

**Summit County Service Area #3**  
**June 15, 2020**  
**APPROVED MEETING MINUTES**  
**BOARD OF TRUSTEES MEETING**  
**629 E. Parkway Drive, Suite 1,**  
**Park City UT 84098**

**BOARD OF TRUSTEES**

Suzanne Carpenter, *Chair*  
Hally Hanssen, *Vice Chair*

Scott Sharp, *Clerk*  
Dinah Clissold

Vince Pao-Borjigin

**BOARD Present:** Suzanne Carpenter; Scott Sharp; Vince Pao-Borjigin; Dinah Clissold; Hally Hansen

**Absent:** - - -

**STAFF:** Robert Olson (Interim General Manager); Eileen Haynes (Assistant Clerk).

**CONTRACTOR:** Chris Bullock (Roads Master/Water Operator); Nathan Bracken (Legal); Gary Horton (Engineer); Dalton Gaither (LTAP).

**PUBLIC:** Rick Angel; Eileen Galoostian; Scott Sharp; Lisa O'Malley.

**ELECTRONIC:** All participation occurred through the Zoom platform.

**1. Welcome and call meeting to order at 5:30 pm**

- a. Review of May 18, 2020 meeting minutes: No comments offered.
- b. Approval of minutes: Dinah motioned to approve pending meeting minutes as revised by Bob which was seconded by Scott. Approval was unanimous except for Vince who abstained.

**2. Public Comment:**

- Rick Angell (Lot SL-C-286): Rick stated he sent an email last week regarding his concern about speeding in Silver Creek. As more people move into the area and must stay closer to home due to travel restrictions the problem is becoming more prevalent. It may be time to affect the recommendations from the 2017 LTAP report. He believes speed bumps are the only way to fix this problem. He is aware of a minority who vociferously object to speed bumps, but we shouldn't let complaints about their inconvenience stop their installation. It is time to install them. There has not been an indication from the fire department that speed bumps effect emergency response times. In fact, if emergency response time was a serious concern to the fire department, they would have raised that issue more in their discussions with the County regarding the Bitner Rd Connector. There was no concern when the County chose the slower connector alternative which was slower by several minutes, much more than a potential slowdown of emergency vehicles caused by a couple of speed bumps. Speed bumps are the only solution. We need to get active and in front of this issue because it is both a safety issue and it diminishes the enjoyment of our wonderful neighborhood. We shouldn't allow our experience of living here denigrating by those who choose to behave poorly and speed through the neighborhood.
- Eileen Galoostian (SL-E-286 and SL-E-287): Eileen G. stated she concurs with Rick. She would like to see speed bumps. She has horse trailers and is happy to ride over a speed bump if it makes recreating in our neighborhood safer. She said she primarily called in to discuss trails and was happy to see the staff report Chris wrote. It addressed many of her concerns. Regarding the fire hydrant extension on Maple, if it's in the trail and you can do it, she supports its relocation. She is unsure which fire hydrant is under discussion. Dave, from the Summit County weed department, has come out several times. He told her weed mitigation must be initiated in May. **She asked if any weed control efforts were employed by SCSA3 in May and could SCSA3 make that a priority every year going forward in May?** She observed a significant amount of weeds going to seed. Regarding the Redden Rd Trail, she requested SCSA3 use the gray crushed limestone that is used on the other trails. What is on Redden Trail right now is very rocky. She understands the Kilgore mine might not have the preferred limestone right now, but **begged Staff ensure the correct crushed limestone is applied.** She approved the proposal for Staff to perform a monthly trail drive-by inspection to identify trail encroachments. There is a sprinkler in the trail with a bunch of rocks around it in a narrow area right before a culvert. She supports the culvert extensions which also aid in protecting trails. The trail is still going into the road at Redden, acknowledged SCSA3 was working on some issues with that last year and requested the status. T-posts are all over the trails and all over the place at random locations. They are leaning into the trail. They are dangerous. **She would like them**

removed and replaced, if needed, with something safer. Their purpose appears to be to indicate a fire hydrant. She is aware of one horse who died from a t-post in Lewis Park last year. As you clean up Lewis Park, she requested the removal of t-posts and barb wire. The horse died due to tripping over barbed wire and landing on a t-post. The rider was lucky the horse didn't fall on him.

Eileen G stated she hasn't seen much on any communication from the Service Area. Eileen H reported to Eileen G that Nextdoor is not letting Eileen H post on Nextdoor any longer. It was nice when she was doing it before. She did a great job, informing the neighbors and had a nice way with words.

Eileen G stated she didn't notice a second quarter newsletter. Did it come out and she missed it? Suzanne replied we have not done a second quarter newsletter yet. Eileen G asked don't you send one at the end of March. Suzanne replied the second quarter ends in June so that will be our next one.

Eileen G stated she noticed in the report there are no new trails, just trail maintenance. She believes we should get our existing trails in good shape. If there is a choice, she prefers the trail budget is spent on making the current trails nice so that they will last longer. She understands there are budget limitations and we can't do everything. Silver Creek Trail needs works because it is used a lot.

- Scott Sharp (SS-18-D and SL-F-314-A): Scott stated he is commenting as a citizen not as a board member. He is opposed to speed bumps and calls them 'stop bumps'. You can't go over them at the speed limit. You must slow down. You must virtually stop. Trailers must crawl over them. People often speed up after the speed bump causing noise and pollution problems. He shared his experience with a speed bump on Westwood Rd last year when he was riding his road bike. Road bikes cannot get on the trails due to gravel, weeds and horse poop. He crashed because he had to traverse a temporary speed bump, the kind that are very steep. There was a gap of 2-3 inches he attempted to go through. He didn't make it – he crashed. There are problems with them in that sense too that the few road bikers have to really navigate them carefully so he wants to learn from our road engineer, Gary Horton, if they really do work and are effective between speed bumps.

