

**Open Space Advisory Committee
May 6, 2020**

Minutes

I. Call to Order

- A.** The meeting was called to order by Chair Courtland Nelson at 6:00pm via Zoom
- B.** Members present
 - 1. Courtland Nelson, Chair
 - 2. Natalie Streeter, Vice Chair
 - 3. Kevin Stickleman
 - 4. Steve Stevens
 - 5. Woody Woodruff
 - 6. Katie Villani
 - 7. David Carson
- C.** City Council members present
 - 1. Steve Dougherty
 - 2. J.C. Simonsen
- D.** Non-members present
 - 1. Michael Henke, City Planner
 - 2. Wendy Fisher, Utah Open Lands
 - 3. Alison Weyher, Utah Open Lands
 - 4. George Hansen
 - 5. Cheryl Fox, Summit Land Conservancy
 - 6. Michelle Crawford, Pure Midway
- E.** The minutes from the February 5, 2020, meeting were read and approved

II. Regular Business

- A.** Public Comments
 - 1. Chair Courtland Nelson invited members of the public in attendance to make comments.
 - 2. There were no public comments.
- B.** Update on transmission line
 - 1. Michael Henke provided the Committee with an update on the effort to bury the new transmission line

2. Rocky Mountain Power and Heber Light & Power asked the Utah Utilities Review Board to compel Midway to issue its Conditional Use Permit so that work can begin on installing the new power line. VOLT, a citizens group opposed to installing overhead transmissions lines petitioned to intervene in the hearing and the group's petition was granted. The Board held a hearing last week
 3. The Board held that RMP would be required to bury the lines if Midway City paid the excess costs between the cost to install overhead lines and the costs to bury the lines in Midway. The Board refused to review the reasonableness of the bids obtained by RMP to bury the lines. The difference between the cost of overhead installation and the cost to bury the lines ranged from approximately \$15,000,000 and \$28,000,000 depending upon which route was selected.
 4. City Council must decide whether to appeal the Board's ruling and seek a stay of the ruling pending appeal, which will require posting an appeal bond estimated to be several million dollars, to issue the CUP requiring RMP to bury the line and inquiring a contractual obligation for the excess costs, or to issue the CUP to permit overhead installation.
 5. HP&L also declined to loan Midway the funds to cover burying the line and collect repayment on citizens' utility bills. This means that in order to bury the line Midway will have to come up with the entire costs within 120 days.
 6. City Council has 15 days from the issuance of the Board's ruling to make a decision.
- C. Update on Midway OS Bond**
1. Michael Henke reported that City Council approved drawing all \$5,000,000 from the OS bond in order to have the funds available to cover pending projects.
 2. The bond closing will be toward the end of May and the interest rate will be 2.2%.
 3. Midway property tax bills issued in Oct. 2020 will include assessments to repay the bond.
- D. Haven Farms Rural Preservation Subdivision**
1. Michael Henke reported City Council approved the application for the Haven Farms Rural Preservation Subdivision.

2. The 65 acre subdivision will have only 13 lots.
- E. Hamlet property adjacent to Michie Lane**
1. Michael Henke briefed the Committee on discussions with the HOA of the Hamlet townhouse development about the open property owned by the HOA that is east of Michie Lane.
 2. Representatives of the Hamlet raised the idea of donating this property to the City for open space or other appropriate uses.
 3. The HOA has subsequently learned that they cannot deed the property to the City and are now considering whether they can grant the City an easement to use the property for appropriate community benefit.
- F. Wasatch County Open Space Bond update**
1. Steve Stevens briefed the Committee on the progress of the Wasatch County Council's and the Wasatch Open Space Board's progress toward funding open space projects.
 2. Wasatch County is not as far along in the process as Midway. To date they have only one OS application, the Kohler Legacy Farm project.
 3. Wendy Fisher reported that in order to secure funds from other sources to apply to the Kohler project, Utah Open Lands will need a commitment from Wasatch County by October 2020. Without County OS bond funds the entire project is in jeopardy.
 4. Utah Open Lands is still in discussions with Wasatch County and is assembling additional data regarding the economic impact on the Heber Valley of preserving the dairy farm as a working farm as contemplated by the project proposal.
- G. Pure Midway**
1. Michelle Crawford informed the Committee that Pure Midway was still planning to go forward with the 2d Annual Volksmarch with a tentative date of Sept. 19, 2020.
 2. Details of the event are still being planned and close coordination with local and state health officials will insure that public health is protected.
- H. Summit Land Conservancy**
1. Cheryl Fox reported that Summit Land Conservancy received a \$9.4 million federal grant to further preservation of headwater areas of the Weber and Provo Rivers.

2. The funds can, to some extent, be used a matching funds for other federal grants.

I. Siegard Application

1. George Hansen informed the committee, on behalf of the Siegard family, that one of the adjacent property owners was not interested in participating in a combined open space proposal, but another property owner was.
2. He noted that the combination of the Siegard tract and the adjacent tract willing to preserve would probably eliminate the development of approximately 10-12 houses.

III. **Closed Session**

- A. The OSAC went into executive session to discuss the specifics of a potential real estate transaction.
- B. After the discussion the meeting returned to an open session.

IV. **Motion to Recommend Approval of the Gardner Open Land Project**

- A. After extensive discussion of the details of the Gardner Legacy Open Land Project as set out in the Midway Open Space Committee Staff Report, dated May 6, 2020, the following motion was made, seconded, and unanimously adopted by the Committee:

“The Midway City Open Space Advisory Committee recommends to the City Council that the Council approve up to \$1,000,000 of open space bond funds to put toward the Gardner Legacy Open Lands Project for the reasons set out in the Midway Open Space Committee Staff Report, dated May 6, 2020.”

V. **Adjournment**

After returning to open session and finding that no further business was before the Committee, the meeting adjourned at 8:35pm.