

**MIDWAY WATER ADVISORY BOARD
MONDAY AUGUST 7, 2017
MEETING MINUTES**

Minutes of the Midway Water Advisory Board meeting held August 7, 2017 at 6:00 p.m. in the Midway City Office Building, 75 North 100 West, Midway, UT.

Roll Call

Irrigation Members: Steve Farrell, Brent Kelly, Grant Kohler Midway City: Mayor Colleen Bonner, City Council Member: Karl Dodge Michael Henke, City Planner and Jennifer Sweat, Treasurer/Water Advisory Board Secretary.

City Council Member Kenny VanWagoner was excused from the meeting.

General Consent Calendar

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

- a. Approval of the Agenda for August 7, 2017
- b. Approval of the minutes for July 10, 2017

Planner Michael Henke stated that we needed to removed item #14 – Midway Hills Subdivision from the agenda per applicant.

Motion: Irrigation Member Grant Kohler made a motion to approve the General Consent Calendar with the removal of item #14 on the agenda and no other changes. Irrigation Member Brent Kelly 2nd the motion. It was carried unanimously.

Jones Farms – 400 West 500 South

Michael Henke, City Planner presented the following regarding this property

1. 9.67-acre parcel
2. RA-1-43 zoning
3. Proposal contains one lot
4. Access from 500 South
5. The lot will have a septic tank, connect to Midway City's culinary water line and Midway Irrigation Company's secondary water line.

The board reviewed the property via google map, and the plat maps provided by applicant. Dan Luster, the applicant was attending the meeting and could answer any questions the board had. Planner Henke reviewed the history of the property, there was discussion regarding an easement agreement. Planner Henke had asked for a copy of the easement agreement, but does not have it.

Minutes of the Midway Water Advisory Board
August 7, 2017

Planner Henke reviewed the potential water commendation for the subdivision:

1. There is a total of 9.67 acres, and 9.49 acres are irrigated.
2. Water Requirement is 28.47-acre feet + .8-acre feet (this takes out home site)
3. A valve and meter must be installed for the lot
4. Secondary Water Meter is required.

Mayor Bonner asked if there were further questions regarding this item? There was not.

Motion: City Council Member Karl Dodge made the motion to recommend approval of the Jones Farms rural subdivision to the City Council to be required to turn in 29.27-acre feet or 10 shares of water. The subdivision will need to have a secondary water meter for irrigation water. Midway Irrigation Member Grant Kohler 2nd the motion.

Mayor Bonner asked if there were any questions on the motion? There was not.

Motion was carried unanimously for Recommendation to City Council

Midway Springs – 210 East 600 North

Michael Henke, City Planner presented the following regarding this property

1. R-1-15 zoning
2. Proposal contains 77 building pads (PUD)
3. Proposal contains 20 lots (standard subdivision)
4. Three Phases of Midway Springs
 - a. Phase I – 31 Units (20 lots, 11 pads)
 - b. Phase II – 41 units (41 pads)
 - c. Phase III – 25 units (25 pads)
5. Project is a planned unit development/standard subdivision
6. Private roads will be maintained by the HOA
7. Public roads will be the responsibility of the City
8. The lots will connect to the Midway Sanitation District sewer and to the City's water line.
9. 8' paved public trail is planned to run north and south through the length of the property and east west along 600 North.
10. Sensitive land of the property includes wetlands and stream corridors.

The board reviewed the property via google map, and the maps provided by the applicant. Carl Berg, engineer for the project was present and could answer any questions the board may have. The board asked about the wetlands on the property. There is no water dedicated to the wet lands,

and the ditch was repaired – most likely that means there will likely have less wetlands. Wet lands will be in Phase three (3). Planner Henke stated that the City had received a letter from the Army Core of Engineers for Phase one.

The potential water recommendation was as follows:

1. 14.28 acres of irrigated sod
2. 12.82 acres of irrigated native grass
3. 1.37 acres for round about
4. 0.34 acres of irrigated park strip
5. 97 total dwelling units
6. One clubhouse and pool
7. Three (3) existing dwellings on the property.

