

MIDWAY WATER ADVISORY BOARD

MONDAY June 3, 2019

MEETING MINUTES

Minutes of the Midway Water Advisory Board meeting held June 3, 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 via phone, City Councilman Bob Probst, Michael Henke, City Planner. And Jennifer Sweat, Treasurer/Water Advisory Board Secretary.

Co-Chairman Steve Farrell will chair the meeting since Mayor Johnson is out of town and participating via phone. City Councilman Ken VanWagoner has been excused.

General Consent Calendar

Irrigation President/Co-Chairman Steve Farrell asked for approval of the General Consent Calendar which consisted of:

- a. Approval of the Agenda for June 3, 2019
- b. Approval of the minutes for May 6, 2019

Motion: Mayor Celeste Johnson made a motion to approve the General Consent Calendar. Midway Irrigation Member Brent Kelly 2nd the motion. It was carried unanimously.

Irrigation President/Co-Chairman Farrell asked if there were further questions regarding this item? There was not

Motion was carried unanimously.

Cozens Subdivision – 840 South Stringtown Road

Michael Henke, City Planner presented the following regarding this property

- 3.72 acres
- RA-1-43 zoning
- Proposal contains 1 lot
- Frontage from Stringtown Road
- Lot will connect to Midway City's culinary water line and Midway Irrigation Company's secondary water line.

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- The dwelling will continue to be serviced by the onsite septic system until further development requires a connection to the sewer system.

The board reviewed the property via power presentation. There is already one home on the property, and they do have a culinary connection to the home. It has as stated, one home, a barn, and a creek that goes through the property. Planner Henke looked at the history of the property and at one point in time it was a lot of record, but they have changed the boundaries and sold some of the property to the subdivision to the west and so it doesn't qualify as a lot of record any longer. They would like to sell the property and in order to get what you would call a "clear title" they need to go through and record the plat. This will make sure the property is legal and conforms to our zoning code.

The board reviewed the proposed plat, which shows the existing home and barn. They currently as stated only have one culinary water connection that is being billed by Midway City. Irrigation President/Co-Chairman Farrell asked how they are getting water in the barn, because someone is living there? This was news to Planner Henke, who had not been told anyone was living in the barn, or that it had living quarters in the barn. He had spoken to the owner and real estate agents, and no mention was made of anyone living in the barn. It was also mentioned that the property had a well. Treasurer/Secretary Jennifer Sweat went to check to make sure they only were being charged for one meter, and they were. The only way the living quarter could remain is if the County had approved that prior to the property being annexed into Midway City, but the applicant would need to provide proof of this.

Mayor Johnson asked what the means to the board, if there is living quarters in the barn, what does that mean to the City? Planner Henke stated that if it hadn't been approved, it didn't need to be grandfathered in, they could put two lots on the property if they wanted to make the barn its own home, but it would need to meet the zoning requirements. Midway City does not allow living quarter in accessory structures, and so it may possibly need to be removed. This would be something that would need to be addressed at City Council.

Planner Henke presented the following regarding the possible water requirement and recommendation

- 3.72-acre parcel - area of parcel - 162,034 sq. ft.
- Impervious area for parcel – 8,000 sq. ft.
- Irrigated lot area – 3.53 acres (162,034 – 8000)
- Total irrigated acreage – $3.53 \times 3 = 10.59$ -acre feet
- 1 existing culinary connection
- 10.59-acre feet required.

The board discussed if a change application could be done if there was a well on the property? Planner Henke stated it hasn't been mentioned, but it could be possible if there was a well. Irrigation President/Co-Chairman Farrell stated there was a well and that the well would have been approved prior to 1975, and so no water shares were placed in the well. And there was a question if the property had enough water shares? It was thought that the property had four (4) shares.

Engineer Paul Berg asked if any credit would be given for the flood plan, or Snake Creek River? City Planner stated no because all that area could be irrigated.

Irrigation President/Co-Chairman Farrell 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 Cozens Subdivision located at 840 South Stringtown Road be required to turn in 10.69-acre feet of Midway Irrigation Water. City Council Member Bob Probst seconded the motion.

Irrigation President/Co-Chairman Farrell asked if there were further questions regarding this item? There was not

Motion was carried unanimously for Recommendation to City Council.

