

**SOUTH WEBER CITY COUNCIL
SPECIAL MEETING FOR
MUNICIPAL GENERAL ELECTION CANVASS
AND WORK MEETING**

DATE OF MEETING: 15 November 2011 **TIME COMMENCED:** 5:30 p.m.

PLEDGE OF ALLEGIANCE: Councilmember Poll

PRAYER: Councilmember Woodbury

PRESENT: **MAYOR:** Jeff Monroe
COUNCILMEMBERS: David Thomas
Sara Lusk
Michael Poff
David Thomas
Scott Woodbury

CITY RECORDER: Erika Ahlstrom

CITY MANAGER: Rodger Worthen

VISITORS: Scott Peterson, Gavin Poll, Renee Smith, Connor Brown, Bailey King, Jaxon Stanger, Brent Poll, Jeff Brown, Barbara Shupe, Dan Shupe, Sander Ketts, Barbara “B” Hall, Barbara Fisher, Mark Loukens.

SPECIAL MEETING/CANVASS

Mayor Monroe welcomed Scout Troop #33.

Mayor Monroe reviewed the agenda. Councilmember Woodbury moved to approve the agenda. Councilmember Poll seconded the motion. Motion passed.

CANVASS – 2011 MUNICIPAL GENERAL ELECTION: The Municipal General Election was held on 08 November 2011. Mayor Monroe and the Councilmembers reviewed the election results as provided by the Davis County Clerk Auditor’s office, which included a breakdown of registered voters, voter turnout, votes per precinct, early, provisional and absentee votes.

Councilmember Scott Woodbury moved to declare Randy G. Hilton, Michael Poff, and David L. Thomas as the candidates who sought election to the office of city council within the board’s jurisdiction, who had the highest number of votes, and who are thereby elected for the office of City Council for the term 2012-2016. Councilmember Farrell Poll seconded the motion. Councilmembers Sara Lusk, Michael Poff, Farrell Poll, David Thomas and Scott Woodbury voted yes. Motion passed.

(Official Canvass and election return reports are attached to these minutes.)

Councilmember Poll moved to enter into a work meeting at 5:37 p.m. Councilmember Thomas seconded.

WORK MEETING

HILL AFB ENVIRONMENTAL REPORT – Dr. Barbara “B” Hall, Environmental Engineer: (Handouts provided by HAFB are on file at the City Office)

Barbara “B” Hall handed out a briefing update, stating this report is a template of what future reports from them will look like. The report includes resources, general background information on the contamination, and indoor air sampling information. The report also includes a brief timeline summary ranging from the 1980’s through 2070 when the cleanup is expected to be completed. Each report given will provide a brief summary of what happened since last time they came to report to the City, as well as upcoming plans. The current report shows an update since March 2011 on the sewer ventilation system. It also lists that they have completed a supplemental human health risk assessment (HHRA) for Operable Unit 1 (OU1), which showed no need for further excavation of the arsenic cleanup site.

B’s report provides details on Operable U4 nits 1, 2 and 4 and the contact information for each site manager. She also provided a map illustrating where there are treatment systems, and a map on air sampling with the most recent results which includes the location of the homes that have vapor mitigation systems installed at the request of the owners, and homes that have been tested with non-detection or below mitigation action level. The map shows no homes with samples that are above the mitigation action level. The summary reflects that there are 48 homes in the affected area, 42 have been sampled since 2003. This year the owners of 16 homes have requested sampling in response to the base’s continued solicitation.

The Council posed no questions on the air sampling report.

B provided an update on the arsenic cleanup in Operable Unit 1, and gave a brief background and a timeline on the cleanup that was done on the hillside directly below OU1. The remedial action began in August of 2008 and was suspended in October 2008 due to concerns about slope stability because the location is identified as a landslide risk area. They determined at that point they should hold discussions with the stakeholders to define the best approach at this point.

B reported HAFB Environmental has done a Human Health Risk Assessment to determine what the estimated risk is to those on the property in question.

B explained that the Record of Decision for OU1 indicates that relative to the seeps and springs located on the hillside that the excavation would occur when the seeps and springs stop flowing. B said once they stopped flowing the concentrations were high enough to warrant doing clean up, which involved removing the sediment that had been contaminated. The Record of Decision also required the base to construct extraction trenches for migration down the hillside, which was completed in 2001. A map was provided showing the locations of arsenic impacted sediment; the area identified as “Site 1”

B said that once they determined the clean up should be suspended due to slope stability, they had to step back and find out what makes sense in terms of property value, risk, cost, and protection. They decided to meet with the stakeholders to interface in making decision on how to proceed. It was determined that they should do a quantitative human health risk assessment. She said preparing and conducting the assessment took a year, now they are finalizing the report then the document will be in the regulatory pathway.

