

**Daniel Town Council Meeting
Monday, September 14, 2015 at 6:00 PM
Wasatch County Services Building, Room 126
55 South 500 East, Heber City, UT**

Quorum present: Council members John Glodowski, Jon Blotter, Kasey Bateman, and Eric Bunker were present when Mayor Turner called the meeting to order at 6:02 PM. Treasurer Sherri Price was present and Lynne Shindurling to record the minutes.

Members of the public in attendance were: Eric Bennett, Lorie Hobbs, Kim Norris, Gary Walton, Bart and Cindy Wilde, Ryan Taylor.

Just as the Council was assembling, a process server served on the Town a Summons and Complaint prepared by Charles Schultz.

1) PUBLIC COMMENT CONCERNING ANY ISSUE NOT ON THE AGENDA

In light of the service of the Summons and Complaint, Council member Blotter suggested tabling any discussion on the lawsuit. Mayor Turner explained the Town's attorney has already reviewed documents in the matter and will supply an Answer on behalf of the named Defendants.

2) BUSINESS LICENSE APPLICANTS

Planning Director Bunker reported there were no new applicants nor renewals submitted during the month of August.

3) RECOMMENDATION FROM PLANNING COMMISSION REGARDING REQUEST FOR REASONABLE ACCOMMODATION BY DANIELS ACADEMY

Mayor Turner read into the record the recommendation submitted by the Planning Commission to deny the request for reasonable accommodation. He stated due to the complexity of the issue, he will refer the matter to legal counsel. Council member Bateman asked if the applicant could provide their definition of reasonable accommodation, as they have already increased the number of students in the facility from 8 to 16 through a reasonable accommodation request. Mayor Turner stated since the applicant is not present, that the attorney will communicate on the appropriate subjects. He also stated he understands there is new state law regarding the number of students and distance between like facilities. Lorie Hobbs asked what is the new law. Council member Bunker informed those present that the state legislature has removed a prescribed number of students and the required distance between facilities from the law. Mayor Turner opined the health, safety, and impact on our community are issues to be considered.

Council member Bunker moved to continue the discussion to the next meeting because the applicant is not present. Council member Blotter asked what the application has asked for. Council member Bunker stated the director, Shane Whiting, wants to increase to 24 students using the Town's application for reasonable accommodation. **Council member Glodowski seconded the motion to continue.** Council member Blotter inquired why it should not be discussed at this meeting. Mayor Turner replied he would like the discussion to be continued so that the applicant is witness to all that is said. Council member Blotter asked if the applicant is seeking approval of the recommendation. Mayor Turner stated the recommendation just came from Planning and will not be decided this evening. After all information is received and discussed with counsel, the Town Council will vote to accept or deny the recommendation.

The Council voted to continue the discussion as follows: "Aye" votes from Mayor Turner, Council members Glodowski, Bunker and Bateman, with a "nay" vote from Council member Blotter, along with a comment to go in the minutes that because the reasonable accommodation request was an item on the agenda, members of the public have appeared to hear the discussion. He feels just because the applicant did not appear at the meeting, it is not right to postpone the discussion. If it is on the agenda, it ought to be discussed.

Council member Bunker asked the public if they wanted to comment on the Daniels Academy reasonable accommodation request since it is an agenda item. Eric Bennett stated the Planning Commission meeting minutes of August 19th should contain his comments stated in that meeting; i.e., they have had a previous request granted, stating they wouldn't be asking for more and they're asking for more. At what point can the Town say this is enough; it's as big as we're going to let it get. Increased noise from the school is another factor. Lorie Hobbs commented it is the main source of traffic on Big Hollow Road, and an increase in students requires an increase in staff, thus an increase in traffic. She stated Shane Whiting of the school also mentioned they can't put more boys in the school without an expansion of the current facility. She stated there is no legal definition of the word "reasonable," but as a Town Council they have the authority to determine what is reasonable for the Town of Daniel. Mayor Turner reassured those present that the issue will be thoroughly researched before making its decision.

