

Mayor Leak called to order a regular Cornish Town Council meeting on November 2, 2022, at 7:0 p.m. at the Cornish Town Hall.

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

Absent:

Citizens:

Staff Report: Lauren reported that the list of delinquent accounts was available for review. She explained that the payment of one of the accounts that was paid in June has carried over for several months and is not due for a shut off yet. Mayor Leak stated that Amber Allred has moved out and when Jay Williams went to shut off the water the new owners were moving in, so he didn't shut it off, but they need to sign a utility agreement. Lauren will give the utility agreement to Brad Fisher so he can drop it off. Naegle mentioned that the Zaugg's moved out and he wasn't sure if they were going to be paying for their water. Mayor Leak asked Lauren to get a shut off letter ready for the Merkley's. Naegle mentioned that the Merkley's had to pay a large bill to take a tree out. Mayor Leak asked Buxton if all the water has been shut off at the park.

Minutes:

There were a few changes that needed to be made.

Mayor Leak entertained a motion to approve the amended minutes for the regular meeting on October 19, 2022.

Buxton – Motioned; Naegle – Seconded

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

The minutes were approved unanimously.

Action Items:

Executive Session:

Business Items:

Roads – Naegle went to the Council of Governments (COG) meeting and reported that several cities and towns decided not to accept the funding and it ended up being offered to Cornish. However, he needed to get Council approval to spend \$85,000 to finish the project which he would not be able to get in time and we would not be able to use it right away. He decided to decline the money and will try again next time. He stated the County Council were pleased with how the different communities worked together to share the money. He also said that they can get better bids and will be in a better position to get the money and use it next year. Naegle commented on the process of how the funding is dispersed. He also commented that the plow has been repaired and is ready to go. He stated that Creech looked into the

33 value of the grader and said that they could ask for about \$15,000 or more. Naegle asked what the
34 process would be to sell the grader. No one has sold anything for the town and didn't know if there was
35 a process. Creech suggested looking at the Utah League of Towns and Cities handbook to see if there is
36 guidance in there. Mayor Leak stated that the irrigation company might be interested in it. Naegle also
37 said that Joe Hansen might be interested in it. Creech stated that they are not sure what year the grader
38 is. Mayor Leak suggested listing it on KSL and letting interested people know where they can find it and
39 let them make an offer. Naegle stated that he tried getting a hold of Jake Forsgren about a street sign by
40 Austin Veibell's house. He also contacted Deputy Price from the Sheriff's Department about installing a
41 radar sign on the highway. He was told that they usually only do that on county roads. He said Deputy
42 Price also told him that he usually tries to get to Cornish once a month and that he will talk to the
43 highway patrol to see if they can come more often. Naegle said that he looked at a flyer for speed signs
44 and thinks that they might be worth looking into.

45
46 *Planning & Zoning* – Creech suggested that the town do a trunk or treat. He stated that they could see if
47 the town could use the church parking lot and maybe join with Trenton. Naegle commented that there
48 are quite a few people in town that do not get any trick or treaters. They all agreed that it would be a
49 good idea.

50
51 *Parks/Town Hall/Finance* – Buxton stated that all the water at the park is shut down and that they will
52 close the gates soon. Fisher asked about the Christmas lights that the town purchased. Lauren said that
53 the lights are at her house and that they should be able to get them up this year. The council offered to
54 help if needed. Buxton asked how far the Town boundaries go down by the Knowlton's. Mayor Leak
55 answered that it is by the "Y". Creech showed a map to show where the boundary lines are. Buxton
56 commented that Susan Law was putting in irrigation line and wanted to know where right of way is.

57
58 *Water* – Fisher commented that he had talked to Ross Wangsgard, and he suggested that they use a
59 crane to get cement to the new tank location. Fisher said he got the feeling that Ross was not
60 comfortable building a road up there. Mayor leak stated that he talked to Mike Wangsgard, and he
61 wants to meet and walk around to see what the plans are. Mayor Leak explained that the road won't be
62 used very often. Fisher stated that Ross was worried about how safe the road would be. Mayor Leak said
63 that Mike is going to be the one who makes the decision and that the project is stalled until they get the
64 land. Fisher also asked if there were any other locations, they could put the tank. Mayor Leak said that
65 the current location they are working on is the only option they have. Fisher has checked on the three
66 buildings and the heat is working in all of them. Buxton asked where the water levels are. Fisher stated
67 that the springs are at 22 gallons per minute and that it should go up because of the last storm. He said
68 that he has been overflowing a little bit to dilute the water. Mayor Leak commented that they need to
69 take a nitrate sample directly from the spring. He said that the nitrates may be significantly lower since
70 no one has been fertilizing around it. Fisher stated that he will be taking samples next week.