Councilmember Poff said he is confused and frustrated because in 2008 there were orange fences and signs saying “do not cross” and contaminated” and now it is not identified on where they did excavation. He said the crew doing the clean up were in full hazmat gear. Councilmember Poff said he is concerned that the Base is now saying (the cleanup effort) was too aggressive so now they are not worrying about it. B said that is what he is saying. Councilmember Poff said they went further down the hill than indicated. B replied that the fencing surrounded the area. Mayor Monroe clarified that the fencing is no longer there. Councilmember Poff stated that people are concerned that there were people in hazmat suits. B said the suits were for particulate prevention and inhaling dust particles until they collected and tested the samples. She said when they confirmed that there was no risk for the onsite workers they did not have to wear them.

Councilmember Poff said his impression is they had to stop because they hadn't planned on it being that big. B reiterated that they had to stop because they didn't want to cut into the hillside. She said they then decided to do a risk assessment to evaluate the actual human risk in order to make a decision on how to proceed. B said the risk is in the acceptable range at a super fund site and no further excavation is required, although she realizes this does not help Councilmember Poff with his frustration. Councilmember Poff asked why they would spend money to do excavation if it was not needed, asking if they were trying to hide something due to costs. B speculated that if the Base we had done a risk assessment prior to establishing the Record of Decision, it is probable the outcome would have been different. B said they have now assessed the current risk on that hillside. Councilmember Poff stated he is still skeptical.

B stated it was determined the best approach was to look at ensuring acceptable risk to human health, manage slope stability, and meet regulatory requirements. She said the stakeholders came to the decision to do the quantitative study to measure contaminants, measure probable hillside use, and use a quantitative process to identify risk to human health. Councilmember Poff said this doesn't make him “feel any easier.”

B said they used samples collected prior to and after the excavation for the study. She said they had to get a better understanding of the bioavailability of arsenic in the soil, which is how much the human body absorbs if the contaminated soil is eaten. B said rigorous testing was done. She reported that 17% of the arsenic consumed is absorbed by the body, so if you eat 100 grams of arsenic, 17 grams is absorbed.

B said another component of the study was probable land use scenarios. They used specific EPA guidance on determining the most likely land use for the hillside as being visitor or trespasser. B said these are defined as an adult who might visit a location 30 times a year and stay for about 15 minutes, and consume 50 mg of soil during that visit. She reported that even though the potential for residential use is very unlikely, they went ahead added this to the study, which is defined as any adult or child who is exposed for 24 hours a day, 350 days a year for 30 years, and consumes 100-200 mg of soil every day. B displayed samples of 50 mg of soil, which would

have to be eaten every time one visited the site, and she also displayed 200 mg as what a child may eat. She said inhalation is less harmful. B said the guidance says you have to use those numbers as reasonable maximums. She said these are conservative estimates.

Scott Peterson, 7870 S. 2250 East, who is involved with the RAB board, clarified those are grams of soil, not grams of arsenic. B confirmed Mr. Peterson's statement.

B said the purpose of the risk assessment is to estimate the excess lifetime cancer risk. Using the American Cancer Society statistics from 2007, 44% of men will get cancer; the excess lifetime cancer risk if a man participates in the defined land use activity as referenced above is increased to 44.2901% (increasing the risk an additional 1 in 10,000). B clarified that this includes all types of cancer diagnoses. B stated the ACS has determined that 38% of women will contract some form of cancer, and exposure would add similar excess lifetime cancer risk to women.

B reported that the concentrations on the hillside indicate the cancer risk at site 1 for a visitor/trespasser is 1 in 100 million; the risk for a resident at site 1 is 1 in 1 million. The risk at site 2 for visitor/trespasser is 1 in 1 million; resident is 1 in over 10,000. B stated that the risks at both sites are within the acceptable risk range for risk assessments.

B reported the relative to the contamination in the soil: It is safe to visit areas around the dried-up springs regularly, sit down, drop apple on the ground and eat it without washing it; it is safe to live on the property near the dried-up springs.

B reiterated that if a quantitative human health risk assessment had been originally, the Record of Decision would likely have been different. Mayor Monroe asked for clarification on what would have been different. B said the environmental engineers would have suggested they did not need to do excavation to begin with, however she stated this is an assumption. She said based on the concentration there and other places on the hillside, the risk would probably have been in the acceptable range.

