

Hinckley Town Council
Town Council Chambers
161 East 300 North Hinckley, UT
Digital Recording
Thursday, September 21, 2023

Invocation Leon Lewis

I. PLEDGE

Mayor Brian Florang asked all to rise and join in the Pledge of Allegiance.

Mayor Brian Florang called the meeting to order at 7:02 PM.

II. ROLL CALL

Mayor Brian Florang
Councilmembers: Leon Lewis, Ray Searle, LeeAnn Terry, Donald Brown
Maintenance Employees: Joe Stevens, Trey Ross
Hinckley Town Clerk: Tresa Taylor

III. GUESTS:

Alan Miller, Ron Black, Skip Taylor, Ethan Miller, Jess Petersen

IV. APPROVAL OF MINUTES FROM PREVIOUS MEETING

Mayor Brian Florang asked for corrections or a motion to approve the meeting minutes for September 7, 2023. Councilmember Donald Brown made a motion to approve the meeting minutes as presented for September 7, 2023. Councilmember Leon Lewis seconded the motion, all voted aye. Motion carried.

Mayor Brian Florang asked for correction or a motion to approve the minutes for the Primary Election Canvass for September 14, 2023. Councilmember Donald Brown made a motion to approve the minutes for the Primary Election Canvass. Councilmember Ray Searle seconded the motion, all voted aye. Motion carried.

V. PETITIONS, REMONSTRANCES, AND COMMUNICATION

None.

VI. REPORT OF GOVERNING BODY – BOARDS – COMMITTEES:

Councilmember Ray Searle informed the council the Planning and Zoning Commission considered the following applications at their meeting on Wednesday, September 13, 2023:

1. An application from Mary Davis and Skip Taylor for a simple lot split and Commission made a recommendation to approve the lot split.
2. A business license application from Ryan Horton and Commission approved the business license for Horton Enterprise.

3. An application from Todd Thomas for a 5-acre lot split of parcel in the AG Zone and they did not find problems with the request and Todd Thomas will proceed with a survey.
4. An application from Cindy Palmer to place a manufactured home on property with a single wide and placed a condition that the single wide trailer must be removed from the property before the manufactured home is installed.

Councilmember Searle said the Planning and Zoning Commission decided to hold a public hearing on the new ordinance for Recreational Vehicles.

Councilmember Ray Searle asked if anyone was familiar with the solar project wanting to come into Millard County? He noted the information he has comes through Mosquito Abatement and they (EDF Renewables) want to come into the county and just pay half the taxes. The commissioners have said no, so they've gone after special service districts like Mosquito Abatement, Fire District and Millard County School Board, and they are making them tax offers. Ray stated he did not feel right about making a vote for Mosquito Abatement where he is representative of Hinckley Town.

Mayor Florang said he has heard a bit of noise around this and if this is going to be a decision by the council then it's going to have to be on the agenda.

Councilmember Donald Brown said he talked with a county commissioner and the commissioner agreed to meet with us on Monday. Mayor Florang asked, to meet with who and asked for clarification. Councilmember Donald Brown explained he would like to meet with the commissioner to get more information and find out what is going on in relation to taxes.

Mayor Brian Florang asked, why are we discussing this or why is this a topic for the Council? Councilmember Ray Searle noted because he has these documents and does not want to make a vote for this without it coming back to the town.

Mayor Florang stated this needs to be an agenda item. Councilmember Ray Searle will provide the office with a copy of the documents he was given and they will be shared with council members.

VII. STAFF REPORTING

Maintenance employee Trey Ross provided the council members with the following update:

1. Water samples – The August water bacteria sample negative and arsenic sample was high. The high sample required a public notice which was posted yesterday, then posted on the town website today and an automated call was sent out. Trey noted the twelve-month average for arsenic is .011 and allowed is .01. John Chartier, from the Division of Drinking Water met with Paul Clark at the treatment plant and together they are working

on a plan to improve the water treatment plant operation.

