

Summit County Service Area #3
May 20, 2019
APPROVED MEETING MINUTES
BOARD OF TRUSTEES MEETING
629 E. Parkway Drive, Suite 1,
Park City UT 84098

BOARD OF TRUSTEES

Vince Pao-Borjigin, *Chair* Larry Finch, *Clerk* Eileen Galoostian Michael Montgomery
Suzanne Carpenter, *Vice Chair* Robert Olson, *Treasurer* Peter Keblish

In Attendance (Board): Vince Pao-Borjigin, *Chair*; Suzanne Carpenter, *Vice-Chair*; Bob Olson, *Treasurer*; Larry Finch, *Clerk*; Eileen Galoostian.

Electronically: Eileen Galoostian.

Not in Attendance (Board): Mike Montgomery; Peter Keblish.

In Attendance (Staff/Contractors): Marla Howard (GM); Eileen Haynes (Assistant Clerk); Nathan Bracken (Legal); Chris Bullock (Roads Master and Water Operator) arrived at 7pm.

Public Meeting Attendees: Carol Spiegel (Board applicant).

1. Welcome and call meeting to order at 5:43pm:

- a. Review of April 22 meeting minutes: Bob and Eileen made amendments prior to the meeting. At the meeting Larry amended Page two, Item 2b Construction Packets “and create an approval form.” The Chair and board members present tabled the April 22 meeting minutes to clarify statements on the audio.
- b. Approval of minutes: tabled.

2. Administrative & Financial:

- a. Interview for Peter Keblish’s board position: Vince welcomed Carol Spiegel to the interview for the Board position and opened the floor for interview questions. Carol discussed how the Silver Creek area is very similar to where she grew up which was a rural area with farms, she has lived in Summit County for 12 years before moving to East Creek Ranches 2 years ago, she ran her own company for 27 years in Los Vegas, she served on the city council and many boards, placed public art, she has always been a community volunteer, she presently serves on a board in Los Angeles supporting the elderly, she is retired and looking for a way to be contribute. She stated, she has great people skills.

Vince summarized the duties and expectations of a SCSA3 Board member and listed roads, trails, drainage, and water as SCSA3’s jurisdiction. We are not an HOA, we are not the County. We are a public works entity. We do the snow plowing. We do not control the growth of this area or the color of your house etc. We are a government entity so how we go about awarding our projects is tightly controlled. Marla recounted our current staff projects and **offered to send her the budget.**

Carol confirmed she is a full-time resident and registered to vote in Utah. Nathan pointed out, this is a publicly elected position separate from the County. We are a taxing authority. Carol requested information with what is done here and what you are working on. Vince replied, she can look at the “Little Manual” as well as see our agendas and board packets on the Summit County website.

Larry stated, we contract with Chris Bullock for roads and water while snow plowing is contracted with Wolff. We guide the management team. Bob, Marla and Larry serve on a budget committee. We do not have statutory requirement for hearings, but we do for the budget.

Nathan recounted, the position for which Carol is interviewing is to complete the term of a recently vacated seat of Peter Keblish who was a publicly elected trustee. A bond will be taken out on the appointee’s behalf. Although this board was created by the County, it is now a political subdivision of the State who works closely with the County.

- b. General Manager reports (water rights): Marla reported, we have a good water right offered to us at \$17.5k per acre-foot with the understanding we would buy more than one. She has spoken with Scott Clark at Intermountain Water Consulting and authorized him to conduct a valuation up to \$1.6k fee which will be complete within two weeks. Vince is supportive. Nathan stated, there are specific reasons for a closed meeting. The valuation will have sensitive information. He suggests, before we contemplate this, we should get the valuation because you are setting the floor for water right costs for the near future. It has an 1870 priority date which is not the most senior right and it is a surface right from a spring flowing 88% of the time; to convert it to a ground water right year-round, it loses 12%. Bob replied, he knows 4-8 Silver Creek Estates residents with 4-8 water rights which Marla should contact. Nathan noted, many water rights are actually water contracts which are the least desirable.