Councilmember Poff asked if there is any data on the affects on autoimmune disorders. B said there is a hazard quotient, and with any non-cancer outcomes the values are all significantly less than the risk associated for cancer. She said this information is explained in the risk assessment document. Councilmember Poff said he looked into this but there is no tracking of autoimmune situations. B said they are correct that the studies were not specific to autoimmune disorders. Councilmember Poff asked how there could be a 1/10,000 likelihood, if one person has a disorder, and one down the street has it too. He asked about affect other chemicals on the hillside have on our children. B suggested that the council Dr. Scott Phillips of the University of Health Sciences in Colorado. She said he has been here before, and he is a specialist on affects of chemicals on the human body.

Councilmember Woodbury said each person is different, and asked how do these affect the body at the cellular level as what types of cancers we would be looking at. B again referenced contacting Dr. Phillips on these types of studies. She said even though people are different, they try to incorporate that. Barbara Fisher of HAFB Environmental said she will keep the city abreast of when Dr. Phillips will be in town.

Councilmember Poff said saying it is safe to visit the area is a bold statement considering what everybody went through during the construction time at the school, with masks etc. B responded that OSHA requires that level of protection of a worker. .

Mark Loukens of HAFB said initially when they got together they discussed that the concentrations were small, and it was not worth the effort to do a risk assessment because they thought it was a small problem. However, they thought it would be best to excavate, but in hindsight they may not have done so. Councilmember Poff said when they were doing the construction it was bigger and they said they would have to come back and look at it. B responded that that is true. Councilmember Poff stated now it looks like they are trying to close the book. B said there is a lot of opportunity for the council to ask questions. She said the (HHRA) documents will be finalized soon. She invited the council to call her if they have questions, and she will either provide an answer or find someone who will.

SOUTH WEBER COALITION – Brent Poll

Brent Poll addressed the Council, representing the South Weber Coalition. Brent said the study done (by the Base) only applies to health standards as it relates to cancer caused by arsenic. He asked if they know that arsenic does affect immune system. He said it also affects the reproductive system and causes chromosomal irregularities. He told the Council they have heard nothing from them on those.

Brent said it is convenient to blame congress. He said that here is an example, as they created superfund laws and ordered the EPA to come up with adequate health standards. Brent asked if they fed arsenic to people or to rats to come up with this standard. He said he thinks this was their best shot, but asked if it is good enough for this town to make viable decision on.

Brent said the matter of fact is they ran out of money. He asked how many millions the spent trying to clean up the arsenic, and said they grossly underestimated how much arsenic there would be. He said they misjudged how much contamination would come off the hill, and they wouldn't listen to the property owners. Brent said people are allowed to excavate and sell (the soil) as topsoil "with their collusion".

Brent asked what the retort is as a city. He said they (the Base) were going to take off and dispose of the soil properly because this was bad stuff, but now they say it is okay. If it is okay to build on, then it is okay to sell topsoil. Brent said that in the past the state and county tax auditors have been lenient, but now the property can't be in the green belt. He said you have to make money off the property or it goes from green belt to something else.

Brent said (the Coalition's) advisor disagrees completely with what the Base is saying. Brent said the City is a stakeholder, but it doesn't have any say. He said he would their advisor to address the issue, along with the Base. Brent stated their technical advisor says they (the Base) have no idea about the disposition of all the contaminants that they have put over that hill. In OU1 we know millions of gallons of TCE was dumped over the hill, among dozens of other chemical. Brent said they have no clue how much and where they dumped, and those (individuals) who dumped said it was all along the hillside into South Weber. Brent said records were lost or destroyed through records retirement.

Brent reiterated there are competing arguments between their advisor (an environmentalist) and the Base engineers. Brent said their advisor who has worked with them for 20 years has no vested interest and he believes what he is telling him. Brent said the City should listen to him and accept his statements as they have the Base's presentation. Mayor Monroe said the Council would like to hear from Dr. Carter (Coalition's advisor); Brent said they would like to have him do so before spring.

Councilmember Poff said he is not trying to take sides, but from his standpoint he is leary of putting the arsenic complaint aside because there are citizens with concerns. B said they will have an information fair which will give the residents an the opportunity to ask questions. Councilmember Poff said soil was extracted when the school was being built, and he is surprised the Base is no longer worried about the arsenic.

Brent said other alternatives would have cost \$302 million, but they chose natural attenuation. He said the EPA has criticized us for accepting less that we should. He stated pollution can change by the hour because ground water moves.

