

Mayor Leak called to order a regular Cornish Town Council meeting on August 16, 2023, at 7:0 p.m. at the Cornish Town Hall.

Attendance: Colton Creech, Chris Buxton, Lauren Draney, John Forsgren, Matt Leak, Brad Fisher, John Forsgren (arrived late and left early via Zoom)

Absent:

Citizens: Colden Glen, Nathan Daus, Zak Pitcher, Max Pierce, Mandy Carlson

Staff Report: Lauren said that Beth Stuart asked about getting a discounted rate to use the Town Hall once a week for 12- 16 weeks during the winter for their homeschooling group. Fisher asked if it would be during the day. Lauren said she thinks so. Mayor Leak said he does not have a problem with it but that they need to be careful about giving discounted rates and that it needs to be noted that it is because they are renting it out so many times. He asked what kind of discount they were looking for. Lauren said Beth didn't say. Mayor Leak asked what the normal rate was. Lauren said it is \$50 for residents. Mayor Leak told Lauren to call Beth and see what would be reasonable for them.

Lauren reported that there is a hole in the basement between the foundation and the building. Creech said that they could use spray foam to seal it up.

Lauren said that she talked to Logan City about the last bill from them and she said that the person who does the garbage billing was not told that Cornish had their blue cans taken back and they will adjust the bill being sent out next month.

Lauren commented that the bank statements were on the table for the council to review.

Mayor Leak wanted to talk to Lauren after the meeting about a garbage account was still being charged for a dumpster.

Minutes:

Lauren said that there were a couple changes that she had made after the minutes were printed. She added Robert Eames and noted that Fisher was absent at the end.

Mayor Leak entertained a motion to approve the minutes for the regular meeting on August 2, 2023.

Buxton – Motioned; Fisher – Seconded

Creech – Aye; Buxton – Aye; Fisher – Aye; Leak – Aye; Forsgren – Absent

The minutes were approved unanimously.

Action Items:

30 *Zak Pitcher – Zoning Clearance and Water Connection* – Zak said that he is putting a modular home on
31 the lot by his grandparents. Fisher asked if he is going to hook his water into the line going across the
32 field. Zak said he is. He stated that he is having problems with getting power to his property because of
33 where it is coming from. Creech explained that the County had a road recorded there and that the way it
34 shows on the County’s website is not correct. They discussed where the power is now and how he will
35 have to get to his property. Zak asked if there is any gas or water lines under the road he will have to go
36 through. He also asked if he would need to do anything to go under the road. Creech said that there is a
37 permit that he would need to get to board. He had all the paperwork he needed for the zoning clearance.
38 Mayor Leak asked if there were any more questions. There were none.

39 Mayor Leak entertained a motion to approve a zoning clearance for Zak Pitcher

40 Creech – Motioned; Buxton – Second

41 Creech – Aye; Buxton – Aye; Fisher – Aye; Leak – Aye; Forsgren – Withheld vote

42 Creech asked where Zak planned on putting his water meter. Zak said that he can put it wherever the
43 Town needs it to be. They discussed where the meter could go. Zak asked what he needed to do next.
44 Creech said that he will need to go to the county and give them the clearances he got here and more
45 detailed house plans. Zak said his house is all electric, so he is not using gas.

46 Mayor Leak entertained a motion to approve a water connection for Zak Pitcher.

47 Creech - Motioned; Fisher - Seconded

48 Creech – Aye; Buxton – Aye; Fisher – Aye; Leak – Aye; Forsgren – Withheld vote

49

50 *Austin Veibell – Zoning Clearance* – Creech said that Austin was not able to come but he talked to him
51 about what was going on. Creech explained that Austin is building a shed on his property and that he did
52 not know that he needed to get a zoning clearance for it. Creech said that the shed meets all the zoning
53 requirements.

