

1 Mayor Leak called to order a regular Cornish Town Council meeting on April 20, 2022, at 7:10 p.m. at the
2 Cornish Town Hall.

3 **Attendance:** Brad Fisher, Colton Creech, Conrad Naegle, Chris Buxton, Matt Leak

4 Citizens: Erma Naegle, Beth and Darrel Stuart, Chris Mcknight, Brad Mcknight, Tim Lunday, Earl Creech,
5 Austin Veibell, Kaitlin Manning, Gordon, and Anna Barlow

6 **Staff Report:** The check to Adam Long may not have cleared before the new statement had been sent,
7 so there is a new invoice in the bills. C. Buxton checked and saw that the check had cleared after the
8 invoice had been printed and sent.

9 **Minutes:**

10 There were a few changes that needed to be made.

11 Mayor Leak entertained a motion to approve the revised minutes.

12 Creech – motioned; Naegle – seconded

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

14 The minutes were approved unanimously.

15 **Action Items:**

16 *Lauren Oath of Office* – Logan City Recorder, Teresa Harris swore Lauren Draney in as Cornish Town
17 Clerk.

18

19 *Austin Veibell – Water Connection* – Austin is here to get his water connection approved. C. Creech said
20 that they have clearance from the planning and zoning commission. C. Naegle asked if they know where
21 the water line is. Austin said they do know where it is and that they are going to avoid any hazards with
22 the line. Leak asked if they are planning on putting any cement or asphalt over the water line. Austin
23 said that they are going to be putting in tailings so it would be easy to dig up if needed. C. Creech asked
24 if they could hold off on the payment of the fee for two weeks because of the construction loan.

25 Leak entertained a motion to approve the water connection for Austin Veibell.

26 Fisher- motioned; Buxton - seconded

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

28

29 *Tim Lunday – zoning Clearance and water connection* - C. Creech explained that Tim is planning on
30 building a house on a 37-acre parcel Tim has UDOT access to the property. C. Creech asked what the
31 setbacks were for the house. Tim said that he was going to be building farther back than the
32 requirement. Tim said that they were thinking about cutting off a parcel depending on the loan they get
33 but that it would turn it into a subdivision. He wants to keep it on one parcel. Leak asked if there were
34 any questions or concerns for Tim. There were none.

35 C. Creech motioned to approve Tim Lunday’s zoning clearance.

36 Fisher – Seconded

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

38 Leak entertained a motion to approve the water connection for Tim Lunday

39 Naegle – motioned; Buxton - seconded

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

41

42 *Public Hearing* - Mayor Leak entertained a motion to enter into a public hearing for the land use
43 amendment.

44 Naegle – motioned; Fisher – Seconded

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

46 C. Creech explained that we are looking at controlling growth especially with our water system. Our
47 current ordinance is .5 acres minimum lot size. The spring is running at 27 gallons per minute now when
48 it is usually around 100 gallons per minute. The Trenton well is running well but we don’t know it’s
49 limits. The Pitcher well is going to be going through improvements including a filtration system and a
50 new storage tank. C. Creech explained that there are different ways to control growth such as limiting
51 water hookups per year as well as land use stipulations that limit density. Cornish Town council has
52 explored all these options. As a temporary measure, until the pitcher well project is completed the
53 council proposed the following changes to the land use ordinance: Change the minimum lot size from .5
54 acres to 2 acres and change the frontage requirements from 100 feet to 200 feet. C. Creech explained
55 that the change in lot size would hopefully be enough of a change that it would affect economics
56 enough to deter developers and if they do decide to develop a subdivision it would be less dense. C.
57 Creech stated that the change is not meant to be prohibitive. Fisher asked if this is what the planning
58 and zoning commission is recommending and not the council. C. Creech said yes, it is a planning and
59 zoning recommendation and is being brought up for discussion for the council to decide. C. Creech
60 reiterated that this amendment would be the quickest and simplest way to give us security and prevent
61 someone coming in and putting in a significant subdivision that would force us into a moratorium.