Suzanne replied she agreed. It will be interesting to hear from the road engineer on the right kind of design. There are ways to design it, so they aren't stop bumps and they don't create hazards for road bikers. Rick Angell replied, the 2017 LTAP report does recognize speed bumps. The design remains to be discussed but the report identifies speed bumps as the workable solution for speed. If a lower grade speed bump is installed, then we need to ensure they are done in a series because drivers will drive over them at speed. If it is inconvenient for drivers to slow down below the speed limit, it is a price we all pay to address speeding far above the speed limit. We don't want to be a prisoner of those who do not want to observe the speed limit. As somebody who also bikes and has children and equestrians, if we facilitate those higher speeds, we are all opening ourselves to a lot of risk. Eileen Galoostian stated she has no problem driving over a speed bump with her horse trailer.

- Lisa O'Malley (SL-A-23): Lisa stated she is new to the neighborhood on Oakridge Rd North. She is remodeling the house right now, so they have not moved in yet. She has some problems with the road. Her issue is that she had a contractor come out and look at repaving her driveway. Where the driveway meets the road, the contractor said it doesn't do any good to repave her driveway because the snowplow will destroy the driveway because it is so eaten away where the driveway connects with the road. She asked if it all is on hold until next year. Suzanne replied paving is very expensive but that doesn't mean there isn't repair. She requested Chris Bullock schedule time with her to discuss her project and coordinate any work. If there are concerns about the intersection of the driveway with the road that we provide Lisa with recommendations for how to create a successful interface. We can work with Gary to help create that transition zone. Lisa replied that would be great. Suzanne agreed to send Lisa an email.

Lisa stated she is not aware of what is covered by HOA fees. She is assuming that all road repair is included. She wondered what else is covered by her HOA fees not by the County. Vince replied we don't have HOA fees here in Silver Creek Estates. SCSA3 is a spin-off of the County. Please keep in mind that we have a limited budget and we are responsible for 26 miles of roadways. Our budget gives us very little to play with. We are working with a couple of different groups like LTAP and with Gary to help us maximize our dollars to do the most that makes sense. For the longest time our roads were not built to regular standards. It was a development that was turned over to the County. All of us adapted to current road conditions. Many of the roads were not built well so we are constantly doing quick fixes to get by. When he moved in 6-7 years ago his neighbor told him he had moved into the rural side of town and our roads are never going to be perfect. It is part of the charm. One of the things we constantly must manage is to consider what is best for the neighborhood but not change the character too much. We are not an HOA so you can do whatever you want with your house.

Lisa replied she wondered if she needed to get any sort of approval, but it sounds like she doesn't need to. Suzanne stated there are certain things you need to do if you are remodeling such as any new driveway or driveway repair. Our responsibility is roads and water so anything dealing with roads and water. For example, how your driveway interfaces with our road you must work with Chris.

Nathan introduced himself and stated one thing that many people do not realize is that water is extremely scarce in the Service Area. He asked if she was in upper or lower Silver Creek and is her property connected to the water system. She replied they have a well. Nathan stated for most of the upper section lots, the Service Area owns the underlying water rights. You get a one-acre-foot allocation from SCSA3 and we hold the water rights in trust for you. It is an odd situation and is unique. Most remodels don't create too much of a problem but sometimes we have had remodels that greatly increase their water demands of the lot and sometimes they require more than one-acre-foot allotment. Lisa replied, she is only doing interior remodeling as well as a covered deck. Nathan replied she will be fine. Lisa added there are no plans to increase the landscaping. She pulled out a couple of trees in the back to build the deck. Nathan replied some new homeowners build accessory units or a guest house or put in a commercial use or put land into irrigation. They understand the situation with water, but you sound like you will be fine. Lisa replied if anything like that comes up, she will contact the Service Area.

- **Gary Horton (SL-A-39):** Gary Horton, WCEC Engineer and resident stated regarding traffic calming when he was in the Summit County Engineer's office this was an issue everywhere. While he was working at the County, they came up with a process to implement traffic calming measures. There was a 3-4 step process in place. We investigated traffic calming. Everybody always complained it was 'others' driving through the area. As we did more research, 99% of the time the speeding issues came from the people who lived there. It's not the visitors because they generally don't know where they are going, so they tend to drive a little slower. It believes it is the same in the Service Area. He is concerned as a resident as well. On a few occasions his 15-year old son was passed by others driving down Silver Creek Rd while he was obeying the speed limit. As a resident and as a parent there are concerns and the message has been sent. However, to construct traffic calming items is very expensive. Once you start down that path, it is an expensive way to calm traffic.

At the County we employed other measures first. We can discuss those measures more in the future. You can also find it on the Summit County website. With the County we started with a survey and an education of the residents about the problem. Unless a specific person is identified, it is a community-wide type of a survey/education. Depending on the response that came out of that, we began a discussion regarding traffic calming. A survey requires a certain amount of positive responses, so it wasn't just a minor vocal group trying to implement changes. 50% of the group or more must agree there should be some traffic calming measures implemented. Because construction is so expensive the next step is to have people become a "driver example". You place a sign in the rear window stating something like 'this driver observes the speed limit and please follow my example'. The purpose is to draw attention to why the driver the driving within the speed limit. Even Gary, being a resident, has at times driven above the speed limit. Such a sign will make a driver more conscious of being obliged to follow the speed limit. If there are still issues, we proceed with additional education. We may consider temporary measures. Lastly, we would consider permanent measures. As was mentioned there are a lot of options such as speed bumps, speed humps and roundabouts. There are a variety of options to explore but each option could spend a good chunk of your roads budget. As a board, you need to consider how you want to spend the money.

Another challenge with speed bumps and speed humps as well as any physical item placed in the road, they work great in mild weather. However, in a snowy environment, where snowplows operate, typically physical implementations take a beating over time and require repairs or replacement. Gary stated he can give a more thorough presentation of the process in the future. He stated the County formed a traffic calming committee who spearheaded the effort. The committee ensured we had sufficient responses to the survey. The County had a participant who was adamant the County should install a fixture and it was his wife that was the biggest scofflaw. We want to ensure whatever you do is for the greater good and not for a small minority. When Gary met with Chris and Bob they discussed, with the funding available, where to consider spending road improvement dollars.

