

**Daniel Town Council Meeting
Monday, April 6, 2015
Wasatch County Services Building, Room 126
55 South 500 East, Heber City, UT**

Quorum present: Council members John Glodowski and Eric Bunker were present at the time Mayor Turner called the meeting to order at 6:02. Council member Blotter arrived at 6:12 PM. Council member Bateman was absent. Recorder Lynne Shindurling was present to record the minutes and Treasurer Sherri Price was also present.

Members of the public in attendance were: Kim Norris, Derek Gressmen, Merry Duggin, Ryan Taylor, and Pam Skinner.

1) PUBLIC COMMENT CONCERNING ANY ISSUE NOT ON THE AGENDA

There was no comment received.

2) BUSINESS LICENSE APPLICANTS

Planning Director Bunker reported one renewal application had been received during the month of March for Little Lady Lingerie. The application was approved by the Council and the license signed by Mayor Turner.

3) PLANNING DEPARTMENT REPORT

a. CONTINUED DISCUSSION OF CLYDE/RITCHIE SMALL SCALE SUBDIVISION FROM SEPTEMBER 2014

b. DISCUSSION OF SIMMONS PROPERTY LOT DIVISION

Planning Director Bunker presented the Council with the new active permit status sheet. Mayor Turner inquired of Ryan Taylor regarding fees charged on the Mike Petersen project. Mr. Taylor reported when the concept reaches final approval and the building permit is issued, the charge will be increased reflecting inspections, etc.

Derek Gressmen appeared before the Council regarding the Simmons/Callister/Bethers lot division and his request for an easement to the Simmons lot on a Record of Survey presented by Mr. Taylor consisting of 5.79 acres. The document was from 2002, but gives no recording date. Because the Town of Daniel eliminated flag lots when adopting their code, another approach has to be taken in determining if these are buildable lots. Mr. Gressmen reported they want to meet the legal requirements of an easement/road to enable travel of a fire truck. The current use of the property is for growing alfalfa, and making a 30' easement could be easily accomplished. The owner feels they would hook into the Billy Bethers/Twin Creeks culinary water system, but the need for a fire hydrant or sprinklers within the home built

has yet to be determined. Mr. Taylor stated this is a nonconforming lot according to Daniel Code, but the property was subdivided during Wasatch County tenure and the owner needs to research what has been legally recorded with the county.

Mayor Turner stated there has not been enough information provided to make a determination on buildability at this meeting. Council member Blotter asked about building a private road into the property, but Mr. Gressmen currently does not own the property, his in-laws do. Perhaps they could grant an easement or sell him the property in order to build a road. The Daniel Code currently requires all roads within Daniel to be paved, and that could be an issue with the owner. Mr. Taylor reported a lot line adjustment could be made to provide the needed frontage for building. The Council is cognizant of several other large tracts within the Town whose subdivision could be affected by their decision here and set precedence for future building within Daniel if an easement were allowed to be created. Further consideration will be given to the situation once Mr. Gressmen obtains recordation dates from Wasatch County.

Mayor Turner inquired of Mr. Taylor if and how this could impact the Master Plan within Daniel Town as far as calculating the number of 5-acre lots. Mr. Taylor stated it would not affect the capital facilities plan that currently exists when looking at the water master plan. Kim Norris stated in consideration of hooking onto culinary water versus drilling a well, his last knowledge of the cost of drilling was \$55,000. However, the cost of sprinklers within a home is also costly. The owner will need to make a decision there as well.

The next agenda item was listed as (a) involving the Clyde/Ritchie small scale subdivision. The Council had previously approved the concept plan, but required certain conditions be fulfilled to build on all lots created. The owner was issued a letter enumerating those conditions and needs to work toward completion. Mr. Taylor stated the building of a road would be necessary when the back lots are built, so if they're not looking to build lots 2 and 3 at this time, building of the road could be made a condition of obtaining a building permit on the back two lots. A letter from Epic Engineering stating such will become part of the recorded documents.

Council member Bunker requested from Mr. Taylor the latest documents in regards to the Reeder/Wilde subdivision, specifically addressing the utility easement. Epic Engineering has performed a right-of-way survey and looked at the applicant's survey performed by Legend Engineering. Mr. Bunker stated the applicant has asked the Town to sign off on the lot line adjustment. The Town wanted a recorded survey in place when the applicant comes back to proceed on the development.

4) DISCUSSION OF WASATCH COUNTY COOPERATIVE WEED MANAGEMENT AREA MEMORANDUM OF UNDERSTANDING (AND 189 CORRIDOR)

Mayor Turner asked the Council to make a decision on whether the Town of Daniel wants to sign the MOU presented by the County, and provide a member to sit on the board.

