

**TOWN OF MANILA COUNCIL MEETING
MANILA TOWN MEETING ROOM
145 E HWY 43
SEPTEMBER 17TH, 2020 AT 5:30 P.M.**

MEETING CALLED TO ORDER: Mayor Coombs called the meeting to order at 5:31 P.M.

PRESENT: Mayor David Coombs, Council Member Gretchen Northcott, Council Member Greg Scott, Council Member William Rylander, and Town Clerk, Marlena Connor

GUESTS: Kevin Brengelmann, Terry Pallesen, Gary Pallesen, Terry Wright, Mark Olsen, Kathy Olsen, Mike Franz, Jana Franz, Todd Madson, and Bruce Wilson.

EXCUSED: Council Member Randall Browning was excused.

CONSENT CALENDAR: Council Member Northcott moved to approve the consent calendar consisting of payroll hours, budget worksheet, invoice register, transaction register, revenue analysis and, July 2020 minutes. Council Member Rylander seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, SCOTT, AND RYLANDER

GARY PALLESEN SUBDIVISION/RETENTION POND: The first discussion was about the South-East retention pond in the Pallesen subdivision. Mr. Pallesen stated that this is about the 5th time the retention ponds have been brought up for discussion. He then stated that he had presented Council Member Northcott with a letter from Sunrise Engineering stating that the retention ponds are optional. Mr. Pallesen said that if they were to dig the pond, it would fill up with water, become a mosquito problem, and be a safety hazard.

Mayor Coombs asked Mr. Pallesen if he is still the primary owner of the subdivision and if an HOA has been formed yet. Mr. Pallesen said no to both of the questions, and that Bruce Wilson is the acting as the temporary President for the time being.

Council Member Northcott said that back in 2017 when she was the Mayor, Mr. Pallesen had come in to talk to her about the retention pond. She had Sunrise Engineering go look at East Ridge Estates and determine whether or not the retention ponds were needed. The Town Council discussed the findings of Sunrise Engineering during the June 8th, 2017 council meeting, and decided that the retention ponds were not an option, they were a requirement. Council Member Northcott said she was under the impression that the retention ponds had gone in, during the change over to a new Mayor. Council Member Northcott said that she had sent a letter after the council meeting, detailing things that needed to be taken care of at that time. The retention pond was one of those requirements.

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Mayor Coombs said he had talked to the engineers recently, and called Aaron Averett with Sunrise Engineering to get further information.

Mr. Averett said that there is groundwater there now, and if it was built now it would become a mosquito pond. There is no indication that any of the water runs off to those proposed retention pond sites now. Where there isn't any other development near the subdivision right now; it won't hurt anything. In the future after more development, (every lot is built on) the worst-case scenario being the more concrete and asphalt put in the subdivision would change the requirements for the retention pond.

Mayor Coombs said that after talking to Mr. Averett, the town is not going to require anything at this time unless some residents find that there is a need for it. Mr. Pallesen asked who gets to decide and that the residents were there at the meeting because they didn't want it either. Mayor Coombs asked if they had the majority. Mr. Pallesen said not at that time, but if he needed to get another list with signatures than he would because nobody wants the retention ponds.

Mr. Pallesen said he's either going to forget the pond with the Town of Manila, and either he digs it soon or he's not going to dig it all. He wanted this issue to be taken care of that night.

The natural drainage goes through Ned Brady's property. The Town Council wants a letter from Mr. Brady stating that he doesn't mind having the water on his property. Council Member Northcott asked if there is development to the east of East Ridge Subdivision, who is responsible for the water drainage then. Mr. Averett agreed with Council Member Northcott about if the worst-case scenario does happen, the future landowner/developer of the adjacent property will have issues developing the land because of the water running onto the property. Mr. Averett said that they need to decide if they may need a stormwater drainage deed for the water unless the property owner doesn't care about the water being on their property because it is helping water their crops.

Mayor Coombs said there needs to be a little bit more research done on this issue before a final decision is made. Mayor Coombs asked Mr. Averett to come to look at the subdivision again. Mr. Averett is supposed to come on September 29, 2020, to look at the subdivision again, and make a final determination on the retention ponds within East Ridge Estates.

Council Member Northcott asked for a concise summary of what they had discussed doing in the meeting. Someone will contact Ned Brady about the water going on to his property. Sunrise Engineering will come out, if no retention pond is needed the property will be given to the Drapers and the Tuckets, there will still be a drainage easement.

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The Council and the Pallesens' started to discuss the other retention pond that is located in the North-East corner of the subdivision.

Mr. Pallesen said that the drainage of the wetland bypasses his subdivision. The Town of Manila's and UDOTs stormwater drains into the retention pond about 100 feet from the east end of the subdivision.