3. **LTAP Presentation:** Dalton Gaither presented their preliminary findings for the 2020 LTAP evaluation of SCSA3 roads. He stated he spoke to their current director. His group of evaluators is not yet trained to perform traffic counts on new equipment for that purpose. They are also transitioning between department directors. A new director begins August 2020. If you are still interested in traffic count and speed bump survey, we may be able to do those next year. At this time, we are only equipped to perform road evaluations. Suzanne asked, how much different do you anticipate the traffic count will be from 2017? Dalton replied he reviewed the 2016 road condition report this morning and he

doesn't think the numbers will be all that different. Seeing which roads were more heavily trafficked than others he imagines it would be the same without the speed bumps. He predicts the speed averages would be even higher, without speed bumps, as the community has developed in the last few years. Suzanne stated it sounds like we should look at how to proceed with Gary Horton's input. Without the equipment, how do we proceed to analyze the 2017 survey and use it for making decisions or recommendations?

Dalton stated, they finished the road survey. They noticed the road that critically needed work was Silver Creek Rd between Wasatch Lane and Redden Rd. These areas showed severe fatiguing. The damage includes large cracks and potholes. Because it is the most heavily traveled trafficked road in the area, it would be a good investment to take care of these roads as soon as possible whether it be reconstruction or rehabilitation. The majority of Silver Creek Rd has between 6-7 years with no maintenance done on it within that section. The other heavily trafficked roads with a lot of fatiguing and weight stress are Westwood Rd and Redden Rd. Suzanne asked, when do you think a report will be ready? **Dalton replied, mid-July for the roads.**

Scott asked, what is LTAP and what is the report? Dalton replied we did one survey in 2016 of the road conditions within the Service Area. We created a report that showed the surface level stresses upon the roads. We made road treatment recommendations in a five-year plan. We predicted the average life span of each road, how it can be improved and made cost-effective recommendations to keep the roads in working condition. In 2017 we performed a traffic count project and a road signs project. In the road signs project, we performed an inventory of road sign conditions and whether they met the necessary standards. We considered their reflectivity and their distance from the road. We wanted to assess their visibility throughout the day. The purpose of the traffic count was to assess the speed of cars on certain roads over a certain period. The surveys we plan to do this summer include a road survey and a sign survey. We will consider their improvements, changes and deterioration between the two survey. We will consider the different approaches that can be taken to continue to improve the road system. We will continue to update the maintenance recommendations from an outside source.

Rick Angell stated, "the 2017 LTAP Traffic Report, Summary section states 'speeding is of major concern in the Silver Creek Area and the correct placement of speed bumps will provide a useful alternative to calm speeding traffic'." Hally stated there seems to be a difference between speed bumps and speed humps. Are we considering both? It appears speed bumps are mean to slow people down to 2-3 mph while speed humps are mean to slow traffic is on a road. Are we considering both? She is also concerned about speeding in the community.

Vince replied we have been discussing speed calming measures for quite some time. Rick has given us input in the past. We do have a problem but there is more than one option for speed calming measures. Each have their pro's and con's. There is a difference between speed humps and speed bumps depending upon the objective. As a former law enforcement officer, he can state most emergency personnel don't like speed bumps because it can slow response time and, add in inclement weather, disrupting the balance of the vehicle. He believes as we start progressing with both LTAP and our new roads Engineer Gary Horton we can consider multiple speed calming options. He agrees that we need speed calming measures. He doesn't know yet if speed bumps are the right solution. He believes other measures might be appropriate to add to our toolkit. He has experienced other cities, that have performed multiple tests, and the results indicated overall most people are against speed bumps. However, most people do want speed calming measures such as round-a-bouts, splitting of roadway, visual cues to narrow roadways all help in speed calming. As we get more into this, we will have to really look at best practices and work with our engineers.

- 4. WCEC Presentation:** Gary Horton continued, the biggest issue is the connector road which the County is in the process of surveying. Summit County is in the process of designing the connector road. In the preliminary design, the connector road comes up Silver Creek Rd and, right after the mail center, they are proposing a roundabout that would then connect to Bitner Rd which would connect to Kimball Junction. The important part of that is Summit County is designing and will be improving the road from the interchange all the way up through that roundabout. There will have to be a tie-in to Silver Creek Rd to the Church's entrance. The County will have to take over maintenance from the roundabout to the interchange at that point. He has discussed this with Derrick Radke several years ago. He understands the County would assume maintenance responsibility. They will put the pavement down and then apply a wearing surface about 1-2 years later. Just be aware of that. This project is scheduled for construction next year. He mentions this because of the ongoing negotiations with the church to resolve the damage to the same part of Silver Creek Rd.

Chris asked Nathan if we need to discuss the Silver Creek Rd damage resolution separately. Vince replied that is a closed meeting discussion. Gary stated he will wait for another time to share his thoughts on that. Nathan replied he prefers we discuss it separately. **When we finalize Gary's contract, we can discuss the road damage in that context.**

Gary stated over the next few months he anticipates the connector road will be refined and will provide additional important information for the Board to consider. **He recommended the Service Area money should not be spent in that location over the next year.** He thinks there are other locations where money would be better spent.

Vince stated the Board met with Derrick several months ago who went over the steps Gary mentioned and indicated he wanted to work closely with the Service Area regarding the proposed roundabout because it is going to tie-in with the mail center and what we call the Civic Center. It sounds like the County is going to really improve our mail, bus stop, parking area which would be nice. Gary agreed stating he thinks they will do some nice things there.

