

1 Mayor Leak called to order a regular Cornish Town Council meeting on November 17, 2021, at 7:09 p.m.
2 at the Cornish Town Hall.

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

4 Absent:

5 Citizens: Chris Buxton, Dale Buxton

6 **Staff Report:**

7 The FY 2022 General and Water Enterprise Budgets were reviewed, there were no concerns, and it was
8 determined that expenditures and revenues were coming in within budgeted amounts.

9 Deyette stated that Brian Carver with BRAG had emailed her asking for more details in regards to how
10 much of the engineering for Pitcher Well CRS Engineering has done. Mayor Leak stated that he had
11 talked to Carver and Carver was working on finding out if the town's public procurement process for
12 choosing an engineer was sufficient. Carver told the mayor that he needed to run it past one more
13 person. Mayor Leak told Deyette to continue to reach out to Carver to get that information so the town
14 can decide whether or not to apply for the CDBG grant.

15 Deyette told the council that she had sent a certified letter with a return receipt to a resident who had
16 moved out of town and had not paid his past-due water bill. Deyette said as of now, the letter had not
17 been signed for and will be returned to the town around the 22nd of the month if it is not picked up.

18 Deyette informed the council that the park gates have been locked for the winter.

19 Deyette stated that after reviewing Resolution 21-03, she discovered that the mayor needs to appoint
20 council members to serve on the Audit Committee. Mayor Leak asked the council if anyone would
21 volunteer to be on the committee. Creech and Naegle volunteered and Mayor Leak stated that he
22 appoints them to be members of the Audit Committee.

23 **Minutes:** November 3, 2021

24 Mayor Leak entertained a motion to approve the minutes for November 3, 2021.

25 Naegle – motioned; Fisher – seconded

26 Leak, Fisher, Naegle, Creech – Aye

27 **Action Items:**

28 Mayor Leak asked Deyette to reconcile what the town is charging residents for garbage collection to
29 what Logan City is charging the town to provide that service and make sure the town is not losing
30 money. Deyette said she will get that done this month.

31 **Business Items:**

32 *Procedure to fill a Town Councilmember Vacancy* – Mayor Leak asked Deyette to give the council a
33 rundown on what needs to be done to fill the vacancy created when Williams resigned. Deyette stated
34 that the first step is to notice when the council plans to appoint someone from the town to fill the
35 vacancy. Deyette said she has posted the notice that the council will be filling the vacancy on Dec. 1,
36 2021 and that residents need to submit names of people to be considered to Naegle by November 29,
37 2021. Deyette stated that Naegle will bring the names submitted to him to the council meeting on Dec.
38 1st and then the council will need to interview the candidates and choose one to appoint to fill the
39 vacancy.

40
41 **Old Business:**

42 **Council Reports:**

43 *Roads* – Naegle stated he got the deck of the back stairs bolted on the piers and is working on getting
44 the rails on. Naegle said the speed monitoring sign held a charge for 13 days and he plans to move it to
45 another part of town for the next two-week period. Naegle said he was able to get 2 out of the 3
46 railroad crossings painted and he will see why the third one did not get done. Naegle asked the mayor if
47 he had got the hitch on the snowplow tacked on and the mayor said yes and if it looks good, he can
48 finish welding it on and reinforcing it.

49
50 *Planning & Zoning* – None.

51
52 *Parks/Town Hall/Finance* – None.

53 *Water* – Pictures from the water system tour were reviewed and Fisher stated that there is a decree
54 stating that the Kollers should only receive 20% of the water flow from the Pearson Springs from
55 springtime until September, and it is to be used for irrigation. Fisher stated he will find the document
56 and verify that is the case and then they will contact Koller to see who should be shutting it off when the
57 season is over.

58 Mayor Leak said he is trying to stay away from using reverse osmosis in the new water system and
59 wants to see if the state would allow an auto nitrate tester to be installed that would make it possible to
60 divert water in order to blend the water and keep the nitrates at an acceptable level. Creech asked if
61 the state will require the reverse osmosis system since it is listed in the loan documentation and the
62 mayor said Chandler from CRS said that the town could take that off if they would like to.

63 Fisher said the town needs to check with the engineers in terms of using a right-of-way on Koller's land
64 while construction is underway on the well. Mayor Leak stated that he and Fisher should meet with
65 Koller and make sure he is o.k. with allowing access to the site so construction on the project can be
66 done. Dale said the document he forwarded to Fisher spells out where the access is granted so the
67 town could refer to that when planning on how the construction site will be accessed.