Homestead Resort – 700 North Homestead Drive

The applicant had requested that this item be continued at this time. Paul Berg, engineer for the project indicated that the applicant, Watts Enterprise was ready to move forward, however there is an issue with the title report, and until that is resolved they no longer want to move forward with approvals.

Motion: Mayor Johnson made a motion that the item is continued until the applicant requests to return to the Water Advisory Board. Midway Irrigation Member Grant Kohler seconded the motion.

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

Motion was carried unanimously.

Tom and Lynn Walker – Rural Preservation Subdivision Approx. 500 W. Main

Planner Henke stated that he hadn't really discussed this property with the owner or the engineer of the project, so he wanted to present the information he did have and then would have Mike Johnston, engineer for the project fill in the blanks.

Michael Henke, City Planner presented the following regarding this property

- 7.89 acres
- RA-1-43 zoning
- One Lot
- Historically irrigated 5 acres.

The board reviewed the property via google earth. Planner Henke stated that they historically irrigated 5 acres according to the applicant, and so Planner Henke calculated the water two ways, one by only the 5 acres, and the way the board usually handle properties for the entire property.

Planner Henke presented the following regarding the possible water requirement and recommendation

- 7.89-acre parcel
 - Area of parcel – 343,688 sq. ft.
 - Impervious area for parcel – 8,000 sq. ft.
 - Irrigated lot area – 7.7 acres (343,688-8000)
 - Historic irrigated lot area (5 acres) – 4.82 acres (217,800-8000)
 - Total Irrigated acreage – $7.7 \times 3 = 23.1$ -acre feet
 - Total historic irrigated acreage – $4.82 \times 3 = 14.5$ acre

- 1 culinary connection - .8-acre feet
- Total Water Requirement would be 23.9-acre feet for entire property
- Total Water Requirement would be 15.3-acre feet for 5-acre historic irrigation.

The board discussed that the entire property has and still is being flood irrigated, and they would need to hook onto the secondary water pressurized irrigation water, and there is access to that water, which they can use, however how much water did the property have? Mike Johnston, the engineer of the project stated that in talking to his clients, they only have five (5) shares of water that was given to them when they inherited the property. They aren't sure why, and he asked them to do additional research to find out.

Planner Henke asked the irrigation company if there were any easements that needed to be noted on the plat map? Irrigation President/Co-Chairman Farrell stated that the property did not require any irrigation easements.

The board discussed the shortage of water shares the property seemed to have, and wanted to know on the other Rural Preservation subdivisions did they have to have shares of water for the entire property, or remnant parcels? Planner Henke stated yes, they all had to have those shares. Mike Johnston stated he would work with his clients to find out where the other shares are. Planner Henke also stated that the water for the entire development is tied to the property through the development agreement.

Irrigation President/Co-Chairman Farrell asked if there were questions regarding this item? There was not.

Motion: Midway Irrigation Member Grant Kohler made the motion to recommend to City Council the Tom and Lynn Walker- Rural Preservation Subdivision Approx. 500 W. Main be required to turn in 23.89-acre feet of water for the entire subdivision. City Council Member Bob Probst 2nd the motion.

Irrigation President/Co-Chairman Farrell asked if there were questions regarding this item. There was not.

Motion was carried unanimously for Recommendation to City Council.

New/Old Business

Irrigation President/Co-Chairman Farrell asked if there was any other business to discuss?

Wes Johnson, City Engineer did have a couple of projects that he wanted to discuss with the board to make the Irrigation Company aware of.

600 North is currently under construction and Mike Kohler currently is reviewing the project. There are a few spots that need stubbed to different properties for irrigation water, and Mike Kohler is planning on discussing this with the irrigation company at a board meeting. The list of those that needed the stubs was given to Wes Johnson by Mike Kohler.

The city has received a grant for a walking trail from 350 South to 970 South – there is an open ditch that needs to be piped, and Wes has spoken with Mike Kohler and Gary Kohler who has the ditch in front of his home , and because the trail is going over that ditch it will need to be piped with a 24" pipe. There would not be a cost for this from the irrigation company. Irrigation President/Co-Chairman Farrell stated that it would need a cleanout, and Wes Johnson agreed with that. They discussed the location and reviewed it via google earth. It was mentioned that only a portion of the walking trail/ditch would be piped in front of Gary Kohler's home, not the entire length of the path.

Irrigation President/Co-Chairman 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 7:00 p.m.

Approved

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