Suzanne stated, we need to get Gary's contract signed and asked Gary about the next step for laying out the plan for 2020 priorities and where the Service Area should spend our dollars. Gary replied with the unknowns of the County and how far that project would exactly extend he recommends the board consider minimizing how many improvements the Service Area does this year for several reasons. Advertising and getting contractors on board in June and July is not an advantageous time of year. Most paving contractors are booked for the year **so if they are giving you a quote it may not be the best price you can get. Typically, to advertise and get contractors on board for road construction projects, is from November to February.** By February most of them have booked for the year. They may fit you in, but it will be when it is convenient for them and it won't be the best price. Not that we couldn't do things but that is the standard protocol for DOT work. **We should try to meet the November advertising window.** We also must consider, with the County building that road next year, we will have a contractor on site, and we will know the price for specific items of work. With that information we could better evaluate what we want to do based upon those dollars or if we have the dollars available.

He recommended to Chris and Bob, for this year, to focus on needed maintenance and to consider how much heavy reconstruct you need to do this year. He also added, we spend a decent amount of money putting 'band aids on broken arms' on our roads due to our funding shortage. He has been on the Board. He understands why we do what we do but a lot of the items we do will last a year or two and will need to be redone. Building a good road costs more but the the maintenance won't be as costly over time. He knows Canyons Resort is going to be doing tailings. If there is a location where want some tailings, we could get some. He also knows the Home Depot parking lot was scheduled for this year which could provide some tailings. Taking advantage of these projects will stretch our dollars a little bit further.

Suzanne replied she agreed. As we look at the LTAP report we can prioritize our capital spending. How do we prioritize where we apply the roto mill and then also ensure we have got it thick enough and will sufficient oil treatment so that we get some benefit out of doing the work? Do you think we can have a small working session, later this month? How long before we can sit down and figure out the plan for the tailings/roto mill? Gary replied he is available later this month for further discussion on that via Zoom. Suzanne stated the other thing is our cul-de-sacs. As we think about roto mill, we should consider the Westwood cul-de-sac and the top of Cottonwood Tr. We would like to get your perspective on how we improve their surface and is that an opportunity to use some of that roto mill to make a better turnaround. Gary replied that is a great use of the roto mill. **Suzanne stated we will get your contract signed and set up a meeting for a road discussion.**

Nathan asked Gary if he has reviewed the draft contract. Gary replied he signed and returned it.

##### **5. Administrative & Financial (motion/voting):**

- a. **SCSA#3 financial and dashboard review:** Bob asked if anyone has any questions regarding the review provided in the board packet. He asked Scott about his meeting with Wells Fargo. Is the money quantity satisfactory and who is authorized to sign checks? Scott replied those authorized to sign checks include Suzanne, Hally and himself. Suzanne's authorization is on three of the four accounts. Larry is no longer on the board. He can't be removed from accounts online. **Someone must sign in person to remove Larry.** Marla is designated a so-called "key executive" with Wells Fargo which should be corrected. **There is an email from Wells Fargo regarding correcting that designation. We should schedule a meeting to go together to Wells Fargo with someone who is able to sign checks. We need to select a new treasurer and/or new clerk.** The Clerk should not sign a single signature check. We should always have dual signatures anyway. He understands the preference is not to allow the Clerk to sign single-signature checks, but he can if necessary.

Suzanne requested Hally schedule time with Bob and Suzanne to get up to speed with check signing until we get more board members, at which time we can figure out who will assume the different roles. Hally replied she needs sufficient notice and is happy to help. She is available on Monday, Thursday or Friday. She is unavailable Tuesdays and Wednesdays. **Suzanne replied we should schedule something this week. Bob offered to meet with each person separately if that would be expedient.**

- b. Invoice review and approval: Bob stated the only check that requires the Board to approve for this go-around would be the one in the packet for \$18k plus dollars for the spring grading. All the others are under \$2k or slightly over \$2k and they are associated with Hansen Allen and Luce (HAL) and with legal. He can take care of those.

*Hally motioned to approve the invoices as presented which was seconded by Scott. Approval was unanimous.*

- c. Process to prioritize of spending in Q2 and Q3 of 2020: Bob stated this item should be tabled. Suzanne asked are there any impacts our Class B Road Funds or changes in property taxes. Bob replied no. Suzanne asked, is the Board in agreement that any capital road projects will be delayed until we know for sure? Someone replied yes. **Suzanne continued, so we all agree to hold, and if we do get all the funds, we can roll that into a capital account for 2021.** Bob stated we need to discuss this further under item 6.f because he thought that project was finished and it's not.

- d. Contracts: Bob stated Gary signed his contract with no comment. It is waiting for Suzanne's signature which the Clerk will attest. **Suzanne replied she will come to the office the next day around 5:30 pm to sign the contract and to sign checks.** Scott can come in afterwards to attest. Bob added we are working on the snow removal contract with Nathan.

Nathan asked has everyone on the Board had a chance to see those draft contracts and are they comfortable with them. Bob replied nobody has seen the Engineer's Contract. We put a lot of faith in our legal. Gary Horton feels pretty good about it. **Vince suggested Bob share it with the Board because he hasn't seen it.** Nathan replied he put together a template for SCSA3 independent contractors. It is very similar to the agreement we have with Chris and also with the prior snow removal contract with Wolff. It incorporates the approved scope of work for this project and it includes the different insurance requirements. He structured it the same as our other contracts so it can act like a template. He was under the impression the document would circulate for review prior to the board meeting and then the board could approve it tonight. **Suzanne requested Chris forward the electronic version.**

Nathan stated it is the same template you have been seeing for a while. It is preferable for the board to vote to approve them. Bob suggested the Board review right now. Nathan stated the snow removal contract is ready. It just needs the snow removal contract RFP added as Exhibit 1. Nathan re-forwarded all the documents sent in an earlier email.

