

MIDWAY WATER ADVISORY BOARD

MONDAY August 5, 2019

MEETING MINUTES

Minutes of the Midway Water Advisory Board meeting held August 5, 2019 at 6:00 p.m. in the Midway City Office Building, 75 North 100 West, Midway, UT.

Roll Call

Irrigation Members: Irrigation President/Co-Chairman Steve Farrell, Grant Kohler and Brent Kelly; Midway City: Mayor/Chairman Celeste Johnson, City Councilman Bob Probst, City Councilman Ken VanWagoner, Michael Henke, City Planner. And Jennifer Sweat, Treasurer/Water Advisory Board Secretary.

General Consent Calendar

Mayor/Chairman Celeste Johnson asked for approval of the General Consent Calendar which consisted of:

- a. Approval of the Agenda for August 5, 2019
- b. Approval of the minutes for June 3, 2019

Motion: Councilman Ken VanWagoner made a motion to approve the General Consent Calendar. Midway Irrigation Member Grant Kohler 2nd the motion. It was carried unanimously.

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not

Motion was carried unanimously.

Havin Farms (Higginson Subdivision) – 1170 South Center Street

Michael Henke, City Planner presented the following regarding this property

- **67.43-acre parcel**
- **RA-1-43 zoning**
- **Proposal contains 13 lots**
- **Shared private driveways**
- **Public Trails**
- **FEMA floodplain**

The board reviewed the power point presentation, plat maps and discussed the subdivision. They discussed the Well Water Rights on the property which is currently servicing the existing home and the irrigation in the FEMA

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flood zone. The applicant is asking to not include the FEMA flood plane in the irrigation water. The board also discussed the culvert size on the property.

Planner Henke presented the following possible water recommendations:

- 67.43 acre-parcel
 - Area of parcel is 2,937,250 sq. ft.
 - Impervious area – Lots – 104,000 sq. ft. (13x8000)
 - Driveways and Trail – 82,328.4 sq. ft/
 - Irrigated lot area – 65.04 acres (2,937,250-104,000-82328.34=2,750,921.6
 - Total Irrigated acreage – 63.15 x 3 = 189.45-acre feet
- 13 Culinary connections – 10.4-acre feet (13x.8)
- 199.85-acre feet requirement

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not.

Motion: Midway Irrigation Member Brent Kelly made the motion to recommend to City Council that the Havin Farms subdivision located at 1170 South Center Street Road be required to turn in 199.85-acre feet of Midway Irrigation Water. City Council Member Bob Probst seconded the motion.

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not

Motion was carried unanimously for Recommendation to City Council.

Bonner Landing – 155 East 100 South

Michael Henke, City Planner presented the following regarding this property

- **1.22 acres**
- **R-1-9 zoning**
- **Proposal contains 4 lots – single family dwelling**
- **Standard Subdivision**
- **Public Roads**
- **The lots will connect to the Midway Sanitation District sewer, Midway City's culinary water line and Midway Irrigation Company secondary's water line.**

The board reviewed the power point presentation, plat maps, and discussed the subdivision. Planner Henke also mentioned that it was staff's understanding that the deal for this subdivision fell through, however the applicant didn't pull it from the agenda, and so it was discussed. The board discussed the irrigation easements that were on the property.

Planner Henke presented the following water possible recommendations

- 1.21-acre parcel

- Area of parcel – 52,707.6 sq. ft.
- Impervious area for lots – 23,000 sq. ft. (3x5,000 = 1 x 8,000)
- Irrigated lot area - .68 acres (52,707.6-23,000=29707.6)
- Park Strip – 2,312.35 sq. ft. (0.05 acres)
- Total Irrigated acreage - .73 x 3 = 2.19-acre feet
- 4 culinary connections – 3.2-acre feet (4x.8)
- 5.39-acre feet requirement

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not.

Motion: Midway Irrigation Member Grant Kohler made a motion that the Bonner Landing subdivision located at 155 East 100 South be required to turn in 5.39-acre feet of Midway Irrigation Water, with the easement for the open ditch to remain and be listed on the plat map. City Council Member Ken VanWagoner seconded the motion.

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not.

Motion was carried unanimously.

Raynor Subdivision – 565 North River Road

Michael Henke, City Planner presented the following regarding this property

- **.99 of an acres**
- **R-1-15 zoning**
- **Proposal contains one lot**
- **Standard subdivision**
- **Public Roads**
- **Sensitive Land**
- **The lots will connect to the Midway Sanitation District sewer, Midway City’s culinary water line and Midway Irrigation Company secondary’s water line.**

The board reviewed the power point presentation, plat maps, and discussed the subdivision. There is a lot of wetlands on the property, and there is a small building pad, but the house being placed on the property has been designed for this. It was discussed the importance of having a secondary water meter on the common area.

