

## BOARD OF TRUSTEES MEETING MINUTES

April 17, 2023  
\*\* District Office\*\*  
5:00 p.m.

### I. CALL TO ORDER

The April 17, 2023, Board of Trustees meeting was called to order by Chair Jan Wilking at 5:00 p.m. Other Board members in attendance were Mary Ann Pack, Dick Pick, Robert Richer, and Ryan Dickey. Staff in attendance were Mike Luers, Dan Olson, Chad Burrell, Kevin Berkley, Bryan Steele, and Kim Dudley. Also, in attendance were Jeremy Cook, Cohne/Kinghorn, Craig Ashcroft, Carollo Engineers, and Rory Murphy, Murphy Construction LLC.

### II. CONSENT AGENDA – Approval of Board Meeting Minutes for March 20, 2023

Mr. Richer noted that he was excused from last month's meeting and would like to be taken off motion VI.A – Action Items – MWPP – Municipal Wastewater Planning Program. The minutes will reflect the change.

Mr. Richer made the motion to approve the Consent Agenda, Ms. Pack seconded the motion carried with Ms. Pack, Mr. Pick, Mr. Dickey, and Mr. Wilking voting in the affirmative. Mr. Richer abstained.

### III. PUBLIC INPUT – There was no public input

### IV. APPROVAL OF EXPENDITURES – Bills in the Amount of \$739,745.01 – Mr. Luers stated that the expenditures totaled \$739,745.01 and asked the Board to consider approval.

Mr. Pick made the motion to approve the Expenditures, Mr. Richer seconded the motion carried with, Mr. Dickey, Ms. Pack, Mr. Pick, Mr. Richer, and Mr. Wilking voting in the affirmative.

### V. SUBDIVISION PROJECTS

Estimated LEA REs Year to Date: # Above Splitter 0; # ECWRF 0; # SCWRF 67; Total 67  
Proposed this Meeting: # Above Splitter 0; # ECWRF 0; # SCWRF 0; Total 0

### VI. DISTRICT MANAGER

A. Discussion Items – Impact Fees and Affordability Housing – Mr. Luers indicated that we were asked to put affordability housing on the agenda to continue the discussion.

Mr. Richer began by saying that at the prior meeting when we discussed this issue he was attending via online and had a hard time hearing and seeing the participants. He conveyed in deference to our staff and all of us he knows what the simple answer would be that we don't need to go in this direction. Mr. Richer validated that he views this as an existential threat to our community. You tend to be vested where your kids go to school and get involved in the community. He said that he believes that people are not really vested in a community if they don't live here. Out of the 42 employees that work for the District only 2 live here. Mr. Richer proposed that we look seriously at a pilot program to provide some affordable housing relief. We limit the program to those projects initiated by the city or the county and non-profit organizations. We don't apply this to anything retroactive and start out with a reduction of 25% of the impact fees just to see if it could help and we could do our part. We should show the state that we care about this issue very much. Mr. Richer remarked that in the handout the staff put together the last time we discussed this issue it said that we would be the only District doing this in the state. He believes that it would be very cool and something to be proud of if we were the first District in the state to demonstrate our commitment to a complete community.

Mr. Dickey acknowledged that the need for affordable housing is critical. As a member of the Park City Council within the city our fee waiver would apply, and an affordable housing project would be granted a fee waiver up to 100%. Mr. Dickey said that he is raising kids here and would like to raise them in a complete community as Mr. Richer mentioned. He said it would be wise to be cautious and conservative and think of it as a pilot program not as a 100% fee waiver. Afterwards, we can evaluate the program and continue it or not.

