

DATE WEDNESDAY JANUARY 11, 2017

THE EMIGRATION CANYON METRO TOWNSHIP COUNCIL, STATE OF UTAH, MET ON WEDNESDAY, JANUARY 11, 2017, AT THE HOUR OF 7:00 P.M., AT THE UNIFIED FIRE AUTHORITY, STATION 119, 5025 E EMIGRATION CANYON ROAD, SALT LAKE CITY, UT 84108

COUNCIL MEMBERS
PRESENT:

- DAVID BREMS
- JOE SMOLKA¹
- KATHRYN CHRISTENSEN
- JENNIFER HAWKES
- RICK RAILE, Chair

OTHERS IN ATTENDANCE: RITA LUND, EAST TOWNSHIP REPRESENTATIVE,
TOWNSHIP SERVICES
SHERRIE SWENSEN, COUNTY CLERK
By: DEBBIE MATTICKS, DEPUTY CLERK

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Council Member Raile, Chair, presided.

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Mr. Michael Conn, Liaison, Unified Fire Authority, led the Pledge of Allegiance to the Flag of the United States of America.

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Council Member Raile introduced the Emigration Canyon Metro Township Council.

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Mr. Shane Topham, Attorney, spoke under "Citizen Public Input" regarding his qualifications as an attorney for Emigration Canyon Metro Township. He has worked for Jones, Waldo, Holbrook and McDonough for 33 years and has been an attorney for Cottonwood Heights City for 12 years. He also has experience with commercial litigation, real estate transactions, municipal law, city incorporation, drafting ordinances and working with Mayor's and Council's to establish new policy and procedures and is familiar with the public process.

Council Member Raile asked what the billing rate would be.

Mr. Topham stated between \$200 - \$220 an hour.

¹ Participated Electronically

Council Member Brems asked in what capacity he would work with Salt Lake County District Attorney's Office.

Mr. Topham stated he believes the Council should hire their own legal counsel who can engage with the community and have a good working relationship with Salt Lake County District Attorney's Office.

Council Member Brems stated if Salt Lake County gives the Township the county roads and someone is injured or killed and sues the Council, how will the Council afford to defend themselves.

Mr. Topham stated the Township will need to get coverage and that is typically done through Utah Local Government Trust.

Council Member Hawkes asked what an estimate would be to get the Council running smoothly.

Mr. Topham stated it depends on how much the Council relies on Salt Lake County ordinances and services. If ordinances need to be altered or service contracts need to be created, that will cost more.



The Council reviewed the appointment of Council Member Raile as Chairperson for the Emigration Canyon Metro Township Council.

The Council reviewed the appointment of Council Member Raile to serve as Emigration Canyon Metro Township Trustee to the Greater Salt Lake Municipal Services District Board.

The Council reviewed the appointment of Council Member Hawkes to serve as Co-Chairperson of the Emigration Canyon Metro Township Council for 2017.

The Council reviewed the appointment of Council Member David Brems to serve as Emigration Canyon Metro Township representative to the Salt Lake County Council of Governments Board.

The Council reviewed the appointment of Council Member Smolka to serve as Emigration Canyon Metro Township Trustee to the Wasatch Front Waste and Recycling District Board.

The Council reviewed the appointment of Council Member Christensen to serve as Emigration Canyon Metro Township Trustee to the Unified Fire Authority Service Area Board.

The Council reviewed the appointment of Council Member Hawkes to serve as Emigration Canyon Metro Township Trustee to the Salt Lake Valley Law Enforcement Service Area Board.

Council Member Brems, seconded by Council Member Hawkes, moved to approve the appointments. The motion passed unanimously, showing that all Council Members present voted "Aye."

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The Council reviewed the 2017 annual meeting schedule for the Emigration Canyon Metro Township.

Council Member Brems, seconded by Council Member Hawkes, moved to approve the meeting schedule. The motion passed unanimously, showing that all Council Members present voted "Aye."

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Review of Attorney's

Council Member Smolka stated there are two qualified candidates and Mr. David Church, Attorney, was the cheapest.

Council Member Brems stated Mr. Church also has a son, Matt Church, who can also provide services for a lesser amount.

Council Member Hawkes stated whoever the Council retains needs to be able to provide feedback specific to the Council's needs and be dedicated.

Council Member Raile stated if the Council chooses to retain Mr. Church, all conflict of interests could be avoided and the process to work through the set-up would be quicker. Mr. Church said that once he is retained the Council will be on his radar and will watch everything that is being done. A letter of expectations could be drafted and sent to Mr. Church.

Council Member Hawkes stated the Council's expectations needs to be clear.

Council Member Smolka stated he would like to see a prepared proposal and then present it to Mr. Church to get his feedback.

