

Newton Town Council Meeting
July 6, 2023, 7:00 P.M.
Newton Town Hall, 51 South Center, Newton UT
Minutes

Agenda

1. Roll Call
2. Opening Ceremony – Jake Christiansen
3. Approval of June 1, 2023, Minutes
4. Report on water test well results
5. Final subdivision plan, Newton Hills, phase 2, Subdivision of parcels 13-028-0002, 13-028-0003 and 13-028-0006 into 16 lots
6. Town Celebration Update
7. Nominations for Newton outstanding citizen
8. Town right-of-way enforcement
9. Farmland lease agreement
10. Spring Protection Plan update
11. Funding for early commerce display at Newton Town Hall
12. Report on Mayor/Council Member Assignments
13. Closed meeting to vote on Newton outstanding citizen

1. Call to Order and Roll Call of Members present.

Members present: Mayor Mike Benson, Jake Christiansen, Kent Fabricius, Brett Petersen, and Jed Woodward. Karla Ferguson (Recorder) and Kathryn Rigby (Treasurer)

Others present: Eric Dursteler, Brandt Helstern, Dave Jenkins, Terrie Jenkins, Tom Pitcher, Marisa Draper, Jagger Draper, and Jeremy Cooley. Youth Council members were also present at the beginning of the meeting. Electronic attendance by Zoom: Justin Cooley, and Carson Maughan.

2. Opening ceremony conducted by Jake Christiansen

3. The Newton Town Council meeting minutes for June 1, 2023, were approved.

Other business: Deputy Odowd introduced himself as the new Star Deputy assigned to Newton and asked what needed to be done for the town celebration.

4. Report on water test well results – Eric Dursteler reported on test well results of 110 gallons per minute. The test well information will be used to complete the water impact study. The test well casing will be kept in place for now and then when it is made a production well then permanent casing will be put in place. The pump will be pulled, and a cap will be put on the test well for now. The recovery time shows about an hour at 290-foot depth. Eric Dursteler discussed that the test well is in a good location with clay layers. Monitoring water levels at the test well for a couple months was discussed. Water testing is still being completed. Brett Petersen asked about how to get the test well into a production well and getting the impact fee study completed. Eric Dursteler explained the application process for filing a production well application. After the application is filed, there is a protest period, and a public hearing is held. It is usually a 90–110-day process. After that is completed then the town can start filing for loans or grants to complete the production well. Mike Benson asked what data is used to complete the water studies. Eric Dursteler answered that the state average of 800 gallons per household per connection. That is the average given by the Utah Division of Drinking Water unless you have better local data.

5. Final subdivision plan, Newton Hills, phase 2, Subdivision of parcels 13-028-0002, 13-028-0003 and 13-028-0006 into 16 lots – Brandt Helstern reviewed that a public hearing was held and they are seeking final approval. **Jed Woodward made a motion to approve the final subdivision plan. Mike Benson seconded the motion** and asked for further discussion on the motion. Brett Petersen expressed concern about the water situation and requested his statement to be on record that the developer should understand and make buyers aware there is a limitation on water and that there are concerns that some lots may have drainage and groundwater issues. Jake Christiansen said he seconds what Brett said. Kent Fabricius said all requirements have been met and a wet land study completed. Kent is not aware of any other reason not to approve.

Roll call vote:

Jake Christiansen – yes

Mike Benson – yes

Brett Petersen – yes

Kent Fabricius – yes

Jed Woodward - yes

Brandt Helstern asked for clarification on the time frame for when the improvements will need to be made. He asked if it is two years from now or two years from when improvements start. The old subdivision code was reviewed. The time starts when the bond is furnished and then the final subdivision and development agreement are signed. The town engineer will give final approval for when improvements are completed.

6. Town Celebration Update – Kathryn Rigby said they are still looking for someone to oversee the volleyball tournament. Kathryn is looking into having a bingo game for Friday night entertainment. Clarkston does it at their celebration so Kathy will talk to them to see how they do the bingo game. The dinner will be held Friday night as a fundraiser for the library and fire department. The schedule of events was discussed. The town council approved the purchase of a tablet to be used for credit card processing.

Tom Pitcher interrupted the meeting and wanted to know why water wasn't being discussed and demanded that he be allowed to build a house for his granddaughter. He said he would start the process for a well on Monday. Tom Pitcher threatened a lawsuit if he is not allowed to build a house.

Jeff Benson discussed fireworks and wanted to thank Chris Richardson for a \$1,500 donation from Sinclair. Jeff has received other donations equaling \$1,845 so far. The town donated \$1,800 last year towards fireworks. It was decided that the town will donate \$2,000 towards fireworks. The town will also include in the check donations received from others for fireworks. The firework area will be taped off with caution tape and volunteers will pick up firework garbage the next morning. Jeff Benson also discussed that Shad Roundy, from Cache Junction, was killed in a vehicle accident on July 5. Shad built the volleyball courts many years ago as an Eagle Scout project. Jeff Benson asked if a memorial plaque or bench could be placed by the volleyball court to acknowledge Shad. It was decided that the Town Council would like a plaque or bench placed and will look into it.

