

**MINUTES OF THE
REGULAR MEETING
OF THE BOARD OF TRUSTEES OF
MAGNA WATER DISTRICT**

A regular meeting of the Board of Trustees of the Magna Water District was held Thursday, January 13, 2022, at 10:00 a.m., at the Magna Water District General Office, Kim Bailey Board Room, located at 8885 West 3500 South, Magna, UT.

Trustees Present:

Mick Sudbury, Chairman
Jeff White
Dan Stewart

Staff Present:

Clint Dilley, General Manager
LeIsle Fitzgerald, District Controller, excused
Mandy Whitmore, Accountant
Trevor Andra, District Engineer
Raymond Mondragon, Water Operations Manager
Dallas Henline, Wastewater Operations Manager

Also Present:

Nathan Bracken, Smith Hartvigsen, PLLC
Don Olsen, Epic Engineering
Jason Luettinger, Bowen Collins & Associates
Clint Rogers, Stantec
Todd Richards, Magna Resident

Call to Order: Mick Sudbury called the meeting to order at 10:00 am.

Public, Board, Staff join in the Pledge of Allegiance.

Welcome the Public and Guests: Chairman welcomed those in attendance.

Public Comment: None.

Chairman asked if any of the staff or board members had a conflict of interest with anything on this agenda. There were no conflicts of interest.

Nominations and motion to Elect Board Chairman for 2022: Jeff White made a nomination for Mick Sudbury to be Board Chairman for 2022, Dan Stewart seconded the nomination. A motion was approved for Mick Sudbury to remain Board Chairman for 2022. The motion was approved as follows: Mick Sudbury, yea, Jeff White, yea and Dan Stewart, yea.

Clint Dilley announced that he is pleased to hear that Mick Sudbury has been appointed by the Governor to serve on the Jordan Valley Water Conservancy District Board. It is very big news; Magna Water has never had a member sit on this Board. It a great accomplishment! Clint congratulated Mick Sudbury. The appointment still needs to be confirmed by the Utah Senate. The confirmation by the Senate will take place sometime during the 2022 session in January. Clint would like to have a small celebration once the appointment is confirmed. If the Board agrees. The Board expressed their congratulations to Mick also.

Approval of Common Consent Items:

Minutes of the regular board meeting held December 9, 2021

Minutes of the 2022 Budget Hearing Meeting held December 9, 2021.

Expenses for December 1, 2021, to January 5, 2022:

General Expenses: \$1,598,627.85

Zions Bank bond payments: \$167,151.24

Mick Sudbury pointed out a correction to the minutes of the December 9, 2021, meeting minutes. A motion was made by Jeff White, seconded by Dan Stewart, to approve the minutes of the regular board meeting held December 9, 2021, with the mentioned change. The motion was approved as follows: Jeff White, yea, Mick Sudbury, yea and Dan Stewart, yea.

A motion was made by Jeff White, seconded by Dan Stewart, to approve the minutes of the 2022 budget hearing meeting held December 9, 2021. The motion was approved as follows: Jeff White, yea, Mick Sudbury, yea and Dan Stewart, yea.

A motion was made by Jeff White, seconded by Dan Stewart, to approve the general expenses and the Zions Bank bond payment from December 1, 2021, to January 5, 2022, in the amount of \$1,598,627.85 and \$167,151.24, respectively. The motion was approved as follows: Mick Sudbury, yea, Dan Stewart yea, and Jeff White, yea.

Discussion regarding the District's Emergency Response Plan Certification: The Risk and Resiliency Plan was completed last year; Hansen Allen and Luce then began the Emergency Response Plan and completed that last month. The District self-certified the ERP with the EPA last week of December, due at the end of December. Hansen Allen and Luce has done a very good job of giving the District a good outline for emergency response. Chapter 5 is a very important chapter, from this the District can begin implementing and following the specific response procedures for different incidents. Management would like to begin training the employees on emergency response. This Spring Management would like to create a mock emergency incident for the employees to practice the response, in case of a real emergency. Clint asked for Board approval to hold this training. The Board supported holding this training and showed interested in participating in the training.