Nathan stated, he looked at the water right associated with Lewis Park which is an exchange contract. Mr. Lewis originally owned two shares in the Davis and Weber Counties Canal Company, which were the basis of E140. As of 1989, no one knows where those two shares are including the State Engineer. **Marla agreed to check with Davis and Weber regarding the shares.** Nathan found a State Engineer's office record indicating E140 allowed for the creation of a dam. The State Engineer's records also state the dam is unsafe and was breached. In 1960, when Mr. Lewis filed for approval to use Davis and Weber shares for the dam, Davis and Weber objected. His application only pertained to one dam. The real point is: who owns these shares, have these rights been maintained and has the assessment been paid? **Nathan also agreed to have his paralegal map out the reservoir site mentioned in the State Engineer's files.**

Nathan proposed, Marla or he should reach out to Davis and Weber to learn if they have the records for these certificates. Vince stated, Marla should reach out. Nathan stated, back then, they just approved the application; no inspection and no records. Bob stated there were two dams and Larry noted there were three dams; one of those was breached and is located at the end of Westwood Rd known as "the old Beaver Pond". Suzanne stated, there was a series of five dams. Nathan offered to give it to his paralegal. He has a feeling we have an illegal dam and noted, you inherited a problem. He will subject it to a title search. He will give it to his title guy. Vince and Suzanne agreed.

Marla stated, Richard Hunt has approval from Mountain Regional on the condition that he completes the loop on their water line. Right now, they have two closed ends: Valley Drive and Echo Lane. They want him to pull the water line up Silver Creek Road and down Valley Drive to connect to Mountain Regional. Bob is very supportive noting, the improved circulation will make our water more pure. Marla noted, he will need to get a permit, and this will affect our roads: Echo Lane, Silver Creek Road and Valley Drive. Vince replied, we have a "no-cut" arrangement with the County.

Larry requested the following information be included in the monthly water report: the number of properties connected to our culinary system and the number of properties on standby.

- c. Financial report and fund balances: Marla presented Financials dated April 30, 2019 noting the Enterprise Fund is down due to some higher expenses such as our Engineering Fees for our two projects. She stated, the cash-on-hand for the General Fund is down about \$60k due to higher Snow Removal expenses over \$74k for 2018-2019 fees. **Larry noted we need to revisit our Capital for Roads because the Wasatch Way Project is coming in at nearly \$120k while we only have \$82k in cash-on-hand. What other capital projects are under consideration not currently in the Budget? Bob, Suzanne and Vince agreed.**

Larry inquired about 5944 and 5945 under the Enterprise Fund. Marla replied, 5944 and 5945 are required under the current bond. Larry asked, why do we have two funds that are identical? Marla replied, 5944, is to pay our annual bond payment while Fund 5945 is required to have at least one year's balance of our annual bond payment acting as insurance. Larry noted, 5945 appears to contain 2.5 times what is required. He directed Marla to reduce the funds to one year and move the balance into Capital with the approval of our Auditor. Marla confirmed, the balance should be \$9k in each which will free up \$22k for Capital. **Larry motioned to authorize the Treasurer to right-size the PTIF Accounts 5944 and 5945 to equal the one-year Bond Payment Requirements as per the bonding agency and move those excess funds to PTIF Account 5946. Suzanne seconded this motion and approval was unanimous.**

Marla stated, the Audit will be completed this week. Also included are the Expenditures for April for Board review. Bob stated, for the record, Larry is more familiar with this than he is. Marla stated, at our June 17th Board Meeting, our Auditors will be here to present the financial statements and answer your questions.

Larry directed Marla to prepare a financial report regarding Mountain Life Church (MLC) Time and Expenses, email it out to the Board and include it as a regular item in the funding report.

- d. Invoice review: Larry noted, regarding Invoice 11084 from TCB Landscaping, April Road Management, *line item 409 Road Manager Mountain Life Silver Creek \$52*, belongs in the MLC section. Bob noted, Invoice dated April 22nd, for *Church CUP Board Meeting \$122.50*. Larry and Marla noted, this charge will be applied to our Impact Fees. Several other TCB invoices have charges that Marla will review for application to MLC. Larry stated, he would rather have the invoices corrected or short-pay them to allow for voting tonight. **Vince stated, Marla and Chris need to get together. Larry agreed, noting he does not want to sort this out at a board meeting.**
- e. Open house update: Marla stated, she would like to contact the Wasatch Chapter of Back Country Horsemen of Utah about doing a presentation. Suzanne noted, this would be about education. Marla stated, we have confirmed the participation of the Park City Fire Department who will do a 20-minute fire safety presentation. We will also do a brief introduction of the office staff, our accomplishments and goals for the year, Hansen, Allen & Luce (HAL) will talk about the two projects they are managing for us. Vince and Suzanne discussed the advantages of how to stage manage the open house presentations with an opportunity to ask questions. **Larry stated, the open house should explain our jurisdiction.**

