

EMIGRATION IMPROVEMENT DISTRICT
BOARD OF TRUSTEES REGULAR MEETING
THURSDAY, FEBRUARY 21, 2019
EMIGRATION CANYON FIRE STATION
5025 EMIGRATION CANYON ROAD
SALT LAKE CITY, UTAH

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 7:00 p.m.

1. Consent Approval - Minutes for January 10th, 2019

MOTION: David Bradford made a motion to approve the minutes of the January 10, 2019 Trustee Meeting as written. Brent Tippetts seconded the motion.

VOTE: Unanimous in favor of the motion.

MOTION: Mike Hughes made a motion to approve the minutes of the work meeting from January 22, 2019. Dave Bradford seconded the motion.

VOTE: Unanimous in favor of the motion.

2. Financial Considerations & Report

Mr. Hawkes gave a summary of the monthly financial considerations and reports. There was a brief conversation about what the projected legal fees will be for the remainder of the year. Mr. Cook stated that it depends on if there are appeals on water right applications and how the ruling goes with the case before the US Supreme Court.

3. Public Relations Discussion

Jason Buchanan was present from the company GovFriend, a company that helps government entities with public relations. He had previously met with the Board at the work meeting on January 22, 2019 and gave the District some cost estimates. Chair Hughes expressed surprise at the high cost; the Board would like to work with them but is unable to based on the total cost. Mr. Buchanan stated that he would discuss matters with his business partner to try to find a way to extend assistance to EID. Chair Hughes suggested that GovFriend could possibly do the website piece of the PR, and Mr. Bill Cutting could help the Board with the rest of the PR. The Board expressed urgency in the matter and Mr. Buchanan agreed that he would talk with his partner, Mr. Palmer, and get back to the EID as quickly as possible.

4. Water Right Hearing – Approval of Applications

Mr. Hawkes reported that the State approved both water rights. The only stipulation is that the 24 homes that lease from the District must put in meters. Board member Dave Bradford expressed frustration at this and suggested that the District talk to the State first and hope they may soften their position on this since it is an extremely low number of homes. Mr. Cook stated that the State generally requires this in change applications, but it is usually for a much larger group of homes. Discussion was held on various costs and logistics of installations and how to encourage residents to comply with the regulation. The purpose of the meters is not to control how much water the residents can use, but for data for the State. They want to know how much water is being used. The Board wondered if the State could be convinced to help pay for these meters, considering they are very interested in water data up the canyon. Mr. Bradford reiterated that the size of the data is extremely minute and hoped the State would reconsider. The State didn't put timeframe parameters on the requirement.

5. Court Grants EID Attorney's Fees

Jeremy Cook reported the good news that Judge Parish granted the District's fees against Mark Tracy but not Christensen and Jensen. It was a well-articulated order on their basis for granting those fees. It is subject to possible appeal. The Board would like to get the news of this litigation update to the public.

6. Water Levels Report

Don Barnett was not present at the meeting so the water levels report will be provided at the March meeting.

7. Maintenance Report

The District needs to replace a chlorine pump at Well 2.

Mr. Smolka reported that there will be an asphalt overlay of the main canyon road this summer. One implication of this is that there will be a moratorium on digging in the road for three years post paving. The District needs to budget for PRV valves and manhole risers. Mr. Smolka said the paving job will go out to bid (it will not be done by the county). Discussion held about various details the EID will need to take care of before the paving happens.

8. Any Items by Visiting Public, Dismiss Public

Brent Tippetts asked about Salt Lake City's history with the EID and what their future agenda may be for water in the canyon. Salt Lake City is already exporting a million gallons/day from the bottom of the canyon. The District does not want Salt Lake City if they can add connections and pick up water to develop their property (Salt Lake City is the largest landholder in the canyon). Chair Hughes stated that Salt Lake City would have to run new, bigger pipe and then it would have to join the District's pipe, which is not plumbed to take water going the other way. Mr. Tippetts would like to have documentation about some of these past discussions with Salt Lake City. Craig Neely may have them; Brent Tippetts will talk to him.

There were no other comments.

9. Closed Session

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

VOTE: Unanimous in favor of the motion.

The Board of Trustees met in closed session from 8:29 p.m. to 9:22 p.m. Those present included the Board of Trustees, Eric Hawkes, Jeremy Cook, Joe Smolka.

MOTION: Board Member Bradford made a motion to dismiss from closed session and go to open session. Mike Hughes seconded the motion.

VOTE: Unanimous in favor of the motion.

10. Cottage Meetings with Canyon Residents

Mr. Hawkes reported that there was not very much response from the public on holding cottage meetings. If nothing else, it is positive that EID is reaching out and being open with people. The Board members agreed that it is better to have more eye contact with people and convey that they are canyon residents who want the same things as other residents. Mr. Tippetts reported positively on his meeting with Willy Stokeman. He then asked about the possibility of the spring replacement above the Brigham Fork well. Chair Hughes indicated that what is attractive about that idea is that it works with gravity instead of against it. It is much cheaper because there is not an associated cost of pulling up the water at eight lbs./gallon. It is also close to the previously existing pipe. The Board discussed the future possibility of using the spring replacement. The Board also discussed stream flow rights.

MOTION: Board Member 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 9:47 p.m.

Minutes Approved