

**MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING**  
**Thursday, August 23, 2023, 6:30 p.m.**  
**Huntsville Town Maintenance Bldg. 165 South 7500 East, Huntsville**

Name	Title	Status
Richard L. Sorensen	Mayor	Zoom
Bruce Ahlstrom	Council Member	Present
Kevin Anderson	Council Member	Present
Sandy Hunter	Council Member	Present
Artie Powell	Council Member	Present
William Morris	Legal Counsel	Excused
Nikki Wolthuis	Clerk	Present

**Citizens:** Ricky Hatch- County Clerk Auditor, Brent Ahlstrom, Dakota Hyde, Brandon Bills and son, Ron Gault- Water Board Chair, Joe Meibos, Sheree Evans- Town Treasurer

**Mayor Sorensen joined the meeting via zoom**

1-Mayor Sorensen called the meeting to order. There is a full quorum present.

2-Pledge of Allegiance led by Bruce Ahlstrom

3-Opening Ceremony given by Artie Powell

4-Public Comments: Brent Ahlstrom gave his thoughts and concerns about the new Town Hall and Community Center being a showpiece and not really what the Town needs. He expressed his desire that the Town use money wisely and be good stewards of their limited financial resources.

Mayor Sorensen thanked Brent for his comments and apologized that there hadn't been an update for the project. He explained that in the beginning the Town had some plans drawn up by an architect for the building and early estimates had it costing 3 to 3.5 million dollars. They decided to go in a different direction and the building is now estimated to cost around 2 million. Even though that is still a lot of money, there are some homes in Huntsville that are worth that much or more. Mayor Sorensen listed the funds the Town has acquired to pay for the building. They include grants, money from the sale of the old town hall and large private donations. Those funds should be able to cover the cost of the new Town Hall and Community Center.

5-Sheriff's report: (See Attachment #1) Lt. Cowley reported that they recently did some boat training at Causey. There were 60 calls in June which is average. No traffic accidents were reported in June. An active shooter training was held for officers to get ready for the school year.

6-Elections Presentation by Ricky Hatch: (See Attachment #2)

Ricky presented a slide show detailing all that Weber County officials are doing to ensure a safe and secure election. The many safety measures in place include security cameras, a thorough identity verification process, many checks in the ballot counting process, photos, barcodes, signature verification technology, ballot scanner safeguards, and audits conducted all along the way.

7- Discussion and/or action on approval of Business License for Crazy B Livestock LLC  
**(See Attachment #3)** Brandon Bills was there to explain his business of breeding and selling livestock. He answered questions about how big his property is and how many animals would be on his property at one time. He explained that the animals would be pastured out of town, but if he ever needed to keep any of the herd close by for reasons of sickness or other reasons he would like to keep them on his property temporarily. His lot is just under a half-acre. TCM Hunter mentioned that there isn't a limit on the number of animals you can have on your property. There is a nuisance ordinance, however, that would take care of any problems that having too many animals might create such as dust, noise and smell. **TCM Ahlstrom motioned to approve the business license for Crazy B Livestock LLC. TCM Hunter seconded it.** After some discussion TCM Powell asked to amend the motion to approve the business with a condition that any parking related to the business be done on their property and adjacent to it. Also, the number of animals shouldn't exceed 5-7. Further discussion ensued and TCM Ahlstrom suggested there not be a limit on the number of animals. As TCM Hunter had pointed out, the nuisance ordinance would take care of any problems associated with having too many animals. TCM Hunter suggested that they look at the business licensing requirements for parking conditions for future applicants. **TCM Powell's amended motion was further amended to approve the business with the parking conditions but not the animal restrictions. TCM Ahlstrom seconded it.** All votes Aye. Motion passed.

8. Discussion and/or action on approval of Addendum to the Hyde Development Agreement  
**(See Attachment #4)** Mayor Sorensen asked Nikki Wolthuis, Town Clerk if Bill Morris, the Town's attorney had approved of the changes. The answer was yes.  
**TCM Sandy Hunter motioned to approve the Addendum to the Hyde Development Agreement. TCM Powell seconded it. Roll Call Vote. Votes reflected below. Motion passed.**

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Kevin Anderson	X			
CM Sandy Hunter	X			
CM Artie Powell	X			

9. Discussion and/or action on approval of minutes for Town Council Meeting 7-20-23 (See Attachment #5)  
**TCM Sandy Hunter motioned to approve the minutes for TC Meeting 7-20-23. TCM Ahlstrom seconded it. All votes Aye. Motion passed.**

10. Discussion and/or action on approval of minutes for Town Council Meeting 8-10-23  
**(See attachment #6)** Changes that were suggested were made prior to the meeting. **TCM Hunter motioned to approve the minutes. TCM Anderson seconded the motion. All votes Aye. Motion passed.**

11. Discussion and/or action on approval of Culinary Water Rate Changes.

**(See Attachment #7)**

Ron Gault, Water Board Chair presented a slideshow explaining the current water situation. He spoke about the important roles of various employees, current maintenance projects, ongoing and future tasks and their funding source, and what is needed in the future to maintain Huntsville's extensive water system. Next Ron talked about how much water Huntsville produces in a day/year and how much it costs. A chart comparing other cities' water rates showed that Huntsville residents are getting a bargain. Ron presented a water rate increase of \$5 a month. After some discussion it was decided that the increase was not sufficient. TCM Anderson wondered if it would be better to make bigger increases less often instead of small increases regularly. TCM Hunter agreed with that.

TCM Powell stated that The Division of Public Utilities of Utah has a water expert. He has a spreadsheet for smaller water companies to analyze what rates they would need to cover their expenses. He could contact him and ask to borrow the spreadsheet. He would also like to see a provision that the extra money collected from a rate increase would go into a capital reserve fund and not the general fund. Sheree Evans, treasurer, explained that the money for water billing is already earmarked for the water fund. It isn't used for anything else.

Brent Ahlstrom agreed that raising the rates less often is better than doing smaller more frequent raises. He thought there might be other unknown costs as well.

Ron Gault said that the Huntsville water plant is the cadillac system of the valley and we're under charging.