Suzanne stated she has contract SU010-002. Vince stated the written amount of the insurance for 6-A-I varies from the numerical amount. He asked, is that enough? Nathan replied the Board included \$100k in the RFP. **Suzanne stated, once we reprint it, we will have Gary sign it.** Nathan stated the amount should be \$100k, \$1mil and \$3mil but he forgot to update the written figures. **Nathan will correct and resend later.** He is also making the same change to the snow removal contract. **Vince directed Nathan to send a new copy of the contract to Gary.**

*Scott motioned to approve the corrected Road Engineer Contract and the Snow Removal Contract statements as amended which was seconded by Vince. Approval was unanimous.*

## **6. Road and Trail (motion/voting):**

- a. Trail Update: Chris summarized the provided staff report. He listed the approved 2020 trail work starting with three Maple Dr culvert extensions which will bring the trail up to road grade and extend the culverts out, so the trails are passable during the spring run-off. The fire hydrant extension raises the height of the fire hydrant out of the drainage up to road grade.

Chris stated we have done weed mitigation. The trails will receive a total of three applications during the season. The second application is due July 1<sup>st</sup>.

Chris stated trail maintenance is on-going including Redden Tr will get some additional road base. We are getting the same road base from Parley's pit. The vein of rock is a different color, but it is the same limestone. That top dressing will go on Redden Tr from Maple Dr up to Westwood Rd. The Redden Tr from Westwood Rd up to Brookwood Dr received new material because that area has never had an application of crushed limestone. He also intends to refresh high traffic trail areas.

Chris stated, in reply to the ROW encroachments, he proposed to do a PM program where he drives the trails monthly to look for violations. He was unaware someone placed a sprinkler in the middle of the trail until Eileen G told him. We know trail encroachments will continue to pop up such as a fence, a new driveway, a monument or landscaping. We need to be as proactive, but we also need to be notified of encroachments when you encounter them. This will help Staff act in a timely fashion.

Chris stated he needs the Board's input and direction on other items like the fuel reduction in Lewis Park. We need to recruit volunteers and he proposed to add Cottonwood saplings.

Referring to Chris' recommendations to reduce wildfire, Suzanne stated we had the conservation corps assist last year in fuel reduction, but they only got part of the work done. She asked if anyone has reached out to the conservation corps again. Chris and Bob replied they have not. **Suzanne directed staff to contact them and check their availability.** We can get a lot done between our volunteers and the conservation corps. The team last year needed additional resources to make them more productive. She supports a volunteer day, but we need to coordinate that. **Chris replied he would contact the conservation corps tomorrow.**

**Dinah stated a volunteer day in Lewis Park is a good idea. Scott thinks a volunteer day would bring the community together. We need to put a media plan together.** Hally stated the organization of something like that is critical such as ensuring there are sufficient tools. If it's really well organized and people were properly equipped and directed, our residents would feel their contribution was more meaningful. **It needs to be a well-oiled machine with knowledgeable leadership and proper supplies.** If not, it could do more harm than good. Suzanne agreed stating we need to develop a scope of work and a communication plan because if someone shows up with their own plan distinct from ours it could become a demoralizing event. Hally replied Silver Creek is full of residents who are opinionated freethinkers with strong wills, and she wondered if they would give up their time and allow themselves to be told what to do. **Vince replied, he agreed and added we should also follow the County's guidelines regarding groups and social distancing.** Suzanne agreed.

Suzanne stated we need to start with the organizations and recruit a few volunteers to work with them to get some projects done. Vince replied we won't have a problem getting volunteers and suggested Eileen G could work with the old trail crew. Suzanne estimated last year 2/3's of the t-posts and barbed wire removed. It was more time consuming than anticipated. **If we are trying to get all the wood out of there we need a good wood chipper and asked Chris to include that in the scope of work when talking with the conservation corps so we are not making a big pile of wood.** Chris replied supervision of the crew and volunteers is critical.

- b. **Pothole repairs update and timeline:** Chris stated pothole repair is ongoing. We had a big push on the east side upper Silver Creek such as Oakridge North, Oakridge South and other upper asphalted roads. He has not done any repairs on lower Silver Creek Rd. **We need a working session on that.** He is aware of more potholes that will be addressed within the next two weeks including those on Westwood Rd, Redden Rd and some on the lower east side. **Pothole repair is a continuous maintenance project throughout the summer.**
- c. **Redden road drainage improvement, along with cost:** Bob stated two quotes are included in the board packet; one of which you have already seen. One bid quotes hauling away the dirt. He and Chris think the dirt can be spread along the side of the ditch away from the road. It won't cause any problems and may help. At the last meeting the board seemed to support this project but did not make a motion. Scott stated Chris' bid is \$1.6k. Suzanne stated the first bid is \$4.2 which includes the haul-off and dump bid of \$2.28k. **Scott stated we need to ensure the dirt left behind by the dirt removal is done neatly.** Vince added he supports any way to save money.

Scott asked Chris, regarding the broken water line on the other side of that property and on the eastside of Redden Rd. Is the water still leaking? Is it making the most southern part of eastern Wasatch Ln/Wy soggy? Chris replied that wasn't due to a water leak. Just east of Peter's driveway, a contractor was trying to find the location of the water meter during our water meter relocation project. 60-feet of road was opened to expose the water line. **Scott reported he bikes and walks in the area and it is still soggy, so we do need take steps to improve the drainage on that side of the road.** Also, vehicle traffic continues to damage the east side of the Redden Rd. Scott stated he supports the lower bid.

*Vince motioned to accept the TCB Landscaping bid of \$1.6k which was seconded by Scott. Approval was unanimous.*

- d. **Review of LTAP recommendations:** Bob stated the audio was terrible during Dalton's LTAP presentation and he will have to review the minutes. Suzanne stated she heard Dalton say their traffic counting equipment is not functioning so their ability to redo the 2017 traffic count is not possible at this time and by the middle of July they would have suggestions for maintaining road life. We will use that as we work with Gary and our capital spend for 2021. Those would be good tools to have as we plan going forward.
- e. **Project plans utilizing roto-mill:** Suzanne stated we are tabling this item at this time. **We will have a second meeting with Gary to prioritize the use of roto mill as it comes available and what is the appropriate spend.** We will try to get those recommendations done and distributed to the Board so when the roto mill becomes

available, we are ready to act on it. Bob stated he really appreciated talking to Gary. He has some good ideas. We can hear more in a closed session.

