

1 Mayor Leak called to order a regular Cornish Town Council meeting on August 4, 2021, at 7:07 p.m. at
2 the Cornish Town Hall.

3 **Attendance:** Mayor Leak, Brad Fisher, Conrad Naegle

4 Absent: Jana Williams, Colton Creech

5 Citizens: Ray Pitcher, Dale Buxton

6 **Staff Report:**

7 Delinquent accounts were reviewed and it was determined that no shut-off letters needed to be
8 delivered.

9 Deyette asked the council if they were o.k. with averaging C. Creech's bill because they had a leak this
10 last month and wanted their bill to be adjusted so that is would charge an average of what the usage
11 usually is. Mayor Leak said that is o.k. as long as Creech understands that an adjustment can only be
12 allowed twice in a 10-year period.

13 Deyette asked the council if they would be o.k. if an announcement was inserted in the next town
14 newsletter and on the town website asking residents to contact Wendie Hansen if they would be
15 interested in purchasing the book, Cornish A History, by Kenneth Godfrey. The council decided that
16 would be o.k. as long as it was clear that the residents should contact Hansen for more information, etc.

17 **Minutes:** July 21, 2021

18 Mayor Leak entertained a motion to approve the minutes for July 21, 2021.

19 Naegle – motioned; Fisher – seconded

20 Leak, Fisher, Naegle – Aye

21 **Action Items:**

22 **Business Items:**

23 *Dale Buxton: Quit-Claim Deed/Cornish Cemetery Maintenance District* – Dale Buxton stated that the
24 Cornish Cemetery Board got together and wanted to make a road around the cemetery so they did a
25 survey in order to find out the boundaries of the cemetery. After having the survey done, they found
26 that the south boundary is 50 or 60 feet south of the south line of trees and the north boundary goes up
27 to the power line. After working with Floyd Veibell, they were able to trade Veibell for 20 feet on the
28 north boundary for 20 feet on the south. In addition, when the surveyor went to research title, it was
29 discovered that the east and west part of the cemetery are under two different deeds and one of the
30 deeds is listed under Cornish Town Corporation. Previous deeds were then reviewed and it was
31 discovered that one deed was deeded to Ephraim Bergeson in 1908 as the trustee of Cornish Cemetery
32 Association. Mayor Leak asked how part of the land was deeded to Cornish Town Corporation. Buxton
33 stated that in 1944, the Bergesons deeded the other half to Cornish Town Corporation and must have
34 deeded it to the wrong entity in error. Dale said his main goal is to get the deed listed under the correct

entity and had received advise that to do a quit-claim deed would be the best way to do so. Fisher stated that he thought it was a good idea and the mayor stated that he believes it needs to be done as well. The quit-claim document was then reviewed and the mayor asked that the descriptions be reviewed to make sure they were all correct as well. They were reviewed and it appeared that all seemed in order.

Mayor entertained a motion to accept the quit-claim deed for the Cornish Cemetery District Association.

Fisher – motioned; Naegle – seconded

Leak, Fisher, Naegle – Aye

Motioned passed unanimously.

Resolution 21-15 Adopting Town Fees – The amended fee schedule was reviewed and Naegle asked what the costs were that were listed for water connections on the amended schedule. The charges were listed as \$3,300 if the water line must be run under the road and if it is to be instated on the same side of the road, it would be \$2,300. Fisher asked what would happen if the town is charged more than these amounts to install a water line. Mayor leak said that these charges were to be paid up front and the water ordinance specifically states that the resident will have to pay the town any amount over these initial charges.

Naegle motioned to adopt Resolution 21-15 adding or changing some fees associated with water hookups.

Fisher – seconded

Naegle – Aye; Fisher – Aye; Leak – Aye

Resolution adopted unanimously.