Mr. Pick asserted that he does not want to come across as anti-affordable housing. He said he has some concerns from the District's standpoint. Our mission statement states that the District is committed to protect public health and the environment by developing, integrating, and implementing fiscally responsible solutions to wastewater, water reclamation and watershed protection issues. We have eight guiding principles that guide what the District does:

1. Provide, through proper planning, the capacity to meet current and future demand for wastewater services.
2. Provide for the proper maintenance and replacement of the District's infrastructure assets.
3. Provide professional and timely responses to customer inquiries and service needs.
4. Operate with the goal of protecting and enhancing the ecological integrity of the watersheds within the District's boundaries.
5. Cooperate with all governmental and private entities that participate in the protection of local watersheds.
6. Maintain user fees at levels that fully cover the costs of operating and maintaining the system. Maintain impact fees at levels that fully cover the capital costs of providing service to newly serviced areas.
7. Recognize that the most valuable asset of the District is its employees.
8. Promote and encourage the reclamation and reuse of wastewater.

Mr. Pick voiced that the District is very focused on what we do. We're not a big district, our operating budget is 14 million dollars. We provide a very important service. We have requests on waving impact fees every couple of years. All the time he's served on the board and all the 50 years we have been operating we have never given any relief on impact fees. What we're really doing is asking our users to subsidize or contribute to affordable housing. Mr. Pick said he doesn't believe that's our mission and doesn't want to increase the user fees. Mr. Pick suggested increasing the franchise fee as an alternative.

Ms. Pack commented that she's been on the Board for quite some time and said this issue has come up maybe five times. She said that when we've discussed this issue, we've always felt that it's best that we stay clear and for lack of a better term stay with our mission. The county and the city are much different entities than the District and have a lot more sources of revenue. We have only two sources of revenue, impact fees and user fees and she can't say she's in favor of raising user fees to cover affordable housing. Although, Ms. Pack acknowledged she is all for affordable housing.

Mr. Pick also said that he believes that our East Canyon Water Reclamation project could come in as high as 125 million dollars. That project is paid for by impact fees and we rely on those impact fees to pay for the project. If the impact fees do not come in, we rely on user fees.

Mr. Richer appreciates Mr. Pick and Ms. Pack's perspective. Of course, whether it's our mission statement we certainly could change that mission statement if this board voted to do so. Sometimes you need to push the envelope to make it better.

Mr. Pick told Mr. Richer that he understands. He believes the city is in a better position to take on affordable housing.

Mr. Dickey reiterated that we could create a narrow policy. We control the policy and tailor it to our requirements.

Mr. Murphy, Murphy Construction LLC, started off by saying that of all the jurisdictions around Snyderville Basin Water Reclamation District is the most efficient, well organized, and is such a joy to work with. He said the last thing that he would want to propose is to create any liability for the District. The project that he is looking at is a HUD project that is financed largely through government tax benefits and our revenues are set, there is no way to increase that revenue stream. There is no profit on this project, it is just turning this asset over to the city. As far as the District's mission statement on safety and welfare there are only 2 employees that live here. If there was a catastrophe

you certainly don't want them to have to come up from West Valley. He believes there is a benefit of having more District employees living here, arguing that there is nothing better than providing housing to the employees. Mr. Murphy understands that changing the policy that has worked so well is a concern. He agrees with Mr. Richer that we could define the policy very narrowly and look at projects that may house the District employees and believes it is something we should think about. At some point the affordable housing issue becomes all our problem.

Mr. Wilking spoke saying that this is a really tough issue. As much as he agrees with all the points regarding affordable housing, preferring to call it workforce housing because that's where the real critical need is for our work staff. This is a very hard issue for him to decide on. He doesn't believe that he's ready to decide tonight. Mr. Wilking firmly believes that we have a well-run District, great leadership, and staff. The idea of having people here in the community that can respond to issues is very important. He believes our need is just as critical as police and fire. He keeps a very open mind to both sides and appreciates the input. He trusts this decision is up to the board to make the policy but also likes the management and staff's input. Right now, if we could make up the difference on impact fees, he would feel very comfortable giving some kind of benefit to employee housing. He doesn't agree with making up the difference with user fees. As for increasing the franchise fee, he doesn't think that's the way to go. He's comfortable with the 6% franchise fee that we charge now and thinks that could be our contribution to affordable housing. Mr. Wilking asked the other board members if they are pushing to decide tonight. He appreciates everyone articulating their points of view. Everyone here believes in workforce housing, as he refers to it.