7. Nominations for Newton outstanding citizen – No new nominations were received this year. The Town Council discussed nominations received in the past: Gaylen Maughan, Colleen Woodward, Patty Swainston, Kevin Rhodes and Natalie Phillips. Tom Pitcher came back into the meeting and apologized for his outburst.

8. Town right-of-way enforcement – Mike Benson would like a form letter to send out when violations occur. Complaints about right-of-way violations were reviewed. It was discussed that landscaping that is too close to the road for proper snow removal and view of intersections should also be identified. Mike Benson would like a better summary of the code to be published in the

newsletter or a flyer to be posted. Brett Petersen volunteered to compile a summary of code. Mike Benson asked for a vote on if the town council should move forward with enforcement of the town right-of-way code. **Roll call vote:**

Jake Christiansen – yes

Mike Benson – yes

Brett Petersen – yes

Kent Fabricius – yes

Jed Woodward - yes

9. Farmland lease agreement – Kent Fabricius worked with the town attorney and compiled a draft farmland lease agreement. When Kent was researching the property, the legal description says it is 14.4 acres not 9.4. Kent will make that change to the lease agreement. Kent will also include in the agreement a 7-year lease agreement, compliance with the source protection plan for fertilization, \$35 per acre per year, and a liability statement to not withdraw, disturb or damage well. Kent will contact the attorney to review the draft lease agreement.

Other business: Brandt Helstern asked if the development agreement for Newton Hills subdivision phase 2 could include a pioneering agreement that any development that occurs along 200 North for 10 years also shares in the development costs.

10. Spring Protection Plan update – Kent Fabricius discussed the source protection plan needs updating. It was approved to have Eric Dursteler, town engineer, begin updating the plan.

11. Funding for early commerce display at Newton Town Hall – Kent Fabricius discussed that they would like to change the display in the town hall hallway. Carri Milligan reviewed the plans to do an early commerce in Cache Junction and Newton display. A previous Utah Humanities grant paid for the display hanging system. The new display will require new panels that will cost about \$200. They are requesting \$200 from the town to pay for new display panels. The pictures displayed will be copies from the special collections and histories from the Newton library. They also plan to put up a new art display for the town celebration. Kent Fabricius will review the budget with the Treasurer, Kathy Rigby.

12. Report on Mayor/Council Member Assignments

- Mayor Benson – Animal Control/Administration/Nuisance/Parks
- Jake Christiansen – Library/Special Events/Youth Council
- Kent Fabricius – Buildings/Land Management
- Brett Petersen – Planning/Fire Dept./EMS
- Jed Woodward – Water/Streets

Mayor Mike Benson reviewed that the grant application from RAPZ for pickleball courts was approved. Mayor Benson has asked Cole Richards to head up the pickleball courts project. The town council discussed with Eric Dursteler what is needed to put a project out to bid. A site plan, and drawn plans are needed. Mike Benson will reach out to other communities to see if plans for pickleball courts can be obtained. Waste Management will begin garbage collection services on Oct 1. Mike will write about the new garbage services for the town newsletter. Mike Benson has approved the hiring of an assistant clerk to help the town clerk. Karla Ferguson will write a job description and post the notices for the job. Jake Christiansen reported that the town celebration breakfast will be done by the town council. Jake plans to make the arrangement, purchase the food, similar to last year, but start cooking earlier. Jake has received requests from vendors to sell at the celebration and he has told them it is not allowed. Kent Fabricius discussed installing security cameras. After Kent met with Alltech about the cameras it was determined that an additional camera was needed from what was bid. Alltech will begin installing and running conduit

soon. Kent Fabricius will look at the motion sensor for the outside restroom lights to see if they are working. Brett Petersen reviewed last month's Planning Commission meeting. At the last meeting a dog kennel conditional use permit was denied. Jed Woodward reported that the scrub coat for 7 blocks has been completed. Staker- Parson plans to fix the asphalt crack on the new road at 200 East 200 North. A public hearing should be held next month for the new application for CCCOG funding for the widening of Center Street. Jed Woodward reported that with the new water meters it shows 30 locations have continuous leaks but only about 5 of those have more than a 30 gallon an hour leak. Jed plans to notify those that have large continuous leaks. Eric Dursteler reported that the plan for the 300 South Road extension by the developer, Doug Anderson, has been completed.

The regular meeting adjourned.

13. Closed meeting to vote on Newton outstanding citizen – Mayor Benson closed the regular meeting at 9:45 to vote on outstanding citizen. Those in attendance: Mayor Mike Benson, Jake Christiansen, Kent Fabricius, Brett Petersen, and Jed Woodward. Karla Ferguson (Recorder) and Kathryn Rigby (Treasurer)

Minutes prepared by: _____
Karla R. Ferguson, Newton Town Clerk

Approval Date