

Newton Town Council Meeting
August 4, 2022, 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 July 7, 2022, Minutes
4. Newton Town Celebration Review
5. Culinary Water Committee Update
6. Discussion on criteria needed to enact and remove a moratorium on new water connections
7. Report on Mayor/Council Member Assignments

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, Martin Empey, Carrie Milligan, Sarah Rigby and Julie Christiansen
Electronic attendance by ZOOM: Justin Cooley and Carson Maughan

2. Opening ceremony conducted by Jake Christiansen

3. The Newton Town Council meeting minutes for July 7, 2022, were approved.

4. Newton Town Celebration Review – Jake Christiansen thanked the celebration committee for a fun and successful event. Jake reviewed income and expenses from the celebration. The income, at this time, looks to have covered all the expenses from the event. Mike Benson reported that he had residents express concerns about the candy trebuchet launch. Mike thinks we should investigate more safety measures for it next year. It was expressed that the fireworks show was great. The Town Council made breakfast and it made money. Jake commends the committee for making prices low enough that it was affordable and covered costs. Credit cards were accepted for the first time this year. Kathryn Rigby reported that we did over 80 credit card transactions for the event. A \$1 transaction fee was charged to cover credit card fees. Julie Christiansen reported that she has 3 t-shirts left over. There were 287 pre-sold t-shirts, with 20 shirts for the celebration committee, with a total of 417 shirts ordered. 130 extra shirts were sold along with a box of last year's shirts.

5. Culinary Water Committee Update- Eric Dursteler reviewed water capacity worksheets. The worksheets were Utah Division of Drinking Water – Water System Capacity Calculation Sheets. Eric Dursteler discussed utilizing two different scenarios for the worksheets. Eric used 2017 low flow levels and average flow levels. The state average recommended use per connection is 800 gallons per day. Eric also calculated it with 600 gallons used and 450 gallons. Eric Dursteler discussed Newton's average flow rate is 219 gpm (gallons per minute). Jed Woodward checked flows at the spring today. It was 24 gpm at Loosle-Buttars spring and 220 gpm at the Big Birch spring complex. Loss of water from the springs to the tank was discussed. We currently have 283 water connections. Eric reviewed gallons per day per connection based on averages of the last 7 years and state minimum requirements. The decrease in water flow and how it affects capacity of the system was reviewed. It was determined that meters on the springs and tank are needed. Jed Woodward reviewed water tank and flow levels. Kent Fabricius discussed the need to use per household use for averages rather than the state average to determine capacity. The need to get the auto-read meters installed soon was discussed. Eric Dursteler asked if a meter at the tank could be installed. Water meters, water flow and 30% loss were reviewed. It was determined that we need to figure out how to capture the 30% loss. Eric Dursteler reviewed that they have started

the investigation of the Loosle-Buttars spring. They found a metal pipeline running through area. They plan to filter out the pipe and determine water available in the area. The flow from the Loosle-Buttars spring is currently 24 gpm. Historic research shows flow at 126 gpm when first investigated. Jed Woodward said he had only seen 75 gpm as the high from that spring.

