

Independence Town Council Minutes (DRAFT)

March 15, 2016

Wasatch County Senior Center Music Room
465 E. 1200 S.

1. Mayor Sweat called the meeting to order at 7:10. Councilmembers Ryan, Heaton, Duke were present. Councilmember Sabey and Laird's absences were excused.
2. Mayor Sweat led the pledge of allegiance.
3. Councilmember Duke led the opening prayer.
4. The Council reviewed draft minutes from February 23, 2016. Councilmember Duke moved to approve the draft minutes for February 23, 2016, as amended. Councilmember Laird seconded the motion. The motion carried unanimously.
5. Ms. Hoffman gave a legislative update. She noted that over 1100 bills were filed and 570 bills passed. She explained that most of the controversial bills did not pass.

One enrolled bill of note will require additional (quarterly) financial reporting for Towns. Prior to the legislation, Towns were exempt from some reporting rules that applied to larger local jurisdictions. She explained that the new requirements require additional staff time to comply.

Ms. Hoffman reported that the wildland fire bill passed this session. It will require additional Town coordination with the Fire District and adoption of the Wildland Urban Interface Code.

Most of the bills that were proposed to restrict local land use authority ultimately did not pass, such as proposals to eliminate local control over: short term rentals, marijuana dispensaries, beekeeping, keeping birds of prey, outside landscaping, home occupations, business licenses, etc.

The Mantua traffic enforcement bill did not pass. Mayor Sweat noted that poor policies tend to arise when a local jurisdiction is focused on raising revenues through traffic enforcement.

Mayor Sweat inquired about the varied of water bills that were directed at eliminating paper water rights, streamlining the general adjudication process and studying/funding large water projects such as the Bear River and Lake Powell pipelines. The General Adjudication bill passed, as did a revised Protected Purchaser bill that focused on forfeiture of water stock. Councilmember Ryan noted

that some existing local canal company water stock has become difficult to put to beneficial use as homes replace farms in the Heber Valley.

Ms. Hoffman encouraged the Mayor and Council to attend the ULCT midyear conference in St. George from April 6-8.

6. Councilmember Ryan gave an overview of information regarding alternative septic systems from the annual conference of the Utah On-Site Wastewater Association. Wasatch County Health Department Director, Tracy Richardson, presented at the conference. Councilmember Ryan explained that Mr. Richardson shed light on how Wasatch County developed its current policy of allowing only one home with a traditional septic system on five acres.

Director Richardson explained that the policy was based on a water availability/water quality study from 1994, which determined that the aquifer was "A-1 pristine". The County adopted a policy to limit further degradation from septic-system-generated Nitrogen to (50mgN/liter/5 acres). As such, new alternative septic systems may not exceed 10mgN/liter/acre.

Councilmember asked about the Heber Valley sewer ponds. Councilmember Ryan explained that although the public sewer ponds contribute 80mgN/liter/acre, the focus remains on new subdivisions.

In addition to Nitrogen, new state water quality rules will establish standards for treating phosphates and pharmaceuticals (together referred to as "nutrients").

Councilmember Ryan described how the State proposes to regulate septic system failures, which may include annual inspections and point of sale inspection and full environmental compliance prior to any real estate transfer.

Council discussed whether the state had considered the net reduction of nutrient-based degradation of the aquifer as fertilized cropland converts to subdivisions.

Since 1994, Wasatch County has enforced its "nutrients" policy, first by downzoning most of the unincorporated area and then by requiring large exactions for new Public Sewer infrastructure as a condition of "density determination" (aka "up-zoning"). At this point all new subdivisions (including new subdivisions in Independence) will need a sewer connection or septic system approval from the County Health Department prior to qualifying for subdivision approval.

7. Ms. Hoffman gave a brief update regarding her codification efforts and of her conclusion that the update must address compliance issues that carry over from the background zoning.

8. Ms. Hoffman also provided a brief update of the planning and policy direction that is currently under consideration by the US 40 advisory group.

9. Mayor Sweat noted that and owner of unincorporated property adjacent to the Town is interested in annexing to Independence. He advised the owner to contact Ms. Hoffman.

10. Mayor Sweat noted that now is the time to plan and budget for road improvements for the 2016/17 budget discussions. He asked Councilmember Duke to report at the next meeting regarding Duke Lane road maintenance and tree trimming needs. Mayor Sweat will assess the needs for the paved portions of Center Creek, noting that the County delayed budgeted improvements to unpaved portions of Center Creek road from this fiscal year to the next.

Ms. Hoffman suggested that the Town should consider a line item in the budget for a part-time person to assume the responsibilities of the Town Clerk and for another part time person (or perhaps the same person) to perform the (increasing) responsibilities of the Treasurer/Budget Officer.

11. Councilmember Ryan asked about scheduling the next meeting date. Council resolved to meet again on April 12.

12. Councilmember Heaton moved to adjourn the meeting at 8:21 p.m. Councilmember Ryan seconded the motion. The motion passed unanimously.

Dated this 3rd day of May 2016.

Mayor Phil Sweat

Attest:

Jodi Hoffman, Acting Town Clerk