

Mayor Leak called to order a regular Cornish Town Council meeting on October 5, 2022, at 7:06 p.m. at the Cornish Town Hall.

Attendance: Matt Leak, Brad Fisher, Colton Creech, Conrad Naegle, Buxton, Lauren Draney

Absent:

Citizens: Dale Buxton

Staff Report: Lauren thanked the council for being willing to pay for the UMCA conference. She reported that she had talked to TextMyGov about text message alerts and said that she had a copy of the proposal for their review. She stated that they can text out as well as set things up to be able to receive texts. Their lowest base rate is \$1500 annually however they might be able to work something out if cost if the problem. She explained that that would include the texting as well as all the flyers and set up. C. Creech suggested that we join try joining with the county. The council did not think it was worth it since we would likely only use it a couple times a year. Lauren also said that in her training she learned that it is recommended that every municipality has a conflict of interest training every year and that the Utah Local Trust might be able to provide that training. She asked if the council would like her to look and see what is available. Creech and Mayor Leak said they would be interested especially if it were an in-person training. Lauren will ask and see what the Utah Trust is able to do. Lauren presented the delinquent accounts. There were a several that were up for a shut off letter. She said that for some reason the software did not show these accounts as late las month. They discussed the situations of the different people who were on the list. Mayor Leak will contact those who are up for shut off before we send a shut off letter. Lauren stated that she will be gone all next week and will not be able to be contacted.

Minutes:

There was one correction that needed to be made.

Mayor Leak entertained a motion to approve the minutes for the regular meeting on September 21, 2022.

Naegle – Motioned; Creech – Seconded

Naegle – Aye; Creech – Aye; Buxton – Aye; Fisher – Aye; Leak – Aye

The minutes were approved unanimously.

Action Items:

Hicktown Heights – Creech explained that him and his wife bought the property across from their home. They have people who have shown interest in building in Cornish. They have obtained cross access permits as well as a new access from UDOT. They will need to improve the current accesses and build the new access to UDOT specification. There will be two, two acre lots that meet the current town ordinance. There is interest in both lots for building. Creech stated that they plan on building on the

34 remaining acreage and continue farming the field in the back. He also said that the Hicktown Heights LLC
35 is meant for the farming that he will be doing in the back. Naegle asked how much is in the remaining
36 lot. Creech stated that it was about 19 acres. Mayor Leak asked where they plan on building their house.
37 Creech showed where they are planning on building on the map. He also explained all the property lines
38 and adjustments that needed to be made. Creech told the council the process that he went through to
39 get access from UDOT. He also showed where the fire hydrants are.

40
41 Mayor Leak entertained a motion to approve the Hicktown Heights subdivision.

42 Buxton - Motioned; Fisher - Seconded

43 Naegle – Aye; Creech – abstained from voting due to it being his project; Buxton – Aye; Fisher – Aye;
44 Leak – Aye

45 The Hicktown Heights subdivision was approved unanimously.

46 **Executive Session:**

47 **Business Items:**

48 *Roads* – Naegle reported that he went to the Council of Governments (COG) meeting. He explained that
49 the COG has set aside money that only goes to rural projects. He stated that there was about 1 million
50 dollars available and 1.4 million being asked for. He gave a short presentation to the board to explain
51 why Cornish would like money. He stated that Hyde Park dropped out and that Paradise was
52 disqualified. He also said that because the tax estimate went up there is more money to give out than
53 they thought. He also said that if any rural projects are ranked high enough the money allocated to them
54 would not come out of the money set aside for rural projects. Cornish was ranked in the middle when he
55 last looked at the rankings. He is encouraged by what he saw at the meeting and feels like the town has
56 a good chance of receiving funds. At the next COG meeting there will be discussion about the rankings,
57 and they will make recommendations that will be sent to the county council for approval. Naegle
58 reported that the snowplow is still at Johnsons. He also stated that he trimmed trees by Fisher's house.
59 He said that if anyone would like to help, they can pick up branches and drop them off in the bin in
60 Lewiston. Creech asked if there were any more branches that need to be trimmed. Naegle answered
61 that the ones that are left are high and shouldn't be a problem. Mayor Leak asked if Naegle had looked
62 into the solar signs. Naegle said he had not because winter is going to be coming soon. Naegle said that
63 he needs to put street signs up by Austin Veibells house. He is not sure if he needs Cornish signs or
64 county signs. Mayor Leak said that they should just do county signs. Naegle stated that he will ask Jake
65 Forsgren who is over the signs for the county. Buxton asked which side of the road he planned on
66 putting the signs. Naegle said he is planning on putting it on the southeast corner. Buxton commented
67 that he had heard the Sherriff's Department has a radar sign that tracks the speed of cars that the we
68 can use to get an idea how fast people are going.