Suzanne asked, do we want to give out a draft copy of our strategic plan? It was decided that it needs additional work before we present it our constituents. **Vince suggested, we put out a card with important contact and link information but not each board member; emergency numbers for water, links to Summit County Website for all SCSA3 information.**

Eileen stated, the Open House outline is striking because it is all about Water. We should include something about the roads and trails. Everyone agreed. **Larry directed Marla to put a notice about the Open House on Nextdoor and at the Mail Center.**
- f. July board meeting discussion (Strategic Planning): Marla stated, we really struggled to have a working meeting regarding the Strategic Plan and proposed July 15th. **Vince directed Marla to send an email to the Board with the proposed date.**

3. Water:

- a. Fire flow discussion: Marla reported, we met with Ben Miner (HAL) and sent out the bid. Marla placed an advertisement for bids on the overhead. We are having a mandatory vendor meeting on May 28th. The vendor must complete the underground pipe upgrade at the intersection of Wasatch Way and Redden Rd prior to our planned paving of Wasatch Way from Silver Creek Rd to Redden Rd. Vince asked, what Board members plan to attend? Larry and Bob stated, we can only have three or less by law. No Board member indicated they will attend. Our fire flow plans have been filed with the Division of Drinking Water.
- b. Arsenic filtration pilot study update: Marla reported on a meeting with *Michelle De Haan, Park City Municipal Water Quality and Treatment Manager* who is highly regarded and considered the premier expert in *Arsenic*. She attended our meeting with HAL last week as we reviewed our options providing invaluable insight to our situation. She advised, we either do coagulation or absorption. We do not have the same type of arsenic problems as Park City Municipal. Unlike Park City, we have very little *arsenite*, which is the liquid form of arsenic. SCSA3 has *arsenate*, the solid form of arsenic. We have higher silica levels, at 52 mg/liter as reported by ChemTech-Ford Laboratories, which must be addressed.

Our three bidders are West Tech, Filter Tech and Pureflow. Pureflow proposes a *coagulation* method which introduces acid to bring the PH down, then introduce a base to bring the PH back up. There are hazards associated with this method. We do not have the heavy metals that Park City is dealing with. Michelle advised against this option because it is overly complex to use and, based upon our chemistry results, it is unnecessary for SCSA3. She feels the adsorption method as proposed by Filter Tech and West Tech is suitable for our purposes. **The committee elected to focus on the adsorption method for future project**

proposals, eliminate the coagulation method from further consideration and is endeavoring to standardize the methodologies and standards of submittal for the purpose of considering project proposals. Marla and Larry affirmed the 'green sand' is an adsorption method which is under consideration.

Vince replied, the adsorption media is shortening the life of the arsenic. As the committee walked thru the process, we were mindful of labor intensiveness and safety. A positive aspect is the technology is the gold standard and not a new technology. Vince noted, she also made us aware we may not need to do an on-site expanded pilot study. Rather than taking many months, we could do this in 1-2 weeks in a lab. He observed, a pilot study is not an actual State requirement but a recommendation. Suzanne noted, we are trying to build something small-scale to extrapolate for a larger infrastructure. Larry stated, this is not his understanding. He was under the impression the on-site pilot test was 2-3 weeks maximum and then we send them water for the off-site column tests. Chris replied, the rapid-column test is small scale and would fit inside our pumphouse. Marla replied, it is important to perform testing, so we spend our money appropriately. There are studies that we can do to shorten the testing window. Ben Miner, from HAL, noted the standards must include every property (wells, standby and connected) as if they are already connected. Suzanne objected, noting there is no way some of the upper lots will ever be connected. Vince noted, we want to understand what our maintenance costs are going to be. One of the advantages of adsorption technology using silica is it will soften the water a little bit.