54 Mayor leak entertained a motion to approve the zoning clearance for Austin Veibell.

55 Buxton – Motioned; Creech – seconded

56 Creech – Aye; Buxton – Aye; Fisher – Aye; Leak – Aye; Forsgren – Withheld vote

57

58 *Colden Glen – Conditional Use Permit and Reasonable Accommodation* – Colden said that he would like
59 to be granted the conditional use permit for a drug rehabilitation center and a reasonable
60 accommodation to allow 16 beds. Mayor Leak asked Creech to explain what the next steps will be for

61 the conditional use. Creech said that in this meeting they will get more information from Colden as well
62 as Colden getting more information from the Town. The next step will be to have a public hearing at the
63 next meeting to get the public's input before issuing the permit and reasonable accommodation. Creech
64 explained that this process is meant to make sure that what is in our Town code is being followed. He
65 said that if Colden meets all the requirements that are in the Town code they must approve his business,
66 it is not a personal decision. Creech read the requirements for the conditional use permit from the code.
67 He said that the reasonable accommodation is harder to get. He read the code that dictates the items
68 the Town Council needs to consider before granting or denying the reasonable accommodation. Creech
69 asked if the council had any questions about their responsibilities. Fisher commented that a Town
70 meeting should satisfy most of the requirements on the list. He said that he did not see any problems
71 with any of the things that were listed.

72 Mayor Leak asked Creech if the reasonable accommodation only lasts a year. Creech said that there is
73 not a limit on the reasonable accommodation, but the conditional use permit is good for a year. Mayor
74 Leak explained that the thing that worries him most is if something went wrong outside of Colden's
75 control that would cause the council to need reconsider the conditional permit. He said that the Town
76 will need to lay out all the Town's expectations with the conditional use permit for Colden to understand
77 them and succeed. Colden said that because of how things have gone in Logan he is confident in how
78 things will go in Cornish. Colden explained the need for a substance abuse rehabilitation center. Mayor
79 Leak said that the council is on the same page as Colden when it comes to the need for a place for
80 people to go to get help with substance abuse. He explained that the job of the council is to satisfy what
81 is required legally of the Town.

82 Mayor Leak said that they will need to get a public hearing scheduled and asked Colden to attend that to
83 help answer questions from the public. Colden invited the council to attend a graduation ceremony they
84 are having in Logan.

85 Mayor Leak asked about the time they would be spending at the actual facility. Colden said around 70 –
86 75% especially at first. He said that they want to get them to the gym, but that Sprots Academy is going
87 to be donating equipment for them to use at the facility. He also said that they will have to bus the
88 clients to equine therapy as well. They will be staying at the facility between 30 – 60 days.

89 Creech asked what would happen to the viability of the project if they only had six beds. Colden said
90 that it will not be able to operate because the operating costs would be higher than the money, they
91 bring in. He explained that because of how insurance pays they need at least 12 beds to operate. Creech
92 clarified that if they do not get the reasonable accommodation they will not be able to operate. Colden
93 said it would potentially shut them down. Colden explained the because of the Disabilities Act and Fair
94 Housing Act the cut off for the number of beds would be 16 but that they would most likely only use 12-
95 14 beds regularly. Creech asked if they would put two people in each room and possibly three. Colden
96 said that they would only want two people per room and said that the ideal number is 12-14 people in
97 the facility.

98 Creech asked what the parking and traffic and noise would be like. Colden said that because of how it is
99 staffed they would have around 5 cars and a bus. Mayor Leak asked if the staff members would be living
100 there. Colden said staff cannot live there. The clients will not have a car, if they want to leave or need to
101 leave, they will be taken back to Logan by bus. Colden also said that they do not accept violent people or
102 sexual offenders.

103 Creech said that a problem they have had in the past was the need for law enforcement to be called out.
104 He asked if there have been any instances where law enforcement has been called to his other facilities.
105 Colden said that they have had one instance when there was someone trying to get in that was not
106 supposed to be there and they needed to call law enforcement to get him to leave.

107 Creech asked how the Fair Housing Act and a drug rehabilitation center are related. Colden said that as
108 he understands it the Disability Act and the Fair Housing Act fall under the same jurisdiction with what
109 they are doing. He said that these people need housing to get help with their addiction. Creech asked if
110 addiction is considered a disability. Colden said that insurance sees it as a mental health problem and a
111 disability that doesn't make sense. Creech asked how the Fair Housing Act applies when his facility is
112 more about the treatment not the housing. He said that the drug rehabilitation facility seems like it is
113 more like a hospital not housing. Colden said that did not know all the specifics about how it applies. He
114 mentioned a couple of case studies in Utah that the Fair Housing Act was used in.