- f. Cul-de-sac surfaces, pending work and coordination with Fire Department: Bob stated as he mentioned earlier he thought Westwood cul-de-sac surface was complete with the exception of where the driveway entered the cul-de-sac which is the problem for the resident to address. However, he discovered the surface was not complete and the work performed to date is only half the work that was bid last year. The other half has not been authorized to spend. We decided not to perform all the work in 2019 delaying the completion until 2020.

Suzanne requested a copy of the quote and clarified the cul-de-sac is at the west end of Westwood Rd. Scott stated the Westwood cul-de-sac needs work. Bob stated the original bid from last year was for \$22,148. We spend over \$11k to this point. He is unsure whether the Board should look at this as if we have another \$11k to spend. He suggested we solicit bids to finish the cul-de-sac and consider Gary's recommendation of roto mill tailings application of the cul-de-sac.

Suzanne asked, have we had a discussion with the contractor regarding their perspective on finishing this? Bob replied, no. He asked if the Board had read the response letter from Fire Chief Owens? Suzanne replied yes. Bob replied on the second page is a comment that is the most important paragraph he has ever read about cul-de-sacs. **The Chief states our cul-de-sacs are existing cul-de-sacs which are not expected to be constructed to the same standard as newly platted cul-de-sacs.** Suzanne confirmed Bob is referring to the paragraph responding to Bob's letter to the Chief dated May 20, 2020. Bob replied the Chief says we don't have to use asphalt or concrete. Suzanne replied do we all agree the Westwood cul-de-sac needs additional work? Bob replied yes. Suzanne continued, she is unsure it is ready to apply roto mill and requested that Bob ask the contractor what we need to do to finish this so the drainage is correct, it is stable and if we choose to add roto mill we do not create another issue for any of the residents on the cul-de-sac. Bob stated he supports this approach. Scott wondered if there is a turnaround at the end of Cottonwood Tr.

Suzanne stated there was a discussion regarding a cul-de-sac on the south end of Cottonwood Tr and where it is supposed to be in relationship to the homeowner's property. **It remains an open issue that we must address.** Scott asked about Summit Dr. Suzanne replied that is another one. We have issues at both ends of those streets. The cul-de-sac at the top of Cottonwood Tr was more adequately enlarged recently but when she went through there the other day, due to recent precipitation, she observed the trucks turning around really rutted that space. She thanked Bob for soliciting a response from the Fire Chief. It helps us proceed with improving our cul-de-sacs without the added expense of paving. **Suzanne stated let's get Westwood done and top of Cottonwood would be the next priority.** After those two we can start planning on the improvements for Summit Dr cul-de-sac and the south end of Cottonwood Tr.

Scott asked, regarding Summit Dr cul-de-sac, right now we are going to the very end, but could we vacate part of the road? Can we vacate the part where the property owner has created his own driveway as well as the turnaround where there is a couple of driveways? The round-about would be at a different location. Would that solve some of our problems? He suggested a different siting of the cul-de-sac would be avoid a rocky and challenging area. Could we permit his driveway to come out of the Service Area's ROW? Suzanne replied the purpose of putting the cul-de-sac in Lewis Park was to create a 90-foot radius cul-de-sac to provide the Fire District with a place to fight a wildfire. The challenge of the current road width of Summit Dr is we couldn't get the 90-feet at any other spot and it is not in an area that permits a 'command view' for any of that work. Scott replied he didn't understand the purpose is to fight wildfires.

Bob asked Suzanne did we decide to delay finishing the road to the edge of Lewis Park until later? **Suzanne replied we need to sit down to finish the survey work and then figure out a budget.** It was \$30k to do the work and put in the cul-de-sac. In the process of doing that we ended up destroying the existing asphalt driveway currently there. **We made a commitment to sit down with the homeowner once the land survey was complete, so we need to finish that.** Bob replied the survey is done. The survey as completed by Shane Johanson is within two feet of the 1963 recording. He is unsure of funds available to begin the work immediately. Suzanne replied correct. **It will become an item in our master plan.**

## 7. Water (motion/voting)

- a. Lot SL-F-323 stand by fee update: Bob stated he and Nathan discussed Lot SL-F-323. He is trying to find out which lots have one-acre-foot of water and which don't. Nathan has provided him with enough information. This lot never had access to one-acre-foot. He doesn't know why yet. He has a contract with Weber Basin and

Bob wondered if he does have a right to one-acre-foot through the Service Area he could donate the Weber Basin contract to us. He can't sell it and he can't give it to anybody else, but he can donate it to the Service Area. Then he would be paying less money annually by only having to pay the \$180 Standby Fee. He is unsure where to go from here.

Nathan replied, he is unsure if Lot 323 is entitled to a one-acre-foot allotment from the Service Area. He is hypothesizing that Lot 323 does not because only properties without the entitlement get Weber Basin contracts. This really is not the Service Area's problem. Under the terms of the property owner's agreement he is leasing the right to use Weber Basin's water. He pays for the lease and pays the Service Area Standby Fee to have fire service in front of his house. In Nathan's opinion it is not a problem in any way, shape or form that he has these two payments. He doesn't think the Service Area needs to do anything about it. If we were to acquire his Weber Basin contract the Service Area would then be on the hook for paying the annual rent for that water right. Weber Basin rights on an annualized basis are the most expensive water you can get. No other water rights have an annual fee other than the shares that we have and those are very nominal. This isn't our problem. We don't need to solve it. He can do what he wants with the Weber Basin contract, but he must pay the terms for it. We have explained why he must pay our Standby Fee. It is a separate and unrelated fee. If, in the future however, he does need to connect to our system because his well failed or for whatever other reason, we are obligated at that point in time to allow him to connect. At that time, we would allow him to dedicate his contract over to us. Those contracts can be transferred. Bob is correct the actual contract with Weber Basin cannot be sold but the applicable State Engineer Change Application authorizing those contracts to be diverted are sold and have been sold by other people.

