

EMIGRATION IMPROVEMENT DISTRICT
BOARD OF TRUSTEES REGULAR MEETING
THURSDAY, SEPTEMBER 21, 2017
EMIGRATION CANYON FIRE STATION
5025 EMIGRATION CANYON ROAD
SALT LAKE CITY, UTAH

Regular Meeting

Board Members in Attendance: Mike Hughes – Chair, Brent Tippetts – 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 7:02 p.m.

1. Consent Approval - Minutes for August 17, 2017

MOTION: David Bradford made a motion to approve the minutes of the August 17, 2017 Trustee Meeting as written. Mike Hughes 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 a few questions regarding financials. The late fee policy is 5% of balance due. Question from Tippetts regarding loan payments.

3. Certified Delinquent Filing Information

This year 33 parcels were certified. Last year there were 40 parcels which were certified, and in 2015 there were 53 delinquent parcels. The trend is coming down. Chair Hughes asked what the process is for accounts that are delinquent year after year. There is no mechanism at the moment to charge them, other than turn it over to the county. Chair Hughes wondered if the District could turn the water off for these accounts. Eric responded that most of them are land owners and not connected to the water system. For the most part, there is no other way to collect other

than to go through the county and have it collected on their taxes. The state stipulates there is only a \$20 fee. Jeremy Cook pointed out that, although frustrating, EID does have two advantages: the ability to turn off their water and the ability to certify it. The District doesn't have a lot of control over it. The County and the District share the penalty fee that people pay.

4. November Elections

Mr. Hawkes said the official ballots are off to the printer. The two EID candidates are Brent Tippets and Bob Stagers. Mail-in ballots will be mailed out the first week of October. These need to be turned in by November 6th.

5. Public Officer Bonds

This was a resolution from the discussion of the meeting two months ago. Each board member now has a separate bond of \$40,000 each. Comment from Jeremy Cook that when the insurance renewal is up next year that it would be beneficial to consider a trust.

6. Wastewater Meeting with the State and County Officials Report

Chair Hughes gave a report on the meeting with state and county officials. Discussion held regarding the possible wastewater study that may be done in the canyon. The Utah Geological Survey would like to sample septic systems in the canyon and look for artificial sweeteners in the creek. The purpose of the study would be to collect more data and gain a better understanding of the impact localized septic systems have on stream flows and also to try to determine how much of the contaminants in the creek are coming from human waste. Right now, the data is inconsistent when measuring the amount of E. coli. The canyon doesn't have an E. coli problem except during July and August. It's also very dependent on where the sample is taken in the canyon. The results of the data that we currently must work with is inconclusive and supporting the USG study would hopefully give the District better science. One of the issues with putting in a sewer system (besides cost and possibly drying up the creek) is that there is no hard data to prove that it would solve the contamination in the creek. The animal waste along the creek along with the lack of public restrooms (leading bicyclists to put their waste near the creek) are two sources of E. coli that the sewer system wouldn't solve. Jeremy Cook pointed out that the chance of doing a sewer system is dependent on Salt Lake City agreeing to take the load, and that they are most likely unable to do so. The city line doesn't have the capacity, so the conversation about a sewer system is a moot point. USGS is going to pay for half of the study (\$35,000) and the water quality board would pay the other half (\$35,000), but there's a chance that they would give that money to the District which the District would then use for the study.

This allows the District to have Cooperator status—and would allow EID the chance to work with the scientists and have input. Question from Jeremy Cook about the E. coli concentration compared to other mountain canyons as a baseline. This is the only stream in the state that has an E. coli TMDL. But again, it is very much dependent on flow and time of year dependent. Chair Hughes emphasized that if they are willing to pay for the study that we should do it. The study will give us better data about the failing systems on the stream. The District has to do something about the failing systems. Mr. Barnett commented that we don't see how they got to \$70,000; EID needs a write-up of their details on what exactly they're going to be spending the money on.

Discussion ensued about what to do with failing septic systems. The possibility of an ordinance was discussed, along with what kind of leverage the District has to enforce that. Mr. Cook suggested to put it on the county health department-- that they won't allow any changes or permits until the homeowner fixes their septic system. Brent Tippetts mentioned that at least that would be a good beginning, a start in the right direction. Joe Smolka said that we have more known septic problems elsewhere in the canyon than we do right along the creek and thus the ordinance should be written for the entire canyon. Mr. Hawkes suggested that the ordinance require the homeowner to have a permit that is renewed every 5 years. To get it renewed they must have their system inspected, and once it's inspected the report gets filed with the District and they issue the permit. Mr. Hughes liked the idea; by inspecting a system you can solve 90% of the problems. The proposal from Mr. Hawkes still has issues that would need to be discussed, such as what to do when a home has the septic system so buried that to inspect it would require a backhoe. There was a recommendation by Gary Bowen to look at what's been done in other municipalities. He also suggested that residents get their wells tested every year.

The board agreed that the study would be in the best interest of the canyon. The board discussed writing a letter to get buy-in to the study. There was also discussion on when to have an ordinance drafted. Question from the audience, Merrick Wright. He's new to the canyon and was at the meeting to get more information on whether his septic and well are okay.

7. Water Levels Report

The levels are basically very average. 100% came from the Upper Freeze Creek well. The message of conservationism is getting out. It was exceptionally hot, and not as much moisture yet the levels are still good with total water usage. June was a little hot, July and Aug were basically closer to the median. Since we're servicing more connections it means that the water usage per connection is lower. Great report considering the high heat.

8. Maintenance Report

The Brigham Fork Well repair is still slow going. The PVC liner is cemented to the outer casing. When Petersen Drilling spears the liner, it breaks up and they get small pieces but then the debris on the side of the well crashes into the well. Then they can't get their tools in and must send in a camera and then a baler. This is proving to be extremely time-consuming and expensive. There is the possibility to acidify the well and dissolve the cement. However, the problem with that is the cost; they are working on getting a final cost estimate. Don Barnett stated that the reason they are trying to get the liner out is to brush the well and inspect it and then do a chemical treatment, but now we must do a chemical treatment just to get the liner out. They have only been able to pull out 360 feet of the liner since July 6. Eric Hawkes said the cost thus far is over \$100,000. Mr. Hawkes detailed the many difficulties that Peterson Drilling has had in trying to pull the casing out. Discussion ensued about the problems and possible solutions to fixing the well. Mr. Barnett pointed out that one option is just to leave the plastic but explained that there are two reasons they are trying to get the plastic out: 1. To inspect the original casing, and 2. To do the iron bacteria treatment. Jeremy Cook asked that since the gravel was formerly the problem but now that's resolved, if we could acid treat the well and then put the pump back in. Don Barnett replied that it's a possibility to put the pump back in and put a screen around the pump, but without the full acid treatment it could affect the water quality as well as the future of the well. David Bradford suggested that since pulling out the PVC is proving to be so problematic, possibly the best plan may be to do the best we can now and revisit it in a year. Mr. Hawkes explained why it's so hard to get the PVC out and that the cost for doing the acid treatment could be over \$30,000. The well still has artesian flow so another difficulty is finding a way to get the acid to stay down. Mr. Hawkes stated that the District has been monitoring the costs from Petersen Drilling and that they are being reasonable with their costs.

9. Any Items Requested by Visiting Public, Dismiss Public

Getting to know Merrick Wright, a new resident to the canyon.

10. Closed Session

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

VOTE: Unanimous in favor of the motion.

The Board of Trustees met in closed session from 8:57 p.m. to 9:12 p.m. Those present included the Board of Trustees, Eric Hawkes, Jeremy Cook, Don Barnett, and Joe Smolka.

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 9:12 p.m.
