

**ELK MEADOWS SPECIAL SERVICE
DISTRICT
ADMINISTRATIVE CONTROL BOARD
November 18th 2022
COUNTY COMMISSION CONFERENCE ROOM**

APPROVED MINUTES

Members Present — Dee Draney; Chairman, Wade Hollingshead; Member, Gaye Christiansen; Member, Shane Gadbow; Member, Paul Burgon; Member

Electronic Participation — None

Members Absent — Phil Emerson, Gregg McAurthur

Officers Present — Leo Kanell; District Aaomey, David White; District Treasurer, Heidi Eyre; District Secretary, Brandon Jensen; District Manager

Electronic Participation — None

Officers Absent — None

Audience — Lance Wood, George Humphreys, Nick Schneck, Craig Wright, Jack Erwig, Kallie Goff, Joe White, Kevin McNeil, Louise Helton, Rich Gurrola, Vandremeer, Lorri Puchilick, Ken Puchilick

9:00 a.m.

Call to Order — Dee Draney called the meeting to order at 9:00 a.m. stating that a quorum is present.

Review and Approve October 28th, 2022 Minutes. The board reviewed the October 28, 2022, minutes for approval and corrections if necessary.

Motion — Gaye Christiansen made the motion to approve the minutes. Wade Hollingshead seconded. All approved without objection.

The approved minutes will be posted to the Utah Public Notice Website at www.pmn.utah.gov

DEQ, CIB, Assessment Area - Dee gave an updated on the CIB project. Dee reported that the CIB loan should be ready to close by the end of this week or the next. Dee stated that he is still working on the SAMS number for the DEQ loan. Candace from the CIB offered to

project. It will be secured with the same interest-rate. Dee stated the he has made the request and will meet with the CIB board again in January. Although the recent bids that we received were more in line we still need some additional funding. Paul stated if we can extend the ceiling under the original terms that would be perfect. Dee responded that the terms would be the same.

Leo stated the drinking water project was approved for 1.6 million. The bids came in at 1.44 million. With the engineering, bond fees and other things it could go up to 1.75 million. With the appraisal conditions that is the maximum that we could ask for. Devan with Sunrise Engineering is supposed to review that budget closely to see if we need to ask for another hundred thousand from the DEQ Board. Leo stated the DEQ meets in January also. The EMSSD board will need to make a decision on that soon to allow time to get on the DEQ agenda. Dee stated that the bids all came in higher than originally anticipated. The board is trying to negotiate the best interest rate and get things set up and ready to start in May.

Overview Of Current Operations - Brandon reported that everything is working as it should be right now. Brandon also stated that there is still one PRV he is waiting for parts on. The parts should arrive next week.

Roads - Brandon reported that the roads are in pretty good shape. Dee stated that snow plowing has been going good. Dee also stated that Brandon and Brady are doing a good job. Dee asked Jack if he would be willing to give them some direction. Dee stated that he will get a map of the area from the County. Jack responded that he will ride around with them show them places that they can pile the snow. Members of the audience thanked Brandon and Brady for having a great attitudes and a willingness to learn.

Equipment Status - Brandon reported that the orange truck has been in the shop because of the transmission. Repairs should be completed soon. The green military truck still has a brake problem. Those repairs will not be addressed until early spring time. Brandon stated that he is still trying to get rid of the big snowmobile and replace it with two smaller ones. Dee stated that he has someone interested in purchasing the snowmobile and trading for two used snowmobile's. Dee also stated that he will continue working on this.

Flow Measurements - Dee asked Brandon if he had flow measurements that he could report. Brandon responded that he did not get the gallons per minute. Brandon will work on those calculations for the next meeting. Brandon reported that the tanks are full and everything is running as it should be.

Resort Update - Shane reported that Eagle Point is going to open one week early on Saturday and Sunday the 10th and 11th. It will only be the Upper Lodge area until the next weekend. The resort will open for the season on the 16th as planned and be open every day from there. Shane stated that they want to be able to offer a slimed down version of Eagle Point that can open earlier maybe at Thanksgiving at times.

SITLA Board Member - Dee reported that Ron Torgersen will return to the board as the SITLA representative.

Agenda Request - Kallie stated that the board passed a vote to turn over fire services to Fire District One. Kallie also stated that she would like to get an update and address some concerns. Kallie stated that Joe White was asked to address the board regarding insurance and then Lorri Puchilick has some comments.

Joe White addressed the board. Joe gave a history of his time as an insurance agent and the difficulties he has faced trying to provide insurance for individuals and condo associations over the years. Joe discussed the benefits of getting a better ISO rating. Joe explained how the insurance companies evaluate and score areas based on location and distance from fire service and first responders. Joe stated he is here to beg the board to do all they can do to get the fire department up and running and rated through ISO. Joe also stated that he is pleased to hear that the board is working with George Humphreys to get this going. There is a lot at stake here. In order for the mountain to continue to grow they need to be able to get insurance. Joe stated that the mitigation efforts have not gone unnoticed.