Old Business:

Council Reports:

Roads – Naegle stated that he had advised residents when the crack seal was going to be done and did an inspection after it was done and felt that they had done an adequate job. Fisher agreed and said he thought they did an o.k. job. Naegle said he moved the speed monitoring sign again and had done more research on how it measures how many vehicles are going by. Naegle discovered that the vehicle counts are not actual numbers so the council needs to take the vehicle count numbers with a grain of salt. Naegle suggested that he could contact the state and ask them for the studies they did when they placed cables across the road in order to get a vehicle count if the council felt a need for correct numbers. Fisher stated that he feels that as long as the speed monitoring sign is doing its job, he is fine with the information that is available. Naegle also found that most of the vehicles that are speeding are heading south on Highway 23. Naegle contacted the county and they should finish doing chip sealing this week and will start fog sealing next week. Naegle told the county that anytime they are ready to fog seal, the town will be ready for them. Naegle also talked to somebody from Utah air quality about replacing the snowplow, took some pictures of the snowplow, and sent the pictures to the

representative so they could see the condition of the snowplow and try to determine how many years life it has left in it.

Planning & Zoning – none.

Parks/Town Hall/Finance – none.

Water – Fisher said the Ganscheff Well is staying at about 55 feet and thinks that town is down in the deep water and thinks it will be o.k. for the remainder of the season. Fisher read a court decree regarding Koller's lawsuit, dated Nov. 28, 1989, which stated that the deeded reservation contains no quality requirements and imposes no obligation on Cornish Town to comply with the State of Utah public drinking water regulations. Naegle asked for confirmation that the state did not require the town to provide Koller with a certain quality of water. Fisher stated that the judge stated that the town was not under any water quality requirements.

Naegle asked if Fisher was making notes or an index so that information regarding legal document records could more easily be found in the future. Fisher said it is going to be a marathon effort to melt the records down and wonders if the council wants to do that. Mayor Leak stated that he didn't think it would hurt. Fisher said he could do that if the council wanted him to. Naegle questioned what level of effort the town wants to put in to get the records in order. Mayor Leak suggested that Fisher organize and put the records in order and then the town could find a company to scan and inventory the records. Fisher asked if the council had a problem with him getting paid to work with the records. Mayor Leak stated that if the town would have to pay someone else to do the job, he thinks the town can pay a council member to do the job. Naegle agreed and said that Fisher also added some value because of his knowledge of the information contained in the records.

Mayor Leak stated that Draney accepted the water operator position and asked Deyette to send him the employee forms to get him hired. In addition, the mayor said that Bear River Health Dept. will take the bacterial water samples for the town and may not charge the town anything to do so, but the town will need to fill out a form so they know where they should take the samples. Mayor Leak stated, however, the health department can only take the bacteria samples and the town will need to take the copper, lead, etc. samples.

Mayor Leak told the council that Mike Spackman contacted him and asked the mayor to get him a source protection map so he knows where he must not apply fertilizer. Fisher said he will get a map for Spackman and believes the council should also have the right-of-ways across Koller's land mapped out rather than just having to look at the legal descriptions. Naegle stated you can look on the county GIS system to view plats, but he is not sure if the right-of-ways would be shown there. Naegle stated he will look on the county GIS maps and see if the right-of-ways are shown. Fisher said if not, it may be worth having somebody plot those for the town and he will look at the maps the town has in the records to see if they have already been plotted.

Mayor's Report:

Mayor Leak asked the council if they would allow a current resident with a water connection to take the water from their current residence, use that water until they get a well drilled for their new home, and then they would put the water meter back on the existing home water line. Fisher stated that the town

126 has only allowed that to be done one time because it was for an emergency and it was only temporary
127 and he doesn't think the town should allow it. Naegle agreed and stated he would not do it either.
128

129 Mayor Leak thanked Williams and the council members for helping with the 24th Celebration breakfast
130 and stated that it turned out good.
131

132 **Citizen comments:**

133 **Next Meeting:**

134 **Bills:**

135 Bills were reviewed.
136

137 Total = \$1,825.55
138

139 Mayor Leak entertained a motion to pay the bills.
140

141 Fisher – motioned; Naegle – seconded
142

143 Leak, Fisher, Naegle – Aye

144 **Adjourn:**

145 Mayor Leak entertained a motion to adjourn.

146 Fisher – motioned; Naegle –seconded

147 Leak, Naegle, Fisher – Aye

148 End at 8:37 p.m.