Ms. Hobbs mentioned the Town can require various studies be performed, such as traffic counts and impacts on the community. Council member Blotter inquired of Ryan Taylor if Epic performs traffic studies. Mr. Taylor replied Epic Engineering can perform a study with regard to traffic count as well as impacts on the residents living along and near Big Hollow Road. He mentioned the standards are set by AASHTO, the American Association of State Highway and Transportation Officials. Mr. Taylor wonders if a third party ought to be involved in such a study since Epic Engineering provides engineering services for the Town on a routine basis. Mayor Turner stated the Town could make a list of requirements to be met by Daniels Academy, such as the aforementioned studies, in order for the process to move forward. Mr. Taylor's process would be to request RFPs from interested engineering firms and have a selection made by the Town. The Academy would have to pay for the study. Even with the numbers provided from such a study, Mr. Bennett feels the decision to be made by the Town,

with the increased traffic flow is, is this a good idea or bad idea to accept the reasonable accommodation.

Council member Glodowski inquired if the Academy is set up as a commercial venture. Lorie Hobbs stated it is a residence. Council member Blotter stated it falls under the category of a residential treatment facility. Ms. Hobbs stated under a commercial license all of the accommodations would not be available to the center. It has to be a home. She inquired of Mr. Taylor if, in performing such a study, not only are traffic counts recorded but the impacts on the neighborhood, safety factors. Mr. Taylor mentioned all effects can be observed and reported in such a study.

Eric Bennett mentioned his understanding obtained during the Planning Commission meeting was the home is being used as more of a boarding house than a school as the students go to other properties for class. They eat and sleep at the facility only. Mayor Turner reiterated his concern in having the applicant present for this discussion to answer questions and confirm or deny someone else's understanding. The Town will do its due diligence in proceeding forth.

4) PLANNING DEPARTMENT REPORT

Director Bunker reported he spent 16.75 hours doing Blue Stakes matters for the month. He gave the names of seven residents with whom he had dealt during August, and listed four names of residents who reported complaints to be addressed. Issues involved animal control, excess trucks and equipment parked on residential lots, a lot line adjustment in which one party had not been notified of the request beforehand. Ryan Taylor suggested perhaps amending the process to notify all parties involved in such an application before surveying commences either by a landowner or the Town. Replacement of a deadend sign on Ranch Drive was accomplished by Wasatch County. (This discussion encompassed item 5 on the agenda, code violations and enforcement.)

A meeting was held concerning reconfiguration of the intersection of 3000 South and Highway 189 and the proposed interlocal agreement with UDOT and MAG, attended by Director Bunker. The main impact will now occur on the Charleston side of the highway and negotiations are taking place with the landowner on the northwest corner of the intersection. UDOT has claimed this is a limited access roadway, and Director Bunker asked for the document showing such to be included in Daniel Town's road plan.

Mr. Bunker produced for the Council water test results for Daniel Municipal Water showing absence of coliform for both July and August.

A Wasatch County Regional Transportation Plan was produced by Director Bunker showing a new road through the Town of Daniel from the Town of Independence on the east side of Highway 40, which was not shown on a similar map produced in 2010. UDOT had denied ever removing the road from its future plans, but it was not on the 2010 map located by

Mr. Bunker. The Town of Independence is asking for the road to go through so they can develop the land into more condensed housing. Lorie Hobbs inquired about the incorporation of Independence, which took place in June of 2008. In order to have enough people included in the town at the time of incorporation, the Center Creek area was included.

Mr. Bunker had attended a meeting under Title 17, which is the State Code from which county powers are obtained. No Wasatch County representative was present, so a future meeting will be held dealing with the construction of such a road from Independence. Mayor Turner gave his support to Director Bunker in fighting the inclusion of a road not included on our Capital Facilities Plan and reiterated his stand that the road was eliminated from prior plans and should not be added back without approval of Daniel Town.

The last item on the Planning report was a summation of Epic invoices for inspections performed during August. Council member Blotter inquired if the Town was in good standing on all projects. Ryan Taylor apologized for not including Epic's spread sheet with the invoices, but all projects are still in the black.