Mr. Pallesen said that Jana Franz bought lots 17 & 18 and wanted to pipe the east half of 5th east and the Pallesens agreed to help her put it in, and that Paul Sawyer with UDOT said he would upgrade the 18" pipe that Mrs. Franz bought for a 24" pipe with 3 catch basins.

The Pallesen's then said the land belongs to the Town of Manila. Mr. Pallesen asked what the Town of Manila wanted to do to help alleviate the problem.

Mayor Coombs said he has not had a chance to talk with Mr. Sawyer about what UDOT may be able to do to help, and he'd like to do that before making any decisions.

Mr. Pallesen said that if no one is going to help, he'll cut the pipe off at his property and fill it with concrete, that will eliminate his problem, but he didn't know what the town was going to do.

Mayor Coombs said that they need to do some more research so they can coordinate together. This is an issue with the town, the state, and the Pallesen's. Mr. Averett will be coming over on September 29th, 2020, to Manila to inspect this issue of the Pallesen's retention ponds and the drainage in this area.

YLINCHETA SEWER EXTENSION DISCUSSION/TERRY WRIGHT: Terry Wright said that he went to the Daggett County Commission meeting and was told to come back to the Town of Manila. Mr. Wright talked to Darrin Brown with Tricounty Health Department. Mr. Brown said that he has somebody that can come to Manila and teach them how to write grants. The Town of Manila will have to be the ones that go for funding because it is the Town of Manila's sewer system. Mr. Wright said that Paul Sawyer is on board with helping get sewer service in the county also.

Council Member Northcott asked why the failing septic systems in the county would become the town's responsibility to get grant/loan funding.

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Mr. Averett explained that since the county isn't in the sewer business but the town is, they could take on the sewer issues with a certain set of conditions attached to it. The impact fees would be a lot more for people in the County to be able to connect.

Council Member Northcott asked if there is enough sewer compacity within the lagoons. Mr. Averett said that doing the master plan will help know what the capacity is, it looks as though there is going to be more sewer capacity than originally thought.

Mayor Coombs said that the county is experiencing a heavy influx of growth. He isn't committing the town to anything but they need to look at it and come up with a solution. This is another issue that they will have Mr. Averett come and take a look at when he comes out. There are 88 connections in the Ylincheta area, and 35 on Green acres. Mr. Averett said that they will need a couple of lift stations for the sewer, and usually, they don't recommend lift stations because of the long-term maintenance and cost.

Terry Wright said all of the residents in the county need sewer, Mountain View, Captains Cove, Green Acres, Bear Paw, and Ylincheta.

RICK SUMMERS NON-CONFORMING LOT/NON-CONFORMING USE-CONDITIONAL USE

PERMIT: Mayor Coombs explained that this item went to the Planning and Zoning meeting on Monday, September 14, 2020, and was approved as a non-conforming lot. The property has a travel trailer that is being used as storage that will need to be removed from the property, they also have an older single wide trailer that they want to take off the property and put a newer double-wide trailer. There is a 100-year-old cabin on the property that they would like to keep and refurbish. The cabin is not on the historical register, but there was a lot of support from the residents due to the local historical value. The Planning and Zoning said that they would need a conditional use permit, and the cabin is never to be used as a dwelling or the conditional use permit would become null and void, and the cabin would have to be torn down. The stove needs to be removed from the cabin. The new double-wide would be within the setbacks required for a dwelling. Council Member Scott motioned to approve the non-conforming conditional use permit. Council Member Rylander seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, SCOTT, AND RYLANDER

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GARBAGE ISSUES/BUREAU OF RECLAMATION/FOREST SERVICE: Mayor Coombs explained that it had been brought to his attention that all of the garbage from Buckboard, Anvil, and Lucerne is being put in the Manila landfill, and it is filling up the landfill faster than anticipated. Mayor Coombs is working on getting more information from the Forest Service and the BLM. Mark and Kathy Olsen said that since the town has put the ordinance to have garbage cans with lids, they have noticed that there isn't as much garbage blowing around town, and the town is looking better.

Mayor Coombs told the Olsens' that a new landfill pit has been dug and there will be a new fire pit for burning too. The Olsens' said that they like the garbage man, Jim Rodriguez, and that he does a great job, and thank him.

Mayor Coombs said that Coach Valorie Draper wants to get some of the high school students to go to the landfill and help get it cleaned up.

Mayor Coombs tabled this item but is still moving forward on gathering further information as to what refuse is going into the Manila landfill.