62 Mayor Leak explained that this is just a minimum lot size, anyone can build on a larger lot. McKnight
63 asked if a developer could apply for 20 water hook-ups or if each lot is done individually. C. Creech
64 explained that the parcels would need to subdivide first then they could come and get a water
65 connection for each parcel, or the developer could sell the parcel without the water hookup. He used an
66 example of a possible subdivision that was discussed in the April 6th meeting. C. Creech stated that the
67 new development proposal is not the reason for this change, it has been talked about for the past 12
68 months or so, since the moratorium was lifted. Erma Naegle asked if there were any considerations with
69 water shares. Mayor answered that it is not necessary to have water rights or shares to trade for a water
70 hook-up but that it would be good for secondary irrigation. He explained that the new water project will
71 protect the town going forward. He said that the new system should be able to handle quite a few new
72 hookups but that we don't want to be handing them out frivolously, we want to be careful with our
73 water. He compared some of the water use differences between two acre lots and five acre lots. Brad
74 McKnight asked if there was something that prevents you from moving ground after you have the lot
75 size you want. Mayor Leak said no. He said that we want to have a vision for what we want Cornish to
76 be and that he thinks we should look at other municipalities and see what they have done and make a
77 plan for when developers do come in. C. Creech said that if we keep the minimum at 2 acres, we will not
78 have a problem with people splitting it up, but if the minimum gets smaller in the future it could be a
79 risk. Erma asked if we will be using all our water sources. Mayor Leak said yes, and no. Cornish Town is
80 working on putting a new tank for storage to have more water. Mayor Leak said that we are not using
81 the Pitcher Well, once the water project is finished it will be online. Brad McKnight asked if this new
82 system would prevent the overflow from the tank above the cemetery. Mayor Leak explained that it is
83 overflowing now because the water has nitrates and needs to be diluted. Fisher stated that because we
84 are not using water outside it is necessary to run more water to dilute the water. Once the filtration
85 system is online dilution will not be necessary. Fisher said that he used to sell real estate in Draper and
86 Salt Lake, and that they used to have large lots then people started building several houses in those lots
87 and made a mess. It would have been better to start with the smaller lot sizes. Fisher favors smaller lots.
88 The smallest lot size the town can have is .5 acres because of septic regulations. Brad McKnight asked
89 how good the filtration system is. Mayor Leak explained that it would be completely clean from
90 minerals. The filtered water would be combined with the unfiltered water. Brad asked if they know how
91 much maintenance there would be. Mayor Leak said that the town would have to have a certified
92 operator to take care of it. There would also be a waste pipe for the wastewater that comes off the
93 filtration system. It would cost \$25,000 every 15 - 20 years to change the filters. He said that the reverse
94 osmosis filtration system is the only option the town has. Fisher said that the water has been free of
95 bacteria and is the best water there has ever been. Mayor Leak stated that the town does not chlorinate
96 the water and that it is not necessary for our system unless we get a positive bacteria test. Bear River
97 Health Department does monthly bacteria tests and has never had a positive bacteria test. Fisher said he
98 tests the springs for nitrates the legal limit is 10 and the test have been coming back between 2 -5. The
99 town has been working with the landowners near the springs and the people that run the land and they
100 have agreed not to fertilize. Naegle commented that the lot size was not just for water, but that we
101 want to keep Cornish rural. C. Creech stated that we have had the minimum lot size for years and there
102 have been hardly any houses built on .5 acres. Naegle asked what event would cause us to readdress

103 this. C. Creech said that he thinks it would depend on the water situation and what would be in the
104 towns best interest. Mayor Leak said that when we were in our worst water situation there were more
105 dairies that were using culinary water. He said that where we sit now, he feels comfortable with the
106 water supply and the usage. Gordon Barlow asked what the frontage would be. C. Creech explained it
107 would go from 100 ft to 200 ft. Naegle stated that if someone needed an exception, they would have to
108 go through a variance process. C. Buxton asked about the variance process. C. Creech said that there is
109 process for any variance. Gordon Barlow asked if there is a certain number of water permits that Cornish
110 would provide. Mayor Leak said no, it is not something they want to do. Anna asked if they looked at a
111 1-acre lot rather than two. Mayor Leak said they had. Anna commented that some people do not have
112 the equipment to manage 2 acres. Mayor Leak asked if anyone had any other questions. No one had any
113 more questions or comments.