115 Forsgren said that in the case studies that Colden was talking about, the Fair Housing Act was brought
116 up because they were trying to shut it down. The Town is not trying to shut this facility down so the Fair
117 Housing Act doesn't really apply at this point. He said the Town is trying to make sure that it is compliant
118 with other things.

119 Forsgren asked when it comes to zoning if it would be considered a medical facility not a residential
120 facility. Colden explained that the level of care that is given decides if it is considered a hospital or a
121 residential facility. Forsgren wanted clarification because it could change what the zoning requirements
122 are. Colden stated that the State has classified it as a residential treatment facility. Colden said that the
123 State will be coming out to do inspections to make sure that what they are doing matches what the
124 license was issued for. Mayor Leak stated that it would be good to reach out to the State to find out
125 what the regulations are. Forsgren said that it would be good to have that information for the public
126 hearing. Colden said that he will do the homework and get all the information they need.

127 Buxton asked if there will be an EMT on his staff. Colden said that they will have an addictionologist as
128 well as registered nurses that will be administering certain medications. He said that they will not be
129 taking anyone with high level mental health problems. He said that the people coming will already be
130 detoxed. He said that they will be an abstinence-based facility. The only medications will be anti-
131 depressants or other medications needed for medical reasons and will be regulated by the RN's. Fisher
132 commented that the clients coming to the facility are really wanting to make changes. Colden said that
133 they are. Buxton asked if they had any medical problems at his other facility. Colden answered that they

134 had not and that they have an assessment to make sure the clients are kept safe. He said that if there is
135 any sign that they might be in any danger they will take them to the hospital immediately.

136 Buxton asked how long they planned on staying in Cornish. Colden said they plan on staying forever.
137 Buxton asked if the demand for the facility goes down if he has any plans to deal with that. Colden said
138 that he does not have any plans if things get slow. Creech asked what they would do if demand got
139 higher. Colden said that they would move to a different place. Buxton asked if his plan is to purchase the
140 property or rent it. Colden said that he is going to purchase the building over time.

141 Mayor Leak said that in the past with Synergy it started with private kids and the demand went down
142 and they ended up needing to take in State kids who were not regulated. Colden said that he does not
143 work in an environment where people don't want to be there. Mayor Leak said that most people are
144 behind what Colden is doing but that the perspective at the next meeting will be what the citizens saw
145 from Synergy.

146 Mayor Leak asked if there were any other questions or comments.

147 Creech said that the Town will get the meeting noticed and that there will be fees for the permit as well
148 as the postage for mailing notices to the Town. Colden asked Lauren if he could pay today. She did not
149 know how much it was going to be yet and said she would let him know. Colden asked if there was
150 anything that he would need from the Town for construction. Creech said that if he needed any permits,
151 it would be through the County.

152 *Matt Regan – Financial Review* – Matt was not able to attend this meeting.

153 *Nathan Daugs – Cache Water District* – Nathan is the manager of the Cache Water District. He came to
154 give an update of the projects that are going on right now. There are two big projects that are
155 happening right now. The first is the Logan River Watershed Project. This project is working on
156 pressurizing the canals in Logan, North Logan, and Hyde Park. He explained that it will help with
157 secondary irrigation as well as flooding. He said that it is Federal funded and that this funding pays for
158 100% of the engineering and 75% of the construction. He commented that they are also working with
159 Wellsville, Mendon, and Cache County to do a similar project to pipe the canal coming out of Hyrum
160 Reservoir to Peterborough and putting secondary in Wellsville. They are planning on replacing the four
161 secondary systems in Mendon and making them one system. This project will also help with flood
162 control. He said they are working with a few single canal companies to pressurize systems. Mayor Leak
163 asked if they could do anything in Idaho. Nathan said no but maybe. He said that it depends on where
164 the funding is coming from and where the water is.