He inquired of Merry Duggin why the Town had decided in the past not to participate in the agreement, to which she replied there hadn't been an agreement, per se, in the past, but Mayor Duggin was a member of the Weed Board. The board had designated weed projects and weed days, and citizens traveled to different areas to spray for weeds.

Mr. Bunker stated his reading of the document provides use of the equipment purchased with grant money to municipality residents and wonders if it will be available if the Town does not participate in the agreement. Cost of dues to sign on is also an issue of consideration for the Council. Also, Mr. Bunker cited language in the agreement that personnel using the equipment must be covered by their own municipality's insurance, and Merry Duggin and Sherri Price both concurred our Workers' Compensation policy would cover any injuries incurred by those using the equipment provided they are employees of the Town.

Merry Duggin inquired if there is a date by which those participating have to sign onto the agreement, and Council member Bunker cited a 2030 date from the agreement as the expiration date. However, any signing member can get out of the agreement at any time with proper notice. Mr. Bunker stated his understanding is if the Town does not participate, residents of Daniel would not be able to use the equipment and chemicals provided by the County.

Council member Blotter inquired of #15 in the agreement. Council member Bunker stated this addresses use of equipment owned by a municipality in conjunction with the county equipment and provision of personnel doing the spraying. The more people on each project, obviously, the better. The county keeps a log of all those helping with the projects in order to continue obtaining the grant money.

Council member Blotter moved that the Town of Daniel sign onto the agreement, which motion was seconded by Council member Glodowski. Council member Bunker stated his reluctance in the Town signing until we know who else has signed, presumably affecting the cost of joining if the number of participants is low. In closing, he stated the Town could go ahead and sign now with the proviso that we could terminate at any time. We must also appoint a person to be a board member. Merry Duggin stated the spraying is done in approximately 12 sessions throughout the summer months and is work intensive for the steering committee and personnel actually doing the spraying. Council member Bunker reported there is also biological control, finding insects which eat the problem weeds.

Council member Blotter at this time volunteered to be on the Weed Board, and he and the clerk will contact Quentin Lewis at the County Public Works Department to inform him of such. **He then restated his motion to sign onto the Wasatch County Cooperative Weed Management Area Memorandum of Understanding and become its board member for the Town of Daniel, which was seconded by Council member Glodowski. With no further discussion, the Council voted to do so with unanimous "aye" votes.**

Mayor Turner then opened the floor for discussion of the Corridor Preservation Agreement along Highway 189, continued discussion previously had with Shawn Seager from MAG. Mayor Turner has had some discussion with Mayor Kowallis of Charleston, who appeared to be unaware of the impact on the Town of Daniel on the east side of 189 at the proposed intersection with 3000 South. Council member Bunker stated all of the adverse impact is on the Daniel side and wants Mr. Seager to reconsider all aspects before finalizing the agreement. If the project on the Weyandt property had been approved by Daniel Town, it could not go forth under the agreement as currently presented. Mayor Turner reported he and Mr. Bunker will attend a meeting in Midway on April 14th with UDOT to try to get some clarification.

Council member Glodowski inquired if the agreement would have any impact on proposed expansion of the airport, to which both Mayor Turner and Ryan Taylor replied not going south of the airport, which is where the issue is impacting the Town of Daniel.

5) DANIEL MUNICIPAL WATER ISSUES AS NECESSARY

Kim Norris on behalf of DMW had no issues of concern. Mayor Turner inquired about the power surges affecting the pump house in the past year or so. Ryan Taylor reported, in talking with Gary Walton, that they seem to have decreased in the past six months but are not totally resolved. The phase monitor, required to be put in, was tripping two or three times a day and creating an e-mail alarm, but is better now. The alarm feature was turned off because it was going off so frequently. Heber Light & Power at one point offered to put a phase monitor on their end to track what is happening, but have not done it yet. Mr. Taylor stated that would be the best place to start to try and track how far the voltage is dropping and better control the starting and stopping of the pumps.

Mr. Norris at this point spoke of an article in the recent Wasatch Wave newspaper written by Heber City Mayor McDonald regarding the sewer and water systems in Heber City. The systems are getting older and Mayor McDonald seemed to be informing the residents of Heber that these systems may need some upgrading soon. Mr. Norris stated the residents of Daniel are fortunate to have a new culinary water system and no sewer issues at this time.

