

**ELK MEADOWS SPECIAL SERVICE DISTRICT
ADMINISTRATIVE CONTROL BOARD
MARCH 24, 2023
COUNTY COMMISSION CONFERENCE ROOM**

APPROVED MINUTES

Members Present –Dee Draney; Chairman, Phil Emerson; Member, Wade Hollingshead; Member, Ron Torgerson; Member,

Electronic Participation – Shane Gadbow; Member, Paul Burgon; Member

Members Absent – Gaye Christiansen

Officers Present –Brandon Jensen; District Manager, Leo Kanell; District Attorney, David White; District Treasurer, and Heidi Eyre; District Secretary

Electronic Participation – None

Officers Absent – None

Audience – Jack Erwig James and Carrie Penny, Rich Gurrola, Becky Vandermeer,

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 February 24, 2023, Minutes. The board reviewed the February 24, 2023, minutes for approval and corrections if necessary.

Motion – Phil Emerson 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

Ordinance 01-2023

PRESENTATION AND CONSIDERATION OF THE FINDINGS, RECOMMENDATION AND DECISION OF THE BOARD OF EQUALIZATION FOR THE WEST VILLAGE UNIT #1 SUBDIVISION ASSESSMENT AREA. CONSIDERATION FOR ADOPTION OF AN ORDINANCE CONFIRMING THE ASSESSMENT LIST AND LEVYING AN ASSESSMENT AGAINST CERTAIN PROPERTIES IN THE WEST VILLAGE UNIT #1 SUBDIVISION

ASSESSMENT AREA (THE "ASSESSMENT AREA"), FOR THE PURPOSE OF FINANCING CERTAIN IMPROVEMENTS IN THE ASSESSMENT AREA; ESTABLISHING THE EFFECTIVE DATE OF THE ORDINANCE; AND RELATED MATTERS.

Leo stated that the Board of Equalization will give a report to the board on the hearings that were held.

The Board of Equalization reported that no one appeared at any of the hearings to request any kind of adjustments. As a result, no adjustments were made to any of the assessments. The Board of Equalization also reported that there were no written objections received.

Leo stated that this is an ordinance confirming the assessment list and levying an assessment against certain properties in West Village unit #1 subdivision assessment area for the purpose of financing certain improvements in the assessment area, establishing the effective date of the ordinance and related matters. Once you pass this ordinance it will be published in the paper. Then we will send out an individual assessment letter to each lot and lot owner. They will have the option to pay the entire amount of the assessment within 25 days. If that happens and some owners choose to pay it off, then we will decrease the amount that we borrow. Everyone that does not pay off in the 25 days will be placed on a 15-year payment plan with a yearly payment.

Motion – Wade Hollingshead made the motion to approve the Ordinance as presented. Phil Emerson seconded. All approved without objection.

Electronic Meeting Resolution 01-2023 – Leo presented the revised Resolution 01-2023 to the board. The board discussed the revisions made to the resolution. The board agreed that the ordinance is ready to be signed.

Motion – Wade Hollingshead made the motion to approve the revised resolution as presented. Phil Emerson seconded. All approved without objection.

Rich Gurrola – Rich stated that he requested to be on the agenda to discuss water usage by rentals. Rich reported that after the last meeting he went back to his condominium, he looked out his bedroom window and there were 20 pairs of skis sitting in the snow outside. Rich stated that he knows that there are possibly three units that these people could rent but more than likely it was only two. Rich also stated that this led him to start wondering how much water these people are using. Rich went outside and told them that we had received an email saying that the water could get shut off and they had not heard. Rich stated that he thinks that there needs to be some kind of control over rentals and the water they use.

Heidi stated that we give notice to conserve water but then renters come in and have no idea we are trying to conserve. The people that are there on a regular basis are going to be without water because the renters who came for the weekend did not receive notice to conserve water.

Rich stated that he has been trying to consider options to take care of this. Could EMSSD charge more for a rental unit because you know they are using more water? Could you put a cap on how many people are allowed into a unit?

Leo responded that we currently do not have a way to see how much water is being used by each unit but meters are part of the water project so that is coming. Leo stated that rates will be based on usage.

Rich stated that the water situation impacts things like fire protection. Wade responded that there is no fire protection without water.

Wade stated that there is some responsibility on everyone's part. The board has a part which is the water system upgrades and metering usage. The HOA's and Condo owners can do some things to encourage residents to conserve like replacing some of the older toilets. Those things can all be part of water conservation, which we need to encourage this spring and this summer coming up for sure.

Ron stated that there are rebates for replacing old toilets with newer water conserving toilets. Ron shared the website utahwatersavers.com. Leo stated that we can encourage owners to conserve water and suggest ways to do so. Phil suggested that this be sent to all the homeowners through email highly encouraging effortless ways to conserve water. Heidi responded that she would send an email with links to the website.

Assessment Area, DEQ, & CIB Update – Leo stated that the assessment was just passed and the DEQ is moving forward. Leo stated that he is hoping that they will be able to start as soon as the weather permits. Dee responded that the CIB is moving forward as well. The contractors have all been notified. David stated that escrow accounts have been established and the money has been funded. Leo stated that they had submitted a bill for the bonding attorneys that was rejected. They say that it is not in the contract. The engineers are looking into it. Leo stated that worst-case scenario we use the money that we will be reimbursed for having already paid the engineers.

Overview of current operations

Water System Status – Brandon reported that tanks have approximately three feet of water in them. There could be a leak. Brandon stated that he believes it is a combination of problems that are causing the water shortage issue. There is usually a buffer in the tanks to get us through the busy weekends but when the pump got shut off it completely drained the tanks. We build that three or four feet and then we pull it dry again every weekend.

Roads – Brandon reported that the roads are snow covered. Brandon stated that he had to close a few roads down and turn them into a snow dump. Brandon also stated that he ran the blower until 2:30 this morning.

Equipment status – Brandon reported the blower broke down at 2:30 this morning. Brandon stated that the blower is a simple fix. Some links on the chain broke. There were a few hydraulic issues and software updates on the loader that Honen came and fixed. Everything else is good.

Fire Department Update – Ron reported that he spoke with George, they are working on funding for a newer engine and recruitment of members for the fire department.

Water Rights – Leo reported that he continues to work on water rights but has nothing new to report in this meeting.

Water Use Agreement – Leo presented the agreement with Yardley Family Farms. This is the same agreement that the board entered into last year on the surplus water. Leo stated that the board would need to authorize Dee to sign the agreement. The board discussed the agreement

Motion - Phil made a motion authorizing Dee to sign the water use agreement with Yardley Family Farm. Wade Hollingshead seconded. All approved without objection.

Eagle Point General Discussion – Shane reported that the cell tower went live with AT&T and emergency services. Other carriers will come on later. Shane stated that he has also been working a connector lift over the highway with UDOT. It runs parallel to the Skyline lift. Shane stated that this requires approval from UDOT. An MOU has been prepared and it has been approved with reasonable protection. That was the first step for the lift, there are still some hurdles to get cleared but that was the biggest one. There is a very good likelihood that it will be in place in the next 2 or 3 years. This will change the way the whole resort operates.

Review and Approve Monthly bills and Accounts Payable – David presented the financial reports, bills that have been paid since the last meeting, and the accounts payable for approval.

Motion – Phil Emerson made the motion to approve the financial reports, bills that have been paid since the last meeting, and the accounts payable. Shane Gadbaw seconded. All approved without objection.

Motion – Ron Torgerson made a motion to adjourn.

The next EMSSD meeting will be held on Friday, March 24, 2022, at 9:00 a.m. in the County Commission Chambers at 105 East Center St