At this point a second recommendation was read by Director Bunker from the Planning Commission requesting the addition of a new road standard to the Daniel Code involving a non-paved road. Ryan Taylor expressed his concern for maintaining the same right-of-way as required on a paved road. Council member Blotter asked if the Town would plow the road. Mr. Taylor stated the intent of the new standard is to allow landowners access to back lots, up to three ERUs on a private road which would not be maintained by the Town unless taken over by the Town for future connectivity, as stated by Council member Bunker. While held privately, the Town would not be responsible for its maintenance. This new standard, however, does not address the issue of flag lots but provides a road for some properties who need access. To effectuate this standard, a public hearing needs to be held allowing for a code change.

Council member Blotter inquired about the definition of an ERU. Council member Bunker explained it is an equal residential unit, so three houses using this road. Mr. Blotter questioned the language "allow only 3 ERUs," wondering what if there are only two homeowners using the road. The language in the ordinance will be changed to be "up to 3 ERUs." There is no limit to trips per day. Council member Blotter asked why three ERUs as opposed to more or less. Council member Bunker stated Wasatch County has a similar road standard but is unsure how many ERUs are allowed to use the road. He explained the recommendation came from the Planning Commission as three. If it comes to pass more than three homes must use the road, the standard remains in the code to pave the road, keeping a higher standard. Mr. Bunker further explained the actions of the Planning Commission are in keeping with the Town's General Plan and wanting to maintain the rural atmosphere in Daniel.

Cindy Wilde inquired about larger acreages being divided into 5-acre parcels needing more than three ERUs on the road. Here again, the paved road standard could be applied. Council member Bateman stated because it is a private road, if it deteriorates to the point of needing repair, the homeowners involved must maintain it to keep it within safety standards.

Lorie Hobbs complemented the Council on their work in putting safer standards within the Town Code.

Mayor Turner re-read the recommendation making the change in language to “up to 3 ERUs” and asked if a public hearing would be necessary. The clerk told him yes, changing the code requires a public hearing. Ryan Taylor wondered if the Council, since it was looking at code changes, would like to eliminate the curb and gutter and sidewalks section in the code, perhaps making it a walking path or something more rural. He feels the curb and gutter requirement leads to a storm drain network which does not exist within the Town. The Mayor inquired how the change would be effectuated. Mr. Taylor stated in the changing of the road standard code, that option could be eliminated. Mayor Turner asked the hearing be set for next month, being October. Mr. Taylor stated a new 8.32 code chapter would be added dealing with the rotomilled material and the references to curb and gutter would be stricken.

Council member Bunker recited the County Code 16.27.31 servicing three lots or less on the rotomilled surface.

Council member Blotter moved to hold a public hearing dealing with the code changes in section 8.32, which was seconded by Council member Glodowski. The motion passed unanimously with all “aye” votes. Because of the nearness of the October meeting, the 14-day notice cannot be met. ***Therefore, Council member Blotter amended the motion to hold the public hearing in conjunction with the Town Council meeting on November 2nd, which was seconded by Council member Glodowski. Once again, the motion passed unanimously.***

6) UPDATE BY RYAN TAYLOR REGARDING 2015 ROAD IMPROVEMENT BIDS AND PROJECT

Notice was given inviting bids for the 2015 road improvement projects with no responsive bidders. Therefore, the work will be put out to bid in the spring of 2016 with the hopes of getting it done early. At that time there should be more work and money added to next year’s budget to complete more roadwork in 2016.

7) ADOPTION OF RESOLUTION DR-2015-07-06D APPOINTING DIANE GROSE TO FILL THE PLANNING COMMISSION VACANCY

Mayor Turner read the resolution into the record. ***Council member Glodowski moved to adopt the resolution, which was seconded by Council member Bateman.*** Cindy Wilde asked if the seat was a typical time to be filled, that being from July 2015 to January 2018. Council member Bunker explained the 4-year term was less due to it having been vacant from January 2014 to now when John Glodowski resigned as a Planning Commissioner and became a member of the Town Council. Lorie Hobbs inquired whether its members are appointed or elected. Council member Bunker explained the Commissioners are appointed by the Town Council. ***The resolution passed with the following vote: “Aye” votes from Mayor Turner, Council members Glodowski, Bunker and Bateman, with a “nay” vote from Council member Blotter.***

