

**MINUTES OF THE
MIDWAY SANITATION DISTRICT
BOARD OF TRUSTEES**

Tuesday, April 7, 2015 at 6:30 p.m.

Minutes of the Midway Sanitation District Board of Trustees regular meeting held April 7, 2015 at 6:30 p.m. in the Midway City Office Building, 75 North 100 West, Midway, Utah.

Notice of the meeting and agenda was posted in the Midway City Office Building, Radley's Express and 7-Eleven. A copy was sent to each of the Trustees and posted on the Utah Meeting Notice Web Site.

Roll Call:

Alan Cluff, Chairman
Colleen Bonner, Mayor/VC
Laren Gertsch, Trustee
Wes Johnson, Engineer

Excused:

Scott Kettle, Engineer
Becky Wood, District Clerk

Others Present:

Kraig & Jeannette Higginson
Doug Palmer

The Meeting was called to order at 6:30p.m.

Chairman Cluff informed the congregation and board members that the agenda and minutes approval for tonight's meeting will be moved to the end of the meeting. The board also moved to postpone the Doug Palmer Agenda Item until he was in attendance.

Higginson Barn/Greenhouse Project:

Kraig & Jeannette Higginson came before the board to request utilizing a septic tank. Wes Johnson noted that due to the size of the structure and close proximity to Snake Creek and the public sewer main he felt this project should be hooked onto a public sewer line. Kraig Higginson noted that in the city code it mentioned if structure is located within 300 feet of a sewer line that it was required to hook onto the sewer, in this scenario the structure is located further than 300 feet away. Only the property line is within 300 feet of the sewer line. Jeanette Higginson also noted that the original plans had changed after it was deemed a requirement to be hooked onto public sewer. Engineer Johnson and Mr. Higginson noted that MSD and the city code contradict each other. Mr. Higginson had talked with county officials and made changes based on the city code of the sewer requirement; he noted that he was not even aware of the separate MSD entity. Engineer Johnson noted that he had discussed the sewer issue with Hilary Burton, the representative for the Higginson project early on in the planning stages. Mr.

Higginson mentioned that it was his objective to ask for a variance at tonight's meeting and that spending large amounts of money to put a sewer line in was not the way to go. Chairman Cluff noted that he had concerns for 6 months from now as to the usage of the project. The Higginson's discussed their intent for a commercial and then a private greenhouse and how they were persuaded by the city and county to add and take away things that they did not want to be part of the plans. Engineer Johnson stated that the City was only following the code as the Higginson's were adding and subtracting things on the plans that were being submitted. Trustee Gertsch noted that the major concern is that nothing has been presented to the sanitation board. All information that the board has received on this project has not been through the proper channels for review. Mr. Higginson presented the board with a recorded tour of their Utah County facility to give the board a visual of the aquaponics facilities. There was a discussion held regarding the square footage and general usage of the facilities. Mr. Higginson noted that he would like to install aquaponics and hooking onto the city water would be irrelevant because aquaponics was better suited for well water. Kraig Powell introduced himself as the Attorney for MSD as well as Midway City to clarify to the Higginsons his affiliation with both entities. Mr. Powell recommended that the board research the requested usage of the facility and make an educated decision based on the facts from the land use requirements in correlation with Midway City and then it may need to be further outlined with documentation to grant approval on this unique scenario to keep it within the policies of the district; and require the document to be recorded on the property. Mr. Powell recommended that the board table the decision at tonight's meeting until further research can be done. Mr. Higginson asked the board if there was any way that the board would approve the use of a septic tank to service the facility. Mayor Bonner made a motion that the Higginson Barn/Greenhouse Project be tabled until further research can be done. Trustee Gertsch seconded the motion that carried with all members voting aye.

Warm Springs PUD:

Paul Berg came before the board seeking master plan approval of the Warm Springs PUD, and preliminary approval of the Warm Springs, Phase I plat. Wes Johnson noted that one of the concerns with the Preliminary plans was the plan shown the PUD using a sewer line that currently has 2 manholes that MSD does not have access to above Center Street. Paul Berg noted that elevation wise this was the best scenario for the development. Trustee Gertsch made a motion to grant master plan approval on the Warm Springs PUD as well as preliminary approval of the Warm Springs, PUD Phase 1 upon condition that the sewer connection be made to either the Center Street connection or the Pine Canyon Rd connection. All board members agreed that each phase of this PUD would need preliminary and final approval from the board and subject to the engineer's requirements. Mayor Bonner seconded the motion that carried with all members voting aye.