Councilmember Thomas moved adjourn. Councilmember Woodbury seconded.

Resident Scott Peterson addressed the Council, asking to discuss providing relief for military, which is scheduled for a decision at December 13 meeting.

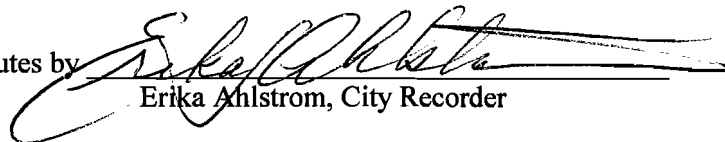
Councilmember Thomas withdrew adjournment motion.

Scott Peterson said he understands that a citizen came before the Council asking that they consider waiving utility bills for those on active duty. Councilmember Thomas clarified the request was for families with members that have been deployed. Scott said he understands wanting to help. However, he presents that they are picking and choosing to help out, when there other groups as well, such as those on the fire dept, single mothers, unemployed, etc. Scott feels it is not the position of city of government to pick and choose who they are going to help, and he would strongly encourage the Council not to decide to choose one specific group and alleviate them from paying utility bills. He said this puts the cost on others.

Scott said he understands there is an ordinance being proposed regarding chickens. Rodger said there will be a public hearing on this issue at the Planning Commission on December 22.

Councilmember Thomas moved to adjourn. Councilmember Woodbury seconded. The work meeting adjourned at 6:45 pm.

Minutes by



Erika Ahlstrom, City Recorder

**CANVASS OF SOUTH WEBER CITY, DAVIS COUNTY
2011 MUNICIPAL GENERAL ELECTION RETURNS**

I, Erika J. Ahlstrom, the duly appointed City Recorder in and for South Weber City, County of Davis, State of Utah, do hereby certify that the returns received from the four combined polling precincts (SW01, SW02, SW03, and SW04) in South Weber, Davis, County, Utah, for the Municipal General Election held 08 November 2011, were publicly canvassed by the Board of Municipal Canvassers consisting of the Mayor and City Council on 15 November 2011 and the official results are as follows:

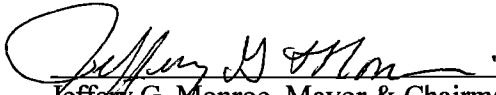
<u>4-Year Council Office (2012-2016)</u>	Votes
Hilton, Randy G.	389
Poff, Michael	371
Thomas, David L.	274
Stokes, Sam	255
Ukena, Jan	192
Osborne, Robert S.	124
Poll Votes – Election Day	454
Early Voting	71
Absentee	41 (0 rejected)
Provisional	7 (0 rejected)
TOTAL BALLOTS CAST:	573 (19.51%)
TOTAL REGISTERED VOTERS:	2,937

After conducting a canvass of the election returns, Councilmember Scott Woodbury moved to declare Randy G. Hilton, Michael Poff, and David L. Thomas as the candidates who sought election to the office of city council within the board's jurisdiction, who had the highest number of votes, and who are thereby elected for the office of City Council for the term 2012-2016. Councilmember Farrell Poll seconded the motion.

Those who voted YES: Councilmembers Sara Lusk, Michael Poff, Farrell Poll, David Thomas and Scott Woodbury.

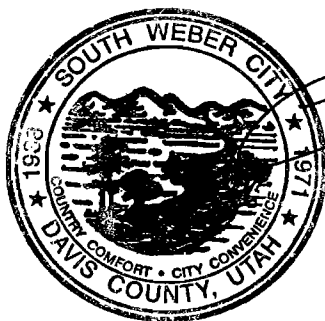
Those who voted NO: Councilmember(s) N/A

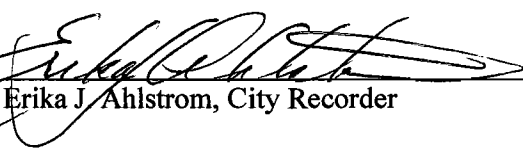
The South Weber City Board of Municipal Canvassers hereby accepts the foregoing results and declares them to be the official South Weber City results of the 2011 Municipal General Election held on November 8, 2011.


Jeffery G. Monroe, Mayor & Chairman

I, Erika J. Ahlstrom, City Recorder for the City of South Weber, County of Davis, State of Utah, do hereby certify that the annexed and foregoing is an accurate election tabulation report for the 2011 Municipal General Election held in South Weber City, Davis County, on November 8, 2011.

Dated this 15th day of November, 2011.