Mayor Sorensen wondered if they should table the water connection fee increase with the water rates or go ahead and approve those today. Raising the connection fee will help Huntsville pay for necessary water costs and repairs. Right now the \$5,000 connection fee is only going towards water rights and not for water expenses. **TCM Ahlstrom motioned to approve Ordinance 2023-23-08 striking out the base and overage rate changes and adopt the rest. TCM**

**Anderson seconded the motion.** There was some further discussion regarding the possible need to conduct a study under state code before raising the rates. **TCM Anderson amended the motion to include a condition that Town attorney Bill Morris affirm that the rate increase is legally sound. TCM Powell seconded the motion. Roll call vote. Votes reflected below. Motion passed.**

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Kevin Anderson	X			
CM Sandy Hunter	X			
CM Artie Powell	X			

12. Discussion and/or Action on Consolidated Fee Schedule

**(See Attachment #8)**

The Fee Schedule had been approved in a prior meeting, but the wrong document had been printed at that time. Some typos had been fixed and some fees had been updated. Mostly the fees

remained the same. **TCM Anderson motioned to approve the corrected Fee Schedule. TCM Hunter seconded the motion. All votes Aye. Motion passed.**

13. Discussion and/or action on Ordinance 2022-5-22 Land Use Administrative Amendments(See Attachment #9)

The ordinance had been sent back and forth between the Town Council and Planning Commission for over a year. The first point of discussion was alternates. TCM Powell wondered if an alternate is needed when there are ways of including board members electronically when they're absent. TCM Ahlstrom said it's nice to have an alternate especially for voting. The odds are better when you have more members. Another good thing about alternates is that they are essentially getting trained for a future position on the commission. TCM Hunter said it's hard enough finding 5 members for the Planning Commission let alone one more as an alternate. Mayor Sorensen and TCM Anderson agreed with both points. Mayor Sorensen asked if they could rewrite it to say, "may have one alternate." The council was happy with that change. The Council debated #6 on 15.5.020 and changed it to say, "within fifteen days after the presentation to the Planning Commission." They also removed some redundant language in the same section.

TCM Powell questioned what the word "proper" means when it comes to site plans on "(a)" of 15.5.020. TCM Hunter explained that some people come in with a plan on a piece of paper, but the commission needs something more official than that. TCM Powell was concerned that residents would have to spend lots of money on an official surveyed plan just to have it turned down. He was also concerned that not every applicant would be treated fairly. More clarity and consistency about what is required would help. TCM Anderson suggested that they take out the word "proper" and leave "accurate". Other members of the TC agreed with that change. TCM Ahlstrom pointed out that there's a confusion between appeals and variances. He proposed that the "Appeal Authority" be changed to "Appeal and Variance Authority" to clarify that there are two different things that can be done. **TCM Hunter motioned to approve Ordinance 2022-5-22 with the changes noted. TCM Ahlstrom seconded the motion. Roll call vote. Votes reflected below.**

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Kevin Anderson	X			
CM Sandy Hunter	X			
CM Artie Powell	X			

14. Discussion and/or action on approval of tree removal for Huntsville Town and Cemetery.

Mayor Sorensen reviewed the situation with the trees in Huntsville Park. The beetle infestation of the trees in the park has destroyed many of them over the past year. Jake Songer has done what he could by scraping bark and having the tops removed off of some. Thousands of dollars were spent removing the dead trees last year. Mayor Sorensen asked to approve \$15,000 to cut down more dead trees in the park and a couple in the cemetery. One healthy tree that was in the way of the new Town Hall/Community Center would also need to be removed.

**TCM Anderson motioned to approve up to \$15,000 for tree removal. TCM Hunter seconded the motion. All votes Aye. Motioned passed.**

Department Updates:

Mayor Sorensen talked to Jeanie Wendell from the Ogden Valley News to research the number of accidents coming off of Trappers Loop. The number was higher than what was recorded with UDOT. Mayor Sorensen and TCM Anderson met with UDOT recently to talk about the runaway truck lane. UDOT has a limited number of safety funds and they are currently working on the same thing up at Powder Mountain. They don't have the money now to do both, but hopefully in the near future they can build something on Trappers. Mayor Sorensen will keep in contact with them.

The Wounded Warriors will be in town during the week to do their ride. Mayor Sorensen asked the TC to come out and support them.

The Town is one step closer to having a code enforcement officer. The Town had one in the past but eventually severed ties. Perhaps it was because of the inconsistency in how the officer was being instructed to enforce the rules.

Parking in the Town was discussed. Cars are still parking illegally quite frequently and TCM Anderson wondered if a good deterrent would be to change the sign to a warning about towing. TCM Hunter wondered if people could see the signs. Maybe there needs to be more. Mayor Sorensen asked the TC to think about these things over the winter and be ready to make a decision come spring.

The discussion changed to alleyways. TCM Ahlstrom suggested there be a warning before enforcement. TCM Powell said it was time for the Town to either take control of the alleys or abandon them. There's encroachment in the alleys all over town. Do they need to be resurveyed? TCM Hunter said the need would probably be on a case by case basis.

The committees were mentioned again. TCM Powell said he would head the Park and July 4<sup>th</sup> committee and Mayor Sorensen will head the 100 year committee.

TCM Hunter suggested that the agenda for the TC Meeting be set the weekend before to allow the TC to be prepared for the next meeting. The TC wondered if it needed to be an ordinance or resolution to make that official. Nikki was asked to talk to Bill Morris about that. TCM Ahlstrom suggested it be put in the newsletter.

TCM Anderson inquired about the Forest Service survey. He suggested they have a friendly meeting with Sean Harwood to discuss Forest Service and Town issues. Nikki was asked to set something up in the next week.

TCM Ahlstrom mentioned that he has been contacted by someone very interested in buying the Town lots in the Park Subdivision. Mayor Sorensen suggested they finish the meeting and have a closed session regarding the real estate decision on the property

**TCM Ahlstrom motioned to approve the bills from July. TCM Hunter seconded the motion. All votes Aye. Motion passed.**

**TCM Hunter motioned to adjourn the meeting and reconvene in a closed session. TCM Anderson seconded the motion. All votes Aye. Motion passed.**

