark Allen, Bart Blair, Lee Dickemore, Dale Fowers, Rich Hyer, Scott Jenkins, Russ Porter, Norm Searle, Jo Sjoblom, Michelle Tait and Scott Van Leeuwen

Trustees Excused: Neal Berube, Sharon Bolos, Mike Caldwell and Leonard Call

Others Present: Lance Wood, John Cardon, Kevin Hall, James Dixon, Mark Anderson, John Richardson, Brent Packer and Ed Mignone

Call to Order:

The meeting was called to order at 5:00 p.m. by Chairman Allen. The pledge of allegiance was led by Trustee Van Leeuwen and the invocation was offered by Trustee Sjoblom.

Public Comment:

Kevin Hall introduced the District's new Technical Director, James Dixon, to the Board.

Minutes of January 27, 2020 Board Meeting Approval:

It was moved by Trustee Van Leeuwen and seconded by Trustee Porter as follows:

That the January 27, 2020 Board meeting minutes be approved as presented.

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

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 Hyer and seconded by Trustee Sjoblom as follows:

That the payment of vouchers issued during the month of January 2020, in the total amount of \$1,233,157.40, be approved and ratified as presented.

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

Consideration of Pay Requests & Equipment Purchases:

James Dixon presented a \$905,082.00 payment request from Gerber Construction for work on the Phase I Nutrient Removal Project. Of the total amount, \$45,254.10 (5%) is to be deposited into a retainage account, resulting in a net payment to Gerber Construction of \$859,827.90. Mr. Dixon recommended approval of the payment request.

It was moved by Trustee Van Leeuwen and seconded by Trustee Tait 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 \$905,082.00, less a 5% retainage.

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

Certification of Annexation/Withdrawal Petitions:

Lance Wood presented an annexation petition for the Dennis Green property located at approximately 4000 South 5900 West in Hooper City, Tax ID #16-004-0005. The owner/developer is planning a residential subdivision on 29.645 acres. Mr. Wood recommended that the annexation petition be certified by the Board. It was then moved by Trustee Jenkins and seconded by Trustee Porter as follows:

That the landowner annexation petition for the Dennis Green property be certified, with 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, Blair, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom, Tait and Van Leeuwen.

Consideration of Resolution 2020-01 – Wadman Investments Annexation:

Mr. Wood explained that, by adopting Resolution 2020-01, the Board will approve the annexation into the District of the Wadman Investments property located near the north end of Jessie Creek Drive and immediately north of the Pleasant View City boundary, Tax ID #16-004-0005. Mr. Wood stated that all legal requirements for the annexation have been satisfied and recommended approval of the proposed annexation.

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

That Resolution 2020-01 be adopted and approved, thereby authorizing 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, Blair, Dickemore, Fowers, Hyer, Jenkins, Porter, Searle, Sjoblom, Tait and Van Leeuwen.

Policies & Procedures Changes for Consideration & Approval:

Mr. Wood explained that two sections of the District’s Policies and Procedures need to be changed to simplify and make all work shifts consistent with a 40-hour work week.

Section 3.4.1, Work Week, will be changed to state: “The District work week begins on Sunday morning immediately after 5:00 a.m. and runs for seven consecutive days, through 5:00 a.m. of the following Sunday morning.”

Section 3.7.2. B, Overtime for Nonexempt Employees, will be changed to state: “For the purpose of calculating overtime, the work week begins on Sunday morning immediately after 5:00 a.m. and runs for seven consecutive days, through 5:00 a.m. of the following Sunday morning.”

With the suggested changes, all employees will work a 40-hour work week. Mr. Wood recommended approval of the changes.

Trustee Hyer asked if the employees are happy with the changes. Mr. Wood explained that change is always difficult. The initial suggested schedule change was not well received by the employees. The employees suggested changes to the schedule that would better serve their needs while satisfying the District’s objectives. The employees involved in the work schedule changes voted unanimously to approve the new schedule.

It was moved by Trustee Hyer and seconded by Trustee Van Leeuwen as follows:

That the suggested changes to the Policy and Procedures Manual be approved as presented.

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

Review & Consideration of Bids for the Burch Creek Project:

Mr. Dixon explained that a Collection System Master Plan was developed and approved in 2014. The Plan outlines various capital improvements necessary to upgrade the capacity of the wastewater collection system to meet growing demand due to an increasing population, which includes the Burch Creek project. A total of \$1,600,000.00 has been budgeted for this project, which is scheduled to be built by the end of 2020.

The work has been designed by Bowen Collins & Associates. Due to the relatively shallow depth of the pipe, no prequalification of contractors was required, but minimum qualifications were included in the bid invitation. Nine different contractors were represented at a mandatory pre-bid meeting held on February 6, 2020, but only two general contractors submitted bids, both of which met the minimum qualifications for the project. The bids were opened on February 19, 2020, after which the bids were evaluated based on qualifications and cost. Whitaker Construction bid \$1,873,700.00 and Newman Construction bid \$1,945,000.00. District

staff recommended that the Board award the contract to the lowest cost bidder, Whitaker Construction.

The engineer's cost estimate for the project was \$1,300,000 in 2018. The District approved a budget of \$1,600,000 to complete the project in 2020. Mr. Dixon turned to Brent Packer to discuss the actual bid price of \$1,873,700.00.

Brent Packer, representing Bowen Collins & Associates, explained that his firm has engineered several similar projects and continually checks with contractors to determine the cost of materials. They were surprised by the 25% to 30% bid increases they are seeing for projects to be undertaken this spring. They have bid other projects recently, with similar results. The contractors have their work scheduled for the year and very few bids are being submitted for new projects, and bids that are submitted reflect increased costs.