6. Discussion on criteria needed to enact and remove a moratorium on new water connections – Mike Benson reviewed that he and Jake Christiansen spoke with the town attorney, Seth Tait, about water concerns and options. The town attorney is currently reviewing our water ordinances and general plan. The attorney suggested that the Town Council identify criteria to shut down new water connections and criteria to remove the moratorium. The attorney said Mantua has similar ordinances in place. The moratorium would be for new water connections and not on building permits. The town council discussed water wells and where they could be located. Eric Dursteler will research well location restrictions. Mike Benson will contact Mantua City regarding their ordinance on restricting new water connections. Mendon City's ordinance for restricting water connections while they developed a new water source was discussed. Jake Christiansen read Newton's current code which states that water can be limited based on scarcity of water. Mike Benson read email from town attorney, Seth Tait, which says our current water code explains that scarcity of water allows for restrictions. Jake Christiansen said that the reservoir is at 11% and secondary water will soon shut off for the season. Criteria and options for enacting a temporary moratorium on new water connections was discussed. Eric Dursteler discussed the current study of Loosle-Buttars spring and redevelopment could take 9 months to a year to complete. Mike Benson will contact Mendon City for a copy of their ordinance on restricting new connections while they developed another water source. Brett Petersen expressed that he thinks the capacity worksheets show we are currently in a water deficit. The town council discussed water scarcity, current water connections and when to enact a moratorium so as not to have an influx of applications for new water connections. Jed Woodward said installing a new filter system and secondary water on the town park system will help save culinary water. Jed Woodward discussed that he understood the code to say that connections outside of town would be the first to be shut off in case of water shortages. Jed will continue to research where that statement is located. Jed Woodward discussed because of state requirements for secondary water meters there is now a shortage for parts in the state. There is currently a backlog of 7 months for new water meter parts. It was discussed that a temporary moratorium on new water connections needs to be enacted immediately while The Town Council does research for a new ordinance to address the scarcity of water. Eric Dursteler suggested it be limited to 30 to 60 days then re-evaluate the scarcity of water. It was discussed that the water connections that have been paid for but yet to be installed could continue but the moratorium would limit any new applications. Mike Benson discussed that he would like the town attorney to attend a meeting to gather information and help make our current water ordinance better. Eric Dursteler suggested that the first step is to put a meter on the water tank to have a better idea of the water flow coming into the tank to give us a better idea of what is being used and water loss. Jed Woodward said we can go forward with the moratorium, but we also can't physically install any new meters because of lack of parts for 7 months. The length of the moratorium and wording was discussed. **Brett Petersen made a motion stating "We, the Newton Town Council, hereby proclaim, effective August 4, 2022, that due to the scarcity of water in the Newton Town water system that water conservation measures shall continue and that applications for new potable water connections to the Newton Town water system be held. New connections shall be held to limit use of water by limiting the connections to the Newton water system until the regularly scheduled October Newton Town Council meeting. At which time, the Newton Town Council will reevaluate the scarcity of water." Mayor Benson seconded the motion. Roll call vote: Kent Fabricius – yes, Brett Petersen – yes, Mike Benson – yes, Jake Christiansen – yes, Jed Woodward – yes.**

The Newton Town Council has proclaimed a temporary moratorium on new culinary water connections to the Newton water system.

7. Report on Mayor/Council Member Assignments– Mike Benson reported that an RFP for garbage collection will soon go out. However, Smithfield and Richmond have pulled out of the agreement, which will make it harder for a better price. Landfill legislation and options were discussed. Mike Benson reviewed that he had received complaints about too many animals on a small property, as well as a trailer being lived in as a second dwelling on the lot. Newton code not allowing secondary dwellings was discussed. Mike Benson would like to review what is allowed in the town right-of-way and perhaps form a committee to address the problems. Jake Christiansen reported that the youth council worked hard at the celebration and are currently taking applications for new members. Carrie Milligan said the youth council will try to do a retreat in September with training and some leadership activities. The library has appointed two new board members. Mike Benson asked how the book sale works. Sarah Rigby explained that the library sells donations of books and books that haven't been checked out in 3 to 5 years. The book sale raises about \$350 that they use to purchase new books. Kent Fabricius reported that he hasn't heard back from the landowners for a lease agreement, but he will continue to work with them on that. Brett Petersen had nothing to report about Fire or EMS departments but wondered if they wanted to take over the breakfast for the town celebration next year. It was discussed having Library and Fire departments rotate the Friday night dinner fundraiser. Brett will talk to the Fire department to see what they would like to do. Mike Benson asked how the EMS services work for the North end of the valley. It was decided that we need more information on how that is running and what we are getting billed for. Jed Woodward reported that the Newton Sprinkling Company and Newton Water Users Association received grant money to install residential secondary water meters. The new state law requires all secondary water to be metered by 2030. Jed reported that they will do a walk-through inspection of the 200 East 200 North intersection project next week. They plan to add topsoil and reseed the shoulder by October. Mike Benson reported that he met with Cache County engineer, Jessie Mott for long range road goals. The CCCOG process, class B and C funds for roads was discussed. Eric Dursteler will apply to CCCOG for chip/seal funding for 7 blocks this year. Eric will work with Jed Woodward on the application.

Meeting adjourned at 9:55 p.m.

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

Approval Date