Mr. Richer stated that he believes we should continue the discussion and pat ourselves on the back for a very respectful high-level discussion. Maybe the next exercise is to pretend that the board agreed on changing the policy and figure out the best way to do this. Is there a way to satisfy everyone's concerns.

Mr. Luers repeated that since we only have two sources of income, and we must make up the difference from user fees, he does not know of another way.

Both Mr. Dickey and Mr. Pick echoed that this was a good discussion.

B. Action Items – Preparing for higher than usual snowmelt & the impact of sump pumps – Mr. Luers declared that we are faced with a potential situation that we have never been faced with before. He presented a slide show starting with a picture of the East Canyon creek that was taken today. It is running at 235 ft<sup>3</sup>/s but was running at 335 ft<sup>3</sup>/s last week. This is determined by how fast the snow melts. If we see multiple warm days in a row, we are going to see an emergency for us. We are concerned about flooding from East Canyon creek and from excessive I&I. Mr. Luers referenced the graph showing how the creek was high on April 12<sup>th</sup> and had gone down on April 17<sup>th</sup>. We are hoping the weather cooperates by staying cooler and not heating up too fast. We've seen flows this high before, but we have never seen this amount of snowpack.

Mr. Pick asked what is the highest we've seen. Mr. Luers replied 600 ft. It gets right up against our building at 600 ft.

Mr. Richer asked when that was. Mr. Luers said about 2011.



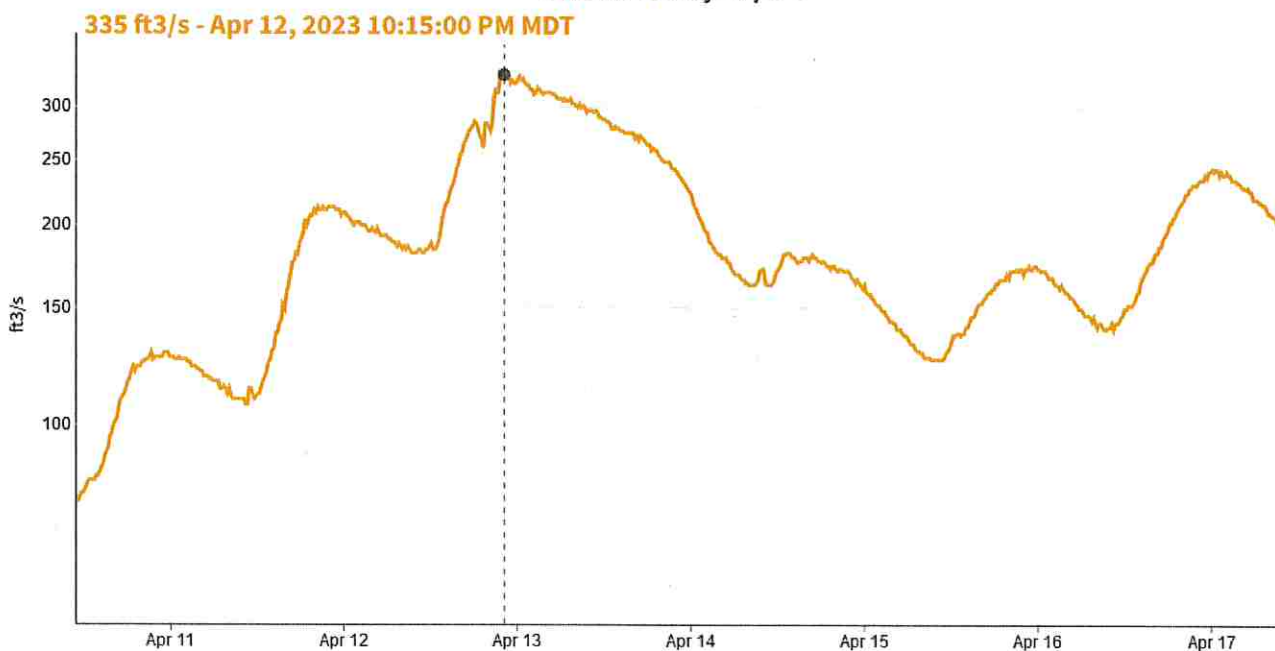
**IMPORTANT** [Legacy real-time page](#) ⓘ