**Meeting adjourned at 9:49 p.m.**



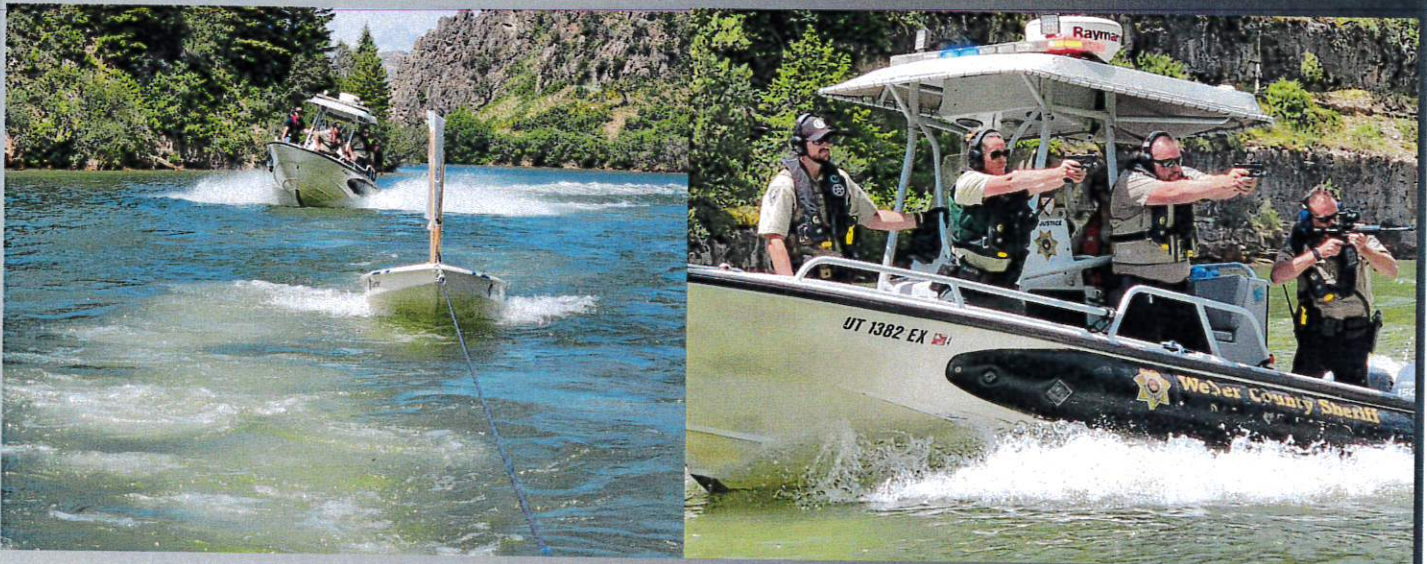
Nikki Wolthuis, Town Clerk

## SHERIFF'S MONTHLY REPORT

*Integrity, Initiative, Intelligence**June 2023*

## COMMUNITY EVENTS

- **June 29th** | On June 29, 2023, the Weber County Sheriff's Office Boat Deputies trained at Causey Reservoir in live-fire training. This training provided an opportunity for the Deputies to learn what their capabilities are in regards to life and death situations while underway. With law enforcement being an unpredictable environment, it is important for them to know how critical incidents may be affected by being on the water, better preparing them for incidents on Pineview Reservoir as well.

