

**Daniel Town Council Meeting**  
**Monday, June 2, 2014 at 6:00 PM**  
**Wasatch County Services Building, Room 126**  
**Heber City, UT**

Quorum present: Council members Eric Bunker and John Glodowski were present at 6:00 PM when Mayor Chip Turner called the meeting to order. Council members Jon Blotter and Kasey Bateman were excused. Recorder Lynne Shindurling was present.

Members of the public in attendance: Kipp Bangerter, Lambert Deegan, Blaine Stewart, Joe Dunbeck, Jason Norlen, Merry Duggin, Jaq Shindurling, Pam Skinner, Ryan Taylor, Sherri Price.

**1) PUBLIC COMMENT CONCERNING ANY ISSUE NOT ON THE AGENDA**

**No public comment was received at this meeting**

**2) HEBER LIGHT & POWER REPRESENTATIVES TO SPEAK ON PROPOSED RATE INCREASE IN WASATCH COUNTY**

Representatives Joe Dunbeck, Blaine Stewart, and Jason Norlen with Heber Light & Power Company made a presentation to the Council and public in attendance regarding a proposed rate increase for which they have petitioned. A similar presentation has been made to several municipalities within Wasatch County, as well as at the Public Hearing held on May 29<sup>th</sup> at the Wasatch County Council chambers. After the slide presentation, the floor was opened to questions and comments by the Town Council members and public to clarify issues of how the increase would affect local residents and commercial businesses in the area. The Board of Directors of the power company will be voting later this month to approve or disapprove of the proposed increase, the results of which will be announced to the public at a later time. Mr. Stewart's final comment after the discussion was that transparency and communication is now paramount to gain the public confidence.

**3) PUBLIC HEARING TO OPEN THE 2013-14 BUDGET TO ALLOW ADDITIONAL REVENUES AND EXPENSES. POSSIBLE ADOPTION OF AN AMENDED 2013-14 BUDGET.**

Council member Bunker moved to open the public hearing regarding amendment of the current fiscal year's budget, which motion was seconded by Council member Glodowski. Upon obtaining unanimous "aye" votes, the public hearing proceeded.

Mayor Turner pointed out the increase in anticipated funds obtained during the year and adjustments to the expenditures to more accurately reflect the business of the Town. Merry Duggin commented, according to the budget documents, the Mayor is seeking approval from the Council to carry over \$163,050 to this year's budget and transfer \$53,573 to the general fund balance.

***With no further public comment forthcoming, Council member Bunker moved to close the public hearing regarding the amendment to the general budget for FY 2013-14, which was seconded by Council member Glodowski.***

There being no separate amendment to the Water Enterprise budget, amounts were discussed. Disclosure of the final figures for the current fiscal year showed an increase from the budgeted amount of a minus \$9,905 to a positive \$1,237 at year-end.

***Council member Bunker amended his motion to include adoption of the Water Enterprise budget amendment and adoption of Daniel Resolution 2014-06-02A, with a second from Council member Glodowski. The motion was approved by a unanimous vote of the Council.***

**4) PUBLIC HEARING CONCERNING 2014-15 TENTATIVE BUDGET PRESENTED ON MAY 5, 2014, ADJUSTMENT AND POSSIBLE ACTION BY THE COUNCIL TO ADOPT A FINAL BUDGET FOR FISCAL YEAR 2015**

***Council member Glodowski moved to open the public hearing. The motion was seconded by Council member Bunker, and the Council voted unanimously to open the public hearing.***

Mayor Turner pointed out his desire to allocate \$163,000 toward the maintenance of roads on this budget. Council member Bunker inquired if this comports with the Town's Capital Facilities Plan. Ryan Taylor commented, if

anything, we are currently behind in road maintenance and anything we could accomplish during the coming year is in compliance and greatly needed.

Merry Duggin asked regarding the increase in the payroll amount on the budget, if this is an increase for existing employees or perhaps adding personnel. Mayor Turner explained he wants to be prepared for unforeseen need in future employee base, probably due to Public Works personnel duties.

Ms. Duggin also commented that if Heber Light & Power does receive their proposed rate increase, the energy tax allotment to our Town could be greater and the Council may want to consider a reduction in the energy tax charged to residents. This is proposed to be a multiple-year increase for electricity overall. She also inquired of Ryan Taylor if the expected engineering fees of \$25,000 for this coming year is in conformance with his estimate, and he answered in the affirmative.