7 days  30 days  1 year

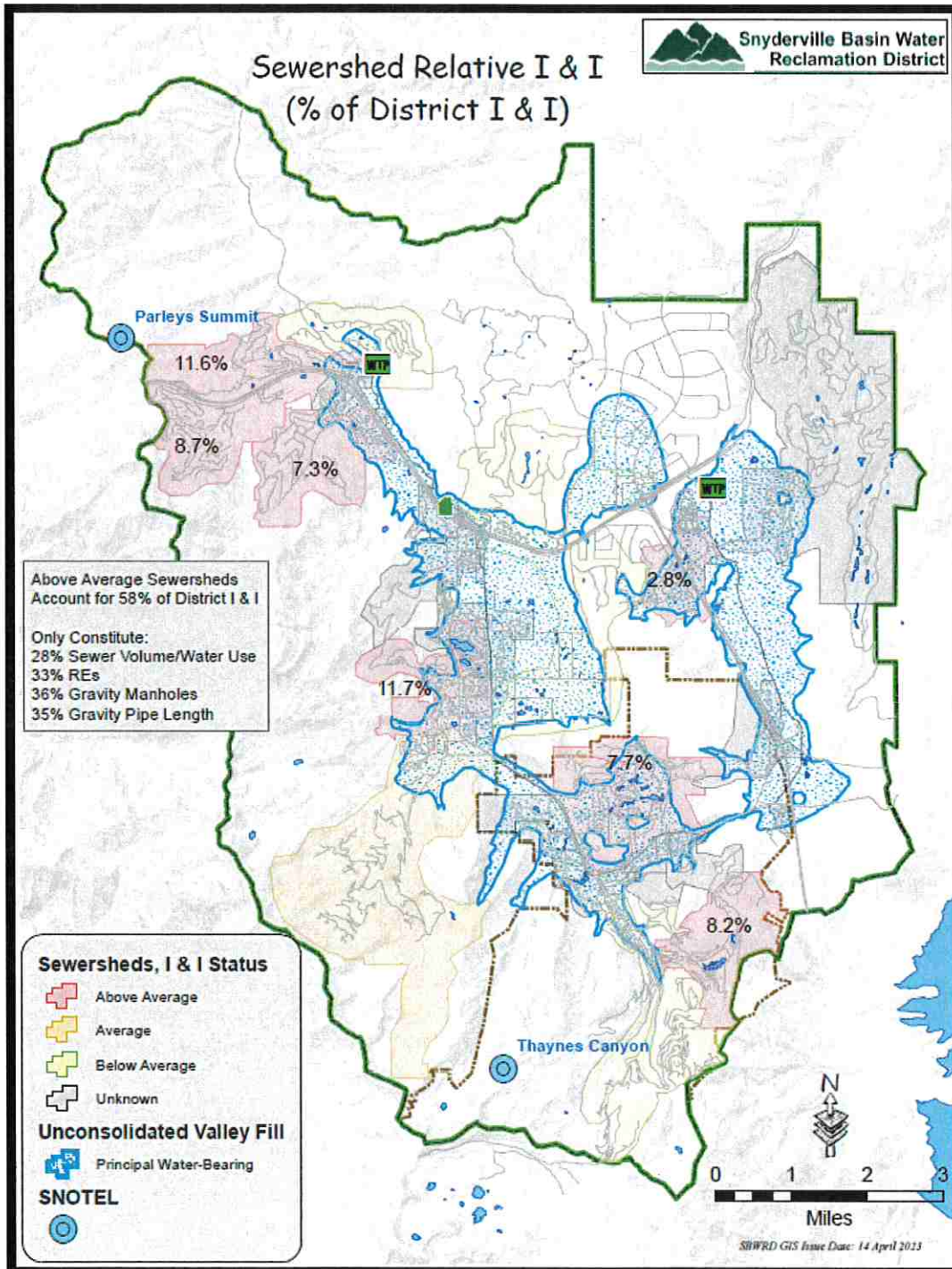
## East Canyon Creek Near Jeremy Ranch, UT - 10133800