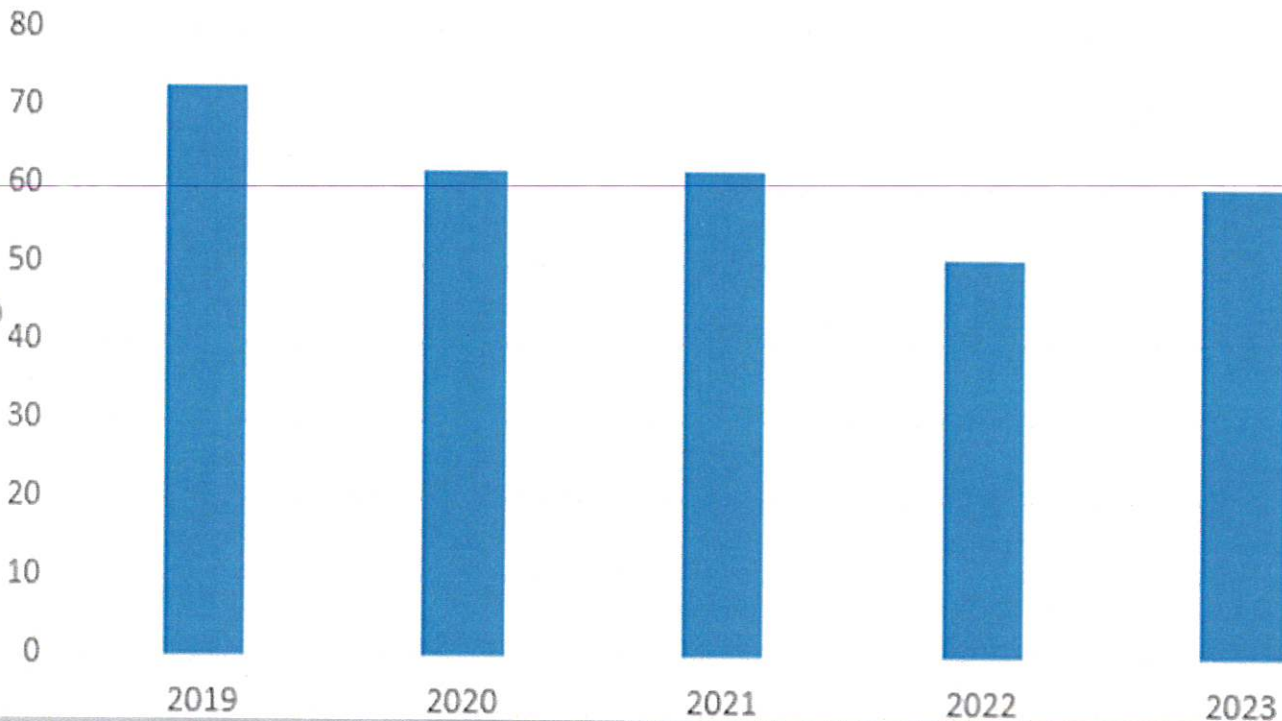




## HUNTSVILLE CITY CALLS FOR SERVICE INCLUDES TRAFFIC STOPS

73	62	62	51	60
2019	2020	2021	2022	2023

Chart Title







# SHERIFF'S MONTHLY REPORT

*Integrity, Initiative, Intelligence*

June 2023

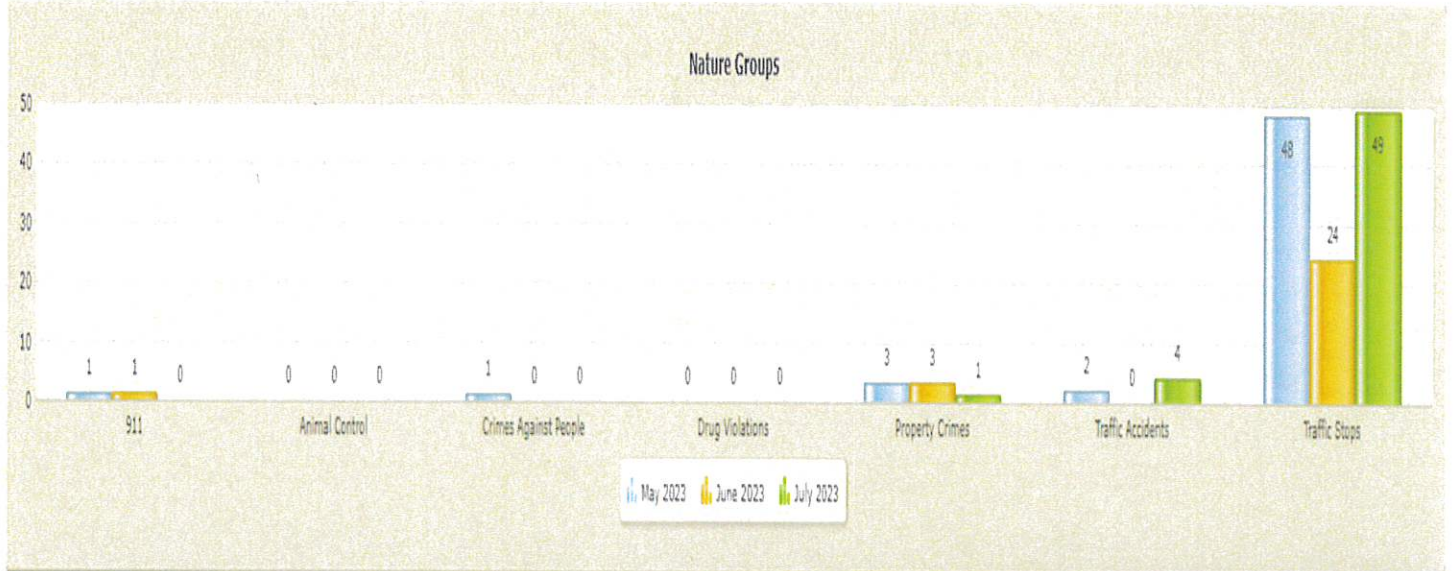


Chart: Period Differences

Category	May 2023	June 2023	July 2023	Total
911	1	1	0	2
Animal Control	0	0	0	0
Crimes Against People	1	0	0	1
Drug Violations	0	0	0	0
Property Crimes	3	3	1	7
Traffic Accidents	2	0	4	6
Traffic Stops	48	24	49	121
<b>Totals</b>	<b>55</b>	<b>28</b>	<b>54</b>	<b>137</b>

Phone: 801-778-6614

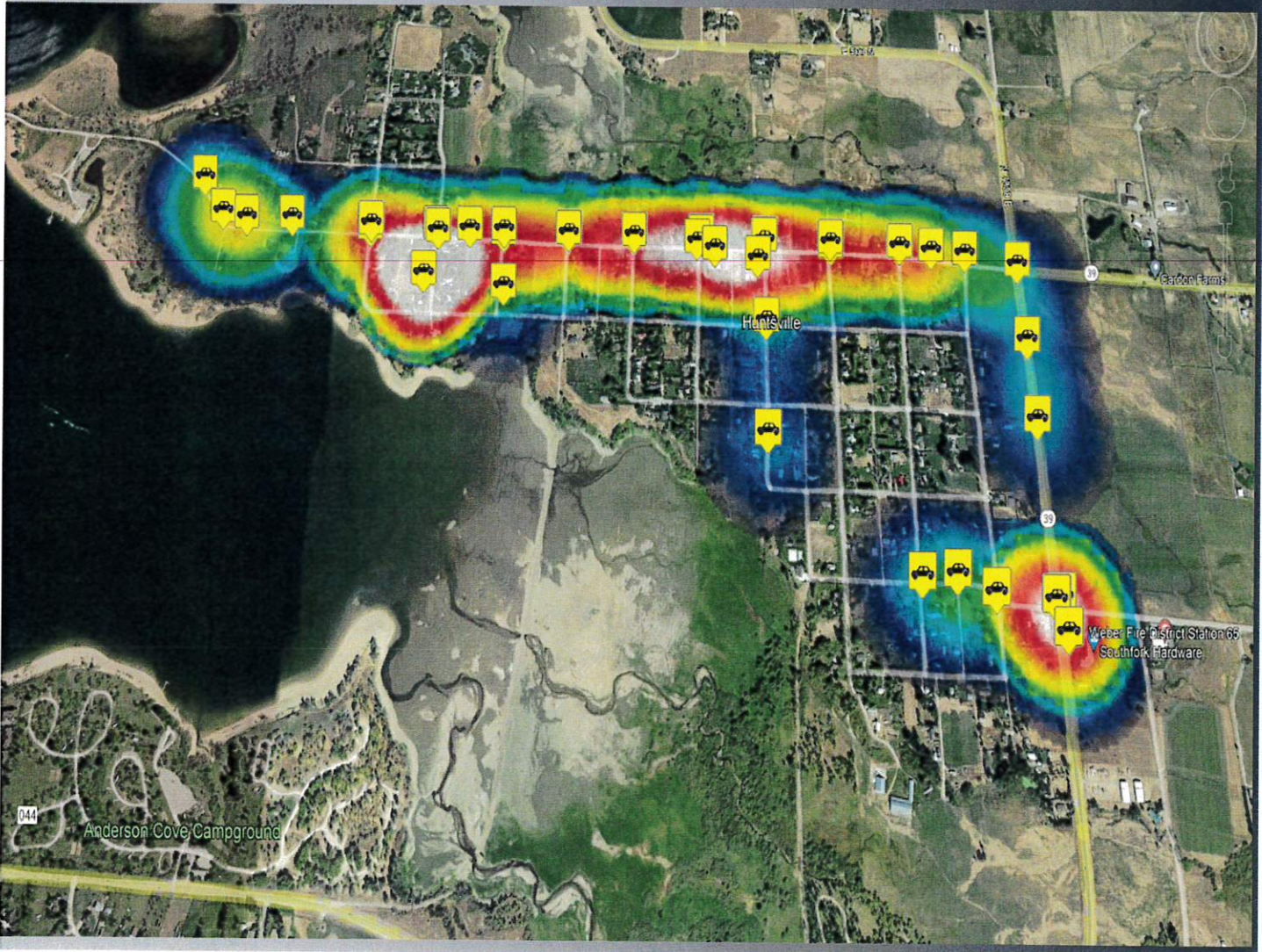
E-mail: [gcowley@webercountyutah.gov](mailto:gcowley@webercountyutah.gov)