71
72 *Land Use Ordinance* – Creech pulled up the new Land Use Ordinance to review. They started reviewing in
73 chapter one. Creech explained that Chapter One is new and is meant to be an explanation of what the
74 purpose of the ordinance is. He explained and showed the maps that were referenced. Fisher asked who
75 would enforce the penalty for conditional use permits. Creech stated that the town needs to come up

with a system to track it as well as tracking business licenses. Naegle commented that the county tracks building permits but that we would need to track things like the conditional use and licenses. Creech agreed and said that they would need to keep track of anything that has a time limit such as water connections and zoning clearance. Fisher asked who would enforce it and collect the fines and what would happen if someone chose not to pay. Creech stated that they still needed to figure that out. Mayor Leak suggested that they could have a system in place that would make the fine increase every day until it is paid. They commented that they will need to add a conditional use violation fine in the fee schedule. Creech referred to the current ordinance to see what it says about land use violations. They discussed how and when to assess the penalty for violation. Fisher suggested that they put something in the ordinance that gives the town the ability to give a time limit for the offender to cease and desist before imposing a penalty. Creech stated that as it is written the penalty starts as soon as there is a violation. Fisher stated that he thinks the town should notify people. Mayor Leak stated that when they tell them that they are in violation that is their notice. Creech suggested that they put something in that says that they have seven days after notification before a fine is imposed. Mayor Leak commented that the council only meets twice a month. They changed it to say they have fifteen days before a fine is imposed. While reviewing the planning and zoning commission board Naegle asked if the board member needs to be a landowner or if they can be renters. Creech stated that it does not specify. Mayor Leak stated that they could take that into consideration when making an appointment. He asked if someone who is renting could run for council or mayor. He commented that it would probably be in the county or state rules. Creech referenced the current ordinance; it reads that they just need live in the Town. While reviewing the section on the appeal authority they found they needed to add how many members are in the board of adjustments. Mayor Leak stated that they should add that the board will consist of five members. Mayor Leak asked if board members are voted in. Creech answered that they are appointed to the board, but a vote must be taken to remove them from the board. Fisher asked if someone who is voted off the board still serves until a replacement is found. Naegle stated that it reads that they may, but the council can also say that they cannot continue to serve after being voted off the board. While reviewing appeals they discussed what forms would be used. They decided to change the wording of the ordinance, so an appeal does not require a form but does need to be submitted in writing. They discussed the number of board members that make up a quorum. Fisher stated that he doesn't think that it should be in the ordinance that they can't go to the court before going through the appeals process. Naegle explained that it is saying that they can go to the court after it goes through the appeals process. They stopped at due process and will continue reviewing at the next meeting.

Old Business:

Mayor's Report: Mayor Leak reported that the water project is at a standstill. They are waiting for a few things from Mark Chandler as well as getting the property from the Wangsards. He stated that we are still in the consortium as of now because they have not asked for a commitment yet. He is still waiting to see if we can come up with another plan. Richmond, Lewiston, Smithfield, and Providence have officially left the consortium. Mayor Leak has been talking to Val from Econowaste. Val said that he is two years out from getting new trucks and he cannot find employees. Val stated that those two things is what

would be what holds him back from taking on Cornish. Val stated that it would be helpful if Cornish could have their trash picked up every other week. Naegle asked if it would be possible to have a large dumpster for residents who couldn't make it two weeks. Mayor Leak stated that we would be getting two cans. Creech asked if the consortium is going to use Econowaste. Mayor Leak said that the consortium is planning on doing their own thing or using a bigger company. He stated that Lewiston and Richmond are going to use Econowaste to pick up their garbage. Naegle asked if Mayor Leak had been given any numbers on the cost. Mayor Leak stated that Mayor Jeff Hall from Lewiston said they will be paying around \$14. Creech said that it is \$16.15 a month for trash pickup now. Buxton asked if it was \$14 a month or per pick up. Mayor Leak said it would be monthly. Naegle stated that one of the reasons that Providence gave for leaving the consortium was that there was still no clear exit strategy for leaving the consortium. Mayor Leak stated that was one of his concerns, he is worried that larger towns would pull out and leave the smaller towns to cover all the costs of a transfer station. Mayor Leak also stated that Val told him that he does not go down any dirt roads and anyone who lives down a dirt road would need to bring their garbage cans to the main road. Creech asked about the board of adjustments. Mayor Leak stated that he would work on it. Mayor Leak also asked if anyone is available to go to a mayor's meeting next Saturday. Naegle stated that he might be able to.

Citizen comments: None

Next Meeting:

Bills:

Total = \$3,143.29 (total reflects amount after the removal of the invoice from BSC Excavation)

Mayor Leak said to remove the bill from BSC Excavation.

Mayor Leak entertained a motion to pay the bills minus the bill from BSC Excavation.

Fisher - Motioned; Creech – Seconded

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

The bills passed unanimously.

Adjourn:

Mayor Leak entertained a motion to adjourn

Fisher – Motioned; Creech - Seconded

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

Ended at 9:20 p.m.