April 10, 2023 - April 17, 2023  
Streamflow, ft<sup>3</sup>/s ⓘ



Show legend ▾

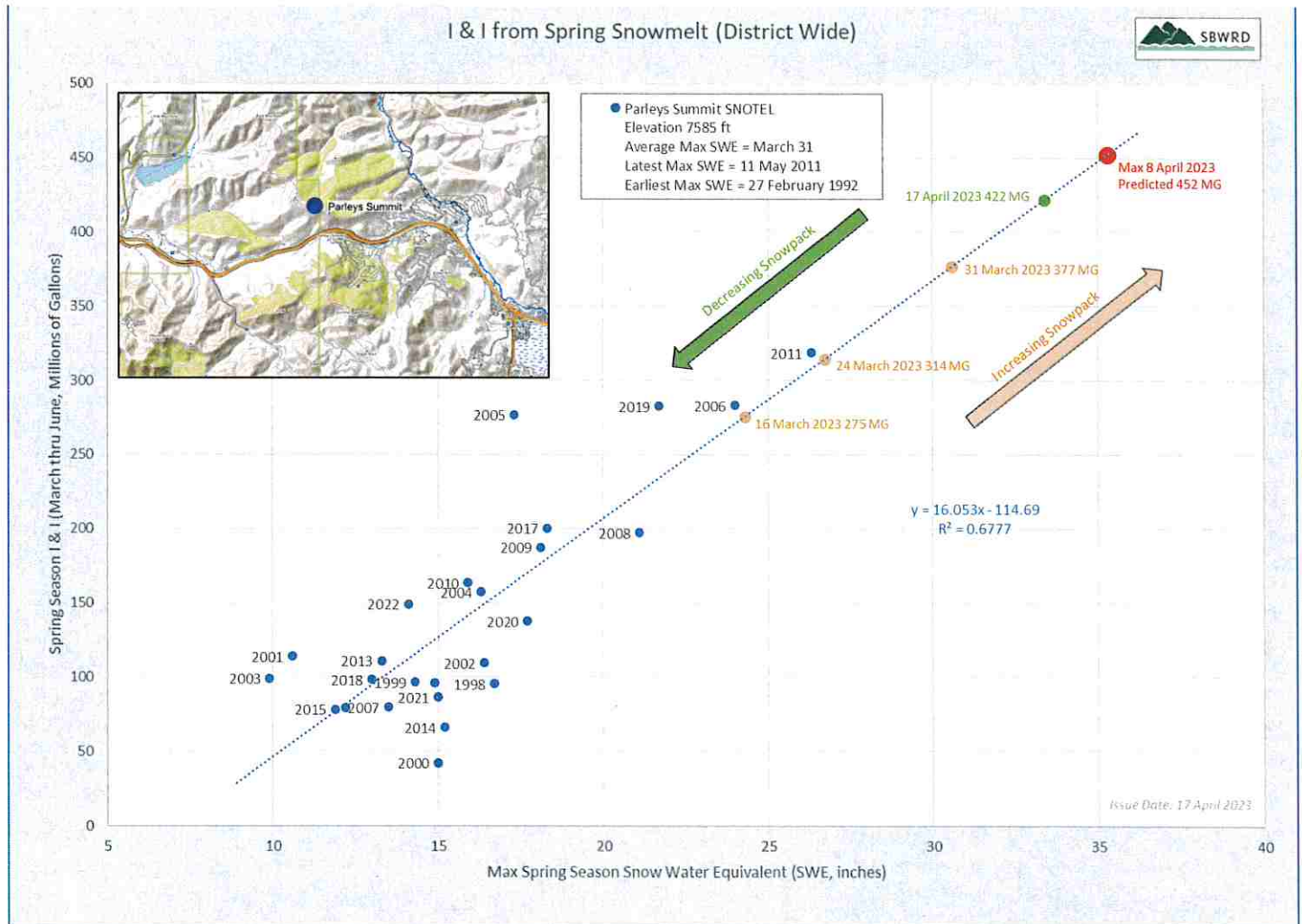
Mr. Luers explained that we have identified various areas that contribute to I&I (Infiltration & Inflow). What that means is any excess water that gets into the system that isn't wastewater. The stormwater system is not connected to our system but with 7,000 manhole covers water is bound to get in. The areas in pink are the areas of high infiltration inflow. They contribute to 54% of the I&I and only 28% of wastewater.



