

EMIGRATION IMPROVEMENT DISTRICT  
BOARD OF TRUSTEES REGULAR MEETING

THURSDAY, MAY 18, 2017

EMIGRATION CANYON FIRE STATION  
5025 EMIGRATION CANYON ROAD  
SALT LAKE CITY, UTAH

Board Members in Attendance: Mike Hughes – Chair, Mark Stevens & David Bradford

Ex Officio: Eric Hawkes—District Manager, Don Barnett—Barnett Intermountain Consulting,  
Jeremy Cook—Legal Counsel,

Chair Hughes called the meeting to order at 7:03 p.m.

**1. Consent Approval - Minutes for April 20, 2017**

MOTION: David Bradford made a motion to approve the minutes of the April 20, 2017 Trustee Meeting as written. Mike Hughes seconded the motion.

VOTE: Unanimous in favor of the motion.

**2. Financial Considerations & Report**

Eric Hawkes reviewed the monthly financial report including cash balances and year to date income and expenses as written on report. Mr. Hawkes discussed the new connections and the number of homes under construction set to connect to the water system. Mr. Bradford asked if the utility expenses covered through April, Mr. Hawkes responded that is does.

**3. Waste Water Study - Meeting with State & County Officials (April 26<sup>th</sup>) - Report**

Chair Hughes discussed the Division of Environmental Quality's request for the District to look into possible management approaches to dealing with septic systems. They provided some drafts of how other communities have approached this issue which were similar in size. Chair Hughes suggests the District have some discussion with the people who administer these programs. He feels some of the policies instituted in their programs seem pretty aggressive from a management stand point and is not sure the District is willing to go there. Mr. Cook (legal counsel) requested to have the information sent over to him to review. Chair Hughes discussed how the tenure of the meetings have changed slightly from the sewer system being the only means of dealing with canyon wastewater, however the State is pressing for the District to come up with some type of management approach for existing and future septic systems. Mr. Bradford asked if the discussions in the meetings regarding a sewer system excluded areas such as Emigration Oaks and Emigration Place located away from the Emigration Creek? Chair Hughes replied that the current focus is failed or failing septic systems along the Creek, but the math doesn't work. By implementing a management system to monitor and have some type of repair system and enforcement system to ensure compliance and regulations are being met would incorporate the

canyon as a whole. The State is not off of the concept of a canyon-wide sewer system, but maybe realizing there is little to no support or buy-in from the Canyon. Salt Lake City has mentioned they would take Emigration wastewater, however it would be the responsibility of the “Canyon” to replace any infrastructure to meet the additional demands plus the treatment rates would be based upon an extraterrestrial connection and Salt Lake City would require say in any planning and zoning process. Chair Hughes discussed further that in order for the District to come up with a management system, it will have to be one the District can produce and get support from the Community. He also discussed some of the additional funding options that came up in the meeting that may be available to the District to aid in helping individuals or groups repair their failing systems with low interest loans. Fred Smolka asked what the State felt about the cluster system approach. Chair Hughes replied the State feels this is a “band aid” approach, however if the District was able to come up with multiple clusters and systematic approach for future clusters, the State may support this option. Mr. Bradford mentioned these cluster systems are not a band aid, but provide a permanent solution to a problem. Chair Hughes mentioned these systems would all have to be managed and maintained by a body politic. He feels at this point the only thing that makes any sense for the Canyon is the cluster system approach and realizes this approach will have its challenges. Mr. Hawkes mentioned the State and County are now testing the Creek to determine the type of Ecoli present such as human, deer, dog etc...Mr. Stevens asked if this would alter the States determination for a wastewater solution. Chair Hughes replied that it would not because you cannot undo a TMDL problem, however it may provide information to localized areas of concern and be able to determine sources of Ecoli. He continued to explain the State has many options for funding and various sources to draw from but is interested in funding a macro project or a bundle of micro projects verses a bunch of small loans over a long period of time. Mr. Bradford asked at what point does the District include the Metro-Township Board? Chair Hughes said we need to come up with a management concept and then approach the Metro-Township Board and work together on implementing a management plan. The Trustees agreed to approach the Metro-Township earlier and Chair Hughes would attend the next Metro-Township board meeting to discuss the District’s efforts and request their involvement in this process and attendance at the meetings with the State and County.

#### **4. Brigham Fork Well Repair - Progress Report**

Mr. Hawkes reported the driller had removed the pump and a camera was ran down the well to see if there was any visible damage. They ran into gravel at seven hundred and forty feet which showed a large amount of gravel had entered the well, but no visible signs of the damage. The driller was in the process of bailing out the gravel and noted some issues at eight hundred and twenty feet when the bailer caught onto something. Mr. Bradford asked how much of the well would be lost if it was plugged at the eight hundred foot level. Mr. Barnett replied it was too early on to know until further tests were performed to know what levels was producing the water. He mentioned from the video the perforations lower around the seven hundred foot level were much cleaner than the upper ones toward the surface, but until the gravel was removed it was too early for any conclusions.

## **5. EID - Trustee Election Information**

Mr. Hawkes reported the deadline for candidacy filing for the 2017 election was from June 1<sup>st</sup> to June 7<sup>th</sup>. The forms can be found on the District's website and need to be filled out and given to Mr. Hawkes. Mr. Smolka asked if the County had assigned an election clerk for the District and Mr. Hawkes replied he was the election clerk for the District. Mr. Cook clarified the County handles the election and Mr. Hawkes is their point of contact. Mr. Stevens commented that by the next meeting those running for election will be decided. Mr. Cook clarified that anyone is still able to run for election as a "write-in" but would not be included on the ballot.

## **6. Water Levels Report**

### **A. System Well Level Report**

Mr. Barnett reported the month of April showed 1.6 million gallons of water which is very typical usage historically for April. May usage is typically when the water usage begins to increase. Mr. Barnett reviewed his water charts and diagrams representing how April's water usage does not change much in usage and talked how the wet winter and cool spring has helped keep the snow pack in the higher elevations which is good for the Canyon. Mr. Smolka commented how the stream flows have been high since March and was not aware of any flooding.

### **B. Monitoring Well Level Report**

Mr. Hawkes mentioned the monitoring wells were measured. Mr. Barnett commented the levels had increased and were very similar to May of 2004. Mr. Hawkes mentioned November was the last measurement taken after the leaves had fallen off of the trees. November's measurement showed an increase water levels and this current measurement shows the monitoring well levels even higher. A copy of the monitoring well levels can be found on the District's website.

## **7. Any Items Requested by Visiting Public**

Mr. Finch introduced himself and discussed he had purchased some land in Emigration Canyon and was there to meet Canyon members and get acquainted with some of the governing processes. Mr. Tippetts promoted the Canyon Firewise event being held on Saturday, May 20<sup>th</sup> encouraging everyone to attend and support the event. The Canyon is being recognized as one of nine of the original communities running the Firewise event.

## **Closed Session**

MOTION: Board Member Bradford made a motion to convene in closed session for the purpose of discussing litigation. Mike Hughes seconded the motion.

VOTE: Unanimous in favor of the motion.

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The Board of Trustees met in closed session to discuss litigation from 8:05 p.m. to 8:27 p.m. Those present included the Board of Trustees, Fred Smolka, Eric Hawkes, Jeremy Cook, Don Barnett, and Joe Smolka.

MOTION: Board Member Bradford made a motion to dismiss from closed session and 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 8:27 p.m.

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Minutes Approved