8) ADOPTION OF RESOLUTION DR-2015-09-14A CANCELLATION OF THE MUNICIPAL ELECTION FOR 2 TOWN COUNCIL MEMBERS ON NOVEMBER 3, 2015

Mayor Turner read the resolution into the record. ***Council member Blotter moved to adopt the resolution, which was seconded by Council member Bateman.*** Council member Bunker inquired about the bond issue being voted upon and the location of polling sites within the county. Clerk Shindurling explained the election this year is an all vote-by-mail and Daniel residents will receive a ballot in the mail. ***The resolution was adopted and the election cancelled by “aye” votes from Mayor Turner, Council members Bunker, Glodowski and Bateman, with an abstention from Council member Blotter.***

9) DISCUSSION AND POSSIBLE ADOPTION OF NEW BUILDING PERMIT FEE SCHEDULE PROPOSED BY EPIC ENGINEERING, DR-2015-09-14B

Ryan Taylor explained the increase is 5% across the board. There has not been an increase since 2006 when Daniel was incorporated. The schedule presented is dated 2014. Mayor Turner asked Mr. Taylor if he is the one at Epic who checks the hours and rates for all others in the office performing work on Daniel inspections. He replied he is the overseer for all functions and invoices sent to the Town. Council member Blotter asked if, as a Council, there is a need to check with other engineering firms on competitive pricing. Mr. Taylor explained their firm also, in bidding projects, becomes aware of other bids for work and feels Epic is within the realm of reasonableness. They review others' proposals for a rate comparison. Mayor Turner agreed a price comparison for the Council could be beneficial. Council member Bunker suggested an outside source compiling the data would make more sense. After further discussion, the consensus of the Council was the Town is pleased with the work Epic is performing. Mr. Taylor agreed to send what information he has on rates from other firms to be disseminated to Council members. Council member Bunker inquired if, based on the increase in rates, there will be a noticeable effect on amounts billed to the Town for engineering services. Mr. Taylor feels they are negligible enough that they should be studied after a couple of billing cycles to see if there is much difference noticed.

Mayor Turner read resolution DR-2015-09-14B into the record. ***Council member Glodowski moved to adopt the resolution regarding the new fee schedule, which was seconded by Council member Bateman.*** In further discussion Council member Blotter requested the rate comparison before a vote is taken by the Council for adoption. Council member Bunker suggested voting and addressing future red flags in the rate structure as necessary. Council member Blotter agreed. ***A vote was taken for adoption of the resolution, passing with unanimous “aye” votes.***

10) RESOLUTION REGARDING STORM HAVEN PUMP STATION AND WATER METER UPGRADE 2015 CDBG PROJECT BID AWARDS APPROVAL BY DANIEL TOWN COUNCIL DR-2015-09-14C

Ryan Taylor announced that with the takeover of the Storm Haven water system in August, the pump station and meter replacement projects were put out for bid under the 2015 CDBG funding. The bid for meter installation came in at \$251 per meter, a total bid of \$2,385. Upgrades to the pump station produced a winning bid of \$30,017 from Homeland Construction. The initial proposal produced bids much higher than the funding available, so a revised plan for the well and pump station was agreed upon with the contractors knowing this is a somewhat temporary fix and will be improved upon later. He recommends award of the two contracts to Meter Maintenance and Homeland Construction. Chlorination of the water at this time will not involve a chlorine cylinder. Gary Walton as the water manager agreed it is not wise to spend a great deal more money at this time knowing it is not a permanent solution and more work is to be performed down the road as the entire system is revamped. Mr. Taylor explained the intent of the current upgrades is to use materials that can be recycled in the system later.