- c. Request for relief: Marla presented a relief request for Lot SL-H-487. They repaired the leak and have provided repair receipts. Their bill for that month was \$1,000 and they are asking for relief of \$691.34 which is the maximum permitted according to SCSA3 policy. The usage volume meets our thresholds. Because they were proactive, Marla recommended approval.

4. Road and Trails:

- a. Mountain Life Church (MLC)-Silver Creek Road construction update: Chris reported, we did not receive an update from MLC and Alliance Engineering (MLC's engineer) and directed the Board's attention to an enclosed Staff Report and a letter from Snyderville Basin Water Reclamation District (SBWRD) which list some problems and stipulations with the sewer installation and the results of a video inspection of the sewer line concluding they will continue to hold their bond until the finished work is satisfactory. Vince asked, do we know the cause of the silt and debris visible in the video? Chris replied, it appears to be due to construction. There is only one residential property hooked up to the sewer right now which does not provide sufficient waste to clear the line. When MLC connects, which is the recommendation, the debris will move. Larry asked, why hasn't the Roads Operator sent a similar letter from SCSA3 to MLC? What date did you meet with MLC? **There should be a follow-up letter, shared with the Board or the Board Chair at the very least, after every meeting with MLC detailing all the particulars: date, participants, items discussed, documentation, action items, due dates etc. In the future, Larry requested reports from these types of meetings with a follow-up letter to all the participants outlining the action items, approvals or issues. He has reviewed the MLC file and believes we are not properly documenting action items and meeting follow-ups. Vince requested, all such communication should be copied to the Board. Chris replied, he will send out such a letter tomorrow May 21st. Marla stated, she will ensure this occurs. Suzanne concurs, stating if the MLC Engineer is not returning our phone calls, we should notify MLC and ask them to respond in writing.**

Suzanne stated, the materials provided do not document what will happen with the trail repair. Larry requested staff follow up on last year's punch list. What happened with them? Vince suggested, the SBWRD letter is a good template for our communication noting we can't delay our follow-up because it will ultimately delay the project completion.

- b. Trail work proposal review and discussion: Chris presented the Summary Assessment of Trail Conditions and Estimates. Eileen asked, will you put in some culverts where running water washes out the trail? We repair this every year noting running water makes it impassable. He directed Eileen to the Optional Repair section of the Staff Report which are for Maple #1 and #2. Chris reviewed the Staff Report and made a correction noting "Redden \$3.5k." will "not" extend the culvert.

Eileen stated, on Silver Creek Rd near the Mail Center, the trail is being damaged by those driving on it. Please do something to prevent drivers from disturbing the crushed limestone over dirt. Chris replied, we could put a boulder there. Marla stated, we don't want to put Lacey's monument there because it may get clipped by the snowplow. **We will come up with something to prevent drivers from cutting that corner.** Eileen noted, on Westwood Road from Silver Creek Road to Lewis Park, there is a lot of crushed limestone missing in front of one house and weeds are growing in the trail. However, Bob reported he inspected those areas and has determined there is sufficient limestone. He also reported extensive weed growth on Redden Road between Brookwood Drive and Maple Drive. **Chris replied, he will treat the weeds and the proposed budget covers repairing that section of the trail.**

Larry noted, our summer Maintenance Budget has a budget of \$10k; how does the \$4,500 fit in? Chris confirmed, the Staff Report for Trails proposes an amount that is in addition to the existing budget which will meet the anticipated additional summer demand. A discussion ensued regarding the current budget and that there are no funds leftover from last year.

Eileen asked for status of Redden Road reporting many big rocks. **Chris stated, he will remove the rocks and he confirmed the budget proposed in the Trail Report includes funds for scraping the trail and applying crushed limestone.** Eileen stated, there is no limestone on either section of Redden Road from Brookwood Drive down to Westwood Road and from Westwood Road to Maple Drive along the S-Curve. Chris replied, he will revisit those areas. Eileen stated, please do revisit because we had agreed last fall to postpone these corrections to this year due to winter's arrival. **Chris will verify.**

