

**Daniel Town Council Meeting
Monday, May 16, 2012 at 6:00 PM
Wasatch County Services Building, Room 126
55 South 500 East, Heber City, UT**

This May Town Council meeting was originally scheduled for May 7, but due to unavoidable circumstances the original date was changed to May 16.

Quorum present: Mayor Michael Duggin, Council members Eric Bunker, Kasey Bateman, and Chip Turner were present at 6:00 PM when Mayor Duggin called the meeting to order. Council member Jon Blotter arrived at 6:14 PM... Recorder Merry Duggin was present to record the minutes. Treasurer Sherri Price was also present.

Members of the public in attendance: Ryan Taylor, Lambert Deegan, Gary Walton, Kim Norris, Kathy Percy, Mike and Laonna Ashby, Darwin McGuire. During the meeting members of the Planning Commission arrived including: Gary Weight, Jaye Binkerd, Blaine Smith, Gary Weight, and Barry Hobbs.

1) PUBLIC COMMENT CONCERNING ANY ISSUE NOT ON THE AGENDA

There was no public comment.

Mayor Duggin decided to move item #2 on the agenda to later in the meeting and proceeded to agenda item #3.

3) APPROVAL OF MINUTES FOR April 2, 2012 MEETING

Council member Bunker moved to continue the April 2, 2012 minutes to the June meeting. The motion was seconded by Council member Turner, and the following Council members voted to delay approval of the minutes: Bunker, Bateman, Turner, and Duggin. Council member Blotter was late to the meeting and not present for the vote.

4) PRESENTATION OF FY 2012-13 TENTATIVE BUDGET BY MERRY DUGGIN, CLERK/RECORDER.

Ms. Duggin presented an updated version of the tentative budget that she had presented to the Council at the April meeting which included a new expense category for weed spraying as had been suggested by Council member Bunker. Mr. Bunker at this meeting suggested that the Water Enterprise budget should include an expense for personnel training, and the amount was set at \$1,000 for training. The Council discussed and agreed that the Town should open a Capital Projects Fund for roads, the amount to be decided by the Mayor and Treasurer, to be included in the FY 2012-13 budget to comply with Utah State Code concerning maximum percentages of revenue allowed to be retained in the Town's bank accounts. Discussion also included a possible Capital Projects Fund for land purchase for future public facilities.

Council member Turner then moved to approve the Tentative Budget for 2012-13 with the suggested changes. Council member Bateman seconded the motion, and the Council voted as follows: Duggin, aye; Bunker, aye; Blotter, aye; Turner, aye; Bateman, aye. The Tentative Budget was approved. A budget public hearing was set

for the regularly scheduled meeting date of June 4. Ms. Duggin indicated that the public hearing would also include comments concerning opening the current fiscal year budget (2011-12) to allow for additional revenue and expense.

5) DISCUSSION AND POSSIBLE ACTION CONCERNING EXPANSION OF HISTORICAL USE OF PROPERTY OWNED BY VEIGH CUMMINGS DBA CC INVESTMENTS, LOCATED AT 2850 S. HIGHWAY 40.

Mayor Duggin reported that the lessees of the garage located at the above address are washing their trucks possibly without proper environmental procedures, and he suggested that Town of Daniel should write a letter to the renters asking them to stop these actions. Council member Turner and Bateman agreed, but Council member Blotter asked if the renters had been informed of what they should be doing. Council member Bunker will take a look at this situation, but he thought that they might be allowed to wash vehicles on this property as a historical use. Mr. Ryan Taylor felt that farmers washing their vehicles would have less strict regulations than a commercial industry doing so. Council member Bunker will report to the Council at the next meeting.

6) FEMA UPDATE FROM MAYOR DUGGIN

Mr. Ryan Taylor reported that the request for additional funding to complete the Storm Haven project has been stalled due to personal problems experienced by the person at the Utah State level to whom the request was submitted. Mr. Taylor described a new federal grant program designed to assist persons who are currently required to purchase flood insurance because they are included in the flood plain as designated by FEMA. To qualify for the grant, property owners must currently be required to purchase flood insurance and not need it once improvements are made. Mayor Duggin asked the Council to approve initial funding to allow Mr. Taylor, as our Town engineer, to begin this grant process. Mr. Mike Ashby discussed his confusing experience with FEMA and flood insurance information. Council member Bunker suggested the Town might consider a match of funding with residents who would like to apply for this grant rather than the Town paying for the whole grant process. Council member Turner agreed that this was a good suggestion, and Council member Bateman agreed to call a few property owners who he thought might be interested in applying for this grant. *Then Council member Bateman moved to set aside up to \$1500 for the FEMA grant to be matched by residents who might benefit from this process. Council member Turner seconded the motion. Council member Bunker voted nay, but Mayor Duggin and Council members Turner and Bateman voted aye. Council member Blotter was absent from the room at the time the vote was taken and did not vote. The motion carried.*

7) DANIEL MUNICIPAL WATER ISSUES: WATER METERS, DISCUSSION CONCERNING COMMERCIAL WATER RATES, ETC.

Mr. Ryan Taylor, town engineer with Epic Engineering, informed the Council that the new meters will be arriving next week and installed shortly thereafter.

Mayor Duggin believes that the Town should set up a procedure and rates for selling water for commercial purposes. Mr. Ryan Taylor suggested that the Town could require a commercial business which desires to purchase water to lease a town meter and charge for all water used. Mr. Taylor cautioned that the meter should have a check valve

to avoid “slamming the system”. Mr. Gary Walton agreed to look into this matter and report to the Council. He will also check with Mr. Chris Anderson to see if he might be a commercial customer in the future.

8) PLANNING REPORT

Council member Bunker presented a recommendation to the Council concerning an application regarding “reasonable accommodation” for persons with disabilities from the Planning Commission. Mayor Duggin complimented the Planning Commissioners on their fine work and asked for time to review the recommendation and discuss the issues at the next meeting before the Council considered taking any action on the recommendation. He thanked the Planning Commission, whose membership was present, and asked if any of the members would like to comment. Commissioner Barry Hobbs suggested that the Council members send any questions that they might have to him by email. Mayor Duggin asked the Recorder to include this issue on the June 4 agenda for discussion and possible action.

9) RECORDER’S OFFICE; WARRANT APPROVAL

After Recorder Merry Duggin presented the warrants for approval, Council member Turner moved to approve them as presented. Council member Blotter asked about the LDS Church review fees charged, and he wondered if the Church was moving forward. Mr. Ryan Taylor told the Council that the Church project is moving forward, but it is moving more slowly than previously expected. *After a second from Council member Blotter, the Council members voted to approve the warrants by the following vote: Bunker, aye; Blotter, aye; Duggin, aye; Bateman, aye; Turner, aye.*

Mayor Duggin then returned to item #2 on the agenda.

2) BUSINESS LICENSES

Mayor Duggin informed the Council that Chris Anderson, current owner of Daniel business Computer Nerds, has requested a second business license for a new hydro seeding business that he will own. Though Mr. Anderson was not present to request his license, the Council agreed that Mr. Anderson would not have to appear due to his positive history with the Town. *Council member Turner moved to approve the new license, and Council member Blotter seconded the motion. The Council voted to approve the new license by the following vote: Duggin, aye; Turner, aye; Bateman, aye; Bunker, aye; Blotter, aye.*

10) ADJOURN

Council member Turner moved to adjourn. After a second from Council member Bateman and a unanimous vote by the Council members, Mayor Duggin adjourned the meeting at 7:15 PM.

Merry Duggin,
Recorder