Request to Approve a Shared Lateral Connection:

Doug Palmer came before the board requesting a waiver of connecting to the main sewer line for the property at 275 South Center Street (Bill Mair's garage) and request utilizing a shared lateral agreement with the Mair property to the North to avoid digging or boring under up Center Street, which is a UDOT road. Doug noted that he would like to add a toilet and a sink to his shop and the best way to do this would be to utilize the existing Mair lateral line. Wes Johnson noted that he was in favor of the shared lateral agreement with the addition of a few conditions including limitations on the use of the property, If the use does change that the proposed new tenant come before the board for approval. Mayor Bonner made a motion that as long as Doug Palmer owns

the building and the use remains the same geared toward a mechanic shop or similar that the board will not require a connection to the main line, Kraig Powell will work with Terry Mair to obtain a notarized signature from Ada Mair to enact the shared lateral agreement, and contingent upon inspection approval. Trustee Gertsch seconded the motion that carried with all members voting aye.

Resolution 2015-01 (Municipal Wastewater Planning Program Resolution):

The board discussed the form attached in the agenda packet of the Municipal Wastewater packet that had not been completed yet by Becky Wood. Trustee Gertsch made a motion that it be completed then emailed to all board members for approval. Mayor Bonner seconded the motion that carried with all members voting aye.

Approval of Expenditure:

Wes Johnson updated the board on the progress of the Pine Canyon Road project and noted that KW Robinson was doing upwards of 100 feet per day. Mayor Bonner made a motion to approve the expenditure in the amount of \$107,490.36 for the work KW Robinson had completed to be reimbursed to Midway City. Trustee Gertsch seconded the motion that carried with all members voting aye.

Engineers Reports:

Wes Johnson updated the board on the monthly flows as received from Heber Valley SSD, which was down from last year. The board held a short discussion regarding the conditions of the Pine Canyon Road project and noted that the completion date of the project is July 31.

Manager Report:

Wes Johnson noted that he was not aware of any issues in the district; he noted that Jason is doing manhole inspections and grease trap inspections. The board held a short discussion regarding grease traps and change of ownership at Tarahumara.

Trustee Reports:

Mayor Bonner asked the board if it would be wise to absorb the sewer district into the City. The district utilized all city trucks, storage, billing etc. and just wondered if it was time to combine the two entities. Chairman Cluff noted that when he first was elected to the board it was a lot less complicated than it is now and mentioned that Heber City combined their sewer & water. The Mayor asked the board to consider the matter.

Trustee Gertsch made reference to a property release document signed by himself as well as Wes Johnson indicating that all parties involved in the Pine Canyon Road issues have been satisfied and all requirements have been met as was discussed in length at the March board meeting. KW Robinson brought in some top soil and will replace the gravel in the near future. This matter has been resolved.

Warrants & Financials:

The warrant list for April 7, 2015 was presented for approval. (See copy in the warrant and supplemental files.) The financials of the district, including the month of February were presented as part of the packet for the board to review. Mayor Bonner made a motion to approve

the warrants for April 7, 2015. Trustee Gertsch seconded the motion that carried with all members voting aye.

Approve the Agenda for April 7, 2015:

Mayor Bonner made a motion to approve the agenda for April 7, 2015 under the condition that item number 4 (Request to Waive Impact Fee) be changed to "Request to Approve a Shared Lateral Connection". Trustee Gertsch seconded the motion that carried with all members voting aye.

Approve the Minutes of the March 3, 2015 Meeting:

Trustee Gertsch noted that he felt that the minutes from last month's Trustee report were a bit excessive and that the issues with KW Robinson had been taken care of. All requirements have been satisfied and all parties are in in good rapport, we will now move forward and be done with the matter. Mayor Bonner felt as though an update in the trustees report would be in order. Mayor Bonner made a motion to approve the minutes of the March 3, 2015 board meeting. Chairman Cluff seconded the motion that carried with all members voting aye.

Adjourn:

Mayor Bonner made a motion to adjourn the meeting that carried with all members voting aye. Chairman Cluff seconded the motion that carried with all members voting aye. Meeting recording 1:39:29.


Alan Cluff, Chairman


Becky Wood, District Clerk