

Newton Town Council Meeting
December 1, 2022, 7:00 P.M.
Newton Town Hall, 51 South Center, Newton UT
Minutes

Agenda

1. Roll Call
2. Opening Ceremony – Mike Benson
3. Approval of October 6, 2022, Minutes
4. Rise Broadband presentation proposal
5. Loosle-Buttars spring property, parcel 15-039-0014, review requested by Ann Godfrey
6. Dark Skies Code request by Gordon Anderson
7. Review impact of new water rate, variance rate for dairies or agriculture business review
8. Cache Mosquito Abatement District Board of Trustees appointed representative
9. Report on Mayor/Council Member Assignments

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

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

Others present: Sarah Rigby, Gordon Anderson, Dave Jenkins, Terrie Jenkins, Wayne Godfrey, Ann Godfrey and Brad Gonzales (Rise Broadband). Eric Dursteler (arrived at 7:30)

2. Opening ceremony conducted by Brett Petersen

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

4. Rise Broadband presentation proposal– Brad Gonzales presented a proposal for Rise Broadband to install underground fiber optic cable in Newton. Brad Gonzalez explained their goal is to bring fiber to underserved rural communities. Rise Broadband is also currently proposing to install in Smithfield, Clarkston, and Southern Idaho communities. Mike Benson asked if a percentage of presales would be needed before installation. Brad Gonzales answered no but they have a target of 40 to 60% presales. The Town Council asked questions on growth and who would be responsible for future installations. Brad Gonzales discussed Rise Broadband working with Newton Town on the initial plan and planning for future growth and expansion. Brett Petersen asked if there is a cost for Newton. Brad Gonzales discussed that Rise Broadband is not asking for funding from the town but cooperation with permits, access to rights-of-way and marketing. Technology, capacity, responsibilities, and future growth were discussed. Rise Broadband would like to begin installation in 2023. Next steps for Rise Broadband would be to begin discussions on planning, creating relationships and answering questions.

5. Loosle-Buttars spring property, parcel 15-039-0014, review requested by Ann Godfrey – Ann Godfrey explained that they purchased the parcel adjoining this parcel in 2002 and were told they could run the Newton owned parcel also. Wayne Godfrey has been farming it. Because questions have arisen this year about a lease agreement, they want to discuss the property. They would like to purchase the 10 acres if possible. Jed Woodward said we would not sell the property because of the spring located on it. Kent Fabricius discussed his research into the property and the lease agreement with the original owner, Dixie Loosle. Kent Fabricius will speak to the attorney about a lease agreement for the Godfreys to continue farming the property and to maintain the right of way to the adjoining property. Wayne Godfrey discussed concerns about a well next to his property. The test well was discussed. Mike Benson said we will verify what should

be in a lease agreement and keep in touch on the well. The town will contact the Godfreys again in February about a lease agreement.

6. Dark Skies Code request – Gordon Anderson requested that the town consider a dark skies code. Gordon was not in attendance. Brett Petersen said he will request that the Planning Commission investigate the code after they complete work on the code changes they are currently working on.

Other business: Security cameras were discussed. Kent Fabricius will investigate some affordable options on cameras and video storage. Lighting for the park was also discussed. It was discussed to put on February's agenda security cameras and lights.

7. Review impact of new water rate

a. variance rate for dairies or agriculture business review – Mike Benson reviewed that Jake Christiansen is not able to attend tonight's meeting, but he sent an email saying he had spoke with Newton dairies and they are okay with the water rate for now. Other communities water rates and variances for business were discussed. It was noted that meter size would have an initial extra cost but not charged a different water rate. The general plan was discussed in that it talks about preserving agricultural heritage. Mike Benson suggested that we need the auto read meters installed to see where water is being used and to collect better data to make decisions.

8. Cache Mosquito Abatement District Board of Trustees appointed representative – Mike Benson explained that Craig Rigby has been serving as Newton's appointed representative and is willing to continue. **Jed Woodward made a motion to continue the appointment of Craig Rigby as Newton's mosquito abatement board representative. Brett Petersen seconded the motion. All in favor.**

9. 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

Eric Dursteler gave an update on the progress for a test well which he thinks will happen in January. Eric Dursteler will apply for a test well permit. Three weeks after the test well is drilled, we should have sufficient data on water flow. Eric Dursteler described the process for applying for a well permit, which could take 3 to 6 months. Eric discussed data used for studies. Brett Petersen asked if there were concerns about Rise Broadband installing underground fiber cable. Eric Dursteler discussed permits for work in the right-of-way and a corridor that they must work within. It was discussed that a franchise fee is charged with Comcast and we must be consistent in charging Rise the same fee. Jed Woodward reported that he planned to blow out the park sprinklers the following Saturday. Mike Benson reported for Jake Christiansen that the holiday lighting night went well and had live reindeer that night for people to see. Mike Benson suggested, and all council members agreed that the town pay \$500 from donations for holiday lights for the live reindeer visit. The payment will come from the community donations account. Kent Fabricius is looking into locking cabinets for the pavilion. Kent has winterized the outside restrooms. Kent plans to work on the town snowblower. Jed Woodward asked about the water heater drains in the pavilion. Drains and water for the pavilion were discussed. Brett Petersen reported the Planning Commission is working on water exaction code and plan to be ready for the attorney review next week. Brett Petersen asked where we stand with a water impact fee study. Eric Dursteler said we

are midway in the impact fee study process, and it should be completed mid-February. Eric Dursteler discussed payments for Staker-Parson for the 200 East 200 North intersection project. Eric suggested we do not pay the \$7,400 retainage until spring when the project will be completed. Eric Dursteler had Mayor Benson sign the test well application.

Meeting adjourned.

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

Approval Date