165 Nathan explained that the Cache Water District does not own any water and does not supply water. He
166 explained what they do to help conserve water and how it is used and how they work with legislation
167 concerning water. Mayor Leak asked who manages the district. Nathan said that he is the manager and
168 11 board members. Max Peirce is a member of that board and represents our area. Nathan explained

169 that it is funded by taxes and that their budget is small but looks big because of the grants that they
170 work with. He said that they partner with a lot of other organizations.

171 Creech asked if Nathan thought in the long term if smaller systems like ours would combine to make a
172 larger system to help with the costs and management. Nathan answered possibly. He said that Logan
173 City has a good system and a great water supply but there are other systems that don't have sources
174 that are as reliable that might benefit from combining systems. He explained that it would be beneficial
175 to be connected to another system in case of emergency. He thinks that towns and cities connecting to
176 form a large system is probably not as needful as connecting to have a water supply in an emergency.

177 Creech asked about the drains for flooding. Nathan said that if there were enough drains left to save it
178 would be great to be able to have the drains for flooding. Max said that before he left the council, he
179 talked to county attorneys, and they said all it would take is someone to step up and take charge of it.
180 Creech asked if the Town could take it over or if it needed to be private. Max did not know if two legal
181 entities could merge like that. Creech said that the biggest problem that he sees is finding people who
182 are willing to step up. Max said that they would need to have people who own property in the district so
183 there isn't a problem of taxation without representation.

184 Max asked Nathan to share the benefits of the Bear River study. Nathan said that there have been
185 studies about what the economic benefit of the Great Salt Lake is. What hasn't been studied is what the
186 economic benefit of the rivers going into the Great Salt Lake are. They got several partners and hired a
187 firm in Idaho to study the economic benefit of Bear River System that runs through Wyoming, Idaho,
188 and Utah. He also said that the legislature gave Water Resources to do a watershed assessment of the
189 Great Salt Like Watershed to see how much water there is really out there. Nathan explained that if the
190 Great Salt Lake dries up the brine shrimp will crash which will affect the food chain. He said that if that
191 happens the federal government will come into try to fix it. He also said that dust could be a problem,
192 but the salt flats have always been there. At the end of the study, they will have recommendations of
193 how much water is needed to go to the Great Salt Lake.

194 Mayor Leak asked if they have looked at the impact housing has on water use. Nathan said that they had
195 looked at it and they have not used any more water, it is just being used differently. He explained that
196 the water coming out of the sewer treatment plant goes to the lake. He said that at some point Cache
197 Valley will need to have a water treatment facility. Nathan said that having a secondary water system
198 will help with that by taking the load off the culinary system. Nathan said that growth is not going to
199 stop. He explained that most of our growth is our own kids.

200 Mayor Leak said that Cornish's culinary system is heavily taxed. He said that having a secondary system
201 would help a lot to take the burden off the culinary water especially in the summer. Mayor Leak asked if
202 Nathan could help them know if there are any grants that could be available to piggyback off of. He
203 explained that there are several people who would be on board with a pressurized system. Nathan said
204 that there is money out there but there should be a feasibility study done first to help get the funding.

205 Mayor Leak asked what percentage is covered by the funding. Nathan said that it is around 50-75% but
206 can be more than that. Mayor Leak thanked Nathan for coming and asked him to let them know if there
207 are any funding opportunities that come up.

208 Max asked Nathan to talk about the Sno-tel sight in Clarkston. He explained that there are going to be
209 two more Sno-tel sights in the valley, one of which will be in Clarkston. He said that will hopefully
210 happen next year. He explained that it takes a few years to get good data on it but it will be very useful.
211 The other one will be going around Hardware Ranch. Sno-tel sites give the most reliable snowpack data
212 in the western states.

213 **Executive Session:**

214 **Business Items:**

215 *Roads-* Forsgren left early.

216 *Planning & Zoning* – Creech said that he did not have anything.

217
218 *Parks/Town Hall/Finance* – Creech asked about the fence. Mayor Leak said that he had talked to them.

