

EMIGRATION IMPROVEMENT DISTRICT  
BOARD OF TRUSTEES REGULAR MEETING  
THURSDAY, FEBRUARY 16, 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 January 19, 2017**

MOTION: David Bradford made a motion to approve the minutes of the January 19, 2017, 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 finalized year-end numbers for 2016 and actuals as written on his printed report. He discussed changes in the Maintenance and Repairs budget. Eric talked about the insurance settlement and first draw on Feasibility Study. Jeremy Cook clarified that some of the increased funds will be backed into 2015 budget. Eric informed that information will be given to the State Auditor and adjustments will be made before its submitted. David Bradford asked why tax collections were up and Eric replied that some of the collections were certified delinquents. Mark Stevens asked if budget will be altered for 2017 and Eric indicated that it wouldn't, budget was adequate as configured. Eric reported that the State Auditor's office just wants the budget to be balanced, matching 2016 budget to actuals.

MOTION: Chair Hughes made a motion to amend the 2016 budget to match actuals. Mark Stevens seconded the motion.

VOTE: Unanimous in favor of the motion.

Eric reviewed the monthly financial report and fund balances as of February 15, 2017, as shown on his printed report which included loan payments, operating expenses and income up-to-date. Fred Smolka asked for clarification regarding the accounts and Eric explained the differences.

### **3. Waste Water Study – Meeting with State & County Officials – Report**

Eric Hawkes summarized the meeting with State & County officials regarding the waste water study in the canyon. Chair Hughes interjected that there were many divisions represented and it was as interesting exercise. He explained that the District's position conflicts with the State and County's objective. Chair Hughes discussed how the State and County officials really want a sewer system in the entire canyon. He informed that a sewer system would de-water the canyon and disrupt the ground water which re-charges the creek. Chair Hughes further explained that trees would be affected and if water is taken out of the canyon it won't be able to sustain itself. Mark Stevens asked about the science behind the conflicting positions. Chair Hughes talked about the e-coli and TMDL study which indicates that the real problem is below the canyon. He also informed about the caffeine and brightener studies. Chair Hughes indicated that if the canyon stream flow drops, TMDL numbers would rise because of the concentrated waste which doesn't make sense for solving the issue. He further commented that a drop-in ground water would result in the loss of stretches of the creek throughout the canyon which would only further complicate the problem.

Don Barnett expanded on the matter and stated that it was reported that 94% of Utahans are on a sewer system versus 6% on septic. He pointed out that Emigration Canyon is unique because of its hydrology. Don discussed the USGS measured seepage run on the creek gaged at the mouth of the canyon .56 (250 gallons per minute) and how a sewer system would greatly affect the creek flow and hydrology in the canyon. He informed that low flows of water in the creek would worsen an e-coli problem. Don explained water leaving the canyon in a sewer pipe would disrupt the hydrology and create drains which would influence ground water to drop even when engineers design against it. Chair Hughes confirmed that it is a bigger problem than just the canyon residents. He also went over the burden of financing the canyon wide sewer system estimated at 35 million to a relative small number of residents (maximum 750 build-out).

Jeremy Cook talked about the contributing factor of failed septic systems to the contamination problem. He stated that e-coli is the product of other waste, not just human and taking 30% of what is causing the contamination and 60% of the water in the creek would just make the problem worse. Chair Hughes expressed that the State needs to demonstrate that the failing systems in the canyon are creating a significant enough problem that canyon residents should have to pay for it. Don expressed other issues and e-coli spikes at Camp K, the dog park and Hogle Zoo which officials don't want to address. He talked about pods, and other factors that need to be studied further before a reasonable outcome can be determined. Chair Hughes talked about a professor who can determine where e-coli sources are coming from which would greatly affect the outcome. Dave Bradford asked if it was determined whether Emigration Oaks

contributes to the contamination problem. Chair Hughes responded that it would have to take all canyon residents to buy in on a solution. Jeremy Cook interjected that the financial income of the residents of Emigration Oaks and Emigration Place would greatly affect grant modeling.

Kirtly Jones asked about the technique of determining point sources of e-coli. Chair Hughes explained the relatively new science behind determining the source of e-coli (deer, dog, human). Don Barnett interjected that technique is on the cutting edge. Kirtly stated that it is a good technique and research has made it more cost effective. Chair Hughes replied that testing would affect outcome.

Don Barnett informed that it hasn't been determined if Salt Lake City is even willing to accept the canyon sewage and speculated cost/policies. Jeremy Cook pointed out the infrastructure costs and upgrades to existing system. Don responded that Salt Lake City also needs to upgrade their treatment facilities, rates will be effected. Fred Smolka talked about the time line and growth in the valley to meet the needs of the people, after 2025. Discussion ensued regarding rates, fees, operational costs and other financial components. Jeremy Cook informed that other districts are raising rates to compensate for cost of new treatment plants. Trustees speculated costs, pipe, impact fees, connection fees, operation costs, lift stations and other financial factors.

