

MINUTES OF THE MEETING OF THE TRUSTEES
OF THE CENTRAL WEBER SEWER IMPROVEMENT DISTRICT
HELD MONDAY, FEBRUARY 28, 2022, AT THE DISTRICT OFFICE
LOCATED AT 2618 WEST PIONEER ROAD, MARRIOTT-SLATERVILLE, UTAH.

Trustees Present: Mark Allen, Neal Berube, Bart Blair, Josh Blazzard, Dale Fowers, Rich Hyer, Scott Jenkins, Braden Mitchell, Russ Porter, Michelle Tait, Scott Van Leeuwen, Rob Vanderwood, and Rod Westbroek.

Trustees Excused: Leonard Call, and Mike Caldwell

Others Present: Kevin Hall, John Cardon, Mark Anderson, Shawn Wilson, Paige Spencer, James Dixon, Ryan Bench, Jeff Beckman, and Gary Vance.

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.

The invocation was offered by Trustee Mitchell.

Public Comment:

There were no public comments.

Minutes of January 24, 2022 Board Meeting Approval:

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

That the January 24, 2022 Board meeting minutes be approved as presented.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

Ratification of Vouchers:

John Cardon reminded the Trustees that two payments were issued during the month of January 2022 that required Board approval prior to payment. The payment requests were approved during the January 24, 2022 Board Meeting.

ACH Payment 1227221 was paid to Carollo Engineers for the UV Disinfection System Design in the amount of \$162,065.00.

ACH Payment 1227222 was paid to Carollo Engineers for Expansion Project Phase II Engineering in the amount of \$138,270.35.

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

That the payments issued during the month of January 2022, in the total amount of \$1,593,194.98, be approved and ratified as presented in the Check Register.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

Consideration of Pay Requests & Equipment Purchases:

James Dixon presented payment requests for consideration by the Board:

1. Carollo Engineers, Inc. requested a payment of \$110,482.23 for design work on the Phase II Expansion Project, which is a large upcoming construction project that is necessary for compliance with state and EPA requirements.

Mr. Dixon recommended approval of the Carollo Engineers payment request. It was moved by Trustee Jenkins and seconded by Trustee Porter as follows:

That the payment request submitted by Carollo Engineers, Inc. be approved for payment as presented in the total amount of \$110,482.23.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

2. Carollo Engineers, Inc. requested a payment of \$194,924.50 for work on the UV Disinfection System design. This project will be constructed as part of the Phase II expansion project and includes the conversion of the District's existing chlorine-based disinfection system with a UV (ultraviolet light) disinfection system.

Mr. Dixon recommended approval of the Carollo Engineers payment request. It was moved by Trustee Porter and seconded by Trustee Hyer as follows:

That the Carollo Engineers, Inc. payment request be approved for payment as presented in the total amount of \$194,924.50.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

3. Nelson Brothers Construction requested a payment of \$450,909.95 for work on the Drying Bed Rehab Project. Of the total amount, \$22,545.50 (5%) is to be deposited into an interest bearing retainage account, resulting in a net payment to Nelson Brothers Construction of \$428,364.45.

Mr. Dixon recommended approval of the Nelson Brothers Construction payment request. It was moved by Trustee Van Leeuwen and seconded by Trustee Porter as follows:

That the payment request from Nelson Brothers Construction be approved for payment as presented for work completed on the Drying Bed Rehab Project in the total amount of \$450,909.95, less a 5% retainage.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

4. C&L Water Solutions requested a payment of \$188,777.47 for work completed on the Hooper Pipe Rehab Project. Of the total amount, \$9,438.87 (5%) is to be deposited into an interest bearing account, resulting in a net payment to C&L Water Solutions of \$179,338.60.

Mr. Dixon recommended approval of the C& L Water Solutions payment request. It was moved by Trustee Jenkins and seconded by Trustee Tait as follows:

That the payment request from C&L Water Solutions be approved for payment as presented for work completed on the Hooper Pipe Rehab Project in the total amount of \$188,777.47, less a 5% retainage.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

James Dixon presented a change order request for the Drying Bed Rehabilitation project.