Mr. Luers discussed the I&I from the spring snowmelt. He said the graph shows historical amounts of total infiltration and in-flow. On March 16, 2023, we estimated that we would have about 275 million gallons of water entering our system during the snowmelt period of the year, basically the next two months. On March 24<sup>th</sup> it went to 314 million gallons. By the end of March, it went to 372 million gallons and on April 8<sup>th</sup> we were at 452 million gallons. That is an incredible amount of potential I&I. If we get warm weather for the next two weeks, we are going to see an incredible amount of water entering our system.

Mr. Pick asked about the difference between snowmelt down in town versus the snowmelt higher up in the mountains. Mr. Luers said that we normally see two peaks, low snow, and high snow. The low snow melts first and it takes longer before the high snow melts and catches up.

If we see I&I compressed down through April, May, and into June that is a lot of water in our system.



Mr. Burrell responded to what Mr. Pick asked about saying he was at an emergency planning commission meeting with the county last month and they were discussing this issue. There was a state hydrologist there who mentioned one of the added challenges with the higher snow is that the ground water saturation is already at 70% and the likely hood of that water making it into the ground is less due the saturation and the water enters the streams.

Mr. Luers continued saying when the stream was at 335 ft 3/s flow at the East Canyon plant it was processing 12 million gallons a day. It is designed for a peak flow of 5 million gallons a day. The guys handled it well, but they were getting nervous. We estimate that 65% of those 12 million gallons was I&I.

Mr. Luers reported we have reviewed our flood emergency plan with the staff and Mr. Ashcroft, Carollo Engineers and updated it. The staff have prepared 3,000 sandbags to protect the plant and have more if we need them.

Mr. Dickey remarked that there wouldn't be full treatment if the plant was unable to handle it. Mr. Luers replied that the water is coming in pretty clean. Depending on how much water we're seeing would dictate the level of treatment.

Mr. Burrell revealed the bigger fear is the higher volume coming through and if we can't keep it within our structures long enough to treat it.

Mr. Luers said that we have sent flyers out, as shown below, to all our customers that are in the pink level of the graph to promote getting sump pumps connected properly to avoid additional I&I entering our system.

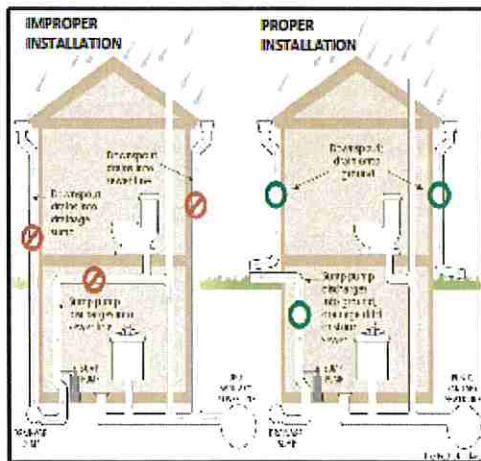


Your Wastewater (Sewer) Service Provider

### An Important Message from the Snyderville Basin Water Reclamation District

The Snyderville Basin Water Reclamation District (SBWRD) is conducting an outreach program to educate and work with homeowners regarding "**clean-water connections.**"

These connections, including **sump pumps**, discharge large quantities of clean water into the wastewater (sewer) system, especially during wet weather periods, that can **overflow the system and cause raw sewage to backup into your home** or, overflow onto streets and other open space! Our research has determined that many homes in your neighborhood have clean-water connections. A clean-water connection exists when groundwater and/or runoff from snowmelt and rainwater is discharged into the wastewater system, often unknown to the homeowner.