Erika J. Ahlstrom, City Recorder

Election Summary Report
 Davis County
 Municipal Election
 Held November 8, 2011
 Summary For South Weber, All Counters, All Races
 Official Election Results

Date: 11/15/11
 Time: 09:09:34
 Page: 1 of 1

Registered Voters 2937 - Cards Cast 573 19.51%

Num. Report Precinct 4 - Num. Reporting 4 100.00%

South Weber City Council

	Total	
Number of Precincts	4	
Precincts Reporting	4	100.0 %
Times Counted	573/2937	19.5 %
Total Votes	1619	
Randy G Hilton	389	24.03%
Michael Poff	371	22.92%
David L Thomas	274	16.92%
Sam Stokes	255	15.75%
Jan Ukena	192	11.86%
Robert S Osborne	124	7.66%

Official Results South Weber, Utah Municipal Election Held on November 8, 2011		Canvass			South Weber City Council							
		Registered Voters	Ballots Cast	Turnout	Registered Voters	Ballots Cast	Randy G Hilton	Robert S Osborne	Michael Poff	Sam Stokes	David L Thomas	Jan Ukena
South Weber 1	Polling	872	153	17.55%	872	153	121	17	114	83	59	45
	Early Voting	872	21	2.41%	872	21	14	5	16	11	8	7
	Absentee	872	7	0.80%	872	7	2	1	7	5	3	2
	Provisional-Paper	872	0	0.00%	872	-	-	-	-	-	-	-
	Paper at Polls	872	0	0.00%	872	-	-	-	-	-	-	-
	Total	872	181	20.76%	872	181	137	23	137	99	70	54
South Weber 2	Polling	705	85	12.06%	705	85	65	15	67	35	41	20
	Early Voting	705	6	0.85%	705	6	6	-	4	1	4	3
	Absentee	705	12	1.70%	705	12	6	1	10	5	7	6
	Provisional-Paper	705	0	0.00%	705	-	-	-	-	-	-	-
	Paper at Polls	705	0	0.00%	705	-	-	-	-	-	-	-
	Total	705	103	14.61%	705	103	77	16	81	41	52	29
South Weber 3	Polling	675	112	16.59%	675	112	76	23	81	51	41	34
	Early Voting	675	23	3.41%	675	23	19	2	13	9	15	4
	Absentee	675	12	1.78%	675	12	6	5	6	4	6	6
	Provisional-Paper	675	0	0.00%	675	-	-	-	-	-	-	-
	Paper at Polls	675	0	0.00%	675	-	-	-	-	-	-	-
	Total	675	147	21.78%	675	147	101	30	100	64	62	44
South Weber 4	Polling	685	111	16.20%	685	111	55	44	44	40	72	49
	Early Voting	685	21	3.07%	685	21	13	6	7	6	10	13
	Absentee	685	10	1.46%	685	10	6	5	2	5	8	3
	Provisional-Paper	685	0	0.00%	685	-	-	-	-	-	-	-
	Paper at Polls	685	0	0.00%	685	-	-	-	-	-	-	-
	Total	685	142	20.73%	685	142	74	55	53	51	90	65
Grand Totals	Polling	2,937	461	15.70%	2,937	461	317	99	306	209	213	148
	Early Voting	2,937	71	2.42%	2,937	71	52	13	40	27	37	27
	Absentee	2,937	41	1.40%	2,937	41	20	12	25	19	24	17
	Provisional-Paper	2,937	0	0.00%	2,937	-	-	-	-	-	-	-
	Paper at Polls	2,937	0	0.00%	2,937	-	-	-	-	-	-	-
	Total	2,937	573	19.51%	2,937	573	389	124	371	255	274	192

**MUNICIPAL GENERAL
ELECTION
NOV. 8, 2011
CANVASS REPORT**

	Reg Voters	Polling	Early	Absentee Before	Election Night	Accepted Absentee After	Absentee Rejected	Absentee Undeliverable	Vote Center Votes	Early Vote Provisionals	Provisional	Rejected Provisional	Paper at Polls	Final Total
South Weber 1	872	150	21	6	177	1	0	0	0	0	3	0	0	181
South Weber 2	705	84	6	10	100	2	0	0	0	0	1	0	0	103
South Weber 3	675	110	23	12	145	0	0	0	0	0	2	0	0	147
South Weber 4	685	110	21	9	140	1	0	0	0	0	1	0	0	142
TOTAL	2937	454	71	37	562	4	0	0	0	0	7	0	0	573

*These columns added together give the total for the election