Suzanne noted, we set aside some Capital. Can culverts be considered Capital? Larry replied, after Wasatch Way we will have left \$82k in Capital given our budget shortfall. Eileen stated, we have to do something to protect our assets. Vince replied, we are doing something; we just can't do it all. Chris observed, culvert extensions have always been included in the Roads budget, but he considers the roads and trails budget the same budget; it's all General Fund. Vince agreed. Larry asked, are we doing chip seal under Road Maintenance? Marla replied yes. Larry stated, there is \$77k remaining in that budget. How much are we spending on chip seal? Marla replied, this includes grading and dust control. Chris replied, our chip seal budget was \$30k. Larry asked, have we contracted for chip seal this year? Marla and Chris replied, no. Larry asked, what is our bid for dust-control? Chris replied, to send out chip seal for bid, we need to know our dirt road linear mileage exactly. Larry noted, we are supposed to do so earlier this year. Bob concurred. Suzanne replied, we need to make some decisions tonight. Marla pointed out, we have competing demands. Larry noted, it seems like we are behind. **Vince proposed, let's quickly go through all the Road and Trail issues then prioritize.**

Eileen asked, what do we have budgeted for Trails in our Capital Budget? Larry replied, we have nothing budgeted this year. Suzanne disagreed, she believes repurposed Capital money was set aside for Trails. **Vince observed, we are going to need a follow-up meeting to focus on this. Eileen asked, are we going to require Trail RFP's? Marla replied, yes for some of it depending on what we choose to do.**

- c. **Road Maintenance and pothole repair plan and status:** Chris presented a Trails Report for Agenda Items C and D are together: pothole repair is on the slope of the hill. Marla inquired, what potholes have you repaired so far? Chris replied, Wasatch Way, Westwood Road, Aspen Lane, Redden Road and some on the Pace Road and Highfield Road. Chris reported, a significant amount of cold-patch has filled in Silver Creek Road and compacted and will be charged back to the church. Larry noted, there was only one pothole invoice included for general application. Chris will review and correct. Suzanne reported, she observed potholes going up Silver Creek Road including one at Silver Creek Road at Westwood Road forcing drivers to swerve. Chris replied, that area requires corrective engineering. We could pulverize and overlay it, but it is building up and bridging over the issue such as springs and wetlands. Larry noted, there is a spring in there. The last time we applied roto-milled and asphalt in that same area, the correction lasted 20 years. Chris replied, on the Silver Creek Road hill, it would work because pulverizing it and laying 3-4" of asphalt is a significant improvement over the work performed last time. Suzanne stated, we can discuss that for 2020-21 but, in the meantime, **we should get that filled in. Chris replied, we need one day of no rain.** Vince asked, would it make a difference in pothole repairs if a vibrating compactor was used? Chris replied, yes it will on some of the deeper ones, such as at the Church, but not on the small ones. **Suzanne noted, the**

pothole on Silver Creek Road, north of Westwood Road, is fairly recent, growing deeper and needs more effort. Chris replied, the major potholes from winter damage have been filled in. Chris reported, he has a small plate compactor and will incorporate it more.

- d. Aspen Lane/Silver Creek Road maintenance: Chris presented Advanced Paving and Construction's 3-option proposal for Aspen Lane distributed at the meeting. The condition of the front portion of Aspen is acceptable however, from Sagebrush Place to the last two homes at the turnaround, the condition has completely deteriorated and will require pulverizing, regrading and installation of \$15.4k sf of new asphalt. Vince asked for update regarding drainage in that area. Chris replied, no major drainage problems are occurring. There are minor problems which can be addressed with a mini-excavator and correcting some culvert issues with extensions. Larry asked, have you considered roto-milling, oiling and rolling? Chris will ask. Larry inquired, can you pulverize then oil? Chris replied, yes, with a chip seal on top. Vince asked, what time do either of these options buy us? Chris replied, Aspen Lane was roto-milled in 2009, which has survived until 2019. Suzanne added, like several of the upper roads due to drainage etc., Aspen Lane only requires roto-milling and chip sealing.

Chris reported, the Jeremy Ranch turnaround contractors have offered us 6.5k tons of free roto-mill from that project in July 2019. They will deliver it anywhere I want at no charge. Larry remarked, the only problem is we have to pay someone to apply it. We saved \$20k from the Wasatch project. Chris replied, however, we don't have the raised crosswalks accounted for which are \$5-8k each. Advanced has not quoted the crosswalks at this time. Larry requested Chris get the quote. Chris agreed.

