

MINUTES

WOLF CREEK WATER AND SEWER IMPROVEMENT DISTRICT June 10, 2021

In accordance with the requirements of Utah Code Annotated Section 52-4-7(1)(d), the District records in the minutes the names of all citizens who appear and speak at an open Board of Trustees Meeting and the substance "in brief" of their comments. Such statements may include opinion or purported facts. The District does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State Law.

A regular meeting of the Board of Trustees of Wolf Creek Water and Sewer Improvement District (WCWSID) was held Thursday, June 10, 2021, via web-conference on Zoom.

Board Members Present: Miranda Menzies, Larry McBride, Don Stefanik, Jon Bingham, Bud Huchel

Board Members Absent:

Others Present: Rob Thomas, General Manager, Annette Ames, Controller/Recorder, Eric Householder, Lewis Homes. Jim Scopac and Ron Wilson from the District community

The regular meeting was called to order 8:00 a.m. by Miranda Menzies

NEW BUSINESS

1. Bud Huchel made a motion to accept the May 13, 2021, regular meeting minutes, Jon Bingham duly seconded the motion, and it was unanimously approved.
2. Annette Ames presented the May 2021 financials, accounts receivable and accounts payable that had been previously sent to the Board for review, Bud Huchel made a motion to accept the May 2021 Financials and the A/R and A/P, Don Stefanik duly seconded the motion, and it was unanimously approved.
3. Rob Thomas reported that there were two culinary water main breaks, one in Highlands and one in Trappers, both have been repaired. Miranda added that the breaks were apparently caused by minor earthquakes in the Middle Fork area of the valley. Mr. Thomas also reported on the repairs at the Snowflake Spring; there is still work to be done to get the spring back online. Jon Bingham asked about the flow on the spring, Mr. Thomas reported that the flow is down.
4. Robert Thomas reported that he is in contact with several people in the valley for possible office sites. The district office will probably be moving out of the district boundaries on June 30, 2021, until a new office can be built within the district.
5. Rob Thomas summarized the current water capacity in our District. He reported on some of the other water districts in the valley and how they are handling the drought situations. Our districts irrigation water is on the decline, as expected. The Warm Springs Well for the culinary water is maintaining its usual flow. At this point, it does not show any decline, Mr. Thomas will continue to monitor the situations. Jim Scopac addressed the Board, about the

waste of water in the area. He is concerned about the amount of new building and development happening in the valley. He feels that stricter regulations should be established to control the planting of grass, and plants and shrubs that are not indigenous to the area. He reminded the Board that Utah is the second driest state in the nation and is in the middle of a drought.

6. Bud Huchel is very concerned about the amount of building that is happening within the boundaries of the District. He has been approached by several members in the community about the new building, and the possibility of a water shortage. Miranda Menzies stated the District's policy, that in order for a Developer to plat any new lots, they will have to bring the District more wet water as opposed to Weber Basin contracts (shares), which often have no water source associated. Bringing wet water is a difficult task to accomplish, but can be achieved by transferring Wolf Creek Irrigation Company shares to the District. Another challenge is the lot owners that have been paying stand-by fees and are now wanting to build homes on their lots. It has been suggested that the District limit the amount of this building it will allow on a yearly basis, until new sources can be developed. Don Stefanik stated that taking that action may cause legal issues for the District. He suggested that legal advice may be needed. This item was tabled until legal advice is obtained.
7. Rob Thomas reported that the District has acquired new bids from well drillers. The bids are a lot higher than the original bid that was received from Mike Zimmerman. Mr. Thomas feels that the District needs to make a decision and move forward. The board indicated they would like to get all the Drilling quotes together and do a comparison of them. This item was tabled until a comparison is completed and availability of the different contractors is confirmed.
8. Miranda Menzies reported that several Developers are ready to begin new development in the district.
 - a. The Pointe at Wolf Creek, LLC, has a development agreement ready and the Developer has brought the required wet water (WCIC shares), for the project.
 - b. The Powder Canyon development agreement will need to be put together. Rob Thomas reported that only 20 units of the 60 units are platted at this time, and has previously paid sewer connections on 10 units. The Developer is ready to build the 20 units that are platted and is willing to wait on the remaining units until water is available. This project has been in discussion with the District for several months. The project has been paying stand-by fees. As discussed, previous in this meeting, legal review is needed on this matter.
 - c. Five units in the Eagle Ridge Subdivision appear to have water available for the District. These lots are not platted at this time. Mrs. Menzies stated that some negotiations would be needed with the Eagle Ridge Developer to put together a development agreement.
 - d. Bud Huchel and Larry McBride made the statement that when putting together each of these development agreements, a statement should be included that the District will make its best efforts to provide water, however, in case of drought or lack of water due to "force majeure", there is no water commitment by the District. Legal advice will be sought.

Jon Bingham made a motion to approve the development agreement for the Pointe at Wolf Creek, LLC, Don Stefanik duly seconded the motion, and it was unanimously approved. Jon Bingham made a motion to put together a development agreement for Powder Canyon after legal review of a force majeure clause, Bud Huchel duly seconded the motion, and it was unanimously approved. Bud Huchel made a motion about developing an agreement for the five units in Eagle Ridge, which will need additional discussion with the Developer and legal review. Larry McBride duly seconded the motion, and it was unanimously approved.

9. Miranda Menzies reported that Summit Mountain Holding Group (Summit) has decided to build the 20-acre Wolf Creek Irrigation Co. (WCIC) pond, as required by the 2016 settlement agreement. They are going to build it themselves at the Wolf Barn Property. Negotiations are ongoing between Summit and WCIC. The District will continue to watch and see how this situation develops.
10. Annette Ames reported that all noticing requirements for the 2021 Election are complete and the filing period to file a Declaration of Candidacy is over. Bud Huchel and Pam Young filed during the time allotted and will be the candidates for the District. It is possible that no election will be needed, barring any write-in candidates coming forward by August 30, 2021. Miranda Menzies stated her appreciation and that of the Board, for the service that has been provided by Larry McBride. He has decided to step down from his board position effective at the end of 2021.
11. Miranda Menzies accepted a motion from Larry McBride to go into Closed Session to discuss Purchase or Ownership of Water Rights, Land or Other Real Property, Personnel Matters, or Imminent Legal action at 10:10 a.m. Don Stefanik duly seconded the motion, and it was unanimously approved. Larry McBride made a motion to reopen the regular meeting, Don Stefanik duly seconded the motion, and it was unanimously approved. The regular meeting reconvened at 10:54 a.m. Don Stefanik made a motion to approve the items discussed in the Closed Session, Bud Huchel duly seconded the motion, and they were unanimously approved.

There being no further business Bud Huchel made a motion to adjourn, the motion was duly seconded by Larry McBride and it was unanimously approved. The meeting adjourned at 10:56 a.m.

The next meeting will be a regular meeting and is scheduled for Thursday, July 8, 2021, at 8:00 a.m. in the business office at 2580N. Highway 162 Suite #A or by web-conference on Zoom.

Secretary of the Meeting