219
220 *Water* – Fisher said that he cannot get into the computer. He asked Mayor Leak if the pump had been
221 going the whole time. Mayor Leak said that it is on auto and turns on and off. He also explained that the
222 version of windows they have on the computer does not work with the SCADA system. Fisher asked if
223 they had turned on the springs yet. Mayor Leak said that they have not. He explained that he will not
224 need to take source samplings from the springs since they are not being used right now. He also said
225 that they need to do testing for the metals. Mayor Leak said that they need to get two samples from
226 each spring to send to Chemtech Ford. One of the two samples needs to be diluted by Chemtech Ford to
227 50%. Mayor Leak said that they can use a golf ball retriever to get the samples for the nitrates but not
228 for bacteriological. He said that it would be safer than climbing down into the box. Creech asked when
229 that needed to be done. Mayor Leak said as soon as possible so they can get the springs back into the
230 system as quickly as possible. Creech asked if it is a problem if the samples are sitting in the mail over
231 the weekend.

232
233 Mayor Leak said that he needs to get pictures of the springs submitted to the State by Friday afternoon.
234 Creech said that he could do it in the morning with Fisher. Fisher said that he will take the normal
235 samples to Bear River. Mayor Leak will text Mike Spackman to get permission to access the springs.

236
237 Mayor Leak said that the attorney has written up an easement. He said that Jodie Buckner was fine with
238 option two without a survey. They will send the easement to her. Fisher asked if they had the
239 Wangsgards signatures. Mayor Leak said no.

240

241 Mayor Leak talked to Jodie Buckner about the land dispute at the top of the property to see if she was
242 ok with getting a new survey. She said she wanted a picture of where the property line is compared to
243 where the fence line is.

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245 Mayor Leak said that they need to get printouts of what the recent surveys are involving Cornish Town
246 and what the quit claim deed was between the Wangsards and the Pitchers. He said that the Pitchers
247 are concerned that they gave up property that wasn't supposed to be given up. Mayor Leak explained
248 that when the property was deeded to the Wangsgards a section of Cornish Town property was deeded
249 to the Wangsgards. Ray and Kyle Pitcher thought that it was their property. He said that the wellhouse is
250 going to go into Ray's grass a little bit and he doesn't think that he was aware of that.

251
252 *Land Use Ordinance – None*

253
254 **Old Business:**

255
256 **Mayor's Report:** Mayor Leak said that the attorney has written up an easement. He said that Jodie
257 Buckner was fine with option two without a survey. They will send the easement to her. Fisher asked if
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268 to the Wangsgards. Ray and Kyle Pitcher thought that it was their property. He said that the wellhouse is
269 going to go into Ray's grass a little bit and he doesn't think that he was aware of that. Max asked if it
270 was staked out. He said that DWA is planning on starting construction up there and they need to know
271 exactly where they can be. Mayor Leak said they need to let Ray know as well. Max suggested that if the
272 pin is not there to get the surveyor to come and put a new one on there.

273
274 Fisher asked if there is a list of what needs to be checked with the lead and copper testing. Mayor Leak
275 will send him and Creech the list from the State. They discussed how to mark the disputed land. Fisher
276 asked if they knew who paid the taxes on it. Creech said that he doesn't think anyone has been and that
277 it will be up to the legal description.

278
279
280 **Citizen comments:**

281

282 **Next Meeting:**

283 **Bills:**

284 Total = \$4230.23 (Does not include the bill of \$1851 from BSC Excavation)

285 Mayor Leak asked what the bill for the trailer was. Buxton said it was Jay's trailer for the mower. Creech
286 asked if Mayor Leak had talked to Bracken. Mayor Leak said he had not. He said he need to find out if
287 they got the setter. He also explained that they need to get on the same page on who provides the
288 meters for new water hookups.

289 Mayor Leak entertained a motion to pay the bills minus BSC Excavation.

290 Creech - Motioned; Buxton – Seconded

291 Creech – Aye; Buxton – Aye; Fisher – Aye; Leak – Aye; Forsgren - Absent

292 The bills passed unanimously.

293 **Adjourn:**

294 Mayor Leak entertained a motion to adjourn.

295 Creech – Motioned; Buxton- Seconded

296 Creech – Aye; Buxton – Aye; Fisher – Aye; Leak – Aye; Forsgren - Absent

297 Ended at 9:28 p.m.