# SHERIFF'S MONTHLY REPORT

*Integrity, Initiative, Intelligence*

June 2023



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E-mail: [gcowley@webercountyutah.gov](mailto:gcowley@webercountyutah.gov)



# SHERIFF'S MONTHLY REPORT

*Integrity, Initiative, Intelligence*

*July 2023*



## COMMUNITY EVENTS

- **July 4th** | On July 04, 2023, the Weber County Sheriff's Office participated in multiple City's Independence Day Celebrations and Parades. We also provided security and helped with traffic related issues on these days for all and specifically, for Huntsville's many great events on this special occasion.
- July 11th | On July 11th, 2023, the Weber County Sheriff's Office School Resource Officers participated in a multi-agency active shooter training at a school in Weber County to ensure we provide a swift and effective response, in the unfortunate event such an incident occurs anywhere in Weber County.
- Weber County has been providing extra boat patrols and Forest Service shifts in the Huntsville areas.



### HUNTSVILLE 4<sup>TH</sup> OF JULY

TUESDAY, JULY 4, 2023

Schedule of Events

- 7:00 A.M. Wake Up Call
- 8:00 A.M. Huntsville Fun Run and Car Show
- 9:00 A.M. Flag Raising Ceremony
- 10:00 A.M. Parade and Fly Over
- 11:00 A.M. Entertainment — Eden's Yellow Rose
- 11:00 A.M. Games, Food, and Other Vendors
- 12:00 Noon Patriotic Program\* (Church Stage)
- 8:00 P.M. DJ Music and Dancing
- 10:00 P.M. Fireworks

\*The Patriotic Program will also be held on Sunday, July 2<sup>nd</sup>, at 1:00 pm on the 129 Church Stage

Phone: 801-778-6614

E-mail: [gcowley@webercountyutah.gov](mailto:gcowley@webercountyutah.gov)



