

Newton Town Council Meeting  
July 9, 2024, 7:00 P.M.  
Newton Town Hall, 51 South Center, Newton UT  
Minutes

Agenda

1. Roll Call
2. Opening Ceremony – Brett Petersen
3. Approval of June 6, 2024, Minutes
4. Water Supply and Demand Analysis
5. Water Service Connections
6. Town Celebration update
7. Nominations for Newton outstanding citizen
8. Accessory Use Apartment discussion
9. Report on Mayor/Council Member Assignments
10. Closed meeting to vote for Newton outstanding citizen, roll call vote to close meeting.

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

Members present: Mayor Mike Benson, Jake Christiansen, Steven Jenkins, Brett Petersen, and Jed Woodward. Electronic attendance by Zoom: None

Karla Ferguson (Recorder) and Kathryn Rigby (Treasurer)

Others present: Sarah Rigby, Jeremy Cooley, Brandt Helstern, Craig Rigby, Martin Empey and Eric Dursteler

**2. Opening ceremony** conducted by Brett Petersen

**3. The Newton Town Council meeting minutes for June 6, 2024, were approved.**

**4. Water Supply and Demand Analysis** – Eric Dursteler reviewed water use data that was presented at the last town council meeting. Eric updated the analysis with 4 years use, average use, state average and Bear River Basin average precipitation compared to water flow data. The Bear River Basin average precipitation was compared to winter water flow into the control house at the water tank. Newton's current data shows peak water use at 500 gallons a day per connection. The state average is 800 gallons. Eric recommended using 600 gallons per connection for study purposes. Eric Dursteler reviewed spring flow data. It was discussed that 2023 was an anomaly year. It was discussed that in statistics usually an anomaly year data is not used for analysis. Eric Dursteler discussed that putting the test well into production would take care of drought capacity deficiency as compared to the 2023 year. The test well data shows that it could keep up with demand in a drought year as compared to Newton historical water data. Brett Petersen questioned if a well could keep up with demand. Eric Dursteler explained the flow at test well that if it was run for 8 hours a day and not more than 12 hours a day, then the well would recharge each day using the current test well data. They would collect more data and tests before developing a well. Newton's major source of water would remain the springs. Mike Benson asked, based on this data what is Eric's recommendation for water connections. Eric Dursteler said to allow 5 new connections for two months then re-evaluate in September after the heavy peak summer month usage. Mike Benson asked what additional data we will see in September. Eric explained that we will have spring flow data for summer months especially the Loosle-Buttars spring which has experienced an increase and then can compare it with last summer usage data. Mike Benson asked that as the town moves forward and has more water connections and if we see a decrease in capacity, what is the time frame to get the well into production. Eric Dursteler said it would be 6 to 9 months to get the test well into a production well. More questions were asked about data. Eric described data collection and analysis that has been completed. Mike Benson said the church is moving forward with switching to secondary water for irrigation. It was

discussed that the church uses equivalent to 15 water connections. Eric again recommended collecting data for two more months on the meter that has just been installed on the tank to analyze system loss from the springs to the tank. Mike asked what else could be metered. Jed Woodward explained that up till two weeks ago Newton's secondary water was using just the spill from the springs into the secondary water pond. Jed said a meter needs to be replaced for the spill to the secondary water system to determine what is going into the secondary water system.

**5. Water Service Connections** – Jed Woodward made a motion to go with the engineer's recommendation for opening 5 new water connections and continuing monitoring for two months then reevaluate. Mike Benson opened the motion for discussion. Brett Petersen stated that he wanted to make sure we are not being short sighted, and he worries about the highest usage and lowest flow data. Brett wants more of a picture and more data to make a decision. Brett said the anomaly year scares him and wants to continue monitoring and state how many connections the Newton system can support and total ERC before allowing any more connections. Mike Benson said the data shows that it could support 5 more connections and then look again with two more months data then determine well options or more water storage options. Brett Petersen said he just wanted to continue monitoring data. Jake Christiansen suggested allowing 5 connections but lengthening the time to monitor actual meter data until next year. Steven Jenkins suggested open it for 5 connections and lengthen the time to monitor the data for the impact of summer. Jed Woodward said we have collected data for years and we know the amount of water that goes into the tank. It hasn't been instant data like the auto-read meters, but Newton has been collecting the data for years and already has it. Jake said he wants to see what happens this winter with the data. Mike Benson asked Jeremy Cooley and Brandt Helstern if opening 5 connections would help Newton Hills subdivision out with the development of their lots. Brandt Helstern said they would take the 5 but it doesn't really help till they have the 11 more that they need. Mike Benson asked if they would purchase them and as they become available. Brandt said yes they would purchase them as available. Sixteen water connections were discussed. Eric Dursteler said the current data supports 20 new water connections in September if the church moves to secondary water for irrigation. There was a discussion on data, meters, length of monitoring and is the data reliable. Jed Woodward said the peak demand days are not in danger of not having enough water. Mike Benson said the worry for water is a narrow period of time during the year. Jeremy Cooley said all of the 16 lots they are developing would have secondary water available. It was discussed that the average house now uses less water because of water efficient systems, appliances and toilets. Mike discussed having a vote tonight on the number of connections and coming back in September to review data with new meter data at the tank and switching the church. Jed Woodward said we already know how much water will be saved by switching the church to secondary water because we already meter the water. Mike Benson discussed a development agreement with Newton Hills subdivision along with available water connections. Mike Benson read the proclamation not allowing new water connections. "The Newton Town Council hereby proclaims, effective July 9, 2024, that due to the scarcity of water in the Newton Town water system water conservation measures shall continue. Furthermore, that applications for new potable water connections to the Newton Town water system be suspended.