68 Fisher stated that he is not liking how nitrates levels are going up so he has been pumping more water
69 from the Trenton Well to help keep the water from the springs blended and he is pleased that there is a
70 heater in the well house to prevent things from freezing this winter.

71 **Mayor's Report:**

72
73 **Citizen comments:**

74 Dale Buxton stated he believes the Kollers are supposed to receive 20% of the water from Pearson
75 Springs year-round and has a document that references all the easements for the pipeline. Dale said he
76 will give a copy to Fisher so he can look at it and see how it references all the easement courses for the
77 pipeline and states that Cornish Town is the owner of four-fifths of Pearson Spring.

78 Dale asked if he could hear what the terms of the 1.5 million loan were that the town was awarded.
79 Creech stated that the loan contract references a revenue bond and a general obligation bond. Mayor
80 Leak asked Dale what he knew about the two types of bonds and Dale said a revenue bond is going to be
81 tied to a revenue source that the municipality has. Dale stated that the general obligation bond
82 basically obligates the full entity for the repayment of the bond. Mayor Leak asked Dale if there is
83 anything the town needs to be aware of regarding these bonds that should concern the town or could
84 possibly nix the whole deal. Dale said he can't think of anything at the moment. Creech then read the
85 terms of the loan, the stipulations, and what percent of the loan (or contribution from the town) is
86 applied towards the total project cost.

87 Mayor Leak asked Creech if the zero percent interest was locked in for the term of the loan and Creech
88 confirmed that this was the case. Fisher asked if there is anywhere that the town has to disclose that
89 they already have a loan that they are paying on. Creech stated he would assume that would be part of
90 the process to get a revenue bond. Mayor Leak asked if the town would receive payments from the loan
91 or if the town would have to pay up front and ask for reimbursements. Dale said they will probably
92 require inspections and have everybody sign off on the payment before releasing payments for work
93 done on that portion of the project.

94 Creech stated that payments will need to be deposited in an escrow account and Dale said he believes
95 the town will have to establish an escrow agent who will be the person to disperse the funds. Creech
96 also stated that if any bond proceeds remain after the project is completed, the remaining proceeds can
97 be used to pay towards the loan amount. Creech stated that the town must also advertised for open
98 bids for the construction of the project based on the plans approved by the Division of Drinking Water.

99 Creech said that the town must adopt a resolution to accept the bonds, submit it for review to the legal
100 council, and then the town must submit a photocopy of the resolution; any resolutions relating to the
101 bonds showing the signatures of the appropriate officials; a complete copy of the proposed documents
102 to be signed at closing; a copy of the water rate structure; and a copy of the proposed opinion letter
103 with the recipient's attorney. Creech stated that it appears that the next step would be to contact an
104 attorney. Mayor Leak asked the council if anyone has any concerns with the loan. There were no
105 concerns so the mayor said he will get with Chandler and a lawyer to get things moving forward.

106 Chris Buxton asked Radmall and Bennett's for quotes on getting the two Town Hall doors replaced.
107 Bennett's quotes came in at about \$9,400 and Radmall stated that he would come in at about the same
108 price. Mayor Leak stated that he was able to get some nice doors from a place in Salt Lake City that

109 carries only doors and door locks and they were significantly cheaper. Chris said he has another person
110 coming to give a quote on what it would cost to have the doors installed if the town were to buy them.
111 Mayor Leak stated he would work on getting the contact information for the company in SLC so Chris
112 could contact them as well to see how much the doors would be if the town bought them and only paid
113 to have them installed.

114 **Next Meeting:**

115 Resolution to appoint audit committee members.

116 Resolution to appoint a councilmember to fill vacancy.

117 Cornish Water Project Loan Approval

118 **Bills:**

119 Bills were reviewed.

120

121 Total = \$19,989.74

122

123 Mayor Leak entertained a motion to pay the bills.

124

125 Creech – motioned; Fisher – seconded

126

127 Leak, Fisher, Naegle, Creech – Aye

128 **Adjourn:**

129 Mayor Leak entertained a motion to adjourn.

130 Fisher – motioned; Naegle – seconded

131 Leak, Naegle, Fisher, Creech – Aye

132 End at 8:26 p.m.