The sludge drying bed is an essential part of the District's sewage treatment process. The drying bed space is insufficient for projected future demand. In August of 2021, the Board awarded a contract to Nelson Brother's Construction to expand the drying bed to an unused area located directly north of the existing drying beds.

The project was designed by JUB Engineers. Boring samples of the subgrade material were taken and unsuitable material was observed. JUB estimated the amount of unsuitable material to be removed but, to limit the risk if more unsuitable material is discovered, bids were submitted on a unit cost basis so any overages will have the same unit price as the originally anticipated work. During excavation, Nelson Brothers determined that the amount of unsuitable soils to be removed is greater than was estimated. JUB and the inspector agreed that the excess unsuitable material should be removed and replaced in order to form a structurally sound base for the project.

Nelson Brothers requested an additional \$81,301.58 for removing the unsuitable material and replacing it with structurally suitable fill. The quantities were verified by a review of the material purchases, and the unit cost was consistent with the unit cost in the bid.

In response to questions concerning the price being higher than originally quoted, Mr. Dixon explained that the total volume was 50% higher, and unit pricing was used to ensure that the unit cost did not increase. Central Weber staff reviewed the documents and agreed with the numbers. Mr. Dixon recommended that the Board approve a change order for Nelson Brothers Construction in the amount of \$81,301.58 and authorize payment of that amount. It was moved by Trustee Van Leeuwen and seconded by Trustee Blazzard as follows:

That the change order request be approved and that a payment of \$81,301.58 be authorized for Nelson Brothers Construction.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

James Dixon asked the Board to consider purchasing a front-end loader. He explained that, following sludge dewatering, solids go through a period of drying, after which the dewatered

solids are windrowed and dried for two summers to kill pathogens. During windrowing, solids must be turned and rotated using large equipment, including a front-end loader. The processed solids are then disposed of. The capability to load trucks with solids is advantageous to the District.

The District's 2007 model year front end loader is requiring increasing maintenance due to its age, and is not sized to load taller trucks. The new loader will have an onboard scale to guarantee that trucks travelling outside the facility fence aren't overloaded, and will allow the loading of tall trucks. Additionally, it will have a larger bucket to help move and load solids more quickly.

State bid contracts include multiple vendors of large construction equipment. From among those contracts, quotes were requested from Wheeler CAT and John Deere. The quote totals include a trade-in value for the existing front end loader as follows:

Vendor	Quote
Wheeler CAT	\$179,215.15
John Deere	\$181,531.00

Due to the importance of this loader for solids disposal, staff recommend trading in the existing loader and purchasing a new front-end loader from Wheeler CAT for **\$179,215.15**.

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

That the purchase of a front-end loader from Wheeler CAT be approved as presented in the total amount of \$179,215.15.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

Certification of Annexation/Withdrawal Petitions:

Mr. Hall reminded the Trustees that the annexation petitions were being presented to the Board for certification only, and that all of the proposed annexation areas are included as potential annexation areas in the District's Master Plan:

1. Neal Berube, 2.7 acres including one additional residential lot in western Weber County that is connected to an existing previously annexed parcel.
2. Alan Franke, 18 acres for a future residential development in western Weber County.
3. John Gibson, 2 acres, 2 lots in western Weber County.

Mr. Hall recommended that the Board certify the annexation petitions. It was moved by Trustee Mitchell and seconded by Trustee Hyer as follows:

That the Board certify the annexation petition for the Neal Berube property.

The motion carried by the affirmative vote of Trustees Allen, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek, with Trustee Berube abstaining.