Planner Henke presented a chart for the irrigated area, as well as the indoor use. (see supplemental file for charts). The amount needed for the project including all homes (97), clubhouse and pool and giving credit for three existing homes is 167.91-acre feet or 55.97 shares of midway irrigation water.

The board discussed the project and the various issues that they saw. There was concern with the ditches on the property and how those would be handled. There was also a discussion on a possible water feature being added with the ditches. Carl Berg was unsure if they had plans to do a water feature, or just leave the ditches natural. The irrigation company felt that some type of agreement needed to be done to maintain the ditches, and to put in measuring devices for those ditches.

The board also discusses the round-about and there was some concern that ownership wasn't known, and it wasn't for the developer to give. It was not included in the calculations, and so if it was added, then they would be required to turn in 172.02-acre feet or 57.34 shares. The board also discussed breaking out the phases water requirements.

After the board discussed the project, Planner Henke stated there was issues to address with this project that hadn't been considered and they were:

1. Breakdown each phase
2. Roundabout property of 1.37 acres must be included in calculations
 - a. Proof of Ownership was needed to not be included
3. HOA must maintain the ditches in the development
 - a. Measuring devices must be installed – 2 at entries and 2 at exits.
 - b. Midway Irrigation Agreement.

Mayor Bonner stated that because there was so many unknowns or questions on this project, did

the board feel it should be continued, and reviewed at another meeting when the questions could be answered? The board felt that was the best idea.

Motion: Irrigation Member Brent Kelly made the motion that the board will continue Midway Springs until time that the unknown questions on the project could be resolved, and the applicant was ready to bring it back to the water board with answers to at least the three questions the board discussed tonight. Council Member Karl Dodge 2nd the motion.

Mayor Bonner asked if there were any questions on the motion? There was not.

Motion was carried unanimously for Recommendation to City Council

At the July 26, 2017 meeting the City Council adopted a new water ordinance, Ordinance 2017-01 regarding the dedication water including water features and park strips. The new ordinance will affect all subdivisions/projects that came through water board during the pending ordinance change. The board will review each subdivision tonight and recalculate the water requirement. Each subdivision will be listed in the minutes, and if the water calculations have or have not changed but the details of each one will not be listed but can be found in the supplemental file for each subdivision from previous meetings.

Julian Subdivision – Diann Burgener 125 North Center Street

Original Motion: May 1, 2017

Motion: Midway Irrigation Member Grant Kohler made the motion that the board make a recommendation to the City Council for the Julian Subdivision located at 125 North Center Street be approved, and be required to turn in 1.3-acre feet of water (1/2 share). They would also need to be connected with meters for secondary water with the irrigation company. It was also stated that this requirement was based on the current code, with a pending ordinance change in effect, which if any changes are made that will affect this project, the ordinance will be retroactive. Midway Irrigation Member Brent Kelly 2nd the motion.

The board discussed the subdivision, and no changes were made to the original recommendation.

Motion: Midway Irrigation Member Grant Kohler made the motion to up hold the original motion with no changes. Midway Irrigation Member Brent Kelly 2nd the motion.

Mayor Bonner asked if there were any questions on the motion? There was not.

Motion was carried unanimously for Recommendation to City Council

Dutch Hills Subdivision – Brett Walker – 566 Saddle Drive

Original Motion May 1, 2017

Motion: Midway Irrigation Member Grant Kohler made the motion that the board would make a recommendation to the City Council for the Dutch Hills Small Scale Subdivision located at 566 Saddle Drive be required to turn in 37.8-acre feet of water (13 shares) to be held by Midway City. It was also stated that this requirement was based on the current code, with a pending ordinance change in effect, which if any changes are made that will affect this project, the ordinance will be retroactive, and any shares that should not be needed, will be returned to Brett Walker. They will also be required to connect to meters for secondary water as well. City Council Member Karl Dodge 2nd the motion.