114 Mayor Leak entertained a motion to close the public hearing and re-enter the regular town council.

115 C. Buxton - motioned; Creech- Seconded

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

117 **Business Items:**

118 *Land Use Ordinance* – C. Buxton asked how we would come back to this option. C. Creech answered that
119 anyone on the council could bring it up. Naegle said that it would be possible to put a time limit on it.
120 Mayor Leak said that said that if we decide to put a time limit on it, we need to vote no on it in this
121 meeting. C. Creech said that development will be coming to Cornish soon and that we need to do
122 something to control the growth as quickly as possible so that we do not get into a situation we do not
123 want to be in. Fisher said that the .5 acre is the best option. He stated that a half-acre lot would use less
124 water and that we should not change it. C. Buxton asked what the timing would be if we came back to it
125 with noticing. Naegle asked if people would really want to pay to water so much land. Fisher said that
126 people would not care how much it costs. C. Creech said that he doesn't like large lots sizes as a long-
127 term solution but that we do need something for short term control. He also said that most people do
128 not move out here to build on .5 acres, but developers will. Mayor Leak commented that because
129 developers will need to make improvements such as the road and curb and gutter, they will make more
130 money on half acre lots. In the future it would be more efficient to have smaller lots when the town
131 needs to make more improvements there will be more people to bear the burden of those costs. Fisher
132 said that most people are going to be building their house in the middle of a two-acre lot. When they do
133 what else can they do with the rest of the property. Creech asked if we don't do anything now, then
134 what? Do we look at different options to control growth or do we just leave it? Naegle asked if there is
135 anything to stop a developer coming in and dividing into .5 acre lots. Fisher and Mayor Leak answered
136 no. Fisher said that when he first moved here that the town allowed 2 permits per year. Mayor Leak
137 stated that since we dropped the moratorium there have only been 5 new water hook-ups. Naegle
138 stated that the 2 acre lots would not hurt the town as bad. Mayor Leak asked Naegle if he was
139 concerned about water or growth. Naegle said both. Mayor Leak said that an argument could be made

140 that less water would be used on a half-acre. C. Creech said that the water usage would be about the
141 same whether it is .5 acre lots or 2 acres. Mayor Leak explained that it didn't matter how many houses
142 there are there would still be 100 acres to water.

143 Mayor Leak entertained a motion to adopt Land Use Ordinance 22-06

144 C. Creech- motioned to Naegle – Seconded

145 Fisher – no; Buxton – aye; Creech – aye Naegle – aye, with the understanding it would be brought up
146 again.; Leak – aye, with the understanding that it will be brought up again.

147 Land Use Ordinance Amendment 22-06 passed.

148 Mayor Leak said that he voted yes because it would be a band aid until we know how to better handle
149 growth in the future and more data to go on. Buxton said that once we have more data with the new
150 water system, we can make a better decision. He agreed with Fisher that changing the lot size could
151 have negative consequences but that we need to fix the urgency of the situation. They agreed to look at
152 the water and growth situation in a year.

153

154 *SRF Loan* – Lauren stated that Heather Patee said that we would need to raise our water rates \$9 a
155 month. Mayor Leak reviewed the email. Mayor Leak said that we meet all the requirements for the loan
156 with our current water rates and that it was voted on to not raise the rates. Mayor Leak said that our
157 attorney Adam Long said that he didn't think we would need to change the rates at the parameters
158 meeting. Creech read the loan agreement which said that we had sufficient revenue from water for the
159 loan. We can go over rates with them if we need to.

