

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

**Tuesday, September 3, 2014 at 6:30 p.m.**

Minutes of the Midway Sanitation District Board of Trustees regular meeting held September 3, 2014 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, The Store 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	Wes Johnson	
Colleen Bonner	Scott Kettle	
Laren Gertsch	Kraig Powell	Becky Wood

**Others Present:**

The Meeting was called to order at 6:28p.m.

**Approve the Agenda for September 3, 2014:**

Mayor Bonner made a motion to approve the agenda for September 3, 2014. Trustee Gertsch seconded the motion that carried with all members voting aye.

**Approve the Minutes of the August 5, 2014 Meeting:**

As discussed in the August 5, 2014 board Meeting Trustee Gertsch recommended the board review the redline comments and changes to Resolution 2014-06 (MSD Impact Fee Study/ Capital Facilities Plan Update) prior to approving the minutes. Mayor Bonner made a motion to approve the minutes of the August 5, 2014 board meeting pending the minutes and redline comments/changes of the MSD Impact Fee Study/ Capital Facilities Plan Update to be reviewed at the October board meeting. Trustee Gertsch seconded the motion that carried with all members voting aye.

**Higginson Greenhouse Project:**

Hilary Burton, Project Manager of the Higginson project, came before the board seeking approval of a septic tank to be installed on the Higginson property as opposed to the previous request of hooking onto the public sewer. Ms. Burton presented a narrative of pricing and time tables of installing a septic tank as opposed to hooking onto the public sewer. Engineer Johnson presented photos of the structures current build out and noted that the city had red-tagged the construction and posted a stop-work order on the building. Engineer Kettle presented MSD Resolution 2006-01, mandating sewer hookups to all properties within 300 feet of an existing sewer. There was a discussion regarding a variance, should a septic tank be approved, which the MSD board does not currently support. Mayor Bonner made a motion to deny the approval of a

septic tank on the Higginson Property and table the discussion of hooking up to a public sewer vs. a septic tank until there is a better application, research and correspondence between the Higginsons and the City/Sanitation District. Trustee Gertsch seconded the motion that carried with all members voting aye.

**Burgi Hill Subdivision Final Approval:**

Final Plats were presented of the Burgi Hill Subdivision. Engineer Kettle informed the board that the projected 8” sewer line for the Burgi Hill 1-lot Subdivision would tie into the sewer at Deer Ridge Estates, extend to the road and hook onto the main. Paul Berg recommended getting a recorded sewer easement between the parties that would be impacted with the easement. Trustee Gertsch made a motion to grant final approval of the subdivision conditioned upon a signed sewer easement between all involved parties and to be recorded prior to plat review. Mayor Bonner seconded the motion that carried with all members voting aye.

**Eldon’s Place Subdivision Preliminary Approval:**

Trustee Gertsch mentioned that this project had previously come before the board. The project was given options for build out, but the owner never returned to the board. Mayor Bonner made a motion to grant preliminary approval of the subdivision subject to signed and recorded easements of lot 2 and lot 5 due to future building. Trustee Gertsch seconded the motion that carried with all members voting aye.

**Shelton Subdivision Final Approval:**

Paul Berg informed the board that this was Steve Shelton’s current home. All hookups and lines were previously installed and would not require any changes. Trustee Gertsch made a motion to grant final approval of the 1-lot subdivision. Mayor Bonner seconded the motion that carried with all members voting aye.

**Deer Creek Estates (formerly High Valley Ranches):**

As discussed in the August 5, 2014 board Meeting Trustee Gertsch made a recommendation that Manager Wood send a letter to the owner of High Valley Ranch addressing the noxious weed issue noting that the weeds need to be removed by August 25. If the weeds were not removed the Sanitation District could revoke the prior approval of the development. Manager Wood indicated that she discussed the issue with Shane Owens, Midway City Public Works. She asked him to send a letter on behalf of the District. Manager Wood indicated that she had spoken with Mr. Owens and noted that there was no response from the owner. Trustee Gertsch asked Paul Berg about the status of High Valley Ranch’s weed control. There was a discussion regarding options to revoke approval of the of High Valley Ranch development. The board determined that they would decide the matter further when the owner came before the board seeking a final signature on the plat map.