Suzanne noted, the last time Aspen Lane was paved, it was paid for by the residents on the condition that the Service Area maintain it but what type of maintenance did the Service Area agree to perform going forward? Certainly not asphaltting. Chris replied, at a bare minimum, he recommends we asphalt level-course that costs \$8,200 then have Advance rake out the pulverized from the lower driveway to the turnaround, then grade and compact that, adding roto-mill at the end. After that, we apply chip seal maintenance going forward. Suzanne agreed, stating if we don't do some level of chip seal it will degrade further and cost more next year.

Vince reported, Bob will not comment on Cottonwood Trail. Larry disagreed stating, Bob represents that area. Bob replied, he will not vote in favor of spending money on Cottonwood Trail when we other roads in poorer condition. Suzanne agreed. Aspen Lane is worse than Lower Redden Road. Larry replied, Lower Redden Road is a major thoroughfare and collector road while Aspen Lane serves 11 homes. We are down \$82k in our reserve. How do we balance competing priorities? How do we choose what gets done and what gets deferred? Suzanne agreed. Vince noted, we are addressing a perpetual problem with the roads. He wants to hear Chris' thoughts and recommendations. Chris replied, the bare minimum recommendation would be that we level-course and chip seal a portion of it then pulverize and roto-mill the rest.

Larry asked, what would it cost install 3" of roto-mill then oil it? Chris estimated \$30k due to the free roto-mill. Vince asked, are you recommending we roto-mill the upper section. Chris replied yes, then add an optional chip seal across the top portion. Right now, to chip seal the entirety of Aspen Lane will cost \$23.7k. We might be able to get it down to \$50k if we remove the asphalt. Instead of a \$1.95sf the unit value will reduce to less than \$1sf.

Vince asked, what do we lose if we delay to next year? As we continue to polish and figure out our strategic plan and budgeting for the next year, might we be better off to finish that process which may yield improved decisionmaking returning the following year to make these decisions? Larry replied, that is the bottom line. Assume we have equal funding next year of \$436k. We have \$82k in Capital so we are behind right now \$166k, including \$120k for Wasatch Way. That debt will end in 2019. The only thing we carry forward to next year, is the \$82k in Capital, which may be used this year because we have \$77k in maintenance. He doesn't want to have our Emergency Fund/Capital Reserves go under \$80k. He proposed, we receive \$110k in Class B Road Funds. We are eligible to bond for up to \$55k. That number will decrease over time. If we don't bond this year or next year, the potential pool of money will decline such that it won't be worth it to take advantage of bonding. Larry proposed, let's have Marla investigate this process if we put out for a \$50k per year bond payment, how much money does that get us over 10 or 20 years? He estimated that will

give us \$400k. What could we do with that money to fix Aspen and Tollgate? We will get more than 10 years of life out of those roads.

Nathan noted, you need to have a public hearing but not a public vote because you are not increasing property taxes. Larry proposed we raise the tax rate. Bob stated, we haven't raised taxes in eight years. Vince stated, residents do not want all of our roads pristine. We want a rural community. Suzanne agreed, stating we shouldn't be paving roads unless we can maintain them. Vince replied, it is going to take some time to identify. Larry stated, we need to update the LTAP study as soon as possible. If we don't have to go to a public vote to allow the Service Area a reasonable budget in order to meet our goals related to trails, traffic calming and work on all of our issues then we should consider it. Class B Road Funds are intended to supplement our budget to get the job done. Vince agreed, noting other areas of Park City are just as bad if not worse than ours. Bob replied, so are the Salt Lake Valley roads.

Vince proposed, rather than reacting to just these projects, we should look at bonding, updating LTAP and critical needs. Suzanne replied, speaking as a resident of Aspen Lane, the potholes on it make it unsafe for travel. There is barely one lane providing safe passing and the trailhead brings increased traffic. The potholes need to be filled and graded. We need to prioritize maintenance to improve safety for our residents over maintenance to 'polish' our roads.

