THE EMIGRATION CANYON METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ELECTRONICALLY ON TUESDAY, APRIL 27, 2021, PURSUANT TO ADJOURNMENT ON TUESDAY, APRIL 20, 2021, AT THE HOUR OF 7:00 P.M., VIA ZOOM.COM.

COUNCIL MEMBERS

ELECRONICALLY PRESENT: DAVID BREMS

GARY BOWEN

CATHERINE HARRIS

JENNIFER HAWKES, Deputy Mayor

JOE SMOLKA, Mayor

OTHERS IN ATTENDANCE: POLLY MCLEAN, LEGAL COUNSEL

SHERRIE SWENSEN, METRO TOWNSHIP CLERK

By: NICHOLE WATT, DEPUTY CLERK



Mayor Smolka, Chair, presided.

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Mayor Smolka read the following statement regarding Utah Code 52-4-202:

Pursuant to Utah Code 52-4-202 the undersigned, as Mayor of the Emigration Canyon Metro Township Council, hereby declares that providing an anchor location for the electronic meetings of the Council will present a substantial risk to the health and safety of those who may be present at the anchor location for the following reasons:

The Township is located in Salt Lake County and is still under an "Yellow" alert stage for the COVID 19 pandemic; and

The regular meeting place for the Council (the Fire Station in the Canyon) does not have sufficient space in the meeting room to provide for the recommended physical distancing to keep people safe from infection.



STAFF MEETING

The Council reviewed the following items, which it will consider at its public meeting to be held tonight or at a future public meeting:

- > Fuel reduction plan agreement and request for \$12,000
- > Sunnyside Avenue chip seal and restriping project
- Ordinances
- Future projects
- Racoon and skunk control agreement

PUBLIC MEETING

Community Input

Citizen Comment

Chris Sinclair stated Quarter Mile Road needs to be improved. Rocky Mountain really messed the road up and did not finish the job and there is no intention of paving it. The road is really torn up and he would like to know how to get the road fixed.

Sarina Sinclair stated as she has followed up with Rocky Mountain, she was told the road was not going to get fixed. Trucks are getting stuck on the side of the road. Rocky Mountain is done with its project. Is the Council responsible for checking to see what the quality of the work is when it is completed?

Mayor Smolka stated Salt Lake County Engineering is supposed to check on the final work. The inspectors have been following up with Rocky Mountain on several things. I do not know if a final inspection has been asked for.

Deputy Mayor Hawkes stated she will follow-up with Salt Lake County. It is frustrating, as a contractor, they need to restore it to the way it was.

Emigration Canyon Community Council Report (ECCC)

Bill Tobey stated the logistics of Firewise is being worked out. There are two scheduled chipping events with UFA; however, they schedule is subject to change if the crews are needed some place else. The newsletter is being prepared and will be sent out.

Unified Police Department (UPD)

Officer Jake Elsasser reviewed calls for service for March. Last weeks bike race had about 60 bikes registered. Three additional officers were working the event with him and there were no road closures. I have reached out to bicyclists to inform them of the rules of the road. He is working on speed enforcement around Ruth's Diner. The lower turnout is marked with a yellow, 30 mph sign. That is just an advisory speed and cannot be enforced unless they go over the speed limit of 40 mph.

Unified Fire Authority (UFA)

Captain Michael Conn stated the Battalion Chief promotional process is underway. Recruit camp is halfway through with 33 recruits to graduate in May. An apprenticeship program will begin and will last a year. The 2021-2022 budget has been submitted. Residents can submit an email to wildfire.org and request a fire risk assessment for their property. The station is still deciding when it will open for meetings.



Council Business

Watershed Proposal Presentation

Eric McCulley, Watershed Scientist/Project Manager, River Restoration, presented a presentation reviewing the watershed project approach, design fee, fee schedule and draft.

Council Member Harris, seconded by Council Member Brems, moved to approve the hiring of River Restoration to conduct the scope of work outlined in the Division of Water Quality grant, not to exceed \$40,000. The motion passed unanimously.

Proclamation Declaring April as Child Abuse Prevention Month

Mayor Smolka read the following proclamation declaring April as Child Abuse Prevention month:

Emigration Canyon Proclamation

April 2021

WHEREAS, the children of Emigration Canyon are the future of our state's success and investing in their general welfare, safety and livelihood are of utmost priority; and

WHEREAS, all children deserve to grow up in a safe and nurturing environment to assure they reach their full potential as they grow and develop; and

WHEREAS, the protection of children and strengthening of families is of concern and responsibility of all Emigration Canyon citizens because the wellness of children affects our lives now and will continue to affect us in the future; and

WHEREAS, child abuse is a serious problem with 2,670 confirmed child victims in Salt Lake County last fiscal year, with each of those cases impacting an entire family and affecting the community as a whole; and

WHEREAS, child abuse respects no racial, religious, socio-economic or geographic boundaries; and

WHEREAS, all citizens of Emigration Canyon need to become more aware of child abuse and its prevention within their respective communities and actively encourage and support parents to raise their children in a safe and nurturing environment; and

WHEREAS, preventing child abuse requires each member of the community to be attentive to the problems of families around them and commit to do everything they can to help.

