

THE EMIGRATION CANYON METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ELECTRONICALLY ON TUESDAY, MAY 24, 2022, PURSUANT TO ADJOURNMENT ON TUESDAY, APRIL 28, 2022, AT THE HOUR OF 7:00 P.M., VIA ZOOM.COM.

COUNCIL MEMBERS

ELECTRONICALLY PRESENT: DAVID BREMS  
ROBERT PINON  
CATHERINE HARRIS  
JENNIFER HAWKES, Deputy Mayor  
JOE SMOLKA, Mayor

OTHERS IN ATTENDANCE: POLLY MCLEAN, LEGAL COUNSEL  
NICHOLE WATT, DEPUTY CLERK



**Mayor Smolka**, Chair, presided.



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 a “Low Level of Transmission” 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:

- Update on the hiring of an administrator.
- Parking enforcement.
- Broadband options for the canyon.
- Salt Lake Valley Emergency Communication Center (VECC) Board seat.
- Federal Emergency Management Agency (FEMA) floodplain map.
- Membership to the Utah League of Cities and Towns.



PUBLIC MEETING

Citizen Input

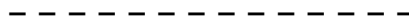
None.



Reports from other Municipal Providers

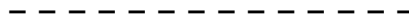
*Emigration Canyon Community Council*

**Bill Tobey** thanked Ryan Love, Public Information Outreach, Chief Anthony Widdison, fuels crew, and the staff at station 119 for its work on the Fire Day open house. Rocky Mountain Power donated \$500 to help cover the cost of the pancake breakfast. A flyer was sent to all canyon homes providing a high-level overview of the findings from the community preparedness survey that USFS's Wildfire Research team conducted. The flyer did not provide household specific information on the risk assessment that was completed as part of the survey. The Community Council received a cost estimate for an online lookup tool for residents to review their homes risk assessment. He hopes to have that available to the community soon. Spring clean-up was held on May 21, 2022. Residents helped pick trash up from the side of the road. There is a fire danger level sign stored at the fire station that is ready to be installed.



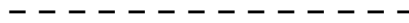
*Unified Police Department (UPD)*

**Detective Jake Elsasser** reviewed Emigration Canyons calls for service, stating there were 39 calls with 9 initial reports taken. On Saturday from 9:00 a.m. to 2:00 p.m., he held an education day for cyclists, motorcycles, and vehicles.



*Unified Fire Authority (UFA)*

**Chief Bryan Case** stated UFA hosted fire school for elected officials. The Wildland Division is planning on participating in chipping days in the canyon. Chief Widdison will reach out to the Council to discuss the Sunnydale project. There were not significant calls in the last reporting period.



*Salt Lake County Animal Services Advisory Board*

**Gary Bowen**, Emigration Canyon Metro Township Council Representative, stated the Board received the Utah Open and Public Meetings Act training. The Board appointed Rita Lund, Millcreek, as Chair and Grant Crowell, Bluffdale, as Vice-Chair. Talia Butler, Director, provided an update on homeless individuals with pets. A bill was presented at the legislature to bring all animal services divisions under the jurisdiction of the Department of Agriculture, the bill failed. Animal Services will come to the canyon and provide microchipping services to the

residents. They are preparing and accepting donations for the Spayghetti and No Balls fundraiser that will be held in August.



Council Business

*Resolution No. 2022-05-01 – Community Renewable Energy Program*

The Council reviewed the following Resolution approving an interlocal cooperation agreement among public entities regarding the Community Renewable Energy Program:

RESOLUTION NO. 2022-05-01

Date: May 24, 2022

A RESOLUTION OF THE EMIGRATION METRO TOWNSHIP APPROVING AN INTERLOCAL COOPERATION AGREEMENT AMONG PUBLIC ENTITIES REGARDING THE COMMUNITY RENEWABLE ENERGY PROGRAM