Trey said he plans on doing a set of sample tests on each filtration tank to see if possibly one tank may not be working properly.

2. Wastewater – Trey said Mat Player contacted him today and Mat will be here on October 12, 2023, to install and calibrate the new flow tube in the sewer flow meter. Trey said John Chartier came out earlier this month and inspected the sewer lagoons and found complications with the lagoons but noted John was happy the town was being proactive in working with Jones and DeMille Engineering. John Chartier asked Trey to keep him informed.

3. Roads – The maintenance men are trying to keep up on weeds and need to burn piles of weeds on 500 S. Trey said Daniel Hawley was going to provide him with a contact name and number for road analysis services. Trey will reach out to Daniel Hawley.

4. Town Park – Trey noted the soccer field is getting lots of use. Mayor Florang said he talked with some of the guys playing soccer and let them know we are happy to have them use the soccer field, but we are a poor little town, and they might think about helping us out with maybe even some volunteer service in the park to make the park better. He said they are supposed to get back to him next week. Trey reported finding vandalism in the men's bathrooms. The toilet paper dispenser doors were torn off and all the toilet paper was thrown into the toilets. He noted the town needs to look into purchasing more sturdy dispensers that aren't as easy to break open. There was some discussion about the camera system in the park.

5. Nuisance – Trey said he received a nuisance complaint about dogs barking constantly near 300 W Center Street. Trey reached out to the owners that were reported owning the dog and they said it is not their dog. Trey said there were dogs at the home he visited about the nuisance complaint and that the town does not have any licensed dogs on file for this household and let them know they are in violation.

VIII. NEW BUSINESS

1. Review and discuss a written draft ordinance to amend Hinckley Town Code, Title 9, Building Regulations

Mayor Brian Florang noted this a time to discuss changes with the building codes and this is not to be confused with the RV ordinance, noting this is building code.

Councilmember Donald Brown asked if this came from the town attorney and Mayor Florang said no, this is not to be confused, it is not the same thing.

Mayor Florang read from Recital A. The Town Council of the Town of Hinckley desires to bring its building codes in line with the state standards adopted in the State Construction and Fire Codes Act, to regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use,

height, area and maintenance of all buildings or structures in the Town of Hinckley, Utah, and providing for the issuance of permits and for penalties for the violation thereof.

Mayor Florang noted basically this is modifying our current one, by striking the numbering of buildings, naming streets, and the mobile homes and mobile homes parks portion of that regulation and adding in building codes and numbering buildings and naming streets.

The council reviewed and discussed Chapter 1, Building Codes. Mayor Florang stated we are adopting what the state has adopted. Councilmember Donald Brown asked about 9-1-5: Permits and Inspections, A Permits Required: 3. It shall be unlawful to proceed with any plumbing connected or to be connected to any pipe or pipes in the Town, or to any private plumbing or any sewer system. Then asked, why are we involving ourselves in private water? So, if I was to put a tap in, I've got to come in and get a permit from the town clerk to do that and I'm on my side of the meter.

Trey Ross, Hinckley Town Water Operator responded as a homeowner, you can add on but the town needs to know what you are doing and that is accomplished through a plumbing permit that is free of charge.

Mayor Florang stated each connection to the water system has the potential of putting the town at risk.

Councilmember Donald Brown asked, do we not have backflows on the meter? Hinckley Town Water Operator Trey Ross responded, not on all of them, but we are in the process of getting backflows on all meters.

Councilmember LeeAnn Terry asked, if I put a new roof on my house, will I need to get a permit? Clerk Tresa Taylor noted the building codes would need to be referenced to determine when permits are required. Mayor Brian Florang explained if you ask, do I need a permit for this, there is a good chance you will need a permit.