The board discussed the subdivision, and there was a change on the number of the acre-feet/shares turned in for the subdivision. (See supplemental file for breakdown of new calculations)

Motion: City Council Member Karl Dodge made the motion to uphold the original motion however the amount of water to be turned in will be changed to 36.23-acre feet, or 12.25 shares to be turned in. Midway Irrigation Member Grant Kohler 2nd the motion.

Mayor Bonner asked if there were any questions on the motion? There was not.

Motion was carried unanimously for Recommendation to City Council

Saint-Prex Estates – Kent Buie Jura Holdings LLC – 800 West Swiss Alpine Road

Original Motion: May 1, 2017

Motion: Midway Irrigation Member Grant Kohler made the motion that the board would make a recommendation to the City Council for Saint Prex Estates located at 800 West Swiss Alpine Road to be required to turn in 30.55-acre feet of water (10 shares). They would also need to be connected with meters for secondary water with the irrigation company. It was also stated that this requirement was based on the current code, with a pending ordinance change in effect, which if any changes are made that will affect this project, the ordinance will be retroactive. City Council Member Karl Dodge 2nd the motion.

The board discussed the subdivision, and there was a change on the number of the acre-feet/shares turned in for the subdivision. (See supplemental file for breakdown of new calculations)

Motion: City Council Member Karl Dodge made the motion to uphold the original motion however the amount of water to be turned in will be changed to 32.12 acre-feet or 10.75 shares to be turned in. It was also decided that this included water on the park strips as required by the new code. Midway Irrigation Member Brent Kelly 2nd the motion.

Mayor Bonner asked if there were any questions on the motion? There was not.

Motion was carried unanimously for Recommendation to City Council

Trent Beasley – Abegglen Property – 250 North 100 West

Original Motion: May 1, 2017

Motion: City Council Member Karl Dodge made the motion that the board would make a recommendation to City Council for the Abegglen Property located at 250 North 100 West to be required to turn in 2.8-acre feet of water (one (1) share). They would also need to be connected with a meter for secondary water with the irrigation company. It was also stated that this requirement was based on the current code, with a pending ordinance change in effect, which if any changes are made that will affects this project, the ordinance will be retroactive. Midway Irrigation Member Karl Dodge 2nd the motion.

The board discussed the subdivision, and no changes were made to the original recommendation.

Motion: Midway Irrigation Member Brent Kelly made the motion to up hold the original motion with no changes. Midway Irrigation Member Grant Kohler 2nd the motion.

Mayor Bonner asked if there were any questions on the motion? There was not.

Motion was carried unanimously for Recommendation to City Council

Knight Residence – 475 South 250 West

Original Motion: June 5, 2017

Motion: Midway Irrigation Member Brent Kelly made a motion to recommend to City Council, the Knight Residence located at 475 South 250 West be required to turn in .8-acre feet of water (1/2 share) for inside water use only. If the applicant decides to build more homes later, they will need to come back before the water board to get a determination of what water would then be required. Midway Irrigation Member Grant Kohler 2nd the motion.

The board discussed the subdivision, and no changes were made to the original recommendation.

Motion: Midway Irrigation Member Grant Kohler made the motion to up hold the original motion with no changes. City Council Member Karl Dodge 2nd the motion.

Mayor Bonner asked if there were any questions on the motion? There was not.

Motion was carried unanimously for Recommendation to City Council

Haven Farms – 1170 South Center Street

Original Motion: June 5, 2017

Motion: Midway Irrigation Member Grant Kohler made a motion to recommend to City Council for Haven Farms located at 1170 South Center Street be required to turn in 181.55-acre feet of water. They would also need to be connected with meters for secondary water with the irrigation company. It was also stated that this requirement was based on the current code, with a pending ordinance change in effect, which if any changes are made that it will affect this project, the ordinance will be retroactive. Midway Irrigation Member Brent Kelly 2nd the motion.

It was noted that Midway Irrigation Member Grant Kohler recused himself from this discussion and voting, and Steve Farrell would be voting for the irrigation company.

The board discussed the subdivision, and there was a change on the number of the acre-feet/shares turned in for the subdivision. (See supplemental file for breakdown of new calculations).