In response to a question by Ms. Duggin regarding expected legal fees for the coming year, Mayor Turner replied that the Daniel Irrigation Water Board has in their possession the proposed contract between the Town and the irrigation company for consideration regarding possible pending litigation.

Lambert Deegan then asked regarding the carryover figures from current year of \$33,000 to \$163,050. The Mayor explained this was due to increased revenues and fewer expenses than expected for several years, with the accumulated amount increasing yearly. Mr. Deegan also inquired about the legal fees budgeted for the coming year and was reminded of the possible litigation involving Daniel Irrigation Company.

Merry Duggin thanked the Council for keeping property taxes at the same amount as the past year. The Mayor commented he hoped to be in a position in coming years to actually lower the taxes. Mr. Deegan also thanked Ryan Taylor and Epic Engineering for providing such a large amount of service for what appears to be a minimal amount of cost.

Council member Glodowski moved to close the public hearing on the budget. Then it was realized the Water Enterprise Fund budget for FY 2014-15 had not been discussed. Council member Bunker inquired where the Blue Stakes expenses were being allocated, in the General Operating budget or the Water

Enterprise budget. Services are actually provided for both, and it was decided the membership fee would be paid out of the General Operating account. Ryan Taylor commented that Blue Stakes is simply a notification service for utilities. The different utility companies each have to mark for their lines, which accounts for the amount of time involved. The notification to the Town of Daniel goes to Ryan Taylor and he automatically sends additional e-mails to the necessary people within the Town. So far Eric Bunker has done the Blue Staking for Daniel Town, and discussion will continue on his compensation or the hiring of someone to do this work in the future.

Merry Duggin commented that \$3,000 may be high for needed testing of the water this year. Not knowing what the future holds for required testing, the amount was left the same as last year.

Council member Bunker asked regarding the bond payment of \$4,500, and Merry Duggin clarified the two bond payments are \$4,500 and \$39,000, respectively, annually, plus interest. It is also a requirement to put aside 1/10 of the bond payment in a contingency fund for ten years.

***Council member Glodowski moved to close the public hearing on the 2014-15 budgets, which was second by Council member Bunker. The motion passed unanimously to close the public hearing.***

At this point Mayor Turner read Daniel Resolution 2014-06-02B to adopt the budgets for FY 2014-15. ***Council member Glodowski moved to approve the Resolution and adopt the budgets. Council member Bunker seconded the motion. The motion passed by unanimous "aye" votes.***

## **5) BUSINESS LICENSE APPLICANTS**

A business license renewal application was received for Express Wave internet provider and a new license issued.

## **6) APPROVAL OF MINUTES OF MAY 5, 2014**

***Council member Bunker moved to approve the minutes of the May 5, 2014 meeting as written. The motion was seconded by Council member Glodowski, and the motion passed unanimously. The minutes were approved.***

## **7) DANIEL MUNICIPAL WATER ISSUES AS NECESSARY**

Council member Bunker reported a valve beneath a pile of gravel on 3000 South which needs to be uncovered. Merry Duggin suggested since several people have attempted to plant trees in the Daniel right-of-way, perhaps a notice sent out with the water billings for the next month would be helpful. But some who have planted are not on the municipal water system and, therefore, would not receive a bill. If the residents called Blue Stakes before planting, they would be notified not to plant. Daniel officials will continue to monitor the situation.

On Blue Staking calls, Eric Bunker stated he has spoken with Hugh Barker of Daniel Irrigation Company regarding calls where the irrigation lines fall so they can mark their lines as well. Ryan Taylor stated he can add them to the notification e-mails as received for Blue Stakes, but discussion over liability by the Town for notification versus non-notification led to the conclusion that they will be notified on an as-needed basis. Mr. Barker has stated he doesn't feel it necessary to be notified of all calls to Blue Stakes.

## **8) PLANNING DEPARTMENT REPORT, INCLUDING COSTS FOR ACQUISITION OF EQUIPMENT TO PERFORM BLUE STAKES MARKING**

Mayor Turner informed the Council as a whole that since joining the Blue Stakes organization, numerous calls have been made to Blue Stakes requiring the Town personnel (currently Eric Bunker) to respond to mark the lines. Council member Bunker has obtained costs for equipment needed by the Town to accomplish the marking on its own. They vary from \$250 to \$5,000 on quotes obtained. Council member Bunker thinks it advisable to purchase a locator which operates on multiple frequencies, at least five per his recommendation. The base machine is \$3,500 plus a ring to energize the system which can be added as needed in the future.