Discussion and possible motion to award Bid Schedule C to Newman Construction for the material haul: Bid Schedule C was not included in the original contract award to Newman Construction because Management was still having other bids roll in for the material hauling. Trevor recommended Bid Schedule C be awarded to Newman Construction. They are well known contractor, and they have the equipment and the means to get the material hauled.

Their quote for the Bid Schedule C is a fair cost and within the District's budget. A motion was made by Jeff White, seconded by Dan Stewart, to award Bid Schedule C to Newman Construction. The motion was approved as follows: Mick Sudbury, yea, Jeff White, yea and Dan Stewart, yea.

Discussion on Haynes Well #2 Rehabilitation and Pump Replacement: Haynes #2 well failed a couple of months ago. Nickerson Pump found there was some wear, this wearing caused vibration and movement, and the bearing sleeves, or outer rings, to shear and the pump to seize. A video of the well showed crustation on the screen and casing areas. Hansen Allen and Luce performed bacterial tests to figure out what might be causing the crustation. An iron reducing bacteria was the only thing that come back from the tests, which is treatable. Plan of action for moving forward, will be to chemically treat the well, which will break down the bacteria growth and essentially kill it off for a period of time. The well will be redeveloped to gain some of the original yield, disinfection of the well and a new appropriately sized pump. The pump motor has been inspected and the bearings have been replaced, so the motor will be reused.

Clint added to the discussion part of the ground water evaluation study recommendations is to closely monitor well conditions and pump specific capacity. Rather than waiting for a period of time, for instance 10 – 15 years, to evaluate the District's wells, a target yield rate should be established. If at any time the target yield of a well/pump is compromised by a certain predetermined percentage, then the well/pump should be evaluated. If the yield has not been compromised and a long period of time has lapsed, then the well should be evaluated anyway.

Discussion on the final change order from Newman Construction for the 2021 Waterline Replacements project, decreasing the contract price by \$190,666.60: Newman has completed the project, and this is the final balancing change order, a decrease in the contract price for \$190,666.60. Newman Construction and Epic Engineering did a great job managing the project, contributing to the decreased contract price.

Discussion on WWTP Influent Lift Station Technical Memo: Items focused on in the memo is the 2035 facility plan, the average daily flow, monthly maximum flow, and the peak hour flow projected into 2035. They evaluated our existing system's east headworks and found the plant's influent pumps; fine screens and the effluent pumps are not capable of handling the flows projected for 2035. The Memo also addresses taking the west headworks offline. The recommendations from the study are to upsize the blend pump or add an additional pump for the grit washer, relocate the existing one and add a second one. The memo evaluates two different types of lift stations, a screw pump and a wet well with a dry pit. Dallas has looked at both types of pump set ups and has visited other locations along with other research on the types of pumps and recommends going with the screw pump option. The chopper pumps that are in use now, are very high maintenance and high in maintenance costs. With the screw pumps, the maintenance costs are expected to decrease. WWTP staff has visited other sites with screw presses and discussed how it was to operate screw presses, they feel comfortable with going with the screw presses. Staff's recommendation is to install the screw pumps, relocate the grit chamber which would include a new building, and increase the capacity of the blend/effluent pumps. The District has budgeted \$3.5 million for 2022, the plan would be a two-year project.

The RV Dump situation will be addressed with this project also. Clint indicated adjusting the dumps hours to business hours has been a good thing. Staff has been thinking of different options to eliminate the risk the RV Dump has on the plant. A dual holding tank, a motorized gate giving control to RV Dump access. Clint recommended that the dump be operated as is, open during business hours. Trevor added this project will include any changes to the RV Dump that have been discussed. The District needs to find a way to protect the plant and continue to serve the public. This project will address those issues.

