

EMIGRATION IMPROVEMENT DISTRICT
BOARD OF TRUSTEES REGULAR MEETING
THURSDAY, JANUARY 19, 2017

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

Board Members in Attendance; Mike Hughes – Chair, Mark Stevens – Vice Chair, David Bradford – Secretary/Clerk

Ex Officio: Eric Hawkes – Manager, Jeremy Cook – Legal Counsel, Don Barnett – Barnett Intermountain Consulting and Fred Smolka

Chair Hughes called the meeting to order at 7:02 p.m.

1. Consent Approval – Minutes for December 8, 2016

MOTION: Chair Hughes made a motion to approve the minutes of the December 8, 2016, Board of Trustees meeting as written. Mark Stevens seconded the motion.

VOTE: Unanimous in favor of the motion.

2. Financial Considerations & Report

Eric Hawkes reviewed the monthly financial report and fund balances as of January 18, 2017, as shown on his printed report. He explained 2016 actuals and lingering expenses to be paid from 2016 budget. Mark Stevens asked about surplus funds. Eric replied that additional funds will go into Maintenance and Repairs budget. David Bradford inquired about paying off loan with higher interest while deferring other loan payments. Eric was uncertain but Jeremy Cook didn't think it was possible because the loans are from different pools of money. Chair Hughes interjected that there is never extra money because of unforeseen well repairs and maintenance. Fred Smolka added that State would be willing to loan District money if needed to meet the obligations of fixing the Brigham Fork Well. Eric requested approval from Chair Hughes for 2016 4th quarter transparency report so it could be published on District website. Chair Hughes approved the report.

3. Appointment of Trustee Duties and Offices for 2017

MOTION: David Bradford made a motion to keep all officers in place for the coming year. Mark Stevens seconded the motion but mentioned that he will be stepping down April 1, 2017.

VOTE: Unanimous in favor of the motion.

4. Propose to set up “Emigration Canyon Improvement District” ie (ECID) as DBA

Jeremy Cook thoroughly discussed the process of officially changing District name from Emigration Improvement District to Emigration Canyon Improvement District. Chair Hughes interjected that it should be done as a DBA so it won't affect bonds and obligations in a different name. He mentioned possible issues with the District's website but Eric didn't think it should be a problem. David Bradford remarked that the name change was to help eliminate confusion. Jeremy talked about possible ramifications with a name change and possible complications with banking. Eric replied that it is a process to change all contacts and information but it shouldn't affect banking. He remarked that now is a good time to make the change. Boards members cited positive reasons for name change. Jeremy suggested that Eric do some more research before proceeding with another public hearing and official name change process.

5. Systems Repair and Maintenance Report

Eric Hawkes discussed issues with the fire hydrants especially ones located on the main canyon road. He also explained 7 needing maintenance in Emigration Oaks, several in Killyons, Pinecrest and other areas for a total of 33. Eric pointed out that most of the hydrants need to be raised. David Bradford asked about the cause of maintenance. Eric informed that it is mostly due to snow and the steep canyon terrain. He added that a couple of hydrants are not accessible. Eric explained how a 12" to 18" collar increase would solve most issues. David asked if raising hydrants increased their vulnerability. Chair Hughes interjected that raising the hydrants decrease their chances of freezing. Fred Smolka added that increased height makes hydrants more visible. Chair Hughes suggested to employ efforts to keep hydrants dug out and always accessible. Eric suggested including fire hydrant awareness in newsletter to solicit public involvement. He estimated maintenance cost of each hydrant at approximately \$500.00 or less and further explained the process. David asked about earth movement and recurring maintenance. Eric replied that raising hydrants would be the solution for many without having to relocate them. Chair Hughes advocated for Eric to start hydrant maintenance project including digging out of all hydrants buried in the snow.

6. New Merchant Account Provider for Munibilling Software

Eric Hawkes talked about the new Merchant Provider and changes from a flat rate to a tiered rate. David Bradford asked if there was a difference in collection for the District. Eric stated that there wasn't, the fee is taken out by the service provider. He stated that E-checks haven't changed, they are the same rate. Eric explained that the new system allows an auto-pay option, residents just need to fill out a form. David asked if it allows notification of payment. Eric assumed that it does but he will check into it. Mark Stevens asked if the new system will make it easier for equalized payments. Eric replied that a lot of people requested an equal payment option. Fred Smolka asked if residents will still receive a statement. Eric stated that they will and clarified for Jeremy Cook that all customer's information is stored with the Merchant Provider Munibilling and not with the District. Eric explained the equal billing process and informed that all bills are reconciled in September.

7. Water Levels Report

Don Barnett discussed the year-to-end system well levels and consumption reports as seen on his printed graphs. He highlighted the connections at 287 and the averages for June, July and August for the last 8 years. Don reported 19” snow pack at Lookout Peak, 182% of normal for the year. He projected a positive forecast of water for this year. Don made District aware of some changes in the State’s Engineer Office over the Water Department and a proposed bill regarding in-stream-flow water rights. He discussed various issues with water quality and in-stream-flow water rights. Jeremy Cook weighed in on matter and mentioned that Farm Bureau can squash any proposal. Don talked about the Executive Water Task Force. He stated that in-stream-flow water rights wouldn’t change deep well operations only community water rights would be issued back to the people.

8. Visiting Public

There were no items requested by the visiting public.

9. Closed Session – Pending Litigation

MOTION: Mark Stevens made a motion to convene in closed session to discuss pending litigation. David Bradford seconded the motion.

VOTE: Unanimous in favor of the motion.

The Board of Trustees met in closed session from 8:05 p.m. to 8:13 p.m. to discuss pending and imminent litigation.

MOTION: Chair Hughes made a motion to dismiss from closed session and to adjourn the regular meeting. David Bradford seconded the motion.

VOTE: Unanimous in favor of the motion.

The regular meeting of the Emigration Improvement District adjourned at 8:13 p.m.