Clean-water connections come from four primary sources that are improperly installed: **sump pumps, exterior floor drains, exterior foundation drains, and roof drains.**

**We are here to help!**

To help homeowners determine if they have an improperly installed clean-water connection, call us at (435) 214-5227 and ask for "help reducing clean-water discharge to the sewer system." SBWRD will dispatch knowledgeable staff to help, at no cost to the homeowner. SBWRD staff will arrive in an SBWRD vehicle with a picture ID card. Our office hours are Monday-Friday, 8:00-4:30. Or, you can contact your own qualified plumber.

For a limited time, SBWRD is offering up to \$1,500 financial incentive to residential homeowners who disconnect clean-water connections.

Protecting Your Health, Home, and Our Environment

For more information visit us on the web at [www.sbwr.org/inflow-and-infiltration](http://www.sbwr.org/inflow-and-infiltration)

We are offering up to a \$1,500 incentive, if a customer's sump pump is connected incorrectly and they get it fixed. The good news is that we've had over a hundred phone calls inquiring about the program.

Mr. Wilking mentioned that in some subdivisions he believes that around 50% of the sump pumps are discharging into the sewer. Mr. Luers declared that everyone who has a sump pump connected to the sewer that it is illegal, and they would be responsible if they flooded someone's home.

Mr. Richer reiterated he believes that 50% of the homes in Ranch Place are also connected incorrectly.

Mr. Luers summarized by asking the board to officially authorize the sump pump program with the incentive of the \$1,500, for a limited time, to correctly install sump pumps.

Mr. Richer made the motion to approve the \$1,500 incentive for customers correctly installing sump pumps., Ms. Pack seconded the motion carried with Mr. Dickey, Mr. Pick, Ms. Pack, Mr. Richer, and Mr. Wilking voting in the affirmative.

We would also like to have Mr. Cook prepare a legal notice to notify all the plumbers, property management companies, contractors, and HOA's of the liability of the sump pumps being installed incorrectly.

The board agreed.

Mr. Luers gave some additional information:

**Clean Water Connections Outreach Program**

- 1) 100+ calls requesting assistance with sump pumps, most do not have pumps but wanted information.
- 2) 25+ inspections have been completed or scheduled.
- 3) 4 connections to the sewer have been identified, owners are considering changing the discharge.

**Crews are identifying manholes that have the potential to be submerged.**

**Sandbag inventory**

- > 3,000 sandbags have been filled.
- > 500 additional empty bags are available.

Mr. Richer asked how we determined 3,000 sandbags. Mr. Luers replied we marked where we would need the sandbags and calculated how many we would need and doubled it.

Mr. Richer excused himself from the board meeting.

Mr. Dickey suggested putting the information out on social media. If we can get him the information, he can get it to Park City Municipal's and the County's social media. Mr. Luers told Mr. Dickey that we would do that.

A. Information Items

1. Financial Statement
2. Impact Fee Report – Mr. Luers stated the Impact Fee Report is attached and we

did okay for the month with 34 RE's.

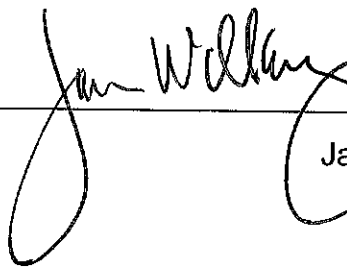
**VII. FUTURE AGENDA ITEMS**

- A. Projects
- B. Operations
- C. Finance
- D. Governmental Matters

**VIII. ADJOURN**

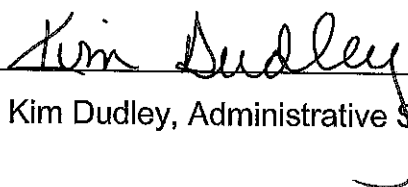
Mr. Pick made the motion to adjourn at 6:44 p.m., Ms. Pack seconded the motion carried with Mr. Dickey, Mr. Pick, Ms. Pack, and Mr. Wilking voting in the affirmative.





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Jan Wilking, Chairman



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Kim Dudley, Administrative Specialist