Discussion on EDR Water Treatment Plant Corrosion Assessment: Trevor informed the Board Bowen and Collins have been out to the EDR and had their corrosion specialist walk through and evaluate all the EDR components, there was visible corrosion and discoloration. The report encompasses all those items and has maintenance recommendations. It gives the District a good game plan of what issues are happening and what needs to be fixed and ideas on how to fix them. Gives Raymond and his crew a direction for maintenance. These can be done over time and in phases, some are significant, and some are smaller maintenance items. Board felt these items need to be started.

Discussion on final Change Order from Condie Construction on the 2019 Secondary Waterline Project, decreasing the contract price by \$43,480: This job is complete. Condie Construction did a great job and was very responsive. Bowen and Collins did an excellent job on the construction management for the project. The total project was \$43,480 under contracted price.

Discussion and possible motion to approve attendance to Rural Water, WEAU, and Utah Water Users Conferences for training: Feedback from the Board, and past discussion on conferences, management has developed more stringent criteria for who is being sent to conferences. Prioritizing attendance with those who have expiring certifications or professional licensing expired. Dallas, Raymond would like to attend Rural Water or WEAU. Clint Giles to attend WEAU, Matt Hunter attending in Rural Water Conference. Clint Giles has CEU's that are expiring that he won't be able to achieve by the District's safety meetings. The conference for Clint Giles will give him topics that aren't locally covered, and he will be able to see bigger vendor selection of equipment considerations and will be able to see some of the new industry standards. The conference Matt Hunter will attend lines up with the Spring certification date, he will be able to take certification classes on site a day before the exam. Raymond indicated Matt Skogerboe, Mike Harms, Ed Tucker, and his self will be attending Rural Water. Clint Dille and Trevor Andra have professional development hours as professional engineers that can obtain by attending the conferences. Mick expressed his gratitude to the Management in doing the research and exploring different options to training than just attending conferences. The Board feels Management has shown justification in attending needed conferences. A motion was made by Jeff White, seconded by Dan Stewart, to approve attendance to Rural Water, WEAU, and Utah Water Users Conferences for training and CEU's. The motion was approved as follows: Mick Sudbury, yea, Jeff White, yea and Dan Stewart, yea.

Discussion and possible motion to approve active shooter/workplace violence insurance proposal: Clint indicated this item is a follow up to the discussion the Board brought up last board meeting with Darrell Child, Olympus Insurance, regarding some type of coverage for the Board members in case of any incidents that may injure a Board member while serving for the District. Darrell came back to Clint with this active shooter/workplace violence policy that

covers all employees and all Board Members. This policy will also cover any that experiences stalking. \$1,000,000 coverage is a cost of \$2,611. \$2,000,000 coverage is a cost of \$3,786 and so forth. Discussing this with Darrell, he sees school districts and other districts that have a lot of board and public interaction carry this type of policy. It protects the board and employees from these types of threats or occurrences. This coverage takes into consideration the District's type of work, number of employees, number of board members, locations, and security at the locations. Darrell recommended \$1,000,000 – \$2,000,000 coverage for the size of the District. The Board felt the coverage needed to be more than \$2,000,000. A motion was made by Jeff White, seconded by Dan Stewart to approve the purchase of \$4,000,000 coverage for active shooter/workplace violence insurance in the amount of \$5,222 for all employees and board members. The motion was approved as follows: Mick Sudbury, yea, Jeff White, yea and Dan Stewart, yea.

Discussion and possible motion to approve the restatement of the District's Executive 401(k) and Defined Benefit Plans required by law: This restatement is required by law to restate the District's plan documents based on several regulatory legislative changes. Some of the changes are, expansion of the definition of "spouse" to include those of the same gender, availability of plan forfeitures to offset certain additional types of company contributions, ability to amend safe harbor 401(k) plans once the year has already started, and creation of in-plan Roth transfers. In addition, the post plan documents will incorporate permanently the amendments that had been adopted for in your previous plan document. A motion was made by Jeff White, seconded by Dan Stewart, to approve the restatement of the District's Executive 401(k) and defined benefit plans required by law. The motion was approved as follows: Mick Sudbury, yea, Dan Stewart, yea and Jeff White, yea.