WHEREAS, the Emigration Canyon Metro Township Council (“Council”) met in regular session May 24, 2022 to consider, among other things, approving an Interlocal Cooperation Agreement Among Public Entities Regarding the Community Renewable Energy Program; and

WHEREAS, in 2019, the Utah State Legislature enacted H.B. 411 that was codified at Utah Code Ann. § 54-17-901 et seq. and is known as the “Community Renewable Energy Act” (“Act”); and

WHEREAS, the Act authorizes the Utah Public Service Commission to establish a community renewable energy program whereby municipalities may cooperate with qualified utilities to provide electric energy for participating customers from renewable energy resources, in an amount that equals their annual consumption; and

WHEREAS, the Act provides that to participate in the renewable resources program (“Participating Community”) that a community must adopt a resolution that establishes a goal of a net 100% renewable energy supply for that community by 2030; and

WHEREAS, on or about December 9, 2019 the Emigration Canyon Metro Township adopted the applicable resolution to be a potential Participating Community and 22 other Utah communities adopted similar resolutions; and

WHEREAS, the Act contemplates (as supplemented by rules adopted by the Utah Public Service Commission) that the Participating Communities collaborate to develop a Community Renewable Energy Program and adopt a governance agreement (which is this Interlocal Agreement, a copy of which is attached hereto); and

WHEREAS, Emigration Canyon Metro Township is a public agency, and the services contemplated in the Interlocal Agreement are joint and cooperative actions, as contemplated in the Utah Local Cooperative Act; and

DATE TUESDAY MAY 24, 2022

WHEREAS, the Interlocal Agreement contemplates a concept known as an Anchor Community that creates a critical mass to make decisions and provides a financial mechanism to assure funding of critical components of the Program implementation; and

WHEREAS, Emigration Canyon Metro Township desires to participate in the program and commit to contribute \$456.22 toward Phase 1 and \$456.22 toward Phase 2 Initial Payments, in accordance with the Interlocal Agreement, to continue to implement the Program; and

WHEREAS, the Interlocal Agreement has been presented to the Council for review and approval; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety and welfare of Emigration Canyon Metro Township’s residents to so act;

NOW, THEREFORE, BE IT RESOLVED that the Interlocal Agreement is approved, and that the Mayor and Recorder are hereby authorized and directed to execute and deliver the same.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to approve and substitute a revised Schedule 2, as amended from time to time, to reflect the final roster of Anchor Communities.

This Resolution assigned No. 2022-05-01, shall take effect immediately on passage.

PASSED AND APPROVED by the Emigration Canyon Metro Township Council this 24<sup>th</sup> day of May 2022.

EMIGRATION CANYON METRO TOWNSHIP COUNCIL

By: /s/ JOE SMOLKA  
Mayor

ATTEST:

/s/ SHERRIE SWENSEN  
Salt Lake County Clerk  
Emigration Canyon Metro Township Clerk/Recorder

Council Member Brems, seconded by Deputy Mayor Hawkes, moved to approve Resolution No. 2022-05-01. The motion passed by the following vote:

Mayor Smolka	<u>Nay</u>
Deputy Mayor Hawkes	<u>Aye</u>
Council Member Brems	<u>Aye</u>
Council Member Harris	<u>Aye</u>
Council Member Pinon	<u>Aye</u>

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*Appointment of Members to the Community Renewable Energy Board*

**Polly McLean** stated the Council needs to appoint two Council Members to serve as a Community Renewable Energy Board Member and an alternate.

Council Member Harris, seconded by Council Member Pinon, moved to appoint Council Member Brems as the primary board member and Council Member Pinon as an alternate, to the Community Renewable Energy Board. The motion passed unanimously.

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*Utah League of Cities and Towns Membership*

This item was pulled until the June Council meeting.