WATER/SEWER EXTENSION ON 2ND NORTH/STREADBECK: Mayor Coombs explained that David Streadbeck is interested in petitioning the town to be able to hire engineers and install a water and sewer line up from 400 West. Mr. Streadbeck will have the water & sewer taken to the west corner of his property. Mayor Coombs will have Mr. Averett with Sunrise Engineering review the engineering from Timberline, and find out who will be doing the inspections for the installation. Council Member Northcott said that she would like to have the town's engineers approve the installation before closing the hole; to make sure they have the correct slope, etc. at the property owner's expense. Council Member Northcott moved to approve the petition for water and sewer on 2nd North by David Streadbeck conditioned upon Sunrise Engineers verifying that it is to the town's specifications. Council Member Scott seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, SCOTT, AND RYLANDER

ZIONS-REFINANCE OF 3 HIGH-INTEREST BONDS: Council Member Northcott explained that Japheth Mcgee with Zions Financial reached out to her about refinancing 3 high-interest bonds. Two of the bonds have an interest rate of 4.5%, and one of the bonds has an interest rate of 4.25%. The town can save approximately \$167,000.00. The cost of the refinance would be

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around \$20,000.00. The concern at this point is that a trustee may be requested by Zions to oversee payments and conditions in the bond resolution. This would cost an estimated \$1,500.00 per year. Bringing the town's overall savings down even further. Mayor Coombs and Council Member Northcott do not agree to the terms of paying a trustee to do the job the town clerk does already. The interest has been quoted at 2.17 for the first 15 years, and variable for the last 5 years. Town Council discussed paying off the loans after 15 years to not pay a variable rate. This item is informational and may need a special meeting to approve lower rates soon.

FIRE HYDRANT DISCUSSION WITH DAGGETT COUNTY & HOA (MOUNTAIN VIEW & CAPTAIN'S COVE): Mayor Coombs told the council that the Mountain View HOA said that they will pay for two of the fire hydrants in Mountain View Subdivision. Mayor Coombs has not reached out to the Captains Cove residents as of yet, but another fire hydrant will need to be installed in the subdivision. The town has committed to paying for 1 fire hydrant in the Mountain View subdivision. The Daggett County Commissioners told Mayor Coombs to reach out to the Daggett Water Service District to see if they could fund one of the hydrants. This item is informational at this time. Mayor Coombs will continue to reach out to residents & entities to help fund the need for fire hydrants within the county.

FIRE DEPARTMENT UPDATE: Mayor Coombs told Council Member/Fire Captain Scott that there were 2 fires within the county the day before the meeting. There was a house fire in the Town of Manila, and a truck on fire on top of the Sheep Creek switchbacks. Mayor Coombs asked about the unanswered fire call that recently happened within the town. Council Member/Fire Captain Scott said that they have the Deputy Clerk, Samantha Reitz working on getting Code Red set up for the volunteer firefighters to receive messages on their phones because the radios are nearly obsolete. A special meeting needs to be set up to discuss billing for the fire department.

DAGGETT COUNTY LOCAL DISTRICT RESOLUTION 20-10 DISCUSSION: Mayor Coombs explained that after attending several county commission meetings, the town and county have an agreement for services within unincorporated Daggett County. While working through the fire agreement, the county had inquired about a local service district. A committee was formed after the meeting that took place on February 26th, 2019 at Daggett County. The group had discussed whether or not to support a local service district. At the time Manila decided that the fire department was doing fine the way it was.

Council Member Northcott explained if you form a local district; it creates a new tax that everyone pays the same rate into for fire and EMS. The county is looking to receive PILT money (payment in lieu of tax) an estimated \$37,000.00 from the state that can only be used for local

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districts. Daggett County will be using the fire protection agreement with the Town of Manila to enter into a local service district.

Council Member Northcott said now that the County has created the local district, they will appoint the trustees to the board. If the town is interested in joining, we will need to be annexed into the local service district. Mayor Coombs said that even though the town may enter into the local service district late, the County Commissioners said they would look to the town for input as to who should be appointed to the board of trustees.

Council Member Northcott said it sounds like a good thing but the town needs to know what will happen to the fire equipment, volunteers pay, and the bond payment for the building. Also, the town should have a representative on the board of trustees.

Mayor Coombs said that there are not enough EMTs and the overall plan is good for the entire county. We need to schedule a special meeting to discuss this with Council Member/Fire Chief Browning before any decisions are made.

SANITARY SEWER OVERFLOW-LETTER TO THE STATE OF UTAH: Mayor Coombs responded to the previous letter from the State of Utah about the sanitary sewer overflow, Mayor Coombs stated that we are still waiting for a response. This item is informational at this time.

ADJOURNMENT: Council Member Northcott moved to adjourn the meeting. Council Member Rylander seconded the motion. All were in favor. Mayor Coombs adjourned the meeting at 8:45 P.M.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

David G. Coombs, Mayor

Marlena Connor, Town Clerk