Planner Henke presented the following water possible recommendations

- .99-acre parcel
 - Area of parcel – 43,124.4 sq. ft.
 - Impervious area for parcel – 8,000 sq. ft.
 - Wetlands – 25,700.4 sq. ft.

- Irrigated lot area - .22 acres (43,124.4-8,000 – 25,700.4 = 9,424 sq. ft.)
- Total irrigated acreage - .22 x 3 = .66-acre feet
- 1 culinary connection - .8-acre feet
- 1.46-acre feet requirement

Mayor/Chairman Celeste Johnson asked if there were questions regarding this item? There was not.

Motion: City Council Member Ken VanWagoner made the motion to recommend to City Council the Raynor Subdivision located at 565 North River Road be required to turn in 1.46-acre feet of water for the entire subdivision. Midway Irrigation Member Grant Kohler 2nd the motion.

Mayor/Chairman Celeste Johnson asked if there were questions regarding this item. There was not.

Motion was carried unanimously for Recommendation to City Council.

Midway Crest Subdivision – Located in Wasatch County

Michael Henke, City Planner presented the following regarding this property

- 24.24-acre parcel
- Located in Wasatch County
- In Midway’s annexation declaration
- 1 existing dwelling
- Proposal for 5 lots

The board reviewed the power point presentation, plat maps and discussed the subdivision. Planner Henke stated that some discussion items were irrigation easements, how do we assure that areas that don’t have water rights aren’t irrigated, and Park Strips? Planner Henke also stated that the property does need to be annexed into Midway City, however City Council has given them 6 months to complete that process and are allowing them to move forward with the process with the City.

The board discussed the property reviewed the history of the irrigation on the property, and discussed the requirements of water for the requirement, and the number of shares the property historically had when Daryl Stubbs owned the property. It was believed the property had 6 shares, and it would adequately take care of the property, however they wouldn’t be able to water on the lower portion of the property. The well was also brought up; however, the applicant or engineer hasn’t provided any information on the well, however it could be credited.

Mayor/Chair Celeste Johnson left meeting at 7:30, Co-Chair Steve Farrell will take over the meeting.

They also discussed the possible park strip, and that the applicant wanted to put a fishpond on the property. In order to do that they would need to get approval from the irrigation company because the water (Island Ditch) would be the irrigation companies’ water.

Motion: Midway Irrigation Member Grant Kohler made a motion Midway Crest Subdivision located in Wasatch County be required to turn in 3-acre feet per lot, which would include .8 for inside use and the balance for

outside irrigation and remaining water goes to Park Strip. If any extra water is left after subtracting the Park Strip, the remaining water will go to the 5 Lots. Midway Irrigation Member Brent Kelly seconded the motion.

Co-Chair Steve Farrell asked if there were further questions regarding this item? There was not.

Motion was carried unanimously.

Byron Day – 30 West 970 South

Jennifer Sweat stated that she had spoke with Byron Day and he had requested to be placed on the agenda for Water Advisory Board regarding his Water Lease for his property at 30 West 970 South. He is currently selling the property and wanted to make sure that the Water Lease was still available for the new owner once it sells. According to the agreement:

G. Assignment to New Developer

a. The Developer may assign its obligations to a New Developer, only if the Water Advisory Board gives its prior written approval as provided in this Paragraph G. 2, and only if the Developer also assigns the Service Agreement to the New Developer. A “New Developer” is a person or entity; (i) to whom the Developer has sold all the land within the project; and (ii) who has undertaken to complete the approval process and to construct the improvements required by the City’s approvals. Unless the person or entity satisfies both conditions in the immediately preceding sentence, the Developer cannot assign this Water Lease to that person or entity.

b. Not less than forty-five days before the proposed assignment, the Developer shall submit to the Water Advisory Board written request.....

This is the written request so that it is in place and approved prior to the selling of the home.

Motion: Midway Irrigation Member Grant Kohler made the motion to recommend approval of Re-Assignment intent for water lease transfer for Bryan Day home located at 30 West 970 South. City Council Member Bob Probst seconded the motion.

Co-Chairman Steve Farrell asked if there were further questions regarding this item? There was not.

Motion was carried unanimously.

New/Old Business

Co-Chairman Steve Farrell asked if there was any other business to discuss? There was not

Irrigation Member Grant Kohler made a motion to adjourn. City Council Member Bob Probst 2nd the motion. It was carried unanimously. Meeting adjourned at 7:41 p.m.