Motion: City Council Member Karl Dodge made the motion to uphold the original motion however the amount of water to be turned in will be changed to 194.05 acre-feet or 64.75 shares to be turned in. It was recommended that the main irrigation line be extended, running along highway 113 to the south of the border of the property and tied into the existing line on the west north along the frontage. Midway Irrigation Member Steve Farrell 2nd the motion.

Mayor Bonner asked if there were any questions on the motion? There was not.

Motion was carried unanimously for Recommendation to City Council

Shangri La Subdivision – 151 S 250 W

Original Motion: July 11, 2017

Motion: Midway Irrigation Member Grant Kohler made a motion to recommend to City Council, Shangri La Subdivision located at 151 South 250 West would be required to turn in 1.3-acre feet of water (1/2 share) for the subdivision, and receive credit of 1.3-acre feet for the existing home. They would also need to be connected with meters for secondary water with the irrigation company. It was also stated that this requirement was based on the current code, with a pending ordinance change in effect, which if any changes are made that it will affect this project, the ordinance will be retroactive. Midway Irrigation Member Brent Kelly 2nd the motion.

Midway Irrigation member Grant Kohler would now be voting for the remainder of the meeting.

The board discussed the subdivision, and no changes were made to the original recommendation.

Motion: Midway Irrigation Member Grant Kohler made the motion to up hold the original motion with no changes. Midway Irrigation Member Brent Kelly 2nd the motion.

Mayor Bonner asked if there were any questions on the motion? There was not.

Motion was carried unanimously for Recommendation to City Council

Kelson Subdivision – A Rural Preservation Subdivision – 943 W Swiss Alpine Road

Original Motion: July 11, 2017

Motion: Midway Irrigation Member Grant Kohler made a motion to recommend to City Council, Kelson Subdivision, a Rural Preservation Subdivision located at 943 W Swiss Alpine Road be required to turn in 20.85-acre feet of water (7 shares), Lot #1 which is Jim Kelson’s residence will remain on a well, and not receive any culinary credit for the existing home, and they would also need to be connected with meters for secondary water with the irrigation company. It was also stated that this requirement was based on the current code, with a pending ordinance change in effect, which if any changes are made that it will affect this project, the ordinance will be retroactive. Midway Irrigation Member Mike Lundin 2nd the motion.

The board discussed the subdivision, and no changes were made to the original recommendation.

Motion: Midway Irrigation Member Grant Kohler made the motion to up hold the original motion with no changes. Midway Irrigation Member Brent Kelly 2nd the motion.

Mayor Bonner asked if there were any questions on the motion? There was not.

Motion was carried unanimously for Recommendation to City Council

Cascades at Solider Hollow – Phase 2

Original Motion: July 11, 2017

Motion: Midway Irrigation Member Mike Lundin made a motion to recommend to City Council, Cascades at Soldier Hollow, Phase 2 be required to turn in 32.28-acre feet of water (11 shares) for the 18 lots and open space. They would also need to be connected with meters for secondary water with the irrigation company. It was also stated that this requirement was based on the current code, with a pending ordinance change in effect, which if any changes are made that it will affect this project, the ordinance will be retroactive. City Councilman Kenny VanWagoner 2nd the motion.

The board discussed the subdivision, and there was a change on the number of the acre-feet/shares turned in for the subdivision. (See supplemental file for breakdown of new calculations)

Motion: Midway Irrigation Member Brent Kelly made the motion to uphold the original motion however the amount of water to be turned in will be changed to 34.24 acre feet, or 11.50 shares to be turned in. Midway Irrigation Member Grant Kohler 2nd the motion.

Mayor Bonner asked if anyone had any other questions? There was not.

Motion was carried unanimously for Recommendation to City Council

New/Old Business

Mayor Bonner asked if there were any other items of business to discuss? There was not.

Midway Irrigation Member Grant Kohler moved for adjournment at 8:10 p.m. Midway City Council Member Karl Dodge 2nd the motion. It was carried unanimously.