Council member Bateman asked when the work is to begin. Mr. Taylor explained the preconstruction meeting is set to occur by the end of the month and work could begin in October. Council member Bateman volunteered his time to work as needed to save money. He explained that as he has worked on his own property, he has become aware that there is no conduit buried, just the bare wire. This is an area where volunteered time may be necessary. Mr. Taylor mentioned residents of Storm Haven not wanting chlorine added to the water, but, as Council member Bunker explained, now that the system is owned by a municipality, more rigorous testing becomes a requirement by the State if the water is not chlorinated. Gary Walton stated where the ultimate goal of the Town is to have a totally gravity-fed system pumping into a storage tank, chlorination will become required.

Kim Norris stated his opinion that contractor prices are high currently because the demand is so great and that in the future when applying for more funding, prices could be lower. He concurred the residents are happy with no chlorine in the water, but realizes in a storage tank it must contain the chlorine for health reasons. Ryan Taylor explained that where the well is down 150-160' it is considered a shallow well. Gary Walton mentioned all of the meters may not get replaced this year because of the depth of the cans. Kim Norris stated another problem is finding people to do the meter readings. Because of this, radio read meters is the solution. Mr. Norris feels the pipe sizes vary also making meter replacement necessary.

Mr. Norris mentioned 7 to 9 customers within Storm Haven who have overages every month and wants direction from the Council if those meters should be read through the winter. Ryan Taylor offered information that Ms. Goodfellow has been charging \$3.00 per thousand gallons on overuse after the fixed rate of \$27.00 for 8,000 gallons.

Mayor Turner suggested this discussion could continue under item 13 on the agenda dealing with Storm Haven issues and would like to finalize discussion on the resolution pertaining to CDBG bid awards.

Gary Walton asked the clerk for more information on an inquiry from a new homeowner to turn on her water in Storm Haven. The Council then got into discussion on the Wayne Mair

lot where he is building and wanted to hook onto the sewer system. Clerk Shindurling is going to get contact information to Mr. Walton on a property on Haven Estates Lane.

Mayor Turner read Daniel Resolution 2015-09-14C into the record, filling in the amounts as follows: Homeland Construction at \$30,017; Meter Maintenance at \$2,385. It was explained by Mr. Taylor that the Town is purchasing the meters themselves. The bid is solely for installation. There is allowance for a change order on a specific meter if it is at a depth requiring more work.

Kim Norris inquired if Town employees are covered under the liability insurance policy if they do work using their own equipment. Clerk Shindurling is going to contact the insurance company to verify that they are covered. He wonders if a lease agreement with the Town would confirm such coverage.

Council member Blotter moved to adopt the resolution, which was seconded by Council member Glodowski. The motion passed by unanimous "aye" votes.

11) ADOPTION OF ORDINANCE DO-2015-09-14 IMPLEMENTING NEW COMPENSATION SCHEDULE FOR ELECTED OFFICIALS AND EMPLOYEES

The ordinance adopting new compensation schedules was read into the record by Mayor Turner. ***Council member Glodowski moved to adopt the ordinance. The motion was seconded by Council member Bateman and passed with the following votes: "Aye" from Mayor Turner, Council members Glodowski, Bateman and Blotter, with an abstention from Council member Bunker.***

12) DANIEL MUNICIPAL WATER ISSUES AS NECESSARY

Gary Walton stated he is working with Wasatch County for extension of the waterline and installation of new meters on their property. Council member Bunker mentioned he has given costs to Councilman Kipp Bangarter and is waiting to hear back from the County officials. Mr. Walton stated one of the meters there is not functioning properly and needs to be fixed or replaced. There is confusion on the size of waterlines involved being 2" or 6" at various locations. This needs to be determined in replacing the meters.

At this point Mayor Turner excused himself from the meeting for a few minutes as the discussion on County water service continued with the Council. The Town would like to have accurate data on usage to know when and if there is a leak in the waterline. Even if the water used is not billed to the County, you can substantiate usage from the metered hydrants. Council member Bunker would like a construction meter installed from which to obtain accurate usage data. He would like the Town to own a couple of these meters for contractors to use when they need water to bill them for water used. Mayor Turner inquired where the issue currently sits with the County. Council member Bunker replied they're awaiting

instruction from County personnel what they want to accomplish and the size and type of meters they want.