Eileen asked, can we reduce the spending on Wasatch Way and divert that money to Aspen Lane? Larry replied, no because Wasatch Way is a collector road. If we can improve Redden Road, we might see a reduction in use on Wasatch Way. Vince noted, Wasatch Way wear and tear has gotten excessive and the number of cars on it has increased. If we apply a short-term maintenance method on a high demand road, it will not last very long and ultimately cost more money. We are trying to balance the number of residents affected versus the dollars spent. One proposal to repair Aspen Lane, serving very few residents, costs as much as the proposal for Wasatch Way which serves many more residents. Eileen asked, is there a reason we can't apply roto-mill instead of asphalt on Wasatch Way and wouldn't it be less expensive? Chris replied, it would be less expensive if we pulverize it and apply roto-mill but the high traffic from Greenfield Ranches and other roads create too much demand on the road. Eileen asked, so you are saying an asphalt road will last longer than roto-mill. Chris replied, yes. Larry stated, we will get 20+ years out of Wasatch Way. Marla noted, we need a consistency and continuity to the repairs otherwise unrepaired areas will undermine the work performed.

Vince noted, we need more time to think this through. **He suggested, Chris make recommendations for the upper part of Aspen Lane to buy us some time and then, using our current LTAP, you and Marla draft proposal prioritizing the projects we could accomplish with bond money and our Class B Road Funds. Then we have a short 1.5 hour work session to discuss nothing but these near-term road projects. Chris agreed.** He stated, he just received a text message from Advanced who is quoting \$25.2k to both pulverize and compact all of Aspen Lane. Without oil, we will be back to a dirt road within one year that will need grading and dust-control every year. Nathan asked, was the Aspen Lane maintenance agreement done in writing? It depends on the deal. He would never have recommended you allow residents to pave our roads. Did you agree to perpetual reinstallation of the road they installed or just to maintain the life of that singular installation? **Vince suggested Bob talk to VJ Petitt.** It was done on 2009 and we have provided maintenance including chip sealing and repairing potholes. **Larry asked Marla to reach out to Zion's and Public to get their quotes. Vince noted we are better off taking a little more time to consider.** Eileen agreed, we need more time and we need to discover what agreement, if any, is in writing and incorporate that into our plans. Vince noted, there is a nationwide trend to go back to dirt roads and gravel. Larry disagreed. Eileen suggested, let's do a study.

- e. Stamolis request for Lot 137 street vacation and paving – lower Cottonwood Trail: Chris stated, we have carefully reviewed the conditions and it doesn't need to be done. Marla stated, the current condition of lower Cottonwood Trail is one of the better roads in the entire subdivision. This road is in really good condition with one narrow 100-foot section somewhat muddy but also easy to avoid. The applicants believe they are entitled to a paved road. They think the road going into their property is their driveway, however it is a public road. They want us to vacate it, but the County and code requires us to provide a cul-de-sac.

Larry noted, they have a private drive sign in the ROW, and they have poured concrete footings for a gate. Vince directed staff to notify the property owners they are encroaching in the ROW.

- f. Westwood Road Cul-de-Sac update: Vince noted, we need to follow the Code carefully. Marla reported, it must be 100-foot cul-de-sac according to fire code. Lot 139 is the violator by placing landscaping in the ROW. Moving the cul-de-sac to accommodate their landscaping may require compensation to Lot 141 due to shifting the ROW further into their property. The Fire Dept was very firm, the cul-de-sac may not be reduced. This is not a private road, it is public. Nathan advised, you could spend a lot of money fixing an encroachment that accommodates a private party's desires but at the end of the day you should ask them to remove the encroachment according to a legal platted document. Marla stated, we will copy the County on the letter to formally notify them of Lot 139's encroachment.
- g. Revised Road Policy discussion: Nathan stated, we need to get the revised road policy in place for the construction season. The draft resolution presented tonight excludes the fee schedule and deposit schedule allowing the board to focus on policy. The fees and deposits can be added later. It retains whole paragraphs from the current document. It defines construction activities such as knocking down a wall, building a new house or making an addition to an existing structure. Larry observed, the proposed document simply states "walls"; it doesn't specify interior, exterior or load-bearing. Marla stated, the intent was a change to an exterior wall triggers Service Area review. Vince described a remodel that did not change exterior walls but converted a modest property into a mega-mansion worth six million taking over two years to complete. Bob agreed, observing two houses in his neighborhood are doing the same thing. Nathan has included a definition of "construction activity". The proposed policy states it has to be a construction activity exceeding a certain dollar value and requires a building permit. The current fee schedule remains in place for now. Suzanne reviewed Section 4.1.2 and a discussion ensued about roads built not according to the plat and asserting authority over ROW. Nathan replied, this is going to require a case-by-case analysis. When we fix these, we are not going to keep the road in error. When you get to an enforcement action, you have to evaluate the situation. We don't want to remove that as a negotiating option to acquire trail easements which we have used successfully in the past.

