

EMIGRATION IMPROVEMENT DISTRICT
BOARD OF TRUSTEES REGULAR MEETING

THURSDAY, JUNE 14, 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 7:01 p.m.

1. Consent Approval - Minutes for May 10, 2018

MOTION: David Bradford made a motion to approve the minutes of the May 10th, 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 was discussion about potential legal fees, that the budgeted amount will not be sufficient. It is difficult to estimate how much will be needed by the end of the year, but it was suggested to move \$10,000 from the Explore Pinecrest category to cover it. As much as the Board would like to be able to explore Pinecrest, and as hard as they have tried to move in that direction, they may have to put it off until next year.

MOTION: David Bradford made a motion to amend the budget. Brent Tippets seconded the motion.

VOTE: Unanimous in favor of the motion.

3. Approval Items –Adoption of 2018 Certified Tax Rate and Adoption of Authorized Users for the UPTIF

Mr. Hawkes reported that the suggested 2018 Certified Tax Rate from the County is .000810. The Board agreed to adopt it. Mr. Cook suggested the Board approve a resolution approving the Certified Tax Rate from the County.

MOTION: David Bradford made a motion to approve such a resolution. Brent Tippets seconded the motion.

VOTE: Unanimous in favor of the motion.

Mr. Hawkes stated that the Utah Public Treasury Investment Fund is requiring the District have at least two individuals that are authorized with their signatures and can use the online system. Mr. Bradford proposed the District have more than two signers, in the event that someone is out of town. The decision was made to have all members of the Board be authorized.

4. Waste Water Funding Mechanism and Management Discussion

Chair Hughes outlined some of the grant and loan options from John Mackey from the State regarding the waste water issue. The Board discussed the options and the pros and cons of each one. The State could provide a loan to EID and then EID would, in turn, provide proceeds to people to repair their systems. An assessment loan would mean that the District would make an assessment against the properties that are having the repair done—the assessment area can be drawn to include all the homes that are participating in the repair and those residents would pay a yearly amount. There is the possibility with that option that it may require everyone within so many feet of the pipe to connect. An assessment bond has a lot of up-front cost. The other option was that EID could borrow the funds and then become the funding mechanism to repair these systems that have failed. The District could take only the amount down as needed. No-interest loans and grants are also an option but there are certain drawbacks to both. It was agreed that there was more front-end work on the part of the District to get a grant. The District would like to get in front of the problem and take initiative before the State mandates a course of action. The County is putting pressure on the District to resolve this issue, but Mr. Cook expressed the opinion that the Board should resist until it has an enforcement mechanism. Chair Hughes responded that he doesn't think there will be too much resistance if we have a good solution for the residents. As the body politic, it is the obligation to help with the damaged septic systems. It is estimated that the problem impacts at least 100 homes in Emigration Canyon; there are about 300 homes along the creek. It was agreed that the Board needs the Metro Township to adopt some of the ordinances. Discussion ensued on what the next step would be. Mr. Cook will

attend the next meeting with the State and weigh in on those conversations. Jeremy Cook discussed what has been done in Summit County, which will help the EID to observe how Summit County resolved similar issues. The EID management plan remains the same—be there to help, but not be the sewer police. There may be a need to buy, lease, or get easement for some of these properties that would have cluster systems. There was discussion about the logistics of how to implement the cluster systems. The Board agreed to address this at the next meeting with resolution.

5. Continue Discussion on Providing Private Well Water Testing Services

Don Barnett passed out information from the Dept of Ag and Food, which previously tested 9 wells along the creek in 2007. Mr. Barnett explained the results of this testing. The funding was cut on this testing. The results are well-specific, depending on the construction and placement of the well. The Dept of Ag and Food said they would do testing for the District and the costs are much less than taking the samples to a commercial lab. The Board discussed what they would like to have samples tested for. Brent Tippetts would like the results to be broken down in laymen terms for the public. Chair Hughes recommended doing coliform and E. coli for any residents who would like it and then do 5 or 6 up the canyon, in different zones. Jim Vanderslice (a resident on Sunnydale Lane who works on the state water board) suggested that there's not really anything in the results of the 2007 testing to suggest a need to test for more than nitrates. Mr. Tippetts expressed the desire to establish baseline testing from year-to-year. Such testing would be helpful information for the District to have. There would be benefits for the District to pay for the BacT test, which is approximately \$15. The bacteria in wells is well-specific so this could help to raise awareness of the problem septic tanks. EID will offer free bacteria testing for all residents, and potentially in the future ask residents spaced along the creek in various zones to do a more thorough chemical testing. Then the District would have data from Dept of Ag, along with the new testing, to give to concerned residents about the quality of the water. Discussion ensued about how to best gather the samples. The Board decided to prepare something about the free testing for the newsletter or the bill going out this month.

6. Water Levels Report

Mr. Hawkes reported normal water usage. Connections are increasing, but consumption is dropping. May is typically a month with variability. Well 2 has had issues with meter reading.

7. Maintenance Report

Well 1: It was reported that Well 1 has holes in the production pipe. It was last pulled over 15 years ago. The production pipe was replaced with pipe from Brigham Fork and the pump was serviced. Everything went very well. The cost was \$8,500. It is unclear yet how far it drew

down, but Mr. Hawkes stated that they would watch it very carefully. It has been chemically tested. This is a good time of the year to use that well.

Brigham Fork Well: Mr. Hawkes and Chair Hughes met with Boart Longyear, the original driller, in regards to options to repair the well. They surmise they have a better opportunity to grab the tool but September is the soonest they could try. They have more tool options to try. Petersen Drilling will build a replica of what the tool looks like; Boart Longyear will examine it to see what they can do. They will give the EID the cost estimate. Peterson Drilling was present in the meeting. The pump went back in--they will be able to pump it down so that it won't be artesianing when the driller comes in September. This will give it a pump test to see how it operates at 500 feet.

Upper Freeze Creek Well: Electricians visited the Upper Freeze Creek Well to add insight as to why the pump is shutting off before the tanks are full. The electricians think it is something to do with the soft start panel. The well is producing, just not running smoothly. They talked about adding additional programming to space the time between resets. Mr. Hawkes stated the cathodic guys will begin building their design. There is a possibility to move toward a radio wave transducer. The well is working and pumping water.

8. Any Items by Visiting Public, Dismiss Public

Paul Brown asked why the County and State care about the TMDL of Emigration Canyon creek, when it goes directly to the Salt Lake. One reason is that there is a lot of potential for direct human contact. There was a review of why the creek is on the TMDL list.

9. Closed Session

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

VOTE: Unanimous in favor of the motion.

The Board of Trustees met in closed session from 8:52 p.m. to 9:19 p.m. Those present included the Board of Trustees, Eric Hawkes, Jeremy Cook, Joe Smolka, 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 9:19 p.m.

Minutes Approved