13) STORM HAVEN WATER ISSUES AS NECESSARY

a) DISCUSSION OF POSSIBLE NEW WATER AND/OR SEWER RATES, SCHEDULING OF PUBLIC HEARING

Mayor Turner stated since the Town is now owner of the Storm Haven water system, he would like to have a public hearing to discuss new rates. Council member Bateman has expressed interest in knowing if there is possibility of an increase in volume of water for Storm Haven residents. He wants to examine the past records to see how monies received by Suzanne Goodfellow in past years were spent to know what the current needs on the system would be before raising rates, looking at the last month or two. Mayor Turner is certain the well as it sits today is being used for more houses than it was designed to handle and doesn't want to waste any time in having enough income to effectuate changes in the system as the need arises. His desire is to raise the rate to at least \$35 per month, the same as Daniel Municipal Water customers are paying. Kim Norris addressed the issue of \$7,000 in an account maintained by Ms. Goodfellow which he understood was to come to the Town upon acquisition of the system. The clerk confirmed receipt of \$7,802 from Ms. Goodfellow which is in the Daniel Storm Haven account at present, with the monthly receivables now coming to the Town as well.

Mr. Norris mentioned there was a repair on Tammy Lane paid for by Ms. Goodfellow just before the Town took over. She was also paying her son-in-law to provide services in operation of the system. All accounting data would have to come from her as the previous owner, and there is no way to confirm the accuracy of the numbers. Mayor Turner queried the Council with if we broke even at \$27.00 per month, how do you make any improvements to the system as needed. Council member Bateman would like a basis from which to start to know how much of an increase in rates is necessary. He is sure an increase will be a hardship for residents living on a fixed income. Council member Blotter stated if there are 52 connections currently, a seven or eight dollar bump in rates will not produce much more revenue. Why not wait and see what issues arise to know what the Town has in store. Gary Walton stated on the DMW system, even with government grants and loans, the Town raised rates to have a surplus in case of a major catastrophe.

Mayor Turner opined with winter coming and usage decreasing, thus decreasing revenues, and the passage of time required to notice the public hearing, hold the hearing and enact new rates, it's too much of a risk to not act right away. Council member Bunker stated even an \$8.00 per month increase may not be enough of an increase, and making a second increase in the near future may be easier to handle than a very large increase at the beginning.

Gary Walton inquired of Council member Bateman, because he lives in the Storm Haven service area, if he is charged for the amount of water used on the sewer system or a flat rate.

He stated it is a flat rate of \$9.00 per month, and only 17 homes within the area are on the sewer system. It is not based on water usage on the sewer system.

Mayor Turner asked if the septic tanks are going to need to be pumped. Mr. Norris stated the larger of the two tanks was pumped just shortly before the takeover by Daniel. Mr. Taylor stated the other tank will be pumped soon because it has been three years since the culvert project when it was pumped previously.

Council member Blotter moved to hold a public hearing on November 2nd. Council member Bateman seconded the motion. The motion passed with unanimous "aye" votes and the public hearing will be noticed for November.

At this time Ryan Taylor asked Mayor Turner if he wanted to talk about an additional grant application to be filed by Epic Engineering to cover their costs in studying the Storm Haven project. The engineering fees could not be included in the CDBG grant as the entirety of the monies was needed for construction. He would like to apply for a Division of Drinking Water grant to provide payment to Epic for past and future engineering studies to be performed in connection with this project. He suggested applying for a \$25,000 grant at this time which will pay the fees as they are incurred by Epic. The monies would be given to the Town in a grant, but if the Town is given a loan in the future to pay for bigger projects on the water system, the granted money is rolled into the loan for repayment, but only 80% of the borrowed monies are repaid. Council member Blotter inquired if there is a maximum amount that can be applied for. Mr. Taylor said the top end is \$40,000, but, again, he would like to apply for \$25,000.