# SHERIFF'S MONTHLY REPORT

*Integrity, Initiative, Intelligence*

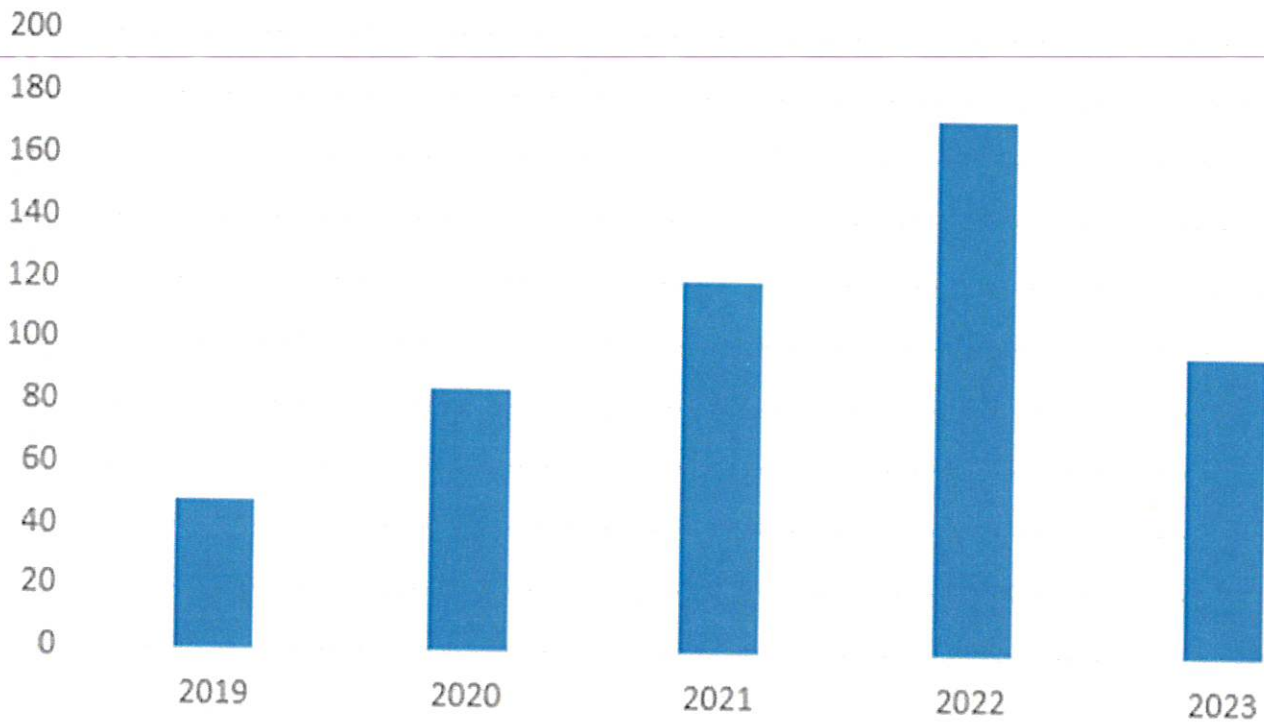
*July 2023*



## HUNTSVILLE CITY CALLS FOR SERVICE INCLUDES TRAFFIC STOPS

48	85	120	173	97
2019	2020	2021	2022	2023

Chart Title





# SHERIFF'S MONTHLY REPORT

*Integrity, Initiative, Intelligence*

July 2023

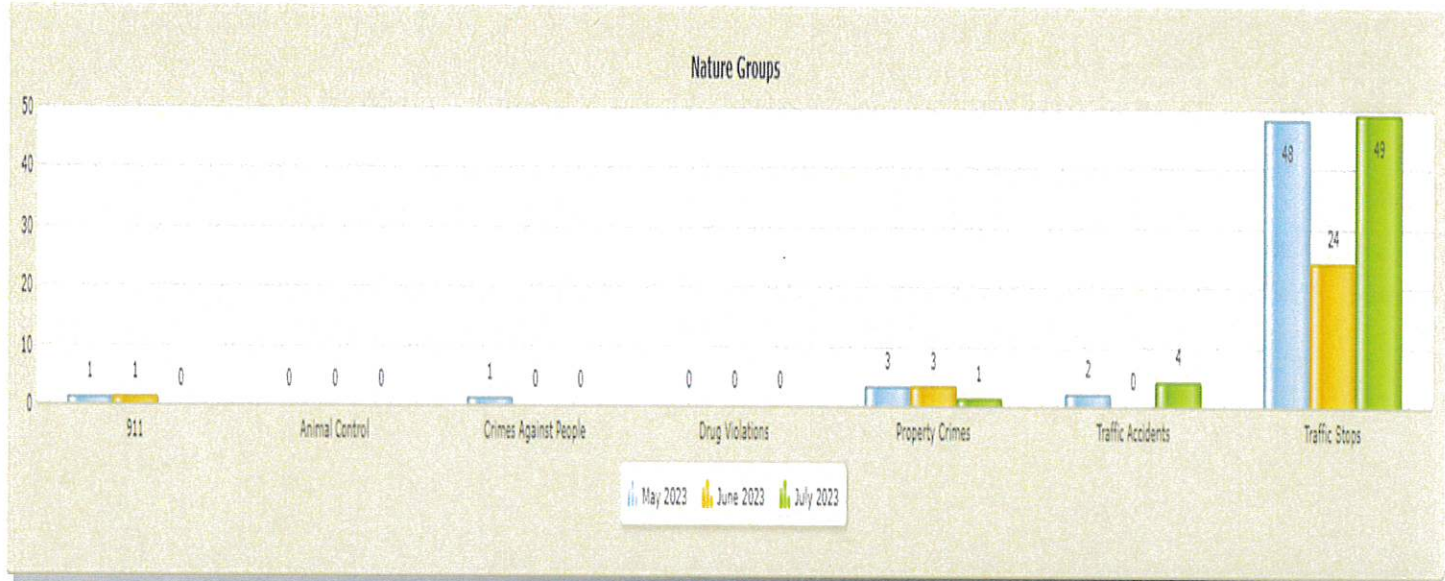


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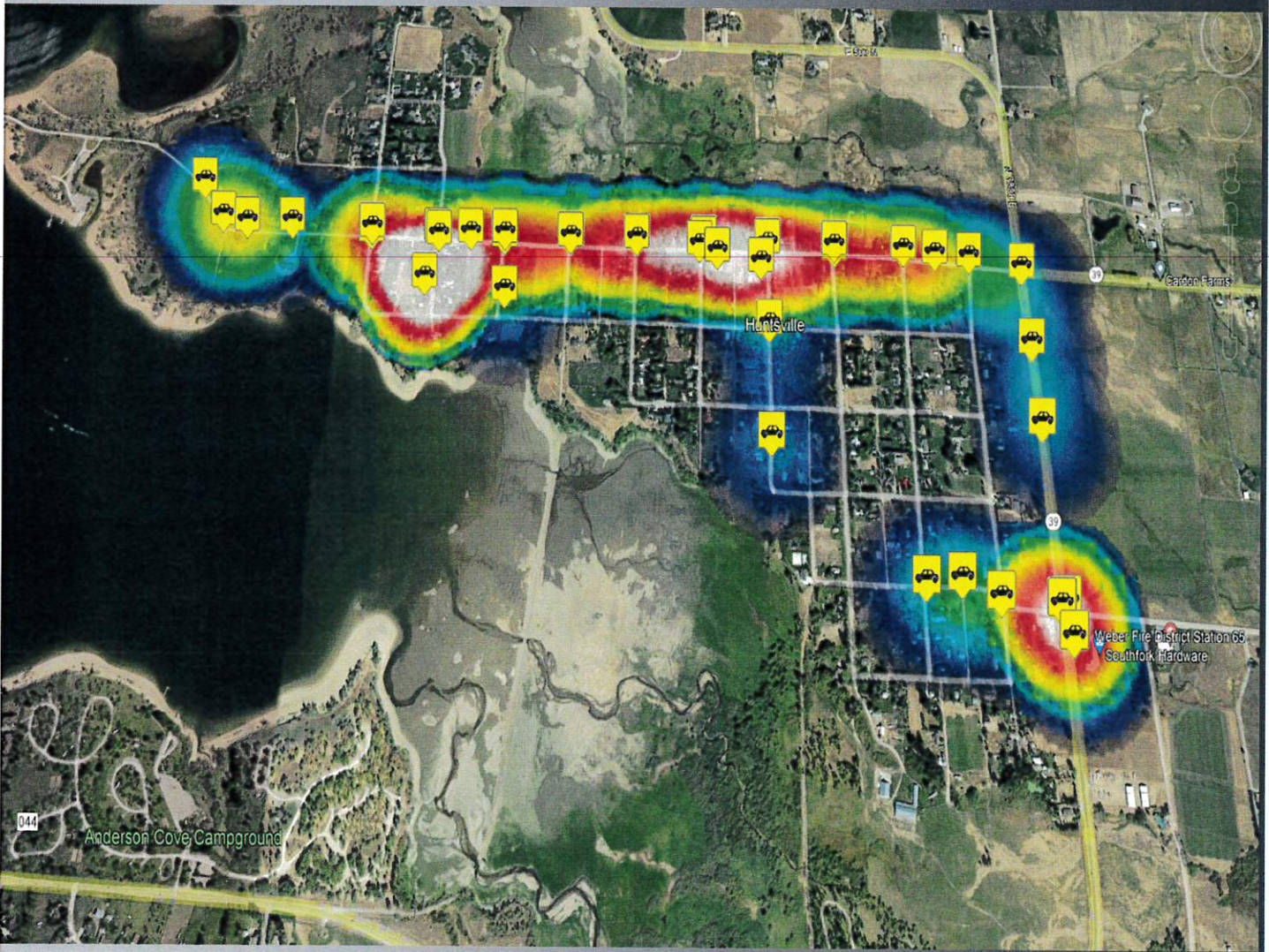
E-mail: gcowley@webercountyutah.gov



# SHERIFF'S MONTHLY REPORT

*Integrity, Initiative, Intelligence*

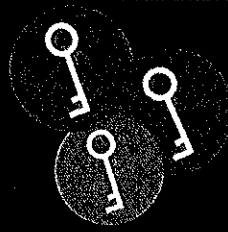
July 2023



Phone: 801-778-6614

E-mail: [gcowley@webercountyutah.gov](mailto:gcowley@webercountyutah.gov)

# WEBER ELECTIONS





# Election Integrity

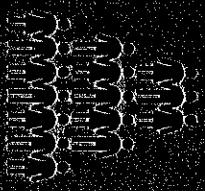
- Voter Registration
- Ballot Verification and Chain of Custody
- Scanning, Tabulation, and Equipment Security
- Voter Responsibility