Council Member Brems stated the hourly rate needs to be nailed down and what the minimum costs are to set-up.

Council Member Hawkes stated the Council needs to have a budget in mind to see if Mr. Church is on the same page.

Ms. Rita Lund, East Township Representative, Township Services, stated Salt Lake County's District Attorney's Office will not be providing an attorney for any of the Metro Townships or Planning Commissions. The letter should include an attorney for the Planning Commission.

Council Member Raile asked the Council Members to send questions they have for Mr. Church.

Council Member Hawkes, seconded by Council Member Brems, moved to go forward with a proposal and additional questions to David Church for legal services. The motion passed unanimously, showing that all Council Members present voted "Aye."



Telephone Services

Council Member Hawkes stated she has reviewed answering services that charge based on number of incoming calls and what type of service level requested, the starting cost for one service is \$59.00.

Mr. Tyler Tippetts stated he uses a service called phone.com that is \$34.00 a month for unlimited calls and call forwarding.

Council Member Raile stated Council Member Hawkes will research answering services and come back to the Council with options.



Utah DTS

The Council reviewed the contract for Utah DTS for a domain name and e-mail addresses for all the Council Member's.

Council Member Brems, seconded by Council Member Raile, moved to accept Utah DTS contract as written with the stipulation that funds will come as Salt Lake County receives them.



Use of Emigration Canyon Fire Station

Council Member Raile stated he talked to Chief Ascarte about using the data room at the Unified Fire Authority (UFA) Fire Station to store Government Records Access Management Act (GRAMA) records.

Mr. Michael Conn, Liaison, Unified Fire Authority, stated an attorney is drafting an agreement and will submit it to the Salt Lake County Municipal Services District and they will bring it to the Council.

Council Member Raile asked if the Council can use the UFA Fire Station address as their physical address.

Mr. Conn stated he asked the attorney to include that language into the agreement.

Council Member Raile stated the Council should table the decision until they hear back from the fire district.



Legislative Update

Ms. Rita Lund, East Township Representative, Township Services, reviewed the following legislation that is being cleaned-up this session;

- One-percent local option sales tax distribution.
- Require all Metro townships to pool together class c road funds.
- Change the Metro Township budget cycle to calendar year.
- Clarify language to allow Metro Township meetings to be transcribed by recording only.



Sexual Harassment

The Council reviewed the sexual harassment documents and was signed by all Council Members and will be filed with the Emigration Canyon Metro Township records.



The Council reviewed the following RESOLUTION adopting the Salt Lake County Public Resource Management Plan as the Emigration Canyon Metro Township Resource Management Plan for the area included in the Township.

DATE WEDNESDAY JANUARY 11, 2017

RESOLUTION NO. 1 DATE January 11, 2017

A RESOLUTION ADOPTING THE SALT LAKE COUNTY PUBLIC RESOURCE MANAGEMENT PLAN AS THE EMIGRATION CANYON METRO TOWNSHIP RESOURCE MANAGEMENT PLAN FOR THE AREA INCLUDED IN THE TOWNSHIP

RECITALS

A. Utah State Code section 10-2a-414 provides that when a metro township is incorporated that each county ordinance that is in effect on the day that metro township is incorporated will remain in effect as a metro township ordinance until the metro township council amends or repeals the ordinance.

B. Utah State Code section 10-3-a-504(3) provides that in a metro township that is in a municipal service district that the township council shall adopt by ordinance provision regulating the manner in which a subdivision is approved, disapproved, or otherwise regulated.

C. Utah State Code section 10-3c-203(4) provides that a metro township may establish a planning commission and appeal authority as provided for in the Municipal Land Use Development and Management Act.

D. The Municipal Land Use Development and Management Act provided that Utah Municipality may adopt general plans and land use regulation.

E. Utah Code section 10-1-104 defines municipality to include metro townships.

RESOLUTION

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Council of the Emigration Canyon Metro Township:

1. The Salt Lake County Public Resource Management Plan as shown in Exhibit A attached hereto is hereby adopted as the Emigration Canyon Metro Township Resource Management Plan for the area included in the Township.

APPROVED AND ADOPTED in Emigration Canyon Metro Township, Salt Lake County, Utah, this 11th day of January, 2017.

EMIGRATION CANYON METRO TOWNSHIP COUNCIL

ATTEST (SEAL)

By /s/ RICK RAILE
Chair

By /s/ SHERRIE SWENSEN
County Clerk

DATE WEDNESDAY JANUARY 11, 2017

Council Member Brems, seconded by Council Member Hawkes, moved to approve the resolution. The motion passed unanimously, showing that all Council Members present voted "Aye."



