

**Daniel Town Council Meeting
Monday, October 5, 2015 at 6:00 PM
Wasatch County Services Building, Room 126
55 South 500 East, Heber City, UT**

Quorum present: Council members John Glodowski and Eric Bunker were present when Mayor Turner called the meeting to order at 6:00 PM. Council member Jon Blotter arrived at 6:04 PM. Council member Bateman was excused. Treasurer Sherri Price was present and Lynne Shindurling to record the minutes.

Members of the public in attendance were: Kim Norris, Pam Skinner, Merry Duggin, Eric Bennett, Bridger Wilde and Lorie Hobbs.

1) PUBLIC COMMENT CONCERNING ANY ISSUE NOT ON THE AGENDA

There were no comments.

2) CONTINUED DISCUSSION OF DANIELS ACADEMY REASONABLE ACCOMMODATION REQUEST

Mayor Turner read into the record an email he received dated September 21, 2015, from Shane Whiting, the Director of Daniels Academy, stating they have located a property in Heber City in which they have expressed interest. They have made an offer on the home with the proviso they can get the required City and State licensure for a residential treatment facility in Heber City. Council member Bunker asked if the mayor would like him to respond to the pending application in Daniel Town, as he is the Planning Director. Mayor Turner requested he send a response to Mr. Whiting noting the Council is in receipt of his letter and assumes he is withdrawing his application for reasonable accommodation with Daniel Town.

3) BUSINESS LICENSE APPLICANTS

Five companies sent in renewal applications this month: Lone Peak Sprinkler, Housekeeping by Dawn, Tender Touch Massage, Great Escapes, and Klenk Construction. As no complaints have been lodged against any of these companies, their licenses were approved for renewal for another year.

4) PLANNING DEPARTMENT REPORT

Planning Director Bunker reported he worked 15.25 hours in the month of September on Blue Stakes. He reported on building permits in progress. He mentioned that Daniel is included in the countywide trail system according to Mountainland Association of Governments. The Office of Tourism in the County lists 3000 South as a designated bike path. Director Bunker stated Ryan Taylor is working on a recommendation that when a lot line adjustment is requested, the application will include language that all affected property owners

are notified of the request. This has come about because of events in dealing with the Bethers Subdivision in Daniel.

5) REPORT OF CODE VIOLATIONS AND ENFORCEMENT

A compliance complaint form was produced by Director Bunker as an example of a letter he would send out when a complaint is made to the Planning Department by a resident of Daniel. There was mention recently of a masonry mailbox being placed in the public right-of-way in front of the Hing residence. Mr. Bunker cited Daniel Code 8.21.31 as prohibiting this type of mailbox where there is no curb and gutter and sidewalk present. Council member Blotter cited he is aware of several similar mailboxes in the rights-of-way and questioned enforcing the code for one resident but not others. Director Bunker stated many were present before the incorporation of Daniel and, therefore, no action should be taken. A problem can arise when the snowplow inadvertently knocks over a mailbox in the right-of-way and a resident expects the Town to fix it. Mayor Turner wants the language to remain in the current code and enforcement of same. Mailboxes dating back to Wasatch County Code before Daniel became a town cannot be dealt with at this time. The Council instructed Director Bunker to send the letter to deal with the Hing matter.

At this point item #7 on the agenda was taken out of order.

7) STORM HAVEN WATER ISSUES AND CONSTRUCTION PROGRESS

Kim Norris reported the meter replacement in Storm Haven is at about 60% completion. He asked the Council if the water department had authority to lease or rent needed equipment for the CDBG construction outside of the bid items. The Council gave him permission to arrange for a tractor on site. The Blue Staking is underway with over 20 sites involved. He is working with officials on locations and descriptions.

6) DANIEL MUNICIPAL WATER ISSUES AS NECESSARY

Mr. Norris reported DMW is still awaiting instruction on the County transfer station meter replacement. Ron Lish of Meter Maintenance working at Storm Haven states he can repair the existing non-functioning meter on the property. An additional construction meter should also be placed on the hydrant to keep track of water usage at the facility. The cost of a 6" meter given to the County officials previously by Council member Bunker is \$3,450 as the engineer's estimate. Mr. Norris stated with the digging involved with the replacement, the cost would probably be around \$5,000. There has not been a definitive statement made by the County that they will bear the cost and Daniel Town is waiting for details to be worked out on who is going to pay for the upgrade. Mayor Turner reiterated his understanding from the beginning of discussions with the County was they would be paying for the work and meters. Council member Bunker stated they are currently in violation of the original agreement as they are washing out vehicles using the culinary water provided. He drew an illustration of where the existing waterlines and meters exist.