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*Legal Issues*

**Polly McLean** stated last month there was discussion on drafting a website policy; however, the Council approved a policy in October 2019. She will forward the policy to the Council. She has spoken to Mayor Smolka about changing the format of the agenda to make the meetings flow better and manage time more efficiently. She will work with Nichole Watt, Deputy Clerk, to make those changes to the June agenda. As a reminder, the Council needs to fill out the Conflict of Disclosure forms and have them notarized. She has looked over the new laws for 2022, there is a change to how the minutes are formatted, other than that there is not much that effects the township.

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*Budget Items*

**Mayor Smolka** reviewed the CodeRED expenditure.

**Deputy Mayor Hawkes** stated the cost for CodeRED was increased. She has called the company and is waiting for a call back to discuss the cost.

**Council Member Brems** stated Unified Police Department (UPD) may come to member entities and ask for a portion of their ARPA funds. UPD is trying to fund projects and purchase a new mobile command center. The potential ask is for \$18,000.

**Mayor Smolka** stated the Council has talked about spending ARPA funds on FEMA maps, broadband for the canyon, among other things, but nothing has been committed to. UPD will be added to the list of possible funding options.

He reviewed invoices for Clerk services and legal counsel. There was some confusion on River Restoration's invoice; however, Council Member Harris worked it out. The Council may have to allocate additional funding to River Restoration, Council Member Harris is waiting for additional information.

**Council Member Brems** asked how much ARPA funding is available?

**Mayor Smolka** stated there is approximately \$97,000 in ARPA funding and the second tranche will be distributed in July for the same amount. As soon as there is confirmation on the funding, the Council can start to determine what its priorities are and then distribute funds accordingly.

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*Consideration of Minutes*

Council Member Harris, seconded by Deputy Mayor Hawkes, moved to accept the minutes of the Emigration Canyon Metro Township Council meetings held on March 22, 2022, and April 26, 2022. The motion passed unanimously.



Council Member Reports

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

**Council Member Brems** stated the Council met with UPD to discuss funding and services in the canyon. There is not enough coverage in the canyon; an officer needs to patrol the canyon on weekends, after 5:00 p.m., or anytime Detective Elsasser is not in the canyon. He discussed the situation with the SLVLESA Board, and it has agreed to fund a .5 FTE officer and if the Council feels it needs more time, it will discuss it further. SLVLESA is preparing to pass the budget for 2022-2023.

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*Emigration Canyon Metro Township Planning Commission*

**Council Member Brems** stated the Commission is working on a dark sky ordinance. It will be about a three-month process, and it will update the Council as it progresses.

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*Unified Fire Authority (UFA) & Unified Fire Service Area (UFSA)*

**Council Member Harris** stated the Board continues to work on the 2022-2023 budget. A 7 percent cost-of-living adjustment (COLA) for personnel was recommended; however, the Board voted to reduce it to 6 percent. The public hearing for the budget will be on June 21, 2022, at 7:30 a.m. Member fees will increase by 6.9 percent. Juneteenth was added as a holiday.

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*Watershed Plan*

**Council Member Harris** stated Eric McCulley, Project Manager, River Restoration, turned in his resignation notice a week ago. She spoke to Jack Dahlquist, Watershed Scientist, River Restoration, and she is confident that Mr. Dahlquist will be able to finalize the written report. He has worked with Sandy Wingert, Environmental Scientist, Utah Division of Water Quality (DWQ), previously and she will ask Ms. Wingert to be more involved. There is an option to pay for a final best practice meeting that will need to be discussed. To complete the project will be additional \$3,000. The final report can be combined with an Emigration Canyon Metro Township Council and Emigration Canyon Community Council meeting.

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*Wasatch Front Waste and Recycling District (WFWRD)*

**Council Member Pinon** stated an independent financial audit was conducted; the results show accounting practices are in compliance. June 19 (Juneteenth) was added to the holiday schedule. WFWRD has completed the process of becoming a local district and is no longer considered a special district. The language in the policy manual was updated to reflect the change to a local district. An additional procedure to require background checks for new applicants and background checks every three years for current employees was also added. Dump vouchers are available to canyon residents. The food waste pilot program will begin in July. It is recruiting for an Executive Assistant.