Suzanne asked Bob if there were others in lower Silver Creek that might be doing a remodel or something that would need an additional contract? Bob replied yes, but only the Service Area can assume his contract. Suzanne replied that is not what she just heard Nathan say. Nathan replied they can be transferred, and they have been transferred. Whether or not Weber Basin will approve it... Nathan doesn't know if he has any other water right. Nathan stated it seems the Weber Basin water right is the only water right for this property in which case he can't sell it. Suzanne replied, if that is the case then should we be charging him standby fees? Nathan replied, we absolutely should be charging him standby fees. They are entirely unrelated. SCSA3's standby fees are related to the cost the Service Area incurs in maintaining its water infrastructure. He must pay a fee to Weber Basin because he has the worst possible water right you can buy. Think about it this way. It would be like the people who have their individual water rights and they went to Sears and bought an appliance outright. A Weber Basin contract is going to Rent-A-Center and renting a stove perpetually rather than buying it. What we are charging is a utility fee to use our infrastructure or to have it ready and to have fire service. What he is paying is a lease on a water right. It is completely and totally unrelated to the charges that we are assessing his property. There is no connection to them in any way shape or form.

Bob stated he understands at our last board meeting the board determined this property should be charged the \$180 per year Standby Fee. Nathan replied yes it should be. Bob was wondering if we could balance his economics a little better. Nathan stated the Board has already exceeded \$180 in legal fees on this matter. He doesn't see why this is the Board's issue. It is unrelated to the fees that we charge. It is a contract that he or his predecessor entered in to with Weber Basin voluntarily. It is unrelated to anything that we do. As far as it being unfair or inequitable, that's just not the case. It is completely fair and equitable.

Scott stated water shares are now outrageously priced. He wondered if it is not advantageous for us to have this water share. If it was donated to the Service Area would we have one water share that was a monthly fee, or would we buy it? Nathan replied you would have to pay an annual fee that would increase every year. He is saying that as far as he can tell, and he doesn't know for sure, this property owner only has this contract for his water right. He doesn't have something to sell to us unless he connects to our system and then we are providing water to him. We aren't getting an extra share. It's a one-for-one exchange. He can't sell this without turning his lot into a dry lot. If he ever wants to connect to our system he can dedicate it to the Service Area and we would then therefore ensure he gets our water but it doesn't give us any extra water at the end of the day. If he is on his own well why would we want to assume this extra cost we would have to pay every year.

Scott replied his interpretation was that we would get a water share out of it and it would be like the water share situation in upper Silver Creek where we own the water rights but they have the well. So, we are gaining a water share, but we pay yearly fees for one more water share. This property owner's well would then be like upper Silver Creek people with a well but who don't own their water rights. Nathan replied yes it would be like that. It

is not a very good situation and one he wishes the Service Area wasn't in. In a situation like this where the guy has his own contract and his own well – he doesn't see why we would change that. We are better off letting him keep his well with his water right but we do incur costs maintaining the system, so he has fire flow. We need him to pay his fair share of that. **Down the road if he wants or needs to connect to the system, Nathan feels we are obligated at that point in time. Nathan assumes this is the only water he has and that is all he will have to dedicate and we would have to accept it but until then he doesn't see any reason why you would want to change the current status quo.**

- b. Layton Tree Farm CUP: Chris stated an email update on this matter is in the board packet. He had a face-to-face conversation with Mr. Layton regarding the water meter he must install which was also a condition of his Conditional Use Permit (CUP) and that he has not performed the installation. As of today, he has not requested a meter inspection. Previously Chris contacted the Planning Department requesting an update as well on all the CUP requirements. The planning department intends to send their code enforcement officer to perform an inspection. He has not yet received a report from the code enforcement officer. Mr Layton has not met the CUP deadline of June 15<sup>th</sup>.
- c. Review of water-related charges: Bob stated he and Eileen H have spent a couple of weeks investigating water-related charges on the various lots throughout the Service Area. We found what we think are several problems. He has scheduled a meeting for us with our new general manager and Marla for Monday June 22 to share what we found and to see if we overlooked something before we go any further. We don't want to cause more problems than we solve. He wants the Board to know that we are reviewing this because it appears to Bob that we have made some errors in the past with respect to how we have treated charges on some of our residents due to not collecting funds that we should have been able to collect. Whether that is right or wrong is to be determined at the upcoming meeting. Bob stated he wants the Board to be aware that we are reviewing charges on all the lots within the Service Area.
- d. Plan for rate analysis and recommendations: Bob stated this was put off last month and **it needs to be done again because we haven't met to discuss any more about the rate analysis and recommendations.**
- e. Concurrency report update: Chris reported he received an email today that they cancelled the annual concurrency meeting. Our updated report has been submitted. We received a favorable correction review from Dave Hansen. We will not be meeting as a County committee with the health department on Thursday. He assumes it will be rescheduled.
- f. Additional water discussion: Chris stated many Service Area residents are watering their lawn. Because we haven't turned on the Greenfield Well yet, he is receiving low-level tank alarms in the Silver Bullet at 3 am. There is nothing to be overly concerned about. More water is leaving the tank than is being pumped in. That has to do with our community water use and the seasonal weather. Bob asked what prompts turning on the Greenfield Well. Chris stated we usually try to wait until July. We run it July, August and September. It has a 90-day use permit. If we turn it on early, it must be turned off early. We try to delay turning it on as long as possible. Scott asked what percent do we fill it up to? Chris replied we have two storage tanks: Highfield tank and the Silver Bullet tank. The Highfield tank is filled from the Greenfield well or the Silver Bullet. Depending upon where you are located you are drawing either from Highfield or the Silver Bullet. When the upper tank on Highfield gets too low, our booster pumps are trying to push it up to the upper tank as well as the rest of the community drawing the Silver Bullet down and it's trying to fill only from the District well on Echo Ln. It is a give and take on the demand currently. At 3 am it is because everyone's sprinklers are going on. When the Greenfield well is on there are no issues on demand. Scott asked does Silver Creek not fill up completely and does it run at a percentage? Chris replied he tries to keep the water within the Silver Bullet five feet from the top at all times. The Silver Bullet provides pressure for lower Silver Creek including Whileaway Rd and down on the east side. If the Silver Bullet gets below 25-feet, the pressure drops in those homes. **He has discussed this with HAL that our new tank must eliminate this pressure fluctuation problem.** Scott asked how tall is the Silver Bullet? Chris replied 50-feet. Suzanne stated the challenge is the hydraulics of the Silver Bullet. Chris added, even though it is 50-feet tall we can only use only 40% of it. It is more used for water storage than a pressure vessel and at the 25-foot mark we have no pressure. Suzanne added that is why we are considering a new tank in a different location instead of repairing the Silver Bullet.