Nathan asked, are we retaining "walls" or changing it to "exterior walls"? Vince replied, we are retaining "walls" and we will take care of remodels in the fee schedule.

Larry asked for an update on several projects:

- relocation of crosswalk at Parkway Drive: Chris replied, we need additional 20-feet of asphalt to connect across Valley Drive which we do when the asphalt arrives for Silver Creek Rd.
- new house on Redden Road made roadcut for electricity: Chris has notified property owners several times. They filled in the dip, but it continues to deteriorate. At the time of their road inspection, Chris told them he will require them to repair the roadcut.
- Jonas driveway: Marla replied, we have tabled this action until the easement is in place. The board directed Marla to write a letter requesting documentation of the easement and copy the chair.
- Eileen asked, what is the capital outlay for trails? Vince replied, the trail capital outlay for 2019 approved last November is zero, however \$10k for trail maintenance was allocated. Marla stated, the plan is to readdress trail capital outlay every year at the time we review other capital outlay projects. Vince recommended, in the meantime, Eileen should meet with Chris to identify future projects. Larry replied, we did that in the Trails Plan and have rough estimates however, the way it looks now, we are not going to have capital to do anything next year. Eileen stated, we are going to have to figure out something because we can't keep putting it off. We have roads, people can drive; we don't have trails. Suzanne disagreed; some of us think the roads are not as passable as we would like. Vince suggested, we look at developing more trail capital when we consider bonding for road improvements. We all agree road and trails go hand-in-hand. We have added a substantial number of trails to date. We have to remember, as we add trails, our trail maintenance budget will need to increase which may impact trail capital outlay in the future. Eileen replied, we have to do something to keep ourselves safe. The way people drive within the Service Area is a nightmare. Vince replied, he agrees and somewhere in there is a balance between safety and plastering the Service Area with trails. Suzanne agreed, we need

to control driving speed, but we can only do so much. We need to strive for safety among all our road users: cars, pedestrians, bikes and horses. Vince agreed; he is a pro-trail guy but also a balance guy. Eileen replied, last year we paved roads we shouldn't have paved, we have abdicated our trail responsibility and now we don't have enough money to fix Aspen. She is not going to approve any paving of dirt roads. We can't afford to maintain the paved roads or trails that we have but we also can't afford to lose people because of our failure to keep them safe. She knows we can't do everything, but we can do the right thing and have a balance of money allocation between road and trail maintenance.

Larry motioned to go into Voting which Bob seconded. Support for this motion was unanimous.

5. **Public Comment:** No public attendees.

6. **Closed session:** Closed session did not occur.

7. **Voting:**

- a. Replacement for Peter Keblish's board position: Larry motioned to nominate Carol Spiegel which Suzanne seconded. Bob stated, it is wise to have an East Creek Ranches representative on the Board. Support for this candidate was unanimous.
- b. Invoice approval: Larry motioned to approve all the invoices as presented with the exception of TCB Landscaping Invoice #11081, until we are provided with clarification and adjustments regarding MLC, and we short pay #11084 by \$52.30 pending clarification of MLC which Suzanne seconded. Support was unanimous.
- c. Request for relief approval: Suzanne motioned to follow staff recommendation for relief approval as presented by staff which was seconded by Vince. Support was unanimous.
- d. Road policy approval: Larry motioned to accept the Road Policy as presented by Nathan and seconded by Suzanne. Support was unanimous. **Nathan recommended the Board direct Marla prepare, and the board adopt, an internal policy acknowledging our jurisdiction over conflicting ROW but practically we only enforce one ROW and will work with the property determine which ROW.** Suzanne seconded this motion. Support was unanimous.
- e. Road maintenance and Aspen Lane maintenance approval: deferred.
- f. Trail RFB/vendor approval: deferred. **Vince recommended that Staff and Eileen develop a priority list for Trail.** Suzanne stated, don't forget about weed spraying which will be done three times according to Chris.
- g. Other items discussed during the meeting: no other items.

8. **Adjournment:** Larry motioned to adjourn which Suzanne seconded the motion. Support for this motion was unanimous at 9:09pm.