The Council reviewed the following RESOLUTION adopting the Salt Lake County Public Resource Management Plan as the Emigration Canyon Metro Township Resource Management Plan for the area included in the Township.

RESOLUTION NO. 2

DATE January 11, 2017

A RESOLUTION ADOPTING THE CURRENT SALT LAKE COUNTY MASTER PLAN FOR EMMIGRATION CANYON AS THE EMIGRATION CANYON METRO TOWNSHIP MASTER (GENERAL) PLAN

RECITALS

A. Utah State Code section 10-2a-414 provides that when a metro township is incorporated that each county ordinance that is in effect on the day that metro township is incorporated will remain in effect as a metro township ordinance until the metro township council amends or repeals the ordinance.

B. Utah State Code section 10-3a-504(3) provides that in a metro township that is in a municipal service district that the township council shall adopt by ordinance provision regulating the manner in which a subdivision is approved, disapproved, or otherwise regulated.

C. Utah State Code section 10-3c-203(4) provides that a metro township may establish a planning commission and appeal authority as provided for in the Municipal Land Use Development and Management Act.

D. The Municipal Land Use Development and Management Act provided that Utah Municipality may adopt general plans and land use regulations.

E. Utah Code section 10-1-104 defines municipality to include metro townships.

RESOLUTION

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Council of the Emigration Canyon Metro Township:

1. The Salt Lake County Master Plan for Emigration Canyon, as shown in Exhibit A attached hereto is hereby adopted as the Emigration Canyon Metro Township General Plan for the area included in the Township until such time as the Plan may be amended or modified by the Council for Emigration Canyon Metro Township.

DATE WEDNESDAY JANUARY 11, 2017

APPROVED AND ADOPTED in Emigration Canyon Metro Township, Salt Lake County, Utah, this 11th day of January, 2017.

EMIGRATION CANYON METRO TOWNSHIP COUNCIL
ATTEST (SEAL)

By /s/ RICK RAILE
Chair

By /s/ SHERRIE SWENSEN
County Clerk

Council Member Smolka, seconded by Council Member Brems, moved to approve the resolution. The motion passed unanimously, showing that all Council Members present voted "Aye."



The Council reviewed the following RESOLUTION ratifying the action of sending a letter to the Greater Salt Lake Municipal Service District (GLMSD), prior to incorporation, allowing GSLMSD to collect all fines, fees, charges, levies, and other payments imposed by Emigration Canyon Metro Township

RESOLUTION NO. 3

DATE January 11, 2017

RECITALS

- A. The Emigration Canyon Metro Township came into existence official on January 1, 2017.
- B. Prior to formally coming into existence the council members elect were required by expediency and allowed by law (subject to later ratification) to take certain actions and make decisions to establish the Township.
- C. One of these pre-incorporation actions of the council members elect was to send a letter to the Greater Salt Lake Municipal Service District, of which the Township is a member, allowing the District to collect all fines, fees, charges, levies, and other payments imposed by Emigration Canyon Metro Township.
- D. Utah Code 10-3c-205 provides that the Township may impose fines, fees, and charges.
- E. Utah Code section 10-3c-205 provides that a municipal service district of which the Township is a member may, upon request of the Township, collect on behalf of the Township fines, fees and charges.

RESOLUTION

DATE WEDNESDAY JANUARY 11, 2017

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Council of the Emigration Canyon Metro Township:

1. The action of the council members elect to send a letter to the Greater Salt Lake Municipal Service District, prior to incorporation, allowing the District to collect all fines, fees, charges, levies, and other payments imposed by Emigration Canyon Metro Township for and on the Township's behalf, is hereby ratified and adopted as if it was being sent anew.

APPROVED AND ADOPTED in Emigration Canyon Metro Township, Salt Lake County, Utah, this 11th day of January, 2017.

EMIGRATION CANYON METRO TOWNSHIP COUNCIL

ATTEST (SEAL)

By /s/ RICK RAILE
Chair

By /s/ SHERRIE SWENSEN
County Clerk

Council Member Smolka, seconded by Council Member Brems, moved to approve the resolution. The motion passed unanimously, showing that all Council Members present voted "Aye."



Other Announcements

Ms. Rita Lund, East Township Representative, Township Services, stated a public hearing for FCOZ has been scheduled for January 31, 2017 at 5:00 p.m. Stacey Adams from Township Services will be at the February 7, 2017 Emigration Canyon Metro Township Council meeting.



THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at 9:27 p.m., until Tuesday, February 7, 2017, at 7:00 p.m.

SHERRIE SWENSEN, COUNTY CLERK

By _____
Deputy Clerk

DATE WEDNESDAY JANUARY 11, 2017

CHAIR, EMIGRATION CANYON METRO TOWNSHIP COUNCIL

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