Discussion and possible motion on proposed changes to the District's Administrative Rules & Regulations: Each Board Member has been provided a copy of the draft changes for their review. If there are any further comments or changes, it will be discussed in the next board meeting. Nathan indicated most of the extensive changes are in the State Auditor's requirements being incorporated into the District's Administrative Rules & Regulations. The changes discussed in the workshop meetings are incorporated into this draft copy.

Report & Discussion from General Manager:

OPERATIONS:

- There was a request to evaluate the change in call out and standby costs from 2020 to 2021. After reviewing the numbers, call out costs had decreased from 2020 by 20%. The decrease is due to a combination of factors, the operations managers are monitoring closer the overtime. There are more leaks fixed during the day and the response time on getting those fixed are quicker which leads to less emergency leaks. The efficiency and operational tools that Dallas has been doing at the wastewater treatment plant has helped with call outs. Standby costs had increased by 5% from 2020. The increase is due to annual increase in wages and increased in leadman wages towards the end of 2020 and because the schedule change from 5 – 8 hours to 4 – 10 hour days.

Water:

- The sampling program and protocols need to be reviewed. We have historically sampled out of exterior hose bibs, which is convenient and less disruption to the homeowner and less risk for the employees to enter residents' homes. However, we have had one sample site issue at a hose bib cause two bad samples in a row. That triggers a level 1 assessment with the Division of Drinking Water. We did additional

sampling inside the home at the tap and outside of the meter and those were clean, but the hose bib again came up again with a Total Coliform. It could have been caused by the threads on the outside hose bib. Could have been the way the valve works, it could be collecting the total coliform on the back side of the faucet where the packing is, we have a high flow when flushing, then slow the flow down to get the water into the sample bottle, so as the flow slows down it could be catching the total coliform. Staff is going to investigate a different method of collecting samples.

- UDOT flagging training was completed for all new employees.
- Moving forward with the heavy equipment training.

Wastewater:

- The District received a warning letter from DWQ for the ammonia issues that occurred about this time last year, while we were commissioning the new process equipment, however, we are in a much better position as discussed than a year ago with improved operational and process controls and process modeling that Stantec has helped with, inhouse sampling program and the instrumentation changes. Clint felt this was the best outcome with the Division of Water Quality, no big ramifications, no additional sampling, just a warning, they treated us fairly.
- The collections college, the weekly class for collection operators for training, Dallas mentioned inhouse weekly training to gear up to respond to the Board's concerns about inhouse training. Dallas can use the online program from Indigo.

Office:

- The number of delinquent accounts has gone up a little bit. Didn't have the December data available at the time the packets went out, but there are 793 accounts with an average balance of \$130. Pink delinquent notices were sent out, but physical shut offs were not done because of the concern of freezing pipes. We will resume that when temperatures are not so cold. Working on putting together a new employee goal sheet format.

We went two months without any customer complaints! December was a different story.

- Customer complaint regarding Giardia. The customer was concerned about the water. Staff worked with her, the Division of Drinking Water, and the Health Department. We completed extensive testing, including Heterotrophic Plat Count testing which showed NO bacteria. All the water was clean and was able to reassure the homeowner that the District was not the cause.
- Customer was in the shower when the water main was shut down on 3100 S for an emergency repair. Clint talked with the homeowner onsite, explained the crew was worried it was going to be another geyser and needed to get the water shut down as soon as possible to avoid that. Clint apologized to the homeowner, for the situation but felt like it couldn't have been done any differently.
- Customer called about a strong chlorine odor and taste in the drinking water. We tested his water, and it was in the middle of the range of .5 mg/l. We target .2 - .9 mg/l. Recommended to the customer they get some kind of filter that would help with the taste.
- Customer was frustrated that a shut off notice was used to communicate the need for a leak check on a covered meter box. Staff will evaluate if any changes need to be made on the notice we use.

