

EMIGRATION IMPROVEMENT DISTRICT
BOARD OF TRUSTEES REGULAR MEETING

WEDNESDAY, AUGUST 17, 2022

111 E BROADWAY, 11TH FLOOR
SALT LAKE CITY, UT 84111

AND ZOOM

Regular Meeting

Board Members in Attendance: Mike Hughes – Chair, Brent Tippetts – Co-Chair, David Bradford – Secretary/Clerk

Ex Officio: Eric Hawkes—District Manager, Jeremy Cook—Legal Counsel

Chair Hughes called the meeting to order at 7:05 p.m.

1. Consent Approval - Minutes for July 20, 2022

MOTION: David Bradford made a motion to approve the minutes of the July 20, 2022, Trustee Meeting as written. Brent Tippetts seconded the motion.

VOTE: Unanimous in favor of the motion.

2. Financial Considerations & Report

Monthly Financial Report

Mr. Hawkes gave a summary of the monthly financial considerations and reports. Steve Hook asked about the costs that have been incurred but are not reflected in the statement. Mr. Hawkes estimated that about \$50,000 are outstanding for maintenance but he is waiting for the bills. There is a lag time of three months at times, in waiting to receive bills for various maintenance

issues or legal costs. This makes it difficult to reflect an up-to-date picture on how much money is left in each category. Mr. Hook was nervous about the maintenance category being so low.

3. Temporary Change Application for Water Rights in Freeze Creek Drainage for Beaver Creek Analogs—Rose Smith

Rose Smith gave a presentation to the Board on beaver dam analogs (BDAs). These are man-made structures that mimic natural beaver dams and produce similar benefits to ecosystems. She described their many benefits and stated that she is going through the process of getting approval for a BDA in the Freeze Creek drainage. Paul Brown commented that the Oaks are very supportive of this project. Ms. Smith said that it was recommended that she submit a temporary change application. The District expressed support for her project but cautioned her that she may get a lot of protest from litigious residents. They hope for her success but gave her some other avenues to try—including finding a small water right from a resident that she could use. Kirtly Jones asked if the beaver dam analog could lead to more flooding, as materials could get caught in culverts. Ms. Smith responded that they usually build these BDAs in sequence, so that any loose materials would be caught by the next BDA. There were questions on if it would reduce stream flow throughout the canyon. She presented that they have done studies that show no decrease in stream flow but admitted that there is not a zero risk. Because these structures are temporary structures, if there are any issues or negative results from the BDAs, her team can reassess and remove the BDAs. Ms. Stokman voiced support and suggested that the ECCC host an education night on what these are and why they are beneficial.

4. District Water Rate Increase Discussion/Update

The Board members held a discussion about the District's water rate. The District would need to move very quickly if they want to raise taxes next year, but there is still time to do so if they desire. The Board members stated that they did not think it would be worth the added revenue from this source, nor from raising the hydrant fee. They believe that raising the rates should affect those who use the water the most—homes on the system. That usage is where the costs come from and prompts the need for increased revenue to meet those costs. Mr. Bradford agreed to rework the numbers to reflect that change and the Board agreed to meet in a work session soon to address the issue. The District would like to present it to the public as soon as possible.

5. EID's Involvement of Utilizing Busse Wastewater Systems to Aid in Cleanup of E.Coli in Emigration Creek and TMDL

The Board members held a discussion regarding the Busse systems and how to work with the County in implementing these systems. The County Health Department is opposed to the EID using the first experimental system, and the Board expressed frustration over this. To the EID, the Busse systems are an incredible solution to septic issues in the canyon, as well as erasing any septic impact on the TMDL levels in Emigration Creek. Many other entities and people are very supportive of these systems. Chair Hughes proposed that the EID proceed with implementing the systems as a pretreatment plan. The Busse wastewater systems are simply a pretreatment plan for homes that have an issue with their septic system. Mr. Cook suggested that the EID send a letter to the SLCo Health Department outlining EID's position and that they plan to proceed. Mr. Tippets pointed out that this could be seen as a phased approach—the first phase is proving to the County that the systems work and solve all the septic issues in the canyon. Ms. Stokman asked about funding for these systems, to which the Board replied that that is secondary. There will be funding options that the Board can explore when it gets to that point.

6. Water System Report

Mr. Hawkes presented the water system report. July usage was just barely over the average summer usage.

Mr. Hawkes presented the data from the reading on the monitor wells. It has been a hot summer, and the monitor wells show the levels decreasing. However, they are not historically low. The water usage of the District does not affect the wells—it has more to do with seasonal patterns. Overall, the wells look good.

7. Maintenance and Repairs

- A. New Badger Meter Installation and Training Update. There are a few small issues that are still being worked through, but in general it is going well.
- B. Well 2—VFD Installation/Update. Mr. Hawkes reported that he spoke with the electricians, and they assured him that there is no issue in putting a VFD on the pump for

Well 2. They did evaluate the option of buying a new VFD (instead of pulling the VFD from Upper Freeze Creek) because it might be cheaper. After further discussion, they decided against it because it might take too long to get a new VFD. Currently they are proceeding with plans to use the VFD from the Upper Freeze Creek Well. There is a delay in getting technicians, but they are in the process of making sure they set it up right. Mr. Hawkes will call them and urge them to expedite things.

- C. Brigham Fork Repairs. Mr. Barnett (in an email to Mr. Tippetts) recommended that the Board approach Larry Hall to get the historical data from the Brigham Fork Well. This would be helpful in assessing if the Brigham Fork Well is likely to have good water quality. The Board is hesitant to spend a lot of money clearing the well only to discover that the well has water quality issues. The only way to really test the water quality hinges on the ability to remove the obstruction, which may cost a lot of money. In the meantime, the Board agreed that they would like to have Larry Hall come to the next meeting and review the historical data with the Board.

8. Any Items for Discussion from Board and/or from Visiting Public, Dismiss Public

There were no items of discussion from the visiting public.

9. Closed Session – Pending Litigation

MOTION: Board Member David Bradford made a motion to convene in closed session to discuss pending litigation. Brent Tippetts seconded the motion.

VOTE: Unanimous in favor of the motion.

The Board of Trustees met in closed session from 8:56—9:10 p.m. Those present included the Board of Trustees, Eric Hawkes, Jeremy Cook.

MOTION: Board Member David Bradford made a motion to adjourn the meeting. Mike Hughes seconded the motion.

VOTE: Unanimous in favor of the motion.

The regular meeting of the Emigration Improvement District adjourned at 9:10 p.m.

Minutes Approved