Lambert Deegan asked who is going to run the equipment purchased. For now Mr. Bunker will, but as the future need arises, someone in a Public Works department will probably be utilized.

***Council member Glodowski moved to approve an amount up to \$4,000 for Mr. Bunker to purchase the necessary equipment to perform the Blue Stakes work for the Town. The motion was seconded by Council member Bunker.***

***The vote to approve purchase of the equipment was unanimous.*** It will be accomplished through the preauthorization process, which requires preauthorizing a purchase amount over \$500.

Council member Bunker produced a document related to his work with Blue Stakes for the past few weeks showing 15 marked and 7 cleared with no conflict classification. He has spent 24.5 hours of marking with no recorded hours of no conflict tickets when he did not have to respond. He also reported he has spent 73 hours in the last month on planning issues, excluding time spent responding to e-mails in the evenings. There were 6 reported complaints on various matters during this same time.

Ryan Taylor produced the monthly report on inspections performed at locations where permits have been issued comparing the relative costs. So far the Town is operating in the black on all projects. The fee schedule put into effect within the past year is working well.

In working with Epic Engineering on the issue of residents planting trees in the Town rights-of way, Mr. Bunker and Mr. Taylor have discussed Epic Engineering performing surveys for these residents at a reduced cost to determine where property lines are. Epic will create a contract to be signed with the resident stating Epic is, first and foremost, the Town engineer. If a surveying conflict with a resident arises in the future, the resident would be responsible for obtaining another engineer at their expense to resolve the conflict.

Lambert Deegan cited an occasion where he was involved in a property line dispute where the two sides compromised on a line to resolve the issue.

#### **9) FURTHER DISCUSSION ON PUBLIC WORKS PERSONNEL AND COSTS**

Mayor Turner asked Eric to keep track of hours spent on Blue Staking and at further discussion next month, the Town Council will make a decision on how to handle this expense in the Public Works venue.

#### **10) DISCUSSION AND POSSIBLE AUTHORIZATION BY THE COUNCIL FOR AN IMPACT FEE STUDY**

Mayor Turner stated his desire to have the Town Council authorize Epic Engineering to begin the facilities plan for an impact fee study. Ryan Taylor

requests preauthorization up to \$5,000 to begin this study in the two areas of transportation and water, both of which are impacted by growth in the Town. Council member Glodowski inquired of a larger amount than \$5,000, but Mr. Taylor feels on a preliminary basis he would like to start with the \$5,000 amount. This work would be performed in the manner of an update of the current facilities plan for Daniel.

Mr. Deegan inquired of Mr. Taylor if the current setup for impact fees is broken down into categories for an applicant so they enter into such with full knowledge, and Mr. Taylor answered in the affirmative. There may be changes in specific categories as this update is performed by Epic. There is currently an account established within the bank accounts of Daniel Town for impact fees which may be available to pay for the study, according to Mr. Taylor. Council member Bunker would like the missing Council members, i.e. Bateman and Blotter, to be present if and when additional monies are requested.

***Council member Glodowski moved for the Council to allow Epic Engineering to begin an impact fee study for an amount currently up to \$5,000, by preauthorization. The motion was seconded by Council member Bunker. The motion passed by a unanimous “aye” vote.***

**11) RECORDER’S OFFICE: WARRANT APPROVAL, ANNOUNCEMENTS, ETC.**

The warrants for the month were presented by Clerk Lynne Shindurling. On the billing from Blue Stakes, the membership fee of \$150 is due, but the amount for the month’s billing on calls and hits has yet to be determined. The Council approved payment of the invoice, in total, upon receipt by Daniel Town.

***Council member Glodowski moved for approval of the warrants as presented, seconded by Council member Bunker. Approval of the warrants passed by unanimous “aye” votes.***

**12) ADJOURN**

***Council member Glodowski moved to adjourn the meeting. Council member Bunker seconded the motion, and the Council voted unanimously to adjourn. Mayor Turner adjourned the meeting at 9:03 PM.***

Lynne Shindurling, Clerk