Vince asked should we discuss appointing new officers? Appointing new officers will affect check signing. According to the Little Manual the clerk cannot not sign checks. Nathan responded that is a good point. **Scott replied Bob looked it up and it said the Clerk cannot sign single-signature checks.** How do we discuss this? Does it have to be in board meetings, and do we have to have all board members present for discussions about appointments and recruitment? Does it need to be discussed in a public forum?

Nathan replied, if all the board members are together, forming a quorum, and you are discussing something like this, it should be done at an open meeting. A lot of times, in a situation like this, board members might coordinate together or appoint a sub-committee of two board members to figure out next steps and take the lead on this and report back or communicate via email. Given the fact that you are so close to having a new general manager come on-line you might want to wait to avail yourself of her expertise. He spoke with Shiona last week to update her. You need to have board appointments on the agenda and you also need to think about whether it can find two extra board members to make up a full seven-member board. If not, you might want to consider dropping down to a five-member board. You would need to re-do your boundaries which you need to do every 10 years anyway. He can't remember when the last review was done. The Service Area board is responsible for reviewing its districts which should be discussed when the new general manager starts.

Suzanne agreed. **We need to think about the different roles for treasurer, clerk and vice chair. Everything is up for reelection to redistribute the work that needs to be done.** At the same time, we are down two spots from the lower section of the Service Area. If we think about becoming a five-member board, we don't have sufficient representation from the lower area. We just have Scott and Vince. Nathan replied a transparent discussion with your constituents about how you divide the voting districts and perhaps redefine them, so they make more sense. The population here seems equally distributed. **It is a discussion you need to have because two vacancies is a disruption.** The easiest thing may be to find two folks that are willing to serve.

Nathan stated the Little Manual is clear that the clerk may not sign a single-signature check. Under the law, individuals can sign on their own but the practice that the Service employs, and which he thinks is the best practice, is all your checks are two-signature checks. He asked, is Scott an authorized signer? He doesn't recall that he is. Scott replied, he and Hally signed up together with the bank. **He is permitted to be a check signer.** They had to sign up for four different accounts. Larry has been removed from those four accounts. Suzanne is not on one of the accounts. He has documents that show our accounts, who is on them and who is removed. He wondered if they should be scanned and made public or just filed away. Scott stated Marla is still listed as the sole Key Executive on our accounts. It seems like that might be the position for a general manager. **Nathan replied he agreed. You will need a vote to change your board officer positions. As part of that you will replace Marla as the Key Executive. You will want to coordinate this with Shiona. It may make sense to do all this at a special board meeting.**

Scott has volunteered to be replaced as clerk and become the treasurer. He believes he has wrapped up all the clerk duties. **If someone would like the clerk position, he is willing to switch to treasurer.** Nathan stated this is not on the agenda so it is not something we can discuss in detail. **He will send his notes for the meeting and include a citation of the code that talks about the clerk's ability to sign checks.** The code says the treasurer, and any other person appointed by the board of trustees shall sign all checks so the clerk can be a signer. **Right now, you need a treasurer.**

**Suzanne stated we need to put it on the agenda and see how people want to shuffle around positions.** She asked the other board members if they have gotten any interest regarding a new board member. Vince replied he spoke with two people who are not interested at this time. Dinah spoke with one person who is not interested. Scott stated we have not posted this vacancy on social media such as the Silver Creek facebook group or Nextdoor. He stated Eileen H told him Nextdoor won't allow the Service Area to post on Nextdoor. **We need to get this shared on social media.** Most people are not aware that we need help. **Eileen H stated Krachel Murdock, the Public Information Officer for Summit County, offered to post items for us as needed.**

Suzanne asked Nathan if we are required to post notice in the Park Record? **Nathan replied there is a notice process.** He wrote a memo outlining the board replacement process when Peter vacated. **He will distribute the revised contract, his meeting notes, the statute and the board replacement memo after we adjourn.**

**Suzanne stated at the next board meeting we will have to figure out board roles.** Nathan replied the statute 17B-1-635 (2) (a) (i) states the treasurer or any other person appointed by the board of trustees shall sign all checks. You have other people other than the treasurer who are now appointed to sign checks, correct? You should be good. Vince stated in the past they have always had the chair and vice chair be the signers.

Scott asked if the children of landowners, if they are over 21 years old, may serve on the board? Nathan replied they do not have to be property owners. They just have to be a registered voter and a resident of the Service Area for at least one year. Suzanne added renters are also eligible. Nathan stated, property owners create the Service District but once it is created a renter or an adult child who is living with their parents may serve on the board.

Suzanne stated she will work with Bob and Eileen H to create a notice for posting on the Summit County website. We will also consult Nathan's memo to prepare a notice for the Park Record.

Scott stated on the Summit County GIS portal it says the contact for our Lewis Park property is Kathy Handsaker. Vince and Suzanne stated that should be corrected. Eileen H offered to follow up with the County Recorder and ask if our property has to be in care of a human being. Scott added the property ownership is Summit County Service Area #3 and the address is 7215 N. Silver Creek Rd. Eileen H stated that is the mail center's address and the post office ensures the mail comes to Parkway Dr.

8. **Adjournment:** 8:04 pm Vince motioned to adjourn open public meeting at pm which was seconded by Scott. Approval was unanimous.

APPROVED