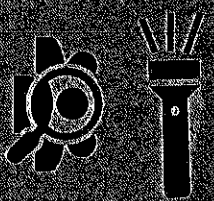
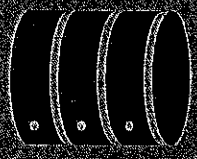
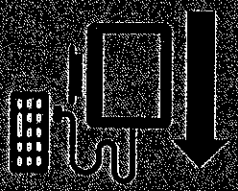


# Voter Records

## Voter Database - Separation of duties



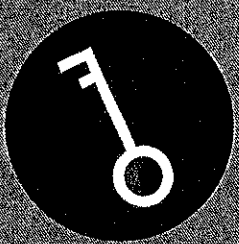
Clerks enter  
and manage  
data



Ut Gov's  
office  
oversees  
and audits



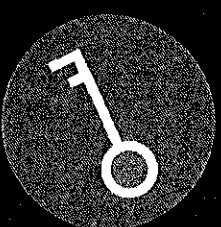
# Voter Verification



## REQUIRED

- UT Drivers License/State ID # OR SSN #
  - Verified with the DLD and/or SSA
  - Unverifiable registrations are rejected
- Signature – up to 5 on file

# Records - Maintenance



- Within UT & in 28 other states
- Notices from State, SSA, obituaries.



Ballot Undeliverable Rate	
<u>2013</u>	<u>2022</u>
20.0%	1.5%



# Ballot Envelope —

WEBER COUNTY ELECTIONS  
2380 WASHINGTON BLVD STE 320  
OGDEN UT 84401-1455



**OFFICIAL VOTE BY MAIL BALLOT**

WEBER COUNTY CLERK/AUDITOR  
RICKY HATCH  
2380 WASHINGTON BLVD STE 320  
OGDEN UT 84401-1455

Postage  
Required  
After Five  
Class Stamp

**RETURN YOUR VOTED  
BALLOT IMMEDIATELY**



**CONTACT INFORMATION**  
Online: [www.webercountyelections.com](http://www.webercountyelections.com)  
Email: [elect@webercountyelections.com](mailto:elect@webercountyelections.com)  
Phone: (801) 339-8254



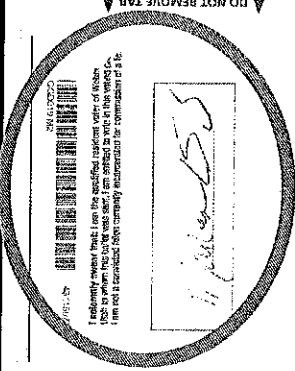
WEBER14C03013 • Page 1 of 2

**DO NOT REMOVE TAB**

**BALLOT DROP OFF**  
You may drop off your ballot on or before Election Day at a ballot drop box located at all city offices and county libraries. Ballot boxes are open 24 hours.

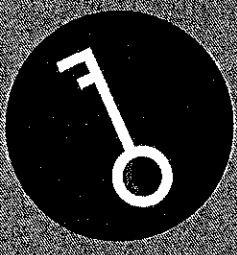
**POSTMARK PRIOR TO ELECTION DAY**  
Use a First-Class or Forever stamp and have your ballot postmarked prior to Election Day.

**THROUGH THE MAIL**  
THROUGH THE MAIL SERVICE  
THROUGH THE MAIL SERVICE



I solemnly swear that I am the eligible voter of Utah, that when this ballot is cast, I am entitled to vote in this election, and that I am not a convicted felon currently incarcerated for commission of a felony.

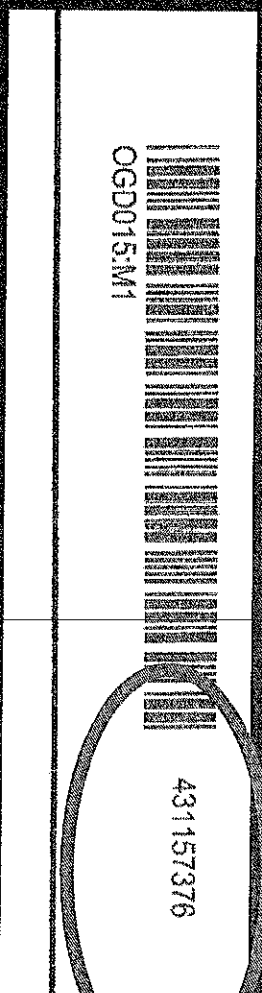
# Ballot Envelope - **Security**



- Remains **SEALED** during the entire verification process
- No personal or party information

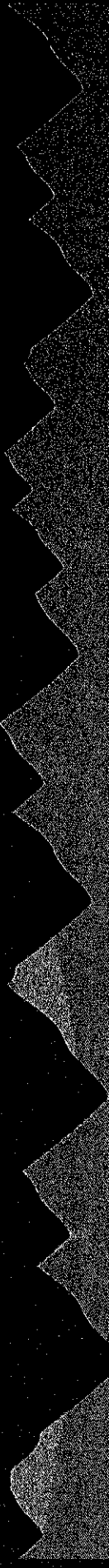


# Ballot Envelope – Security



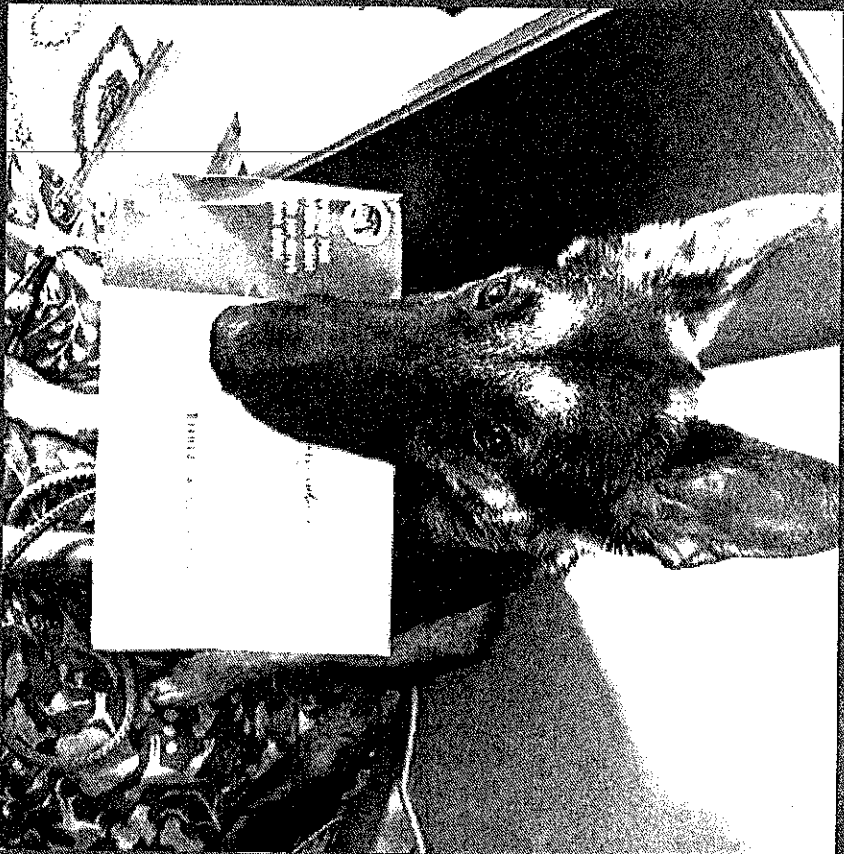
**Each ballot is assigned a UNIQUE CONTROL NUMBER**