Mayor Brian Florang stated this is a housekeeping activity for the town to be compliant with the state. We have changed the language, but the reality is that we are going to have the same struggles that we have always had. We use Sunrise Engineering for our inspections, we use them as our reference for these things, we are not engineers, we are not construction people, we are not code experts. None of that changes. This is simply getting our ordinance and our documents compliant with the state, which we need to do. We are not graced with any additional knowledge by doing this. It is getting this straightened out. We aren't hiring any more staff. We aren't creating the ordinance police. None of that is any different. We don't have any more money to spend, We don't have right in our language, aligned with what we need to have it say and we will do the things that we deem most critical for the town as we have always done. That reality.

Mayor Brian Florang asked Clerk Tresa Taylor to schedule a public hearing for this ordinance. Clerk Tresa Taylor suggested waiting for the information from the town attorney since this ordinance removes mobile homes and mobile home parks from Title 9.

Mayor Florang noted this is an administrative decision and a conversation that can be discussed later and that he would like to get a public hearing scheduled.

3. Ron Black – Report of a financial internal audit review

Mayor Brian Florang invited Ron Black to the podium, thanked him for attending and for taking on the task of an internal financial audit review and asked him to share his findings.

Ron Black explained, let me tell you what I did. This was not an audit by a CPA and thus I fall under different rules on what I can report. My purpose in this was to review your accounting procedures. So, I picked a period of time to analyze whether the transactions during that period followed those procedures. I also reviewed what the state requires as far as reports of various types, making sure that those have been completed and sent to the state in a timely manner. Let me start with the reports to the state. It showed that all of the reports that are required have been filed and that they were done in a timely manner. So, a good job on that side of things. As far as the procedures and whether they are being followed, I was very pleased with what I saw. I went through all the transactions during the period I looked at and every one of them was being followed except for the two that I noted in the letter. Is this audit something to find fraud or anything like that? Based on the limited scope, there's no way that could happen. The procedures that are in place and if followed should protect the town and its citizens from fraud. It would take for something this small, where you don't have huge amounts going so many different directions, it would take quite a bit to have theft within the town. Small amounts, you know, petty cash draw or something like that obviously those kinds of things can happen any time. But as far as major theft and major fraud it would take the collaboration between staff and the council and some of you would have to turn a blind eye to some things that you would see. I didn't feel like that was something I would find in this audit, but it's always something that's out there that needs to be watched for and you need to make sure that you follow your procedures that you already have, and I think the town will be in good shape.

Ron Black asked if there were any questions and there were no questions.

Mayor Brian Florang, council members, and town clerk thanked Ron.

3. Approve or deny a recommendation from the Planning and Zoning Commission to approve an application from Mary Davis/Skip Taylor for a simple lot split and lot line adjustment of Parcel H-2103, 21 S 100 W, Hinckley, R-1 zone.

Mayor Brian Florang invited Skip Taylor to the podium and asked him to give a quick rundown and said he appreciated him coming in for this.

Skip Taylor stated he wants to purchase a piece of property to the north of his property. Councilmember Donald Brown asked, half of it or all of it? Skip stated all of the lawn area, noting Mary wants to keep 20' of property which is south of her garage for access.

Councilmember Ray Searle asked Skip if he was squaring up his property and Skip responded yes as well as buying the lot.

Mayor Brian Florang asked, What is the current size of the lot that is being split? Skip responded the total size I'm not sure but the lot I am buying is .42 acres.

Councilmember Donald Brown asked about the required setback from the garage and property line? Mayor Brian Florang stated 20 feet is adequate.

The council reviewed and discussed the survey.

Mayor Brian Florang called for a motion. Councilmember Ray Searle made a motion to approve the lot split. Councilmember Leon seconded the motion, all voted aye. Motion carried.

4. Approve or deny a recommendation from the Planning and Zoning Commission to approve a business license for Ryan Horton, Horton Enterprise, Long-term Rental, 290 W 750 N, Hinckley.

The council reviewed and discussed a business license application from Ryan Horton for Horton Enterprise. Councilmember Ray Searle made a motion to approve the business license for Ryan Horton. Councilmember LeeAnn Terry seconded the motion, all voted aye. Motion carried.