NOW THEREFORE, the Mayor and Metro Township Council of Emigration Canyon on behalf of the 1,806 citizens, proclaim April 2021 as CHILD ABUSE PREVENTION MONTH and we call upon all our citizens to renew their commitment to be educated on the impact of child abuse and join in working for its prevention within our communities.

ADOPTED on this the <u>27th</u>, day of <u>April</u>, <u>2021</u> in Emigration Canon Metro Township, Utah.

/s/ JOE SMOLKA

Emigration Canyon Metro Township Mayor

Mayor Smolka, seconded by Council Member Harris, moved to approve the proclamation with an amendment to the population to reflect 1,806 citizens. The motion passed unanimously.

Emigration Canyon Metro Township General Plan

Mayor Smolka stated the Emigration Canyon Metro Township General Plan will be continued to a future meeting.

Fuel Reduction Program

The Council reviewed the Fuel Reduction Program that includes chipping services to support residential defensive workspace, roadside thinning/clearing along Pinecrest and Killyons Canyon Roads, and shaded firebreak installation on the west slope in the Acorn Hills neighborhood.

Mayor Smolka stated the Council will need to contribute \$12,000 and those funds can be taken from the \$80,000 that the Council is getting from the CARES Act.

Council Member Brems stated since the mitigation is taking place on the hillside that backs his property, he is declaring a conflict of interest and will recuse himself from the vote. There are other parts of the canyon that are just as, if not more deserving of this mitigation.

Council Member Harris, seconded by Mayor Smolka, moved to approve payment of \$12,000 to help fund the Fuel Mitigation Program. The motion passed 4 to 1, showing that Council Member Brems recused himself.

Racoon and Skunk Control Agreement with the USDA

Council Member Bowen stated he will negotiate with the USDA for a contractual agreement to bring to the Council next month for review. The Council can pass an ordinance regulating how many animals an individual has, leash laws, and how it is enforced. If an ordinance is passed Animal Services will enforce it.

Resolution Consenting to the Reorganization of the Wasatch Front Waste and Recycling District

The Council reviewed the following Resolution supporting the reorganization of the Wasatch Front Waste and Recycling District (WFWRD) as a local district:

Date: April 27, 2021

RESOLUTION NO. <u>21-04-01</u>

MUNICIPAL RESOLUTION CONSENTING TO REORGANIZATION OF THE WASATCH FRONT WASTE AND RECYCLING DISTRICT AS A LOCAL DISTRICT

WHEREAS, the County Commission of Salt Lake County on January 19, 1977 established a special service district known as Salt Lake County Special Service District No. 1 (the "Sanitation District") for the provision of garbage collection services in the unincorporated area of Salt Lake County; and

WHEREAS, much of the original area of the Sanitation District was subsequently incorporated into or annexed by municipalities, while remaining within and continuing to receive services from the Sanitation District; and

WHEREAS, the Salt Lake County Council established an Administrative Control Board (the "ACB") to govern the Sanitation District and appoint the members representing both Salt Lake County and the municipalities served by the Sanitation District; and

WHEREAS, until January 1, 2013, the Sanitation District was considered a division or agency of Salt Lake County government, with the Sanitation District's employees being employees of Salt Lake County and administrative and support services being provided by Salt Lake County agencies; and

WHEREAS, by its Resolution No. 4670 (the "Governing Resolution"), as of January 1, 2013, the Salt Lake County Council, pursuant to the rules set forth in the Special Service District Act, Title 17D of the Utah Code, delegated to the ACB full governance of the functions and activities of the Sanitation District and since that time, the Sanitation District has employed its own personnel and maintained sole responsibility for the operations and administration of the Sanitation District; and

WHEREAS, the Governing Resolution renamed the Sanitation District as the Wasatch Front Waste and Recycling District ("WFWRD"), and WFWRD has exercised and been subject to

all the rights, powers, duties, governance, and responsibilities of a special service district under the provisions of the Special Service District Act, Title 17D of the Utah Code; and

WHEREAS, the Governing Resolution stated that the Salt Lake County Council had found that it was in the best interests of the citizens of Salt Lake County, the partner municipalities which were included within the Sanitation District, and the property owners receiving services within the Sanitation District for the Sanitation District to become independent from Salt Lake County, however a special service district is by definition a hybrid entity that is still subject to Salt Lake County oversight and control in several regards; and

WHEREAS, for WFWRD to become fully independent, as the Salt Lake County Council desired, it must be converted into a local district governed under the Local District Act, Title 17B of the Utah Code and the ability to reorganize a special service district into a local district was not enacted until 2013, under Section 17D-1-604 of the Utah Code (the "Reorganization Statute"); and

WHEREAS, the Reorganization Statute authorizes Salt Lake County to reorganize WFWRD into a completely independent local district and requires that the reorganization may not occur unless each municipality that is included within WFWRD must consent to the reorganization; and

WHEREAS, Emigration Canyon Metro Township is a member municipality of WFWRD and has determined that it is in the best interests of WFWRD and of Emigration Canyon Metro Township for WFWRD to be reorganized as a local district.