**Resolution 2014-05 Adopting a Prepaid Out-of-Pocket Bonding Expense for all Developments**

(As discussed in the August 5, 2014 board Meeting ending with Mayor Bonner making a motion to table the resolution until a later meeting Attorney Powell presented the board with an updated draft of Resolution 2014-05 outlining the process of MSD to adopt an Out-of-Pocket Bonding Expense for all developments). Attorney Powell explained to the board the policy set forth by

Midway City of having the developer pay a percentage of the projected costs of a construction project up front and the benefits thereof. Attorney Powell presented the updated draft of the resolution noting a balance lower than  $\frac{1}{4}$  of the beginning bond amount would allow MSD to require a developer to replenish the account. The board discussed a change in the verbiage of the resolution to cover subdivisions of 2 lots and under allowing the MSD board to waive the requirements of this resolution under certain circumstances. Mayor Bonner made a motion to grant approval of 2014-05 subject to the changes noted. Trustee Gertsch seconded the motion that carried with all members voting aye.

### **Engineer Reports:**

Engineer Kettle informed the board that flows were up from 29-32 million gallons per day from last month with large spikes on the weekends. Engineer Kettle and Engineer Johnson informed the board of the flow amounts presented came from HVSSD numbers and noted a daily high flow and a daily low flow. Engineer Johnson mentioned that he could not come to a conclusion on the numbers taking into account the recent rain, second home owners in town, etc. but would continue to research inflow.

Engineer Kettle noted that he would be meeting with Reynolds Excavation and Staker/Parsons Company to fix the Interlaken Road issues.

Engineer Johnson asked the board to approve a line extension near Bowden Fields Development by 200 East and 200 South by the church. The board recommended being reimbursed by the current owner or future owner of the property. The board determined that

1. Engineer Johnson would contact the current owner.
2. Attorney Powell would draft a lien agreement between the property owner and MSD
3. The district will use impact fees to pay for the project as it encompasses future growth and require reimbursement from the owner at a later date.

Engineer Johnson also noted that he had talked to Steve Farrell, who sits on the Water Resource Board. The board is offering water related loans at a 3% interest rate, should the board be interested.

### **Manager Report:**

Manager Wood indicated that the sewer district had been generally quiet over the last month and that Jason had been getting ready for Swiss Days. She noted that there is an upcoming training on September 9 in Woods Cross, regarding sustainable management of a rural system should anyone be interested.

Manager Wood indicated that the Tarahumara grease trap had been working better. Jason is continuing to monitor the trap weekly just to keep an eye on it. The board recommended that Jason take weekly pictures and send them to the manager for documentation.

Manager Wood reported that since it was now September she would be working on the budget for 2015. She presented the current adopted budget and asked the board to look it over and let her know of any changes or additions as well as take into consideration any potential capital improvement projects along with the additional line item of cleaning the sewer lines. She informed the board that in 2014 the board budgeted almost \$700,000 for capital improvement projects, of which the district will have to borrow approximately \$300,000 from its operating account to pay for the current year's projects when all is said and done.

To date the District has received 30 building permits for sewer only related construction which grossed just over \$73,000 in impact fees. Although the operating account yields nearly \$3 million that the district can borrow from, any future capital improvement projects will need to be borrowed from that account until there are multiple good-construction years in a row. Manager Wood indicated that it was her recommendation the district take a year off from doing any major capital improvement projects and focus on line cleaning for 2015 and once again build up the impact fee account balance for future projects.

**Trustee Reports:**

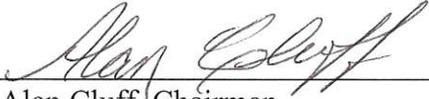
There were no Trustee Reports at this time.

**Warrants & Financials:**

The warrant list for September 3, 2014 was presented for approval. (See copy in the warrant and supplemental files.) Manager Wood indicated that she was having some difficulty in getting statements from the PTIF of the Soldier Hollow Fund Account Balance. She noted that the Account had a balance of just over \$147,000 with a year to date balance of just over \$47,000 in expenses. Trustee Gertsch made a motion to approve the warrants for September 3, 2014. Mayor Bonner seconded the motion that carried with all members voting aye. The financials of the District including the month of July were presented as part of the packet for the board to review.

**Adjourn:**

Mayor Bonner made a motion to adjourn the meeting at 8:04 pm. Trustee Gertsch seconded the motion that carried with all members voting aye.

  
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Alan Cluff, Chairman

  
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Becky Wood, District Clerk