6) UPDATE ON STORM HAVEN WATER SYSTEM ACQUISITION AND DETAILS ON CDBG FUNDING

Mayor Turner apprised those present of an extension signed by Susanne Goodfellow with the Town on the Letter of Intent, to a date in late April. The Mayor then turned the Council's attention to the need for a second public hearing regarding Daniel Town's request for CDBG grant monies, and the Council chose May 4, 2015, in conjunction with the next monthly Council meeting, at 6:00 PM. This item will be on next month's agenda. The necessary notice in The Wasatch Wave will be attended to by the clerk.

Council member Bunker stated he needs to do a walk-through of the properties involved for Blue Stakes notification, and the Mayor would like several town members to be involved in the endeavor.

Council member Blotter, being the project manager for the Storm Haven water project, received an e-mail from the Utah Grants Management System listing items needing completion by May 29. Epic Engineering will handle items #1 and 2, Clerk Shindurling handling #3 through 5, and agreement that Blotter, Taylor, and Shindurling will attend the grantee workshop in Salt Lake on April 30th in hopes of receiving the grant. The application will be completed, signed, and returned to the grants office by the end of May.

Merry Duggin inquired of the Council if the current residents of the Storm Haven area are aware of the change in ownership of the water system. Mr. Taylor replied they have been told, partly due to the LMI survey conducted earlier, but many do not know what to expect and are concerned about a raise in the monthly water rates. Until the Town actually takes over the system, some of these questions will remain unknown.

7) DISCUSSION OF CLEAN-UP DAY FOR TOWN OF DANIEL

Mayor Turner commented he thinks this is a wonderful idea to try to remove some of the debris, tree limbs, etc., on people's property. Pam Skinner, a proponent of the effort, suggested printing flyers to advertise the event posted around Heber City and posting on the Town website. A list of young men and women to volunteer to help the disabled and elderly would be helpful, and Council member Blotter volunteered to contact the local church groups to do this. The Town would also need volunteers with pickup trucks and trailers to pick up and haul debris to the transfer station, or have dumpsters placed throughout the Town for use of its residents. Pam Skinner and Lynne Shindurling will work on creating a flyer with phone contacts for volunteers and those in need. The weekend of May 16th and 17th was selected to begin with. If residents need to schedule at another time, the volunteer force will work with them. As the month progresses, details will be worked out.

8) APPROVAL OF COUNCIL MEETING MINUTES OF MARCH 2, 2015

Council member Glodowski moved to approve the minutes from March 2, 2015, as written. The motion was seconded by Council member Blotter. He then inquired if the dropbox was working well, and Council member Bunker replied yes. His documents automatically are stored in the dropbox when created. Council member Bunker stated newer video equipment would reduce the download time. ***The motion was passed with unanimous "aye" votes to approve as written.***

9) UPDATE OF THE 2014-2015 BUDGET FOR THIRD QUARTER FY AND PRELIMINARY DISCUSSION OF 2015-2016 BUDGET

Clerk Lynne Shindurling reviewed the third quarter figures in the General Operating Budget with the Council. She reported income is at 85% of budgeted amount, with expenditures running at about 73% of budgeted amount. Storm Haven expenses have created a new accounting item which needs to be budgeted for in the new fiscal year.

The Water Enterprise Operating Budget was then reviewed by the clerk which showed 75% of the year's revenues has been received. Six new connections for water service with DMW had been sold before March 1 when the impact fees went into effect, which produced \$30,000 of additional revenue and put the budget in the black for the year. With the two annual bond payments, the fund is generally operating in the red at third quarter end.

Clerk Shindurling mentioned at the next Council meeting a tentative budget will be presented and requested Council members to be thinking about any suggestions they might have in that regard. Merry Duggin suggested having a new Storm Haven Water Enterprise Fund next year to deal with revenue and expenses, which will be considered as the budgets are prepared.

10) RECORDER'S OFFICE: WARRANT APPROVAL, ANNOUNCEMENTS, ETC.

The warrants accumulated during the month of March were presented for payment by the clerk. Council member Blotter inquired about the necessity of the hot pressure washer rental by Council member Bunker. It was used to remove the vandalism on the Town monument rock at 3000 South and Daniels Road. Mr. Blotter also asked about the Mike Petersen concept plan charges by Epic, and Mr. Taylor explained the project.

Council member Blotter moved to approve the warrants as presented, which was seconded by Council member Glodowski. The motion passed unanimously.

Mayor Turner stated he did not want to go into closed session as enumerated in item 11. He will have more information in May.

12) ADJOURN

Council member Glodowski moved to adjourn the meeting, which was seconded by Council member Blotter. The motion passed unanimously, and Mayor Turner adjourned the meeting at 8:35 PM.

Lynne Shindurling
Clerk/Recorder