Applications for new connections shall be suspended to address the scarcity of water by limiting the connections to the Newton water system. Said suspension shall be in effect until the regularly scheduled September 2024 Newton Town Council meeting. At that time, the Newton Town Council will reevaluate the scarcity of water to determine appropriate further action."

**The motion was redone by Mike Benson to continue the scarcity of water moratorium and not allow any new connections until September when it will be reevaluated. Jed seconded the motion Roll call vote:**

| COUNCILMEMBER     | YES | NO | ABSENT | ABSTAIN |
|-------------------|-----|----|--------|---------|
| Mike Benson       | X   |    |        |         |
| Jake Christiansen |     | X  |        |         |
| Steven Jenkins    | X   |    |        |         |
| Brett Petersen    |     | X  |        |         |
| Jed Woodward      | X   |    |        |         |

**Motion passed.**

**6. Town Celebration update** – Craig and Kathryn Rigby, chairpersons, presented the schedule and events planned for the celebration. The theme is “Where you can still see the stars”. Kathy said the Saturday breakfast needs to be done by the Town Council. Jake discussed that he would not be there, but he will purchase the food. Craig Rigby suggested that the money raised last year at breakfast be put towards purchasing a new grill. Craig suggested an 8 burner Blackstone grill for purchase of \$519 for use in the pavilion. The town council agreed to the purchase. Mike Benson will contact Waste Management to see if they will donate 4-yard dumpsters for the celebration.

**7. Nominations for Newton outstanding citizen** – Jed Woodward read a nomination for Patty Swainston. Jake Christiansen nominated Greg Fabricius. Mike nominated Kevin Rhodes. Jed Woodward read a nomination received nominating Dave and Flo Jones.

**8. Accessory Use Apartment discussion** – Brett Petersen discussed that this came up last month in the Newton Planning Commission meeting because Nephi Jones would like to purchase a home and turn the basement into a rental apartment. The Planning Commission would like clarification on Newton’s code regarding apartments. Accessory apartment definitions and code were read. Brett discussed that all residential areas are zoned single family. Brett would like to ask the town attorney, Seth Tait, for clarification on the matter.

## **9. Report on Mayor/Council Member Assignments**

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

Mike Benson said he doesn’t have new information on the development above the shared springs above Clarkston but that Clarkston is contacting the state Division of Drinking Water. Steven Jenkins plans to get more bids on repairing the town hall roof. Jed Woodward reported that the scrub coat was completed on seven blocks and chip/seal will be done in July. But grading work still needs to be done on the 200 N. 200 E intersection. The contractors plan to redo hydro seed in October. Jed will look at sprinklers at the intersection. Mike Benson reported that David Zook with Cache County wants to redo how the fire district is paid out of the general fund and instead into a new group with a new tax. Mike disagreed with the proposal.

10. Closed meeting to vote for Newton outstanding citizen. Mike Benson made a motion to close the meeting to vote on outstanding citizen. Roll call vote to close meeting.

## **Roll call vote:**

| COUNCILMEMBER     | YES | NO | ABSENT | ABSTAIN |
|-------------------|-----|----|--------|---------|
| Mike Benson       | X   |    |        |         |
| Jake Christiansen | x   |    |        |         |

|                       |          |  |  |  |
|-----------------------|----------|--|--|--|
| <b>Steven Jenkins</b> | <b>X</b> |  |  |  |
| <b>Brett Petersen</b> | <b>X</b> |  |  |  |
| <b>Jed Woodward</b>   | <b>X</b> |  |  |  |

**Motion passed.**

Present: Mayor Mike Benson, Jake Christiansen, Steven Jenkins, Brett Petersen, and Jed Woodward. Karla Ferguson (Recorder) and Kathryn Rigby (Treasurer)

Members voted Greg Fabricius as outstanding citizen.

Roll call vote to open meeting.

|                          |          |  |  |  |
|--------------------------|----------|--|--|--|
| <b>Mike Benson</b>       | <b>X</b> |  |  |  |
| <b>Jake Christiansen</b> | <b>x</b> |  |  |  |
| <b>Steven Jenkins</b>    | <b>X</b> |  |  |  |
| <b>Brett Petersen</b>    | <b>X</b> |  |  |  |
| <b>Jed Woodward</b>      | <b>X</b> |  |  |  |

**Motion passed.**

Other business discussed: Fireworks for the town celebration were discussed. Last year's donations and donations received so far this year were reviewed. It was decided the town would donate \$2,000 towards fireworks.

The regular meeting was adjourned.

Minutes prepared by:

\_\_\_\_\_  
Karla R. Ferguson, Newton Town Clerk

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Approval Date