Don mentioned that Kilyons Canyon is now showing spikes in the summer because of a dog park. Eric stated that there are groups of people walking dogs in the canyon. Tyler Tippetts informed about licensed and unlicensed dog walkers because he has been trying to put a stop to the problem they are causing. Chair Hughes interjected that the waste water study is a work in progress and District has a long way to go. David Bradford asked if there was any government entity that could force a canyon wide sewer system against the opposition of the residents. Jeremy Cook explained Salt Lake County's authority and assessment. Chair Hughes talked about the Metro Township and its involvement. Trustees talked about closed vault systems, pods and other related issues and expenses regarding the contamination problem. Jeremy Cook noted that the County Health Department is pushing a canyon wide sewer system because they don't want to address issues. Fred Smolka talked about Walt Baker, head of water quality for the State of Utah who wrote the TMDL. Chair Hughes proposed treatment of the creek with package plants going down the canyon which makes more sense financially. Don interjected that half the people from the District live on the creek and they want it clean. Fred Smolka stated more support and awareness with issues will help especially with dogs and their owners picking up their waste. Jeremy Cook agreed on increased canyon awareness for contamination issue. Don Barnett brought up bicyclists and their possible contributions. Fred Smolka stated that they are working with county to get more facilities/portable restrooms in canyon. Henry Whiteside, a resident living across from Camp K, reported that he often sees bicyclists ducking into surrounding bushes as restrooms/malicious fecal distribution.

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

Eric Hawkes talked about Aqua Engineering's recent water test. Don Barnett explained that the test was looking for iron bacteria in concentrated amounts which is a common problem in wells. He discussed Petersen Brothers Drilling bid of \$21,000 to pull pump and remove gravel pack from inner PVC pipe and examination with camera to determine problem. Don reminded trustees that current pump belongs to the drilling company and will need to be replaced. He talked about chemical water treatments and explained that a water treatment from Bicarb would only be effective in the inner casing of the pipe, not throughout the well formation and gravel pack. Don suggested more traditional treatments to solve issues with Brigham Fork Well. Chair Hughes informed that trustees have already approved work and requested Don to schedule drilling with company as soon as they are available.

### **5. System Repairs & Maintenance Report**

Eric Hawkes talked about completing snow removal around fire hydrants. He reported that him and Larry from Aqua Engineering are going to raise 10 top-priority hydrants 12-18 inches. Eric stated that they would also redo hydrant signs. He discussed cleaning of the holding tanks using a company out of Colorado that uses scuba divers to remove sludge with a vacuum. Eric reported a bid of \$3,000 for both tanks with a 3" sludge build-up. He cited one of the advantages being water doesn't have to be drained from the tanks. Eric informed that he will measure sludge build-up because it's been about 5-7 years since last cleaning. Trustees agreed to proposal and told Eric to schedule the cleaning.

Jack Christiansen asked if there would be a filter or screen that would prevent stirred up sludge from going into the water system so residents don't get dirty water from their faucets during the tank cleaning process. Eric replied that he didn't know for sure but would check on it.

### **6. Water Levels Report**

Don Barnett discussed the system well levels and consumption report as seen on his projected graph. He reported that January 2017 was up 50% more, possibly highest ever reported for this time of year while December 2016 was below average. Eric Hawkes responded that he has fixed several leaks. Mark Stevens remarked that it has been a wet month. Eric replied that there could be more broken valves not seen under the snow. Don also stated that there could be additional water leaks which remains to be seen. Mark inquired about the process of reading the water meters and Don explained. Eric interjected that numbers are the readings of the wells taken on consistent dates. Chair Hughes stated that there could be leaks with an additional million gallons of water being reported.

Don showed some water usage from Well 1 but mostly from the Upper Freeze Creek Well. Chair Hughes asked for the level of Well 2. Eric replied that its transducer is currently not working but Well I is -30 feet, which is a 20-foot increase since aquifers have started to recharge. Don talked about the water recharging process. Eric reported that both transducers from Well 2 and Upper

Freeze Creek were being repaired by Delco Western and expected both back within the next couple of weeks.

Jack Christiansen asked if water flushed from the system was metered. Don explained that it wasn't. Mark Stevens asked Don if he had anything to say about the water forecast for the 2017 year. Don replied that the water forecast is currently at 163% of normal. David Bradford asked what impact warm weather had on the water forecast. Don explained the logistics but a hot windy March would kill the snowpack.

## **7. Visiting Public**

Christopher Jones asked for a definition of the acronym TMDL. Don Barnett explained that it represents total maximum daily load of a contaminant.

Tyler Tippets, representing Community Counsel, had several requests. His first request was for permission to include Fire wise mailers for May 20, 2017 in District's next billing. Tyler's second request was access to District's canyon homeowner e-mail list to assist and update their communications. Jeremy Cook interjected that the mailer was fine but not canyon resident's e-mail list. Chair Hughes suggested that Tyler contact canyon realtor Andy McNeil for his e-mail list. David Bradford asked Tyler about a Twitter account to receive emergency notifications. Tyler replied that the Community Counsel is trying to build Twitter and Facebook back up again. Eric Hawkes stated that the next billing schedule will be the first week in April and he will get back to Tyler regarding the arrangements. Chair Hughes thanked the public for attending then dismissed them.

## **8. Closed Session – pending litigation**

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

VOTE: Unanimous in favor of the motion.

The Board of Trustees met in closed session from 8:29 p.m. to 8:34 p.m. to discuss pending and imminent litigation.

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

VOTE: Unanimous in favor of the motion.

The regular meeting of the Emigration Improvement District adjourned at 8:34 p.m.

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Minutes Approved