- Auto generated
- Specific to the voter, the election, & the ballot

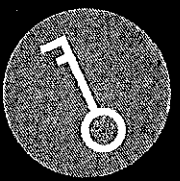




**Lost**  
**Soiled**  
**Moved**  
**Not received**



# Ballot Envelope – Security



OGD015.M1

431  
**X**  
376

- Original control number must be
- New control number generated
- Won't generate if original is not deactivated



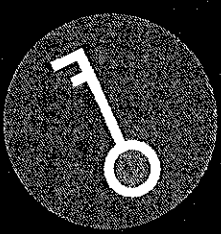
# Envelope Sorter



Valid control number

Picture taken of voter's signature

# Signature Verification



- Envelope signature file to rfp's & signatures on
- Status assigned
  - **GOOD** = signatures match
  - = no match or unsigned
- Challenged go through a Elections Staff by

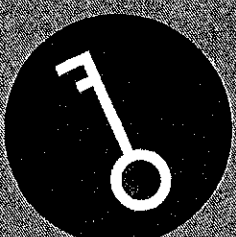


# Signatures - Challenged

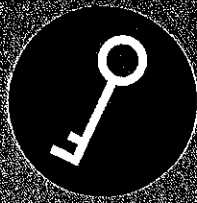
(mail, text and email)

- Provided with a
- Must sign and provide SSN or DL number
- If cure letter is returned & verified,  
of envelopes are Challenged. of these are returned

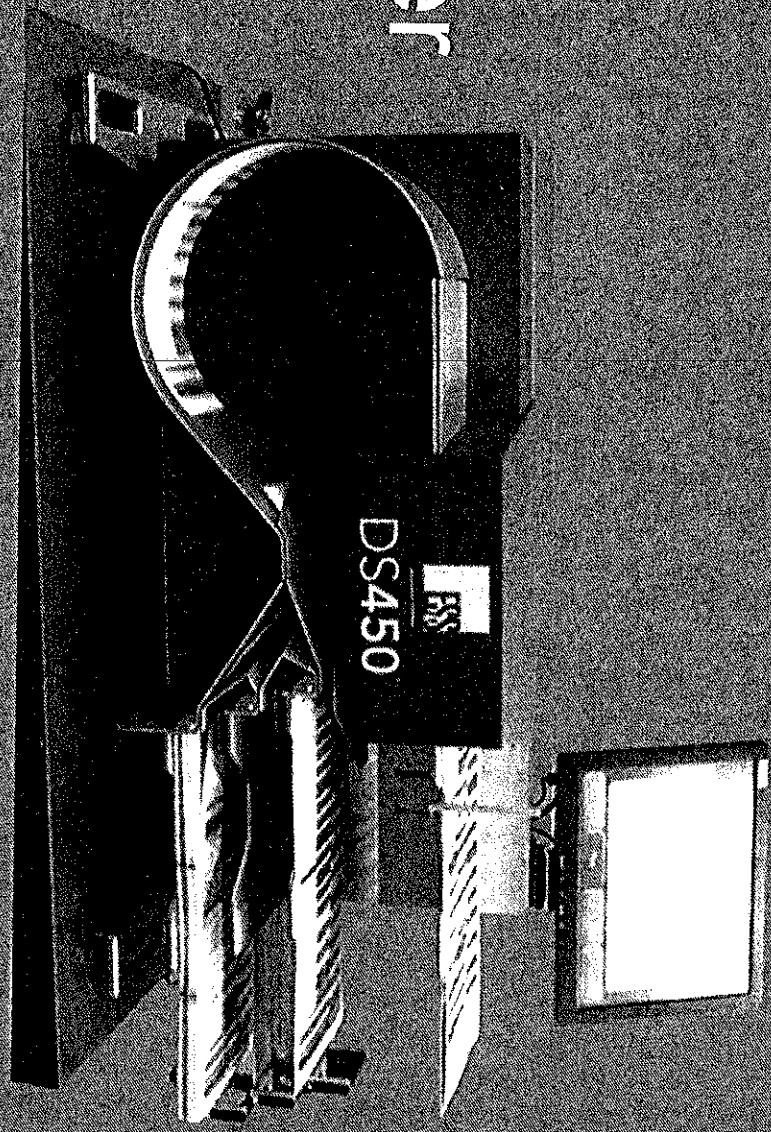
# Ballot Processing – Chain of Custody



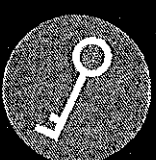
- Ballots grouped in batches w/audit card
- Workers initial card when processing
- Reconciliations throughout process
- If discrepancy: stop process & rectify



# Ballot Scanner ES&S DS450



# Security Measures



by (United States Election Assistance Commission)



networked or of the Internet



No modem, Wi-Fi or Bluetooth capabilities



All software are used manually

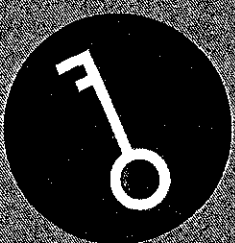


Security seals – logging  
Hash audits before and after use  
Any activity by vendor must be scheduled,  
supervised, & logged

# Voter Responsibility

- Update address
  - [vote.utah.gov](http://vote.utah.gov)
  - [dls.utah.gov](http://dls.utah.gov)
- Notify Election Office
  - Receive a ballot for someone that no longer lives at your address?
- Track your ballot status
  - [ballotrax.utah.gov](http://ballotrax.utah.gov)

# AUDITS



**Standard element in election administration**

**Always performed