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*Association of Municipal Governments*

**Deputy Mayor Hawkes** updated the Council on the Association of Municipal Governments.

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*Website*

**Deputy Mayor Hawkes** updated the Council on the Website.

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*CodeRED*

**Deputy Mayor Hawkes** updated the Council on CodeRED

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*Restrooms*

**Deputy Mayor Hawkes** updated the Council on the restrooms.

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*Greater Salt Lake Municipal Services District (MSD)*

**Mayor Smolka** stated the MSD Board attended a training conducted by Steve Hansen from the Utah Local Government Trust. There have been some personnel changes at the MSD that they are still working through. He is talking with Dan Summers, SLCo Public Works about trees that are pushing the road up in the Emigration Canyon right-of-way and what can be done.

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*Landfill Council*

**Mayor Smolka** stated the landfill is running smoothly and is ahead on their revenues.

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*Wasatch Front Regional Council (WFRC)*

**Mayor Smolka** stated the next WFRC meeting will be held on Thursday.

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*Council of Governments (COG)*

**Mayor Smolka** stated homeless issues have been the focus. The legislature mandated that one of the municipalities will have to host an overflow shelter, they have given the Mayor's a chance to come up with suggestions rather than forcing it upon a municipality. Most of the major cities have at least one location it can recommend. Emigration Canyon cannot meet the requirements to host a shelter.

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*Legislative Update*

**Polly McLean** stated Cameron Platt, Legal Counsel, has been working on updates to the Emigration Canyon Metro Township code. He has worked on Title 1, 2, and half of Title 3. The Greater Salt Lake Municipal Services District (MSD) will work on updating the planning portion of the code. Nathan Bracken, Legal Counsel, Kearns and Copperton Metro Townships, is working on getting its codes updated by the end of the year. She suggests piggy backing off of its code as it is a better jumping off point than working from Salt Lake County's code.

**Mayor Smolka** stated the MSD is also working on updating unincorporated Salt Lake County.



Other Announcements



*Project Updates*

**Mayor Smolka** updated the Council on the following projects:

- Pinecrest overlay
- Margarethe Lane paving
- Red Hill Lane road widening
- Pipe work in the canyon

**Council Member Harris** asked about the culvert on Pioneer Fork Road.

**Mayor Smolka** stated paving will be done next summer. The culvert is not in the right-of-way and is part of the subdivision's responsibility. He offered to pave up to their cut when the road in that area is paved. The gravel area by the dumpster has been graded and will get a layer of pavement soon.

**Council Member Harris** asked if anything is happening around the signage and orange pillars by the culvert.

**Mayor Smolka** stated it is boundaries for the roadway. The cones with caution tape is where there is an active sink hole due to the failed culvert.

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*COVID Update*

**Mayor Smolka** stated there are new cases of COVID going around the canyon. He still has masks if anyone needs them.

**Deputy Mayor Hawkes** stated she has 12 boxes of masks left.

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Future Agenda Items

**Deputy Mayor Hawkes** stated the jersey barriers on Little Mountain were previously repaired and now it appears they are back where they were before they were fixed.

**Mayor Smolka** stated he thinks the jersey barriers are getting hit. He is talking with Salt Lake County Public Works, and they will be back up here when the crew is back.

He added the FEMA maps, ARPA funding, and an MSD meet and greet to the June agenda.

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Closed Session

DATE TUESDAY MAY 24, 2022

Council Member Harris, seconded by Council Member Pinon, moved to go into closed session to discuss the character, professional competence, physical, or mental health of an individual. The motion passed unanimously.

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THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned.

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MAYOR, EMIGRATION CANYON METRO TOWNSHIP COUNCIL

SHERRIE SWENSEN, METRO TOWNSHIP CLERK

By: \_\_\_\_\_  
Deputy Clerk

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