5. Alan Miller, Hinckley Fire Department Volunteer Fire Fighter, Fire Hydrant Inspection Report

Mayor Brian Florang invited Alan Miller to the podium. Allen informed the council that the fire department went around and cycled fire hydrants on September 12, 2023, and a report was created and submitted to the town reporting the location, flow, and notes for each fire hydrant cycled.

Alan reported the fire hydrant near the town sign was off, the fire hydrant near Paramount Cubing is off, a fire hydrant near the industrial park is off and a number of fire hydrants on 500 S have no water. He said there were five hydrants on the map that he could not find.

Maintenance employee Trey Ross stated he would turn on the fire hydrants on 500 S.

Alan said the council had previously asked if the Hinckley Fire Department has any fully certified fire fighters and he said Mark Hightower is the only fire fighter with complete certifications and others have a lot of partial certifications. Alan discussed the benefit to

the community for having certified firefighters is that home insurance rates go down and based on a rate of 1 to 10 he said the standard rate for smaller towns is somewhere between four and seven range.

The council thanked Alan.

IX. OUSTANDING BUSINESS

1. Mini Split Install, Restroom & Breakroom Update

No discussion.

2. Water System Master Plan

Mayor Brian Florang asked Maintenance employee Trey Ross to prepare a summary of the information discussed in the meeting with Jones and DeMille concerning the Water System Master Plan and Sewer Master Plan and provide that information to the council at the next meeting.

Mayor Brian Florang asked Clerk Tresa Taylor to put this on the agenda for new business to discuss the information provided by Jones and DeMille to the date.

3. Park Pavilion

Maintenance employee Trey Ross said he is in the process of establishing heights on anchor bolts and will then start erecting the pavilion.

4. Review Hinckley Town General Plan

Mayor Brian Florang stated the Planning and Zoning Commission has had a working session on the General Plan and is not sure if there is a draft. If there is a draft of the General Plan, then Mayor Florang would like to review the draft at the next meeting.

5. Review proposed changes to amend Hinckley Town Code, Title 10, Zoning Ordinances, Chapter 20, Recreational Vehicles/Trailer

Mayor Brian Florang said we do not have this information back from the town attorney. This ordinance still has to go through the Planning and Zoning Commission, and they are the ones who will finalize their version after their public hearing, then they will vote to make a recommendation to us. I'm assuming that they are going to advance it to us. Then, we review it and have our public hearing after they've had their public hearing. Mayor Florang discussed concern that some might feel like we are rushing this ordinance and explained we are not. He noted this has been on the docket for a long time, that we need to be diligent in what we are doing, and make sure that everybody understands this is not news.

6. Sewer System Master Plan

No discussion.

X. MISCELLANEOUS DISCUSSION

Ethan Miller asked Mayor Brian Florang for the tennis net to be put up on the tennis court in the park. Maintenance employee Joe Stevens said he would put the tennis net up.

XI. PAYMENT OF BILLS

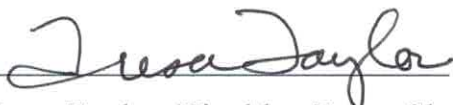
Councilmember LeeAnn Terry made a motion to accept the following purchase orders:
PO # 575379 to Rawlinson Designs, \$525.00, for JR Rodeo T-shirts,
PO # 575378 to Hach, \$6,727.00, for Annual Partnership Service Agreement for
Treatment Plant equipment.

Councilmember Donald Brown seconded the motion to accept the purchase orders, all
voted aye. Motion carried.

Councilmember Ray Searle made a motion to pay bills. Councilmember Leon Lewis
seconded the motion, all voted aye. Motion carried.

XII. ADJOURNMENT

Councilmember Leon Lewis made motion to adjourn at 8:00 PM. Councilmember
LeeAnn Terry seconded the motion, all voted aye. Motion carried.



Tresa Taylor, Hinckley Town Clerk
Dixie Talbot, Hinckley Town Clerk

Mayor Brian Florang