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

That the Board certify the annexation petition for the Alan Franke property.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

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

That the Board certify the annexation petition for the John Gibson property.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

Consideration of Award of Contract for Secondary Clarifier Repair:

Mr. Dixon presented information on the Secondary Clarifier Repair project. The clarifier was damaged during routine maintenance due to faulty pressure relief valves. The cost of the repair was included in the 2022 Budget. However, staff anticipates that at least some of the costs will be covered by insurance and is working with the District's insurance provider to process a claim.

A repair design was prepared by Bowen Collins & Associates (BC&A). The work will include replacement of concrete and realignment of steel mechanism components. The extent of the necessary concrete repairs was estimated by surface observations. It should be noted that, until the grout cap is removed, the extent of the damage can only be estimated. Staff hopes to have the clarifier operational by next summer and has scheduled the work accordingly. On February 8, 2022, lump sum bids were received from three contractors based on unit values to establish parameters in case additional damages, requiring additional work, are discovered.

Bid Results.

Contractor	Bid
Gerber Construction	\$385,015
Pro-Build Construction	\$410,200
VanCon, Inc.	\$367,000

District policy allows the General Manager to approve critical change orders that fall within a certain percentage of a project's value but, due to the smaller cost of this repair, that limitation could cause work to be stopped until a change order can be approved during a Board meeting. By delegating authority to approve change orders, work can continue and additional costs and delays can be avoided. Staff recommended that the Board award the Secondary Clarifier Repair project to the low bidder, VanCon, Inc., and delegate authority to approve extra work as recommended by the engineer and the District's inspector. Trustee Hyer suggested that a Board member should be delegated that authority, and recommended Chairman Allen. It was moved by Trustee Porter and seconded by Trustee Jenkins as follows:

That the Secondary Clarifier Repair contract be awarded to VanCon, Inc., at a cost of \$367,000, and that Mark Allen be authorized to approve extra work and change orders as recommended by the project engineer and the District's inspector.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

Consideration of Award of Contract for the Laboratory Control Building Roof:

Mr. Dixon explained that the 9,200 square foot laboratory building is 23 years old. This building houses not only the laboratory, but also the training room, operations control room, employee lunchroom, a garage, and three departmental offices. The building is critical and is constantly occupied, but an aging roof is starting to leak and causing interior damage which, if allowed to continue, could eventually create health risks to employees.

Spot repairs of the existing roof have been attempted by staff, but leaks continue to occur. The existing roof is asphalt, but asphalt replacement is expensive and time consuming. As an alternative, the District has used membrane roofing on other buildings with good results. Membrane roofing is much less expensive and can be installed over the existing asphalt to eliminate asphalt removal, minimize repair costs, and eliminate leaks.

Quotes to perform the repair work were received from four roofing companies as summarized below. The large spread in contractor pricing is primarily due to concerns about uncertainty in material costs. The lower cost quotes are due to the vendor having the materials in stock.

Vendor	Quote
American Roofing	\$55,231.00
David Brown Roofing, Inc.	\$101,556.00
Profile Roofing	\$169,186.08
Redd Roofing Co.	\$75,375.00

Staff recommended that the Board award the lab roof repair contract to American Roofing for \$55,231.00. It was moved by Trustee Hyer and seconded by Trustee Blazzard as follows:

That the laboratory roof repair contract be awarded to American Roofing at a cost of \$55,231.00.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

Consideration of Property and Casualty Insurance Renewal:

Mr. Cardon explained that, in 2020, the District paid \$352,528 for property insurance from Affiliated FM Insurance Company and \$64,140 for casualty insurance from Travelers Insurance Company, for a total premium cost of \$416,668.