Mr. Dixon suggested that the increased cost of the project above the budgeted amount can be covered elsewhere in the District's total capital projects budget and recommended approval of the Whitaker Construction bid. It was moved by Trustee Van Leeuwen and seconded by Trustee Hyer as follows:

That the bid of \$1,873,700.00 from Whitaker Construction be approved and the contract be awarded to Whitaker Construction.

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

Update on the North Area Relief Sewer Project:

Kevin Hall informed the Board that bids for the North Area Relief Sewer Project will be opened on March 3, 2020. Based on the bids for the Burch Creek Project, the bids for this project might exceed the budgeted amount of \$7,000,000.00. The engineering cost estimate for this project is \$7,400,000.00. Part of the project will be completed in 2021. The \$7,000,000.00 budget should cover project costs that are incurred during 2020.

A few residential easements remain unsigned. Those easements should be signed and completed this week. Lance Wood and Kevin Hall met with Randy Marriott prior to the Board meeting and Mr. Marriott asked them to inform the Board that he will sign an easement on Tuesday of this week. The value of the easement to be obtained from Mr. Marriott is not expected to exceed the amount Mr. Wood is authorized to approve.

Trustee Hyer asked if the bidders for this project are aware of the District's budget. Brent Packer explained that the engineer's cost estimate is part of the bid documents.

The bids will be presented for consideration during the March 16, 2020 Board meeting. Contractors will be required to have the project in operation by February of 2021 and totally complete the project by May of 2021.

Long Range Planning Committee Report:

On February 19, 2020 the Long-Range Planning Committee met. The attendees included Trustees Rich Hyer, Lee Dickemore, Russ Porter, Mark Allen, Scott Van Leeuwen and Dale Fowers, as well as Kevin Hall, John Cardon and James Dixon from District staff. The staff members sought direction from the Committee regarding the Weber Basin Water Conservancy District (“WBWCD”) water reuse project and how to proceed with the planned conversion from chlorine disinfection to an ultraviolet (“UV”) disinfection system. Trustee Hyer invited Kevin Hall to review information on the water reuse project as discussed during the Committee meeting.

Mr. Hall explained that the District is implementing the phased expansion strategy outlined in the 2018 Treatment Plant Evaluation and Master Plan with the construction of Phase I this year. Design work for Phase 2 must start early this year to meet the milestones that are required by a variance granted to the District by the Utah Department of Water Quality (“DWQ”). The conceptual benefit of the reuse project is that some of the phased expansion work would be replaced by reuse project facilities, and the District would have a funding partner. However, the Bureau of Reclamation (“BOR”) has been slow to respond to WBWCD regarding its funding for the project and WBWCO needs more time to commit.

The Committee recommendation was to request a three-year variance extension, which will be submitted to DWQ and a meeting with DWQ will be scheduled as soon as possible. The request will be signed by both Central Weber and WBWCD. If the request is denied or if DWQ cannot respond quickly, then Central Weber may proceed with the Phase 2 design as outlined in the Master Plan. In that case, if WBWCD wants to pursue a reuse project, Central Weber will still be a willing partner, but won’t be in a position to contribute any matching funds. If the variance request is granted, WBWCD and Central Weber plan to pursue a pilot testing project.

WBWCD would receive 10 MGD (million gallons per day) of treated effluent during the winter months and would not receive any water the rest of the year. Central Weber would run the process year-round to meet nutrient removal requirements.

Trustee Jenkins asked who actually owns the water. Mark Anderson responded that, under Utah law, the holders of the original water rights, which include WBWCD, BOR, municipalities and other suppliers of retail water such as improvement districts, own the right to use the water until it is discharged into the waters of the State.

Trustee Hyer, who chairs the Committee, confirmed that, without a DWQ extension, the reuse project will be dead. The pilot testing project will cost approximately \$1,000,000.00, but the savings to Central Weber could be \$20,000,000.00 to \$25,000,000.00 due to nutrient removal phase 2 projects that would not be necessary if the reuse project materializes in time.

Kevin Hall explained that the District currently uses chlorine gas to disinfect the treated effluent water. The use of a chemical disinfectant is necessary because of the use of trickling filters. The trickling filters will be taken out of service after phase 2 is built. The chlorine system is planned to be converted to a UV disinfection system during phase 3 because of anticipated

permit compliance issues. The conversion is estimated to cost approximately \$11,000,000.00. The need to make this conversion has been accelerated due to a recent DWQ permit revision. The improvement in public safety due to changing to UV disinfection was also discussed.

The Committee recommendation was to design and build the conversion to UV disinfection in the phase 2 project. The Board was in agreement with both recommendations of the Long-Range Planning Committee.

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

There was no need for a closed meeting.

General Manager:

Lance Wood reminded the Trustees that the next meeting will be held on March 16, 2020, which is three weeks away.

Attorney:

Mark Anderson informed the Board that the Utah Association of Special Districts is already monitoring nearly 140 Bills. This is a few less than normal at this stage of the legislative session, and none of the current Bills are expected to be problematic for the District.

Trustee Jenkins asked how the Frank Blair case is progressing, Mr. Wood responded that the District's attorney, provided by the liability insurance company, spent two days questioning Mr. Blair during a deposition. Mr. Blair complained that the District has been blocking his ability to connect his property to the sewer system. The District is not blocking Mr. Blair from developing his property and connecting to the sewage collection system. Mr. Blair is not in good health and is having a difficult time remembering details. Mr. Wood expressed optimism that progress is being made on this case.

Other Business:

There was no additional business to come before the Board.

Adjournment:

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

That the Board meeting be adjourned.

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

Chairman Allen declared the meeting to be adjourned at 6:00 p.m.

Approved by the Board of Trustees of the Central Weber Sewer Improvement District
this 16th day of March, 2020.

Mark C. Allen, Chairman

ATTEST:

John E. Cardon, Clerk