

Mayor Leak called to order a regular Cornish Town Council meeting on February 7, 2024, at 7:00 p.m. at the Cornish Town Hall.

Attendance: Colton Creech, Chris Buxton, Lauren Draney, John Forsgren, Brad Fisher, Matt Leak

Absent:

Citizens: Steve Leichty, Trey Leak

Staff Report: Lauren reported that there was a list of delinquent accounts and that there was one that was due for a shut off. She explained that there was one that pre pays for several months and that he paid in August but that it ran out the first of December. Mayor Leak asked Lauren to get a letter for the one due to be shut off and to reach out to the other one.

Lauren asked if there was other places other than Lewiston to get garbage cans. Mayor Leak said that Mayor Hall said that Cornish residents can buy them from Lewiston. He also said that residents are responsible for their own cans and that the Town does not need to provide them. Lauren asked how they would be able to keep track of how many cans people have for billing purposes. They discussed whether or not they want to purchase cans from Lewiston and being the middle man. Fisher also commented that they should make sure they are getting cans that will meet the requirements for pickup. Mayor Leak said that he will talk to Mayor Hall again and get it figured out.

Lauren reported that the Utah Trust does a cyber scan every month and this month's scan came back as a high threat. She asked who she would need to talk to. Creech asked if it is the website or the network. Lauren did not know. Mayor Leak asked if she could forward the email so they could see what the problems were.

Minutes:

Mayor Leak entertained a motion to approve the revised minutes for the regular council meeting on January 17, 2024.

Buxton - Motioned; Forsgren - Seconded

Creech – Aye; Buxton – Aye; Fisher – Aye; Leak – Aye; Forsgren – Aye

The minutes were approved unanimously.

Action Items:

Executive Session:

31 **Business Items:**

32 *Steve Leichty – Rocky Mountain Power Franchise Agreement* – Steve explained that he is here to answer
33 any questions about renewing the franchise agreement that will be expiring this year. Creech asked
34 where the easement is. Steve explained that it is along the roads and is usually only used when there is a
35 new service being put in. Creech clarified that it was just for Cornish roads. Steve said that it was and
36 that they have separate agreements with the County and UDOT. He mentioned that if the Town expands
37 a road and there is a pole or something in the way Rocky Mountain will move it without charge. Mayor
38 Leak mentioned the wellhouse project that they had to pay to move the services. Creech asked what
39 would happen if the Town does not sign the agreement. Steve said that they would have to find other
40 ways to get the right of way to provide services.

41 Steve said that there is a sales and use tax that can be collected and be used for payment for the
42 easement. He said that they can collect up to 6 percent and about 40 percent of communities in Cache
43 valley use it. Forsgren asked if that is something that can be adjusted. Steve said that it is. Mayor Leak
44 asked if the Town has it already. Steve said that Cornish does not currently collect that tax.

45 Creech asked if they do not do the agreement if Rocky Mountain would have to find another way to get
46 the right of way to do work. Steve said that was correct. Buxton asked what other cities and towns use
47 the tax revenue for. Steve said he thinks it goes into the general fund. Creech who else would be
48 interested in agreements like this one. Steve said that any communications or utility services would use
49 an agreement similar to the one he is presenting.

50 Steve said that he is only here to present the option to the council and that a decision does not need to
51 be made today. He said that he needs to know before November. He suggested having the Town's legal
52 people review it. Mayor Leak said that the council will talk about it and get it back to him. He asked who
53 he would need to give it back to once they decided. Creech asked if Steve could send more information
54 about the tax. Mayor Leak asked Lauren to put this discussion on the agenda for the next meeting. Steve
55 explained that with a well house there are incentives that can help with savings. Mayor Leak asked him
56 to send that information as well. Forsgren talked about the possibility of doing a solar farm on his
57 property. Steve said that there are ways that he could sell the extra power to Rocky Mountain Power.

58
59 *Annexation Discussion* - Creech explained that he has been looking for information on annexation. He
60 was able to get an email from Angie from the county that explains the process of doing an annexation.
61 He went through the email and explained the process. He read some of the questions that he asked
62 Angie. One of the questions he asked is if they needed an attorney. She said that the town should use a
63 legal advisor to make sure that everything is being done by state code. He asked about the cost of the
64 annexation process. Angie said that there are costs for a surveyor and possibly a consultant. She said
65 that the resident annexing into the Town would pay the cost for surveying their property. She also
66 mentioned a \$750 fee from the county. They did not know if that fee was per parcel or for each
67 annexation. Creech asked about the tax implications. Angie gave him resources where he could go to

68 calculate that. He also asked about taking over county roads. They think that because the County does
69 not have any property out here and because they do not do much to maintain them they most likely
70 would not have a problem giving the roads to Cornish. Creech also asked what it would look like to
71 annex from other municipalities. Angie does not work with those types of annexations but that they do
72 happen. Creech asked about annexing partial lots. Angie answered that there are a lot of complications
73 when that happens.

74 Creech said that they should look into starting this process. He said that initially it would not cost
75 anything, and they would be able to see who would be interested in it as well as the value for the
76 potential residents and the Town. If not, then they can drop it. Fisher asked why they would want to go
77 through this. He asked if there was anyone who had asked about being annexed into the town. He said
78 that the last annexation wasn't handled well.