Lorri Puchilick addressed the board. Lorri stated that she is here to speak on behalf of the volunteer fire department. Lorri has been the coordinator for approximately 3 1/2 years. Lorri stated prior to that time trainings were held possibly once a year. Now there is a core group of volunteers with regular trainings. Lorri stated she is also the Fire Council Chair. Lorri reported that we are on track to get our Fire Wise status. This helps us to leverage hundreds of thousands of dollars in mitigation efforts. Lorri explained the value of the mitigation dollars. Lorri discussed the pros of having Fire District One take over the Fire Services on the mountain. Lorri stated that the volunteer fire department wants to work with George. Dee responded that the board wants that as well. Dee also stated that is what we are trying to do today. Lorri responded that Beaver Fire District one has already committed to our community big time. Lorri stated that it is unacceptable to go back to the way it was. Dee stated that the board appreciates everything that Lorri has done. Shane stated that there are four remaining issues to resolve:

1 - The undeveloped land next to the fire station. Wade asked how big the parcel was. Shane responded approximately a half an acre. Shane stated that the undeveloped land was earmarked for fire and should go to the fire district. Shane also stated that the board could put a restriction on the deed that it is used only for Fire service.

2 - A temporary lease. Shane stated that he would not sign this and the board should not ask the Fire District too.

3 - EMSSD is the taxing authority and has the ability to lean for unpaid water dues. Shane asked Leo to address this. Leo stated that the tax EMSSD levies is for fire protection. EMSSD can levy delinquent fees that accumulate over a year. Leo stated that is why he started with the agreement this way. Leo stated that it is a cooperative thing. EMSSD needs to maintain fire flows in our water system and fire hydrants and also keep the snow removed from the fire hydrants so we still have a part that we will continue to play.

4 - Shane stated the last point which is the easiest to solve is the dumpster issue. They can be left there until we can find another place for them that is not in the fire district area.

Shane asked Craig and George to respond to what had been discussed and let the board know if there were any other issues. George stated that 25 years ago they took it away from us. We are at the end of the road. We can't go any further we won't go any further without a decision from this board on whether or not we pursue taking over fire protection for EMSSD. George discussed mill levy and the procedure to raise it. The board discussed the issues with Craig and George. Shane asked if anyone on the board has a problem with the extra land going to the fire district. Craig stated that if the community continues to grow there could be a need for a second station there. Dee responded that the board just wanted to know what they planned to do with it. Dee stated that no one on the board has an issue. Nick Schenk addressed the board as the interim fire chief. He explained the benefit that property owners within EMSSD receive from bringing in Fire District One. Shane stated the second point is a lease and the deed transfer. Shane asked if anyone has an issue with not doing a lease and just doing the transfer. Dee stated that he has no problem with that. Shane stated that he will work with Leo, Craig and George to help facilitate the agreement. Shane stated that it seems like all the issues are resolved. Leo responded that he needs to work on the taxing issue. Leo stated that legally this is a completely different process. It will have to go through the county for Fire District One to take over taxing authority. If the county changes the services that we provide and takes fire protection off of EMSSD and moves it to Fire District One they take it over. EMSSD Local Building Authority would do a separate transaction and deed Fire District One the property. The deed will have a restriction that it will only be used for fire services. Leo stated that he will prepare a resolution for the county commission to sign taking that service off of EMSSD moving it to Fire District One.

2023 Tentative Budget - David presented the tentative budget for 2023 to the board. David reviewed the tentative budget with the board. David asked that the board recommend any changes to the 2023 budget before the next meeting.

Motion - Paul Burgon made a motion to approve tentative budget Shane Gadbow seconded all approved without objection.

Review and Approve Bills – David presented the bills that have been paid since the last meeting and the accounts payable to the board for approval.

Motion – Gaye Christiansen made the motion to approve the financial reports, bills that have been paid since the last meeting, and the accounts payable. Wade Hollingshead seconded. All approved without objection.

Lorri asked if the donations received by the fire department could go to Fire District One. Dee responded that they could.

Motion - Gaye Christiansen made a motion to move into closed session to discuss strategy for pending litigation: real property negotiation: the character, professional competence, or physical or mental health of an individual. Wade Hollingshead seconded. Roll call vote: Wade

Hollingshead aye; Paul Burgon aye; Gaye Christiansen aye; Shane Gadbow aye; Dee Draney aye.

Motion – Shane Gadbow made the motion to adjourn.

The next EMSSD meeting will be held on Friday, December 2nd, 2022 at 5:00 p.m.