Discussion on the Succession Planning Draft Memo and Employee Survey: Clint indicated he has drafted an initial memo and a survey that he would like to send out if the Board felt comfortable with it. Legal counsel has reviewed and approved it after minor changes. This memo would be sent to the employees, and they would return it to their managers by January 25, 2022, part 2 of the survey would be anonymous and returned via the suggestion boxes at each location. Follow up with any responses by employees, then get a training and hiring plan in place. Board approved the survey and suggested this be incorporated annually.

Discussion on District's actual vs budget status as of December 31, 2021: Mandy informed the Board the statements are unaudited for the year end. Revenue is down from 2020 by about 4%. Expenses are as of December 31; additional expenses will be coming into that will be posted to 2021. These numbers are not a representation of the final 2021, due to adjustments for accruals and for audit adjustments.

Engineering projects update:

Tank Painting: The portions that can be done this year, will be done next week. The contractor will be back in April to finish up the feed tank at the EDR plant and the second clarifier at the WWTP.

Zone 3 Culinary Booster Pump Upsize & Standby Generator Project: Newman Construction will start the project in February. They have held their preconstruction meeting already. Trevor indicated there is a need to obtain two separate easements from Rocky Mountain Power for this project. Trevor asked for approval from the Board, after the easements are written, for Clint to sign those easements they could be sent to RMP for their signature so the project wouldn't be held up due to the easements and come back in February to ratify the easements for the project. Board gave approval.

Water Distribution/Production:

1. **Water production report:** The culinary water production for December was 98.8 million gallons, an increase of 2.48% from 2020. Year to date production was 1,759.3 million gallons or 5,399.48-acre feet, this is a decrease from YTD 2020 of 10.87%. We have purchased 799.79-acre feet of water from Jordan Valley Water as of December 2021.

2. **Call out report:** Raymond reported that there was a total of 17 call outs, (3 mainline leaks and 14 miscellaneous) with a total number of 86.25 hours paid.

WWTP Operation/Collection System:

1. **Status of sewer system:** Dallas indicated one of the things that he has been thinking about and wanted to ask the Board for some guidance is how does the Board want him to update them on the current status of the Vector truck and the camera van as they work throughout the system. The Board indicated they would like to be informed of the streets that are being maintained. Dallas has a map that he could indicate where they are, or a more detailed list of problem areas and hotspots that are being maintained. Jeff indicated he would like to see their progress on a map.

Motion to meet immediately in closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the sale or purchase of real property pursuant to Utah Code Ann. §§ 52-4-204 through 205: Jeff White made a motion to meet immediately in closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the sale or purchase of real property pursuant to Utah Code Ann. 52-4-204 through 205. The motion was seconded by Dan Stewart, and approved as follows: Mick Sudbury, yea, Dan Stewart, yea and Jeff White, yea. The open session of the Board meeting was closed at 12:22 p.m.

Motion to close the closed session and to reopen the open session of the Board Meeting: Jeff White made a motion to close the closed session and reconvene the open session at 2:05 pm. The motion was seconded by Dan Stewart, and approved as follows: Mick Sudbury, yea, Dan Stewart, yea, and Jeff White, yea.

Consider action on any noticed agenda item discussed in closed meeting: None

Adjourn: Having no further business to discuss, a motion was made by Jeff White, seconded by Dan Stewart, to adjourn the meeting at 2:06 pm. The motion was approved as follows: Jeff White, yea, Dan Stewart, yea, and Mick Sudbury, yea.

LeAnne Fitzgerald

Attest

Mick Sudbury

Chairperson