The District issued a Request for Proposals (RFP) for property and casualty insurance during 2021. On January 25, 2021, the Board voted to accept the Utah Local Governments Trust (ULGT) proposal at a total cost of \$294,573. The proposal allows ULGT to ensure the District for the next three years, with annual premiums for succeeding years to be presented to the Board for approval. The coverage is scheduled to renew on March 1, 2022. However, ULGT is now requiring all policies to renew on July 1st of each year. Because of this change, the District will pay for four months of coverage and then the policy will renew for a new 12 month term commencing on July 1. During 2021, the Board approved Resolution 2021-14, which began the process of converting the District from a calendar year to a fiscal year entity. Consequently, the

District would have requested that the insurance renewal date be changed to July 1. The following chart compares annual insurance costs:

	2021	2022 Original	2022 Increased Property Valuation	2022 4 Months
Automobile	\$ 8,918.74	\$ 8,571.00	\$ 8,571.00	\$ 2,864.68
General Liability	51,490.00	51,490.00	51,490.00	17,210.36
Property	<u>234,164.13</u>	<u>234,164.13</u>	<u>\$243,508.00</u>	<u>81,391.68</u>
Total	\$294,572.87	\$294,225.13	\$303,569.00	\$101,234.07

With small changes in automobile coverage, the premium for 2022 would have been \$347.74 less than the 2021 premium. However, the District's insured property values increased due to completed capital projects, which effectively increased the property coverage by 4%. The annual premium will be prorated for 122 days of coverage, yielding a partial year premium of \$101,234.07. In response to a question from Trustee Berube, Mr. Cardon explained that a reappraisal of District facilities will be needed in the future. Mr. Hall and Mr. Cardon recommended approval of the insurance coverage proposal.

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

That the renewal of property and casualty insurance for the District be approved as discussed.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blair, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

Consideration of Surplus Sale of Land:

Kevin Hall explained that land located west of the treatment plant has been owned by the District for a very long time. At some point in the past, the property was used as a disposal site for snail grit and other material from the trickling filter process. The District does not utilize the property for any process related function now, and it arguably is too far away from the treatment plant to provide a useful buffer.

A neighboring landowner has approached the District about purchasing a portion of this property as additional access to his property. Mr. Hall asked whether the Board wished to surplus the property. There was a lengthy discussion among the Trustees concerning pros and cons for the District. It was moved by Trustee Porter and seconded by Trustee Jenkins as follows:

That the Board go into closed session to discuss the sale of real property.

Using a roll call vote, Trustees Allen, Berube, Blair, Blazzard, Fowers, Jenkins, Mitchell, Porter, Tait, and Westbroek voted in the affirmative and Trustees Hyer, Van Leeuwen, and Vanderwood voted against the motion.

Mark Anderson and John Cardon determined that the affirmative vote did not represent at least 2/3 of the total weighted voting power of the Trustees. Consequently, the motion failed. Trustee Hyer stated that the sale would not benefit the District. Trustee Blair reminded the Board that, when a similar issue came up a few years ago, the Trustees were of the opinion that "once property is gone, it is gone forever." Trustee Van Leeuwen said he considers the property

to be a buffer to the sewage treatment plant, and it should not be sold. Chairman Allen asked if anyone wanted to make a motion concerning the sale of the property. There being no motion, Chairman Allen moved on to the next agenda item.

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

No closed meeting was necessary.

General Manager:

Mr. Hall reminded the members of the Finance Committee that a Committee meeting was scheduled for the 9th of March at 11:30 a.m. There being a conflict of schedules on that day, Mr. Hall stated that he would discuss options with each of the Committee members after the Board meeting adjourned.

Attorney:

Mark Anderson presented a Legislative report. Along with other Bills of interest, he reviewed H.B. 238 – State Holiday Modifications, which creates the Juneteenth holiday. He expects H.B. 238 to become law.

Trustee Blair left the meeting room.

Other Business:

There was no other business.

Adjournment:

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

That the Board meeting be adjourned.

The motion carried by the affirmative vote of Trustees Allen, Berube, Blazzard, Fowers, Hyer, Jenkins, Mitchell, Porter, Tait, Van Leeuwen, Vanderwood, and Westbroek.

Chairman Allen declared the meeting to be adjourned at 6:28 p.m.

Approved by the Board of Trustees of the Central Weber Sewer Improvement District on the 21st day of March, 2022.

Mark C. Allen, Chairman

ATTEST:

John Cardon, Clerk