

MINUTES
UTILITIES BOARD MEETING
EPHRAIM CITY HALL
5 SOUTH MAIN, EPHRAIM, UTAH
SEPTEMBER 23, 2021
7:00 PM

Board Members Present: Chair Lorna Larsen, Leonard McCosh, Dale Nicholls, Kelly Larsen, Chad Parry, Council Liaison Richard Wheeler

Board Members Excused: Secretary Esmeralda Salas

Staff Present: Public Works Director Jeff Jensen, Power Superintendent Cory Daniels, City Engineer Bryan Kimball

CALL TO ORDER

The Ephraim Utility Board convened on Thursday, September 23, 2021, in the Ephraim City Hall Board Room. Utilities Board Chair Lorna Larsen called the meeting to order at 7:00 p.m.

I. MOTION AGENDA

A. ROUGH DRAFT ORDINANCE FOR WATER CONNECTIONS OUTSIDE CITY LIMITS

Discussion was ensued regarding the rough draft ordinance for water connections outside city limits. Board members decided that water connections outside city limits will not be allowed. Water connections will only be allowed for properties within city limits. A property must be annexed in prior to a water connection being allowed. Existing connections outside city limits will be grandfathered in, with no additional connections granted to those lines.

Board Member Nicholls moved to dismiss the ordinance changes as presented (Exhibit A) and to recommend to council that no water connections outside city limits be allowed. The motion was seconded by Board Member Larsen. The vote was unanimous. The motion carried.

B. NET METERING ORDINANCE

The power department director presented a rough draft of the updated Net Metering Ordinance. The definition of an Energy Storage System was added to the ordinance. The change in wording on the ordinance would allow batteries to be installed in solar systems in Ephraim city. The definition of Generator was also added to the ordinance. The power director and board members discussed the possibility of allowing a larger KW residential solar system. The power director recommended a larger KW residential solar system not be allowed.

Board Member McCosh moved to approve the amended draft Net Metering Ordinance as presented to be recommended to the City Council. The motion was seconded by Board Member Nicholls. Voting yes: Board members Dale Nicholls, Leonard McCosh, Chad Parry, and Lorna Larsen. Abstained: Board member Kelly Larsen. The vote was unanimous. The motion carried.

ADJOURNMENT

There being no further business to come before the Utilities Board for consideration, Board Member McCosh moved the Regular Utility Board Meeting adjourn at 8:14 p.m. The motion was seconded by Board Member Parry. The vote was unanimous. The motion carried.

The next regular Utilities Board meeting is scheduled to be held on October 14, 2021, starting at 7:00 p.m. in the Ephraim City board room.

MINUTES APPROVED:



Lorna Larsen, Chair

3-10-2022

Date

ATTEST:



Esmeralda Salas, Secretary

3/10/22

Date

EXHIBIT A

8.12.60 Water Connections Outside City Limits

A. Designated Water Service Area

1. **Inside Designated Water Service Area:** The City shall provide water to residents of Ephraim City and those within the Designated Water Service Area consistent with the principles of equal protection (*Utah Code 10-7-14(4)*). It shall create and maintain a map showing the Designated Water Service Area and all properties outside the area where a retail customer receives water services from Ephraim City. (*Utah Code 10-7-14(3)*).
2. **Outside Designated Water Service Area:** The City may provide water services to a retail customer outside the Designated Water Service Area by contract (*Utah Code 10-7-14(5)(b)*) on a case by case basis determined by the City Council with the advice of City Staff, when there is a water surplus.
3. **Limitations:** The City may limit water services in a localized area or the entirety of the Designated Water Service Area for maintenance or operational needs, in times of emergency, or to address a health, safety, or general welfare need (*Utah Code 10-7-14(5)*). It may deny entering into a contract with any prospective retail customer outside of the Designated Water Service Area for any reason, including whether there is a water surplus.

B. Contracts for Water Service Outside the Designated Water Service Area

1. **Required From Applicant Retail Customer For All Contracts:** Any prospective contract for water services outside the Designated Water Service Area shall include, but not be limited to the following terms:
 - a. All waterline extensions must be inside recorded easements, which easements shall be provided to the City before any construction begins.
 - b. Applicant must pay all costs, including but not limited to engineering, materials, equipment, and labor involved in connecting the applicant to City Water Services. The City may assist with costs to accommodate water extensions to help accommodate future growth in an area, but is not obligated to do so.
 - c. Applicant must annex their property into Ephraim City or sign a pre-annexation agreement agreeing to annex their property when Ephraim City determines it is appropriate to do so, with such agreement to run with the land.
 - d. Applicant must provide any and all engineering design drawings at their own expense showing the proposed extension of water lines.
 - e. Applicant must dedicate water rights to Ephraim City equal to the use of the proposed development.
 - i. City council at their sole discretion may choose to allow the dedication of surface water rights instead of underground water rights. Surface water rights must have an equal value to the cash value of the underground water right.
 - f. Applicant must agree to follow all state and city codes and ordinances, and city construction standards, with regards to culinary water requirements.

- g. Applicant must follow development requirements of the City even if outside of City Limits, such as frontage improvements, utility infrastructure, and easement dedications, as determined by City Council.
 - h. If a proposed water extension is equal to or longer than 300 feet, the applicant shall provide a looped water line main as approved by City Staff.
 - i. Water Service Pipes shall be at minimum eight (8") inches in diameter).
2. **Rates:** Rates for Water Services outside the Designated Water Service Area will be in accordance with the City Limit Fee Schedule.