

EMIGRATION IMPROVEMENT DISTRICT
BOARD OF TRUSTEES REGULAR MEETING
THURSDAY, APRIL 9, 2020
ELECTRONIC MEETING

Regular Meeting

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

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

Chair Hughes called the meeting to order at 7:08 p.m.

1. Consent Approval - Minutes for February 6, 2020

MOTION: Brent Tippets made a motion to approve the minutes of the February 6, 2020 Trustee Meeting as written. David 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.

Mr. Hawkes presented the 2020 First Quarter Transparency Report. There were no comments or questions. Mr. Hawkes will get them filed.

3. Ryan Leick – 1475 N Pinecrest Canyon Rd – Land Use and Easement Request on UFC Well Rd

Ryan Leick has purchased property at 1475 N Pinecrest Canyon Rd. He is trying to get access to the property by using an EID road. Mr. Leick stated that he hopes to use the land for recreational use and a farm to grow crops for personal means. He has no plans to develop the property. It would be a hobby farm to produce some revenue to finance the property. The Board asked what kinds of structures would be on the property (a shed, possibly a yurt), how he would irrigate the crops (he wouldn't), and they established that there would be no plumbing or electrical. After discussion, it was resolved that Mr. Leick needed to talk to Emigration Oaks first, as they are the owners of that road. If the plans progress past the Emigration Oaks, the Board would need to resolve their concerns and have his plans down in writing. As it stands now, the Board was not comfortable with the idea. Mr. Leick said that he expected it to be a process and that he would be in touch with the Emigration Oaks HOA. Paul Brown (from the Emigration Oaks HOA) remarked that his preliminary thoughts are not favorable, but they will discuss further.

4. Toby Biesele – Request for a Water Right Lease (3790 E Emigration Canyon Rd)

In 2018 Mr. Biesele inherited the property at 3790 E Emigration Canyon Rd. He is trying to sell the property, but the property lacks a water right. This is an issue for potential buyers. There is a well on the property but the rights to the water are owned by the neighbor. Attempts to resolve the issue with the neighbor have been unsuccessful. Because it is in the Sunnydale area it is in the EID's policy to lease him a water right. The Board agreed they could lease him water if he can resolve the issues of the well—either drill another well or determine if the existing well is sufficient to service the two properties. It depends on the depth and production of the well. The water right is available from the District (through leasing). Mr. Biesele would need to pay the cost and sign documents for it. He asked the cost, which is \$6,000 per .75 acre feet.

5. Emigration Canyon Waste-Water Stakeholder Meeting (Feb 20th) Update

Mr. Hawkes reported on a meeting held in February with the waste-water stakeholders. It was a meeting to refresh where they had left off. There was discussion regarding doing a study to understand the groundwater recharge of the canyon with funds from various entities. Metro Township is looking at various ordinances they could implement to help. The next meeting is

scheduled tentatively for August (depending on the Coronavirus situation). They are wanting to look at all the options for ways to clean up the creek.

6. Water Levels Report

Don Barnett gave the water level report. He also reported that the Emigration Creek flow forecast is 108%. That is good news. The water usage for the District in the last 3 or 4 months is down. He showed the water produced by each well. There were no further questions. Monitor wells show the levels have started back up. Historically, the levels show seasonal fluctuations.

7. Maintenance Report

Mr. Hawkes stated that the Upper Freeze Creek Well is up and going again. The fiber optic lines were not communicating because they were chewed (by rodents). There were 2 leaks on Freeze Creek Circle. On the first one the saddle had gone bad. The second one was at the top of Freeze Creek Circle. The District needs to do some regrading on the road. Mr. Hawkes described how they are going to fix the drainage issue on Pioneer Ridge Road.

Mr. Hawkes reported on the status of radio read meters. He has reached out to two other companies for quotes. Once he gets quotes from them the Board can have a discussion on how to proceed. The Board would like to move on it as soon as possible (when they have all the bids and when finances are in place, etc.).

8. Any Items for Discussion from Board and/or from Visiting Public, Dismiss Public

Mr. Hughes prefaced public comments to Mark Tracy that because Mr. Tracy is not a resident of the canyon, and head of an anonymous group, that he states who he represents and where he lives. Mr. Tracy refused. On advisement from legal counsel, the Board allowed Mark Tracy to have 2 minutes to ask questions, but the Board did not respond to them.

Jared Frandsen has bought the property of the Sun and Moon Café (Steve Cramer abandoned his plan to put a road through it). He asked what can be done about the dirt and debris on the side of the road. The Board urged him to go to the Township for an update on that, but they reassured him that progress is in the works and will be done quickly. There were no further questions from the public.

9. Closed Session – Pending Litigation

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 8:15 p.m. to 8:36 p.m. Those present included the Board of Trustees, Eric Hawkes, Jeremy Cook, Don Barnett.

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 8:36 p.m.

Minutes Approved