160

161 **Old Business:**

162 *Roads* – Naegle will be attending a mandatory meeting for the CBDG Grant. Naegle wanted to
163 understand what we are using the grant money for. Mayor Leak said we don't have anything set but it
164 would likely be used for a new SCADA system. He also said that we could use it for a down payment for
165 our loan. Fisher said that it could also be used for a waterline on 13400 North. Naegle said that the last
166 part of the meeting is for project managers, he will stay for it because we don't have any other
167 representation there. There is a trails meeting in Lewiston C. Creech will go to that. Naegle went to the
168 COG meeting. Mayor Hildago was voted in as the chairman. The light at the south of Smithfield along
169 with the road was done with COGS money. COGS prefers more significant projects that affect regional
170 transportation, but if you are a rural town, you can do any road. They want funds to be used in 6 years,
171 but they are flexible with that timeline. Naegle scheduled regional transportation to come to our council
172 meeting May 18 to discuss transportation needs. He asked what we want to bring up. He suggested that
173 we need the money for things that we don't have a budget for as well as cycling lanes or trails. Naegle
174 commented on e-bikes and how many communities are struggling with how to regulate them. The solid
175 waste committee is still working on getting the organization structure as well as deciding how to

176 negotiate with the county and towns. Mayor Leak said that Mayor Holly Daines called and offered to sell
177 Cornish a truck and we could do our own garbage and that we could probably keep our cans. Mayor
178 Leak said that there are three problems with doing that. 1- who would drive the truck, 2- how would we
179 provide new cans for new residents, 3- maintenance and replacement costs. Naegle fixed the water
180 faucet at town hall.

181
182 *Planning & Zoning* – Creech followed up with Ontrac and filed a claim with them. He has not heard from
183 Mark about the ERP. He wanted an update on the COVID money. Mayor Leak said that we don't have
184 anything planned for it yet. There is a report that is due April 30, 2022. Lauren said that she would check
185 with Deyette to see what needed to be done. C. Creech asked if the funds could be used for the town
186 hall building. Mayor Leak said it probably could.

187
188 *Parks/Town Hall/Finance* – RAPZ council met to discuss submissions. Buxton asked Lauren if she was
189 able to get a receipt from Bennetts glass. Lauren said that she was not able to because they sent the
190 check back because it had the wrong name. Buxton asked about the budget hearing and what
191 preparation needed to be done for that. While he was doing the cleanup downstairs, he found old
192 meters and unusable transponders he asked what to do with. Mayor Leak suggested putting the new
193 ones on eBay and recycle the old ones. C. Creech suggested talking to the company we buy them from
194 to see if they would buy them back.

195
196
197 *Water* – Fisher said that tests came back good. Naegle asked if the number of 27 gallons was up. Fisher
198 said yes.

199
200
201 **Mayor's Report:** Mark Chandler sent Mayor Leak a proposed plan for the new tank and chlorinator
202 house. Cornish will potentially need to ask Ross Wansgard for .09 acres. Creech said that we would also
203 need to get an easement with the land as well. Naegle stated that we should check on the gallon
204 quantity of the tanks to make sure that we get the right measurements. Buxton asked if we should look
205 for valves. Mayor Leak said we should wait until we get the GIS map.

206

207

208

209 **Citizen comments:** None

210 **Next Meeting:**

211 **Bills:**

212 Creech asked if Rogue services is Jesse from Wetco. Mayor Leak said it was. Mayor Leak told Jesse that
213 Cornish was looking to change SCADA systems. He stated that Max Peirce advised to never use someone
214 who is proprietary as it would cause problems down the road with any repair that would be needed.

215 Total = \$4,823.45

- 216 C. Creech motioned to pay the bills minus the invoice from Smith Hartvigsen PLLC.; Fisher – Seconded
- 217 Leak – Aye; Naegle – Aye; Creech – Aye; Buxton – Aye; Fisher - Aye
- 218 The bills passed unanimously.
- 219 **Adjourn:**
- 220 Mayor Leak entertained a motion to adjourn
- 221 Fisher – motioned; Naegle -Seconded
- 222 Leak – Aye; Naegle – Aye; Creech – Aye; Buxton – Aye; Fisher - Aye
- 223 End at 9:40 p.m.