NOW, THEREFORE, it is resolved by the Council of the Emigration Canyon Metro Township as follows:

- 1. That Emigration Canyon Metro Township hereby consents to the Salt Lake County Council reorganizing WFWRD as a local district under Section 17D-1-604 under substantially the following terms:
 - a. The WFWRD name will remain the same.
 - b. The current WFWRD boundaries will remain the same.
 - c. The services authorized to be provided by WFWRD, namely waste and recycling collection services, will remain the same.
 - d. The governing board appointment type, to the maximum extent possible, will remain the same.
- 2. That this Resolution shall take effect immediately upon its passage.
- 3. In the event of any conflict between this Resolution and any other enactment of Emigration Canyon Metro Township, this Resolution shall control.

ADOPTED this 27th day of April, 2021.

/s/ JOE SMOLKA Mayor

Council Member Harris, seconded by Council Member Bowen, moved to approve the Resolution. The motion unanimously.

Legal Issues

Polly McLean stated she has spoke to David Church and is aware of the issues the Council is working on.

Budget

Mayor Smolka stated he approved the Clerk's invoice and payroll. Salt Lake County has allocated \$80,000 from the CARES Act funding to Emigration Canyon Metro Township. The funds are in the account for the Council to use. The \$12,000 for the Fuel Mitigation Program will be taken out of the \$80,000. There is about \$16,000 that needs to be transferred from the fund balance to the capital improvement fund.

Mayor Smolka, seconded by Council Member Bowen, moved to approve the transfer of \$16,000 from the fund balance to the capital Improvement fund. The motion passed unanimously.

Deputy Mayor Hawkes stated the reimbursement amount for COVID-19 costs incurred by the MSD for 2020 was \$281.31 and \$1.324.05 for 2021 for a total of \$1.605.36.

Deputy Mayor Hawkes seconded by Mayor Smolka, moved to approve reimbursement to the MSD for 2020 and 2021 COVID-19 related costs in the amount of \$1,605.36. The motion passed unanimously.

Mayor Smolka stated he paid the \$5,500 for Fehr & Peers that was previously approved by the Council.

Minutes

Council Member Brems, seconded by Council Member Harris, moved to approve minutes of the Emigration Canyon Metro Township Council meetings held on February 25, 2021, March 4, 2021, and March 16, 2021. The motion passed unanimously.

Council Member Reports

Unified Police Department (UPD) & Salt Lake Valley Law Enforcement Service Area (SLVLESA)

Council Member Brems stated additional policing was requested for the canyons. Officer Jake Elsasser works 40 hours but only spends about 25 percent of those hours in Emigration Canyon. He has asked for more transparency and how much is expended.

Chief Wayne Dial stated when Officer Elsasser is off there are other officers that patrol the Canyon.

Mayor Smolka stated the Canyon is getting coverage, he has talked frequently with the other officers that patrol the Canyon.

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Planning Commission	
Nothing to report.	
Unified Fire Authority (UFA) & Unified Fire Service Area (UFSA)	
Council Member Bowen stated Chief Dan Peterson has recommended a percent wage increase.	three
Animal Services	
Council Member Bowen stated the meeting will be next Thursday.	
Wasatch Front Waste and Recycling District (WFWRD)	
Nothing to report.	
Watershed Plan	
Nothing to report.	
Website	

Deputy Mayor Hawkes stated she is updating, making edits and adding information about fire mitigation and the Rocky Mountain plan. Salt Lake County Engineering requested a project request page.

CodeRED

Council Member Hawkes stated she would like to send out a general information alert for the marathon. If there is a road closure, she will send out an additional message.

Restrooms

Deputy Mayor Hawkes stated she has finalized restroom RFP and Polly McLean is reviewing it and then it will go in front of DWQ and posted on May 6.

Greater Salt Lake Municipal Services District (MSD)

Mayor Smolka stated the MSD is meeting tomorrow night and encouraged Council Members to attend. During the September meeting the Board will talk about the projects that will be listed on the bond. The Emigration Canyon residents are being asked to take a survey regarding the direction that the MSD is going. The consultant that is conducting the survey, wants to meet with the Council to get their views on the MSD.

Landfill Council

Mayor Smolka stated a member that has been on the board for a few years is leaving.

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Legislative Issues

Mayor Smolka stated Mark Anderson, Legal Counsel, MSD, will be reviewing the bills that will affect the townships.

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Other Announcements

Mayor Smolka stated Angela Dunn is the new Director of the Salt Lake County Health Department.

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	DATE TUE	DAY	APRIL	27,	2021
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THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned.

SHERRIE SWENSEN, METRO TOWNSHIP CLERK

By: _____ Deputy Clerk

MAYOR, EMIGRATION CANYON METRO TOWNSHIP COUNCIL

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