79 Creech pulled up a map with the current town boundaries. He showed what areas he thinks could be
80 annexed into the town. Fisher asked who has requested to be annexed in. Creech said that Susan Law
81 made the request. Mayor Leak asked what the McKnight's think about it. Creech said that he had not
82 talked to them yet. He said that he is very interested to find out what people think. Mayor Leak asked
83 how many people would be affected. Creech said that it would affect 8 homes, 6 of those homes are
84 connected to the Town water system.

85 Mayor Leak said that it would make the properties more valuable. Dale Buxton asked why Mayor Leak
86 thinks that property value would go up. Mayor Leak said that one of the big things that would have a big
87 impact would be the ability to hook up to the town water. Dale commented that he does not have a lot
88 of incentives to go through the process. He mentioned that he had talked to someone about annexing
89 into the Town a few years ago and that the noticing and other things that are part of the process could
90 cost up to \$1000. He asked if the Town initiates the annexation if they would take on all the costs.

91 Mayor Leak said that he didn't know and that that would be something the council would need to
92 discuss. Dale asked about the \$750 fee from the County and that if that fee is per parcel, it would be
93 cost prohibitive. Forsgren said that if it is not per parcel, it would be a great way to annex in a large
94 amount of property for not very much money. Dale said that they should have a clear idea of why they
95 want to take on this process. Creech said that they will most likely not know their why until they have
96 completed the first part of the process, and that at the end of it they could decide that it would be a
97 terrible idea to continue with the annexations. Mayor Leak commented that he likes the idea because it
98 is forward thinking, and it could save time and money in the long run. Forsgren commented that
99 because Dale is on a peninsula the County could force him to annex eventually. Dale asked if there was
100 a possibility of the Town cutting his water off because he is out of Town limits. Mayor Leak said that as
101 long as he is Mayor that would not happen, but you never know what the next mayor could do. Forsgren
102 also said that the State could force them to cut them off as well because they are not in Town limits.
103 Dale said that it would be interesting to see what the cost and benefit would be for each home. Mayor
104 Leak said that they could explore that and share what they learn.

105 *Roads-* Forsgren did not have anything to report.

106
107 *Planning & Zoning* – Creech did not have anything to report.

108
109 *Parks/Town Hall/Finance* – Buxton said that the basement is finished and ready for furniture. They are
110 working on getting some new furniture. He is also working on getting the RAPZ application ready.

111
112 *Water* – Fisher said that the Wright’s called and said that they had e-coli and coloform in their water
113 and they were getting sick. Fisher said that he went and tested the water at the houses around the
114 Wrights and it all came back clean. He said that Bear River had also done a test not long ago and it came
115 back clean.

116
117 Mayor Leak said that they had a problem with the SCADA system and the tank was almost emptied.
118 They got it fixed quickly. Fisher said that they need to figure out how to get the springs back into the
119 system to help with the supply.

120
121 Creech commented that there was a leak at the Retreat. They didn’t think that the water was supposed
122 to be turned on. Lauren said that they had contacted her and wanted the water turned on.

123
124 **Old Business:**

125 **Mayor’s Report:** Mayor Leak stated that he got the paperwork finished with the Wangsgard property.
126 He explained that there are wiring instructions for the payments and asked if Lauren could wire it. Fisher
127 said that they should make sure the water hook ups that are being traded for the property stays in
128 Cornish Town limits. Mayor Leak said that all the hookups will be in the Town limits. He said that Ross is
129 not going to get one for his house. He talked to Ross about the drain going to the West Cache Canal and
130 Ross wants to put it in himself. Mayor Leak said he did not look at the plans closely enough to know who
131 would be responsible for doing that.

132
133 Mayor Leak said that he has not been able to make any progress with the Koller’s property.

134
135 Mayor Leak said that he has gotten several texts and calls about the alley looking like a dump. He said
136 that there is not much that the Town can do about it. He said that he asked the person complaining
137 what they suggested. They didn’t have any suggestions. Mayor Leak said that because it is zoned
138 differently they could make some changes to clean it up. The problem is enforcing it. Creech said that
139 there are a few things that they could change in the code such as on street parking, RV parking and
140 animals. He again said that the problem is enforcing it. Buxton asked if they could impose fees. Creech
141 said they could. Mayor Leak read part of the text he received from the citizen. Creech commented that
142 there are already rules in the town code and that where they are parking is already in the town right of
143 way because the houses are so close to the road. Creech asked if he had heard from more than the one
144 person. Mayor Leak said he had not heard from anyone else. They talked about how they handled the
145 parking on the street with the snowplow. Mayor Leak said that they will think about it. He said that part

146 of their job is to help make the Town a better place, but that it is not reasonable to make new
147 ordinances for one person. They talked about the animal problem on the alley.
148
149 **Citizen comments:**
150 **Next Meeting:**
151 **Bills:**
152 Total = \$12,510.15
153 Creech asked if Wi Fiber raised the rates. Lauren said that they charge extra since we pay with a check.
154 They asked Lauren to change the payment method to go back to \$100.00.
155 Mayor Leak entertained a motion to pay the bills.
156 Creech - Motioned; Forsgren – Seconded
157 Creech – Aye; Buxton – Aye; Fisher – Aye; Leak – Aye; Forsgren - Aye
158 The bills passed unanimously.
159 **Adjourn:**
160 Mayor Leak entertained a motion to adjourn.
161 Fisher – Motioned; Creech - Seconded
162 Creech – Aye; Buxton – Aye; Fisher – Aye; Leak – Aye; Forsgren - Aye
163 Ended at 8:53 p.m.