69
70 *Planning & Zoning* – Creech reported that the planning commission has approved the new land use
71 ordinance and is ready to have it reviewed by the council. He suggested that they send it to other cities

72 who have volunteered to look over it and give suggestions. Fisher asked how the council should go
73 about going through it. Creech stated that it is 50 pages and that it would be best if they did it in
74 sections. Mayor Leak stated that we could spend a certain amount of time at each meeting throughout
75 the winter and come prepared to cover certain chapters. Fisher stated that the minutes be very detailed
76 as they go through it. Naegle suggested that Creech point out any areas that may need to be looked at
77 more carefully. Creech said that there are comments in the ordinance for that purpose. Fisher asked if
78 the council made changes if it needed to go back to planning and zoning. Creech said that it would not.
79 Naegle asked if we should wait to hear from the people who are going to review it or if we can do it
80 simultaneously. Creech said that it should take the council long enough that we can do it at the same
81 time. He explained that they are going to have those reviewing it point out a few of the biggest thing
82 that need to be changed. Creech will send a PDF to the other entities for them to look over. He will also
83 break it down so that the council can come prepared.

84
85 *Parks/Town Hall/Finance* – Buxton has ordered a vacuum for the town hall. He also got new ballasts for
86 the lights for the town hall. He looked into LED lights to replace the ones we have and found that they
87 are expensive. He said that he has been contacted by several people about renting the park he said that
88 he referred them to Lauren. Buxton reported that the Fall Festival is going to be held Saturday. Naegle
89 asked when everything at the park gets shut down. Mayor Leak said that they usually close the gate
90 when it snows. Buxton stated that Debbie is starting to get things cleaned up and that they will be
91 blowing the sprinkler system out soon.

92
93 *Water* – Fisher reported that Lauren said Town Hall water bill was high and that he thinks someone is
94 stealing water at the town hall. He cannot lock the hydrant, but he has wired it shut. Mayor Leak said
95 that we should be able to see if anyone came by on the Ring doorbell. Buxton suggested that they put a
96 lock on the park water. He also said that Colleen Samuelson called Lauren and said her water bill was
97 high but there is no leak, and the meter is working fine. Mayor Leak asked how the quality of her water
98 has been. Fisher said that it has been good but there have been a few times that it is not as good. Fisher
99 said he talked to Jay Williams, and he said that Nate Heiner's line froze last year, and he has been using
100 water from the Buxton's rental house and that he might be the one taking water from the Town Hall.
101 Fisher commented that there is a water conference about drought response coming up and asked if he
102 should go to it. Mayor Leak stated that he should get his certification first then he can go to the
103 conferences to stay on top of it. Fisher said that he will start around Thanksgiving. He asked when they
104 can go out and look for valves. Creech suggested that they can have several people go out and find
105 them. Mayor Leak said that every one of them need to be marked, so when the engineers come out,
106 they can find them and put them into the GPS system. Naegle asked if it would cause a problem if there
107 is something blue staked. Mayor Leak stated that they could use flags or wooden stakes. Naegle asked if
108 the town should get a metal detector. Mayor Leak said that it would probably be a good idea. Mayor
109 Leak stated that the new pump is in the pump house. Buxton asked what the water flow rates are.
110 Fisher stated that the springs are about 18 gallons a minute and that he is diluting it. He said if anyone
111 asks why the water is overflowing it is because he is diluting. Mayor Leak said that it might be good to
112 exercise the hydrants instead of overflowing in the same spot. Mayor Leak asked if he wanted to have

the computer set up to run it from his house. Naegle asked if 18 was the lowest it has been. Fisher said that 16 is the lowest he has seen it this year and 34 is the highest he has seen it.

Old Business:

Mayor's Report: Mayor Leak asked Fisher if the town has ever worked with Olson and Hoggan law firm. Fisher said that they had. Creech also stated that the town has used them. Mayor Leak said that he received an email from Seth Tate from Olson and Hoggan about the interlocal agreement with Lewiston and that Seth didn't feel comfortable signing anything without talking to Mayor Leak. He asked Dale Buxton if he knew anything about the town's history with Olsen and Hoggan. Dale said that they have worked with them in the past and that if they were on retainer the town would be receiving invoices from them. Mayor Leak asked if they want to work with them or if they want to find someone else. Creech asked if the interlocal agreement was for fire protection. Mayor Leak said that it was. Creech said that it doesn't make sense to have the same lawyer represent both sides and that we should get someone else to look at it. Mayor Leak stated that the council needs to create a board of adjustment for a variance for Erma Naegle. Creech explained that Erma has two houses on one lot, and she wants to split the lot so there is only one house per lot, but the houses are too close together and the lots would be too small, so she will need a variance to do it. Mayor Leak stated that Earl Creech will be on the board as he is the chair of the planning and zoning commission. They need four more people to complete the board. These people do not need to be Cornish residents. Creech suggested that they get as many people as they can that are not on the planning commission or town council. Mayor Leak asked for any suggestions for people who could be on that board. Mayor Leak wasn't sure if it needed to be a public meeting and he asked how they would know the details. Creech said that that was why Earl would be on the board. Naegle asked if there is an application process and stated that he would be helping Erma explaining her case. Creech read the code for the board of adjustment. In the code it mentions a fee that needs to be paid for a special meeting, however there is no fee in the fee schedule. Mayor Leak stated that they can adopt a fee by resolution and that the only reason he would want to do that is if members of the board will not serve without compensation. Mayor Leak asked if it would be done in a council meeting. Creech answered that it would not. He explained that it would be its own meeting but will need to be noticed like a council meeting. He also said that Erma will be given a list of reasons how a variance can be given and that she would need to come prepared with reasons why her case fits with that list. Mayor Leak asked what Erma's timeline is. Naegle said that Erma is flexible but wants to get it done as soon as possible. Naegle asked if it would be appropriate for him to suggest names. Mayor Leak said that it would not be a problem. Creech asked if he wanted names now. Mayor Leak said to just text them to him. Mayor Leak showed a map of the property that the town is trying to purchase for the new tank. He stated that Tim Christensen suggested the owners quit claim deed whatever half acre they need along with the portion that was incorrectly deeded. He stated the Mark Chandler and Max Pierce from CRS Engineers are nervous about where to put the tank because of elevation. He explained that him, Dale Buxton, and Chris Buxton went up to look at the location and said that the road will need to be improved for cement trucks. He doesn't think that it is a real road and that it is where a pipe had been put in. He has someone who might be able to improve the road. They will need to get permission from Ross Wangsgard as well as a right of way to access the tank. He thinks that the road could cost anywhere from \$2,000 to \$15,000. Creech asked if elevation was a problem. Mayor Leak said that it shouldn't be a problem. They looked at the map as well as a picture of where they are thinking about building the new tank and discussed what the options are. Mayor Leak stated that he has

not told Tim to go ahead and deed the property because he wants to make sure it will work with the engineers. Creech asked if Tim would be the one who writes up the easement agreement. Mayor Leak said that he would. Mayor Leak has a conference call with CRS and will discuss the location of the tank then. Mayor Leak showed an email from Mark at CRS. In the email Mark stated that because of new updates of what the state is requiring and changes that the town has made the price is \$82,000 more. Mayor Leak asked how he should handle it. Buxton commented that it seems like they are disorganized and had very poor planning. He also asked if Mark would be considered the project manager. Mayor Leak said he would be considered the point of contact. Mayor Leak said that the conference calls have not been going well and feels like the town is being taken advantage of. He also pointed out that this is the second time that we have received a change of price. Fisher said that worst case scenario we fire CRS and hire someone else. Mayor Leak said that he doesn't want to do that because we are so far into the project. He commented that CRS said the Pitcher wellhouse could be ready to go in the spring and everything else should be done by the fall. Buxton asked if there is a specific list of things that the council is upset about so that Mayor Leak can discuss it with CRS in the conference call with them tomorrow. Naegle asked if there is anything on the list of charges that are legitimate. Mayor Leak stated that the items that are on there are legitimate but that the charges should have been included in the original bid and not added on now. Naegle asked if CRS was aware that they would be handling our funding. Mayor Leak answered that they did not. Naegle also commented that he has heard that the process of notifying the tribes is a simple process. Creech suggested that Mayor Leak ask to see what work they have done that they are charging the town for in a detailed report. Fisher said that the work that has been done is now owned by the town so they could use it if they choose to hire a different engineering firm. Creech stated that Mark needs to come out and see for himself what is going on. Mayor Leak stated that there is not a lot to report with the solid waste.

Citizen comments: None

Next Meeting:

Bills: None

Total = \$8,572.77

Mayor Leak entertained a motion to pay the bills

Naegle - Motioned; Buxton – Seconded

Naegle – Aye; Creech – Aye; Buxton – Aye; Fisher – Aye; Leak – Aye

The bills passed unanimously.

Adjourn:

Mayor Leak entertained a motion to adjourn

Creech – Motioned; Naegle - Seconded

Naegle – Aye; Creech – Absent; Buxton – Aye; Fisher – Aye; Leak – Aye

Ended at 9:25 p.m.