

EMIGRATION IMPROVEMENT DISTRICT
BOARD OF TRUSTEES REGULAR MEETING

THURSDAY, OCTOBER 11, 2018

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

Regular Meeting

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

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

Chair Hughes called the meeting to order at 7:00 p.m.

1. Consent Approval - Minutes for September 13, 2018

MOTION: David Bradford made a motion to approve the minutes of the September 13, 2018 Trustee Meeting as written. Brent Tippets 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 were no other comments. Mr. Hawkes then gave the 3rd Quarter Transparency Report.

3. 2018 Certified Delinquent Filing Report

Mr. Hawkes presented the 2018 Certified Delinquent Filing Report. The 2018 certified delinquents have been submitted to Salt Lake County Treasurer's office and all payments regarding tax liens need to be paid through Salt Lake County Treasurer's office, not through the District.

4. Fire Break/ Mitigation Work Around Storage Area / Common Area

Mr. Hawkes reached out to various tree removal companies for bids to clean up near Well 1 but only one company (Arbor Works) called him back. Their bid was \$2,500/day and they estimated that it would take two days. They would remove the trees near the well, do stump removal, chipping, trim the limbs of trees within 100 feet of the well, and trim the grass. The District was disappointed in the high cost. Paul Brown suggested that the District look into using Utah Conservation Corps through Utah State University. It is very reasonable but it needs to be scheduled far in advance. Mr. Cook mentioned that cities have had people come from the prisons to do work-release projects like these and it is inexpensive. Although there was some concern about the high cost, the Board agreed to go ahead with this company because it needs to be done and they were the only ones to call back. In the future the District would like to find a more cost-effective solution. One possibility is to look into using goats as a cheap solution for maintenance of the area.

5. Private Well Water Testing—USU Dept of Agriculture

Mr. Barnett stated that he and Mr. Tippetts will meet with the chemist for the state lab to go through all the various options on pricing and specifics on what the District will be testing. Chloroform, E coli, and TDS would surely need to be included, but beyond that they'll need to have a discussion on what else to include. If the District were to do more than 40 samples, the cost per sample goes down. Discussion ensued on what kind of testing to do—what would be beneficial data for the District and what the homeowners would like to have. When the District is ready, they will send a mailer and then pick out test sites--equally spacing them up and down the canyon. There is an existing database which the District would be able to roughly follow. Chair Hughes expressed the desire to test wells that aren't along the creek. There is a well on Kramer's property and Salt Lake City has a well up Emigration Place. The District would like to include these in the testing to get as broad a view as possible of the canyon. Brent Tippetts and Don Barnett will meet with the state and the chemist.

6. CodeRed and Test Results

CodeRed did the first test on October 1st. About 200 people had signed up. Eric Hawkes emphasized that it is key that people go online and set up their own account. CodeRed had a listing of 160 names in their database. Just getting the app isn't sufficient, it is key that people go online and set up an account. The suggestion was made to send out another email and explain how residents can do this. CodeRed will run another test in a month or so. Mr. Tippetts, from the audience, gave further instructions. There was some confusion about why Mr. Bradford didn't get the test notification even though he has set up an account. Eric Hawkes will let the District know when the next test is--so far it isn't scheduled.

7. Water Levels Report

Mr. Barnett gave the consumption report. The consumption for last month showed the good news that the District made it through one of the worst water years on record. Because the summer was so dry, the per-connection usage for September was higher. The District will measure the monitor wells after the leaves drop.

8. Maintenance Report

Brigham Fork well is still artesianing. The flow is good but it didn't pass the water quality test in turbidity and sulfates. Mr. Hawkes talked with Craig Neely about options for continuing to use the well. Craig Neely gave the District some options for how to filter the water from the Brigham Fork Well above ground. The rough estimate of cost was \$200,000 -- \$300,000. He reported on how this could be accomplished and raised the question if it is worth spending the money. Another issue that he raised was that the backwash issue would need to be solved. The District asked for a refined estimate on maintenance. Mr. Tippetts asked if UV treatments could work in a situation like this. Mr. Neely responded that it would take the smell away but not change the taste. Mr. Neely will refine the numbers and also give the District an idea of what the yearly maintenance cost would be on a system like this. The option to pull water from a good zone within the well is no longer an option because of the tool obstruction. Mr. Bradford asked about Lang being able to pull the tool but Mr. Hawkes stated that Lang had said it would be too cost prohibitive to try to get the tool out. There is no good way to destroy the tool. The Board would still like to collect all the information they can regarding options and costs, including the option of drilling a new well.

Telemetry Repair Progress

Mr. Hawkes spoke to Scott White. He has ordered a power monitor that is battery powered. They're still working on the other water level transducer. Mr. Hawkes contacted Campbell Scientific, a company in Logan that makes telemetry systems, and they will send someone out next week to look at the system. This company stated that the District should get at least 5 years of use out of telemetry systems, instead of 3 months to a year that the District has been. The Board is looking forward to having a new perspective on the situation.

9. Any Items by Visiting Public, Dismiss Public

Paul Brown exhibited a hot water heater rod that is about 75% eroded and made the point that it is much cheaper to replace the rod than a new water heater. Gary Bowen said he is concerned about the buzz going around the canyon about the creek going dry and the culprit being EID. He quoted an article from the Salt Lake Tribune that said this is the driest year on record. He urged the District to get that information out so people do not continue to blame the EID. This led to a thorough conversation about the need of the District to disseminate information about the facts to

the residents. Various audience members emphasized this point: Nick Jacobsen, David Mann, and Sarah Bennett. There is a grassroots discontent growing and the audience emphasized that if people hear the facts that it would be very helpful. Don Barnett gave a summary of what change applications are and what the process has been historically. He explained that the State Engineer changed the process of change applications recently. The EID's filing of permanent change applications is in response to this change. The State Engineer wanted the temporary applications to be made permanent. The change application has all the same points of diversion, plus 5 more points: 4 of the 5 were near the million-gallon tank, and the 5th is high above Walsh's property. There is no new water. The District emphasized that they hold zero zoning authority and that they are only following the rules mandated by the State. When he finished, David Mann and Sarah Bennett emphasized that this information would really help the canyon residents to know that there is no danger of the District building 500 new homes. It would also explain to them how the EID has not impacted the creek. The wells that EID uses are pulling water from other areas. Chair Hughes described the aquifers in the canyon and why the District put the wells where they did. This summer being the driest summer on record is what impacted the creek. He reiterated that the EID is not affecting the creek. The Board expressed some reluctance to respond to the allegations because of the pending litigation, but agreed that there is an education piece missing that could still be addressed. Jeremy Cook gave an update on where the litigation is. Sarah Bennett expressed that water rights are hard for people to understand but if the District could respond to the rumors, it would allay most of the fears spreading in the canyon. Because friends and neighbors are starting to buy in to the rumors, David Mann and other audience members strongly urged the District to put out a one-page bullet-point document responding to the emails. The community council could help disseminate the information.

10. Closed Session

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

VOTE: Unanimous in favor of the motion.

The Board of Trustees met in closed session from 8:44 p.m. to 10:23 p.m. Those present included the Board of Trustees, Eric Hawkes, Don Barnett.

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 10:23 p.m.

Minutes Approved