Back to discussion on the Storm Haven construction, Mr. Norris stated if Mike Duggin's tractor is not available when needed, the landscaping company located in Storm Haven may be able to provide a tractor.

Council member Blotter asked if the Council is ready to move forward at the transfer station for the County. Council member Bunker and the Mayor stated they are waiting for instruction from County officials before any work is done. The Mayor also stated Don Robertson at the end of 3000 South has requested an engineer's estimate to have the water run further west to his property. He may be looking at future annexation. Mayor Turner stated the property on the northwest corner of the intersection with Highway 189 may also want water provided.

Kim Norris reported a new customer in Storm Haven has requested a 1-1/2" water meter be installed to accommodate fire sprinklers in his home. Mr. Norris is concerned at the size because there are no hydrants in the area and wonders if the well could efficiently provide the necessary flow. Council member Blotter confirmed his understanding that a customer on Daniel Municipal water could get installation of the larger size meter, but Storm Haven cannot promise the needed water is available until the study of the area is completed by Epic Engineering. Mr. Norris stated without sprinklers, a resident may have to wait some time before the volunteer firemen were able to come on the scene of a fire. Council member Bunker corrected him by stating there are now three full-time firemen stationed in the lower valley.

Mayor Turner at this point turned the Council's attention to some information he has received from Xpress Bill Pay in regards to costs involved if they were to assume handling the water companies' monthly billing. The costs provided were reviewed. Council member Blotter stated he doesn't think the prices are out of line when you consider the cost of postage and supplies in sending out bills each month. Billing would go out on cardstock and be sent by email to those wishing to pay online. Mayor Turner explained he is bringing this up to make the billing as simple and efficient for the water department as possible.

Mr. Norris brought up the fact that the long-time water secretary, Joyce Anderson, has given her notice and she is training Kathy Jo Percy to take over the billing functions. He stated the handheld meter would not tie in with the computer for the current billing cycle, and because Chris Anderson is on vacation, he had to figure the usage by hand to get to Joyce for billing.

Sherri Price asked if QuickBooks would still be needed if the Town went with this billing system. Mayor Turner explained the Town would still keep the accounting and merge it into the Xpress Bill Pay program to get the bills out. Ms. Price thinks those working on the current system could handle the transition. Bridger Wilde stated he would sign up for it because of the convenience of online bill paying. Council member Bunker suggested a customer questionnaire be sent out to get a feel for how many customers would be interested in participating. Merry Duggin suggested water rates would probably have to be raised to cover

the additional costs. She mentioned during Mike Duggin's tenure as mayor, this system was looked at but seemed to be cost prohibitive. Council member Glodowski suggested this could be investigated during the Storm Haven rate increase public hearing scheduled for next month. Mr. Norris would like the Town to work with Mr. Anderson to see if he can create a program to be used in this vein.

8) QUARTERLY UPDATE ON 2015-16 BUDGET BY CLERK LYNNE SHINDURLING

The three budgets were reviewed for first quarter beginning with the General Operations Budget, followed by the Water Enterprise Operating Budget and the Storm Haven Water Enterprise Fund. Upon reviewing the Water Enterprise Operating Budget, Council member Bunker inquired about a split for Blue Stakes work between the General Town budget and the Water Enterprise budget. The Clerk stated all costs of Blue Stakes are being borne by the Town as it is difficult to know exactly how much Blue Staking involves waterlines as opposed to utilities.

Kim Norris mentioned the water people have received drafts and engineering documentation from Suzanne Goodfellow showing waterlines, gas lines, and surveys which he can pass on to Ryan Taylor to be incorporated into the master files he maintains.

Further discussion was had regarding splitting Blue Stakes costs among the different water companies as well as the Town. Merry Duggin suggested it might be of interest to know how much is attributable to each entity even if not included in the budgets. At the time a budget amendment is prepared for any of the entities a bill could be sent from one to another to make the monetary adjustment, probably at the end of the year. Mr. Norris feels with the addition of the \$7,802 from the previous Storm Haven account, the water fund is in pretty good condition for paying its bills. Because of the recent Blue Staking in the Storm Haven area for construction purposes, Council member Blotter would like to see costs incurred separated so that they pay their share.

9) DISCUSSION ON ENGAGEMENT LETTER OF BEN PROBST WITH GILBERT AND STEWART TO PERFORM THE 2014-15 AUDIT

Clerk Shindurling provided the Council members a copy of an engagement letter from Ben Probst, the Town's CPA. He has provided a quote not to exceed \$3,000 to perform an Agreed-Upon Procedure for this year rather than the full audit.

Council member Bunker moved for the Council to accept the proposal of Mr. Probst, which was seconded by Council member Blotter. The motion passed with unanimous "aye" votes. Mayor Turner signed the engagement letter which will be returned to Mr. Probst to begin his work on the agreed-upon procedure for the fiscal year.

10) APPROVAL OF COUNCIL MEETING MINUTES OF SEPTEMBER 14, 2015

Council member Glodowski moved to approve the minutes as written. The motion was seconded by Council member Blotter and passed with unanimous "aye" votes.

11) RECORDER'S OFFICE: WARRANT APPROVAL, ANNOUNCEMENTS, OPEN AND PUBLIC MEETING TRAINING POSSIBLE

On review of the warrants, Ms. Shindurling asked the Council if they would approve an amount toward purchase of a new computer for Kathy Jo Percy. She has been the Planning Commission secretary for a number of years and will now be taking over as the water secretary for both Daniel Municipal water and Storm Haven water. Council member Blotter expressed his concern that it is unknown how long she will be performing as water secretary and is inclined not to contribute toward the purchase. Is there a way to estimate how many hours a month she spends on Town business. He moved to approve some amount toward the purchase of the computer, though he is opposed, but in an effort to move the discussion along. Mayor Turner requested a motion be made which includes a specific dollar amount. Council member Bunker asked if Mr. Blotter would like a time frame to work for the Town to be attached to the motion. He stated he is simply opposed to the idea.

Council member Bunker moved that the Town approve \$500 toward the purchase of a computer for Ms. Percy. The motion was seconded by Council member Glodowski. The motion passed by the following vote: "Aye" from Mayor Turner, Council members Bunker and Glodowski, with a "nay" from Council member Blotter. The clerk provided a preauthorization form to be initialed by the Council for the \$500.00.

The rest of the warrants for the month were presented by the clerk. ***Council member Blotter moved to approve the warrants, which was seconded by Council member Glodowski. The motion was approved unanimously.***

The clerk reminded the Council of two public hearings scheduled to take place in conjunction with the November 2, 2015 Council meeting. Council member Bunker will work with Ryan Taylor on the specific verbiage for the new unpaved road standard to be discussed.

For the required annual training of the Council, Mayor Turner selected a chapter entitled Public Health, Nuisance, Inspection, and Cleaning contained in the handbook produced by the Utah League of Cities & Towns, Powers and Duties. Council members took turns reading paragraphs contained in the chapter noting the importance thereof.

12) POSSIBLE CLOSED SESSION TO DISCUSS PENDING LITIGATION

Council member Blotter moved to close the regular session of the meeting. The motion was seconded by Council member Glodowski and passed with "aye" votes from all Council members.

Council member Blotter then moved to open the closed session, seconded by Council member Glodowski. The motion passed with “aye” votes from all Council members.

(Present for the closed session were the Council, Clerk Lynne Shindurling, Treasurer Sherri Price, Kim Norris, and Pam Skinner.)

Council member Blotter moved to leave the closed session, which was seconded by Council member Glodowski and passed with unanimous “aye” votes.

Council member Glodowski then moved to reopen the regular session of the public meeting, seconded by Council member Blotter. The motion passed unanimously and the public meeting was reopened.

13) ADJOURN

Council member Glodowski moved to adjourn the meeting, seconded by Council member Blotter. The motion passed with all “aye” votes and Mayor Turner adjourned the meeting at 8:04 PM.

Lynne Shindurling
Clerk/Recorder