The intent of the Town is to apply for grants each year to improve the system, but on the large projects like drilling a new well and building a water tank, grant monies will never be enough in a single year to pay for it so monies will eventually have to be borrowed. He feels increasing the size of the waterlines and adding fire hydrants throughout Storm Haven can most likely be covered through the grant process. Council member Blotter asked what direction from the Council Mr. Taylor is looking for. He stated approval to go after the grant to cover engineering costs. Council member Blotter requested website information so he can look at the application and understand better the terms of the grant. Mr. Taylor will provide this to Mr. Blotter.

Kim Norris opined that he does not like the idea of applying for a grant to do engineering work to prove to 52 households that the increase in water rates is needed when the new meter being provided in itself costs only \$251. Mayor Turner explained it is not only about the rate increase, but, rather, about the design of the entire program where monies need to be expended. Mr. Taylor's opinion is after obtaining an understanding of the condition of the Storm Haven water system through an engineering study, an increase of more than \$8.00 will be recommended as necessary to have funds available to make the needed improvements to the system. The study to be conducted would look at a broader picture than just looking at rates and help with filing for future grants from government entities.

Council member Bateman thanked Mr. Norris for his comment and concern regarding a more limited study. The study needed to look into providing a large storage tank servicing more than 52 households will be well worth it in the long run. Mr. Bateman stated he supports filing for the DDW grant on behalf of Epic Engineering. Council member Bunker inquired if applying for this grant needs to be discussed in the public hearing. Mayor Turner stated it has to be approved by the Council but not necessarily part of the public hearing. Council member Blotter asked about the time frame for receiving monies under the grant. Mr. Taylor stated his application probably will not be heard until the January meeting of DDW. After submission of the application, he's not sure when the monies will be forthcoming if approved.

Council member Glodowski moved to have Epic Engineering go forward and apply for a \$25,000 grant from DDW, which was seconded by Council member Blotter. The motion passed by the following vote: "Ayes" from Mayor Turner, Council members Blotter, Glodowski and Bateman, with a "nay" vote from Council member Bunker.

14) APPROVAL OF COUNCIL MEETING MINUTES OF AUGUST 3, 2015

Council member Bunker moved to approve the minutes as written with a second by Council member Glodowski. The three members present for the August meeting, Bunker, Glodowski and Blotter, voted "aye" and the minutes were approved.

15) RECORDER'S OFFICE: WARRANT APPROVAL, ANNOUNCEMENTS, ETC.

Clerk Lynne Shindurling presented the warrants for approval to the Town of Daniel. In addition to those listed, she mentioned reimbursement from the League of Cities and Towns' insurance company for amounts incurred by Dale Gardiner regarding the Schultz matter. They will be providing future amounts for costs incurred in defense of the Town and its officials and employees in the lawsuit. She mentioned the amount paid to Daniel Irrigation is to transfer the 15-share stock certificate from Storm Haven to the Town of Daniel. An adjustment will have to be made on the amount allocated for payment to Council members as all are in attendance at this evening's meeting.

Amounts paid from the DMW account and Storm Haven account were reviewed by the clerk. She commented with Daniel Town now sending out the Storm Haven bills, the Council may want to revisit doing Xpress Bill Pay to reduce postage costs. She noted the two billings from Heber Light & Power, and Mr. Taylor said once the work is done at the pump station, the hope is to only have one power bill.

She asked if the Council wanted to approve transfer from the Storm Haven account to Daniel Municipal Water's account for monies paid by DMW in payment for personnel reading Storm Haven meters. They approved transfer of \$240.

Council member Blotter moved to accept the warrants as presented, seconded by Council member Bateman. The motion passed with unanimous "aye" votes.

Council member Blotter asked if Xpress Bill Pay should be considered at this time. Mr. Taylor mentioned he had found a competitor with a smaller set-up fee, but the rate structure could not be integrated into the current billing system. Mayor Turner volunteered to re-examine the fees involved and bring it back to the Council in October.

16) ADJOURN

Council member Glodowski moved to adjourn the meeting. Council member Blotter seconded the motion, which passed unanimously with "aye" votes. Mayor Turner adjourned the meeting at 9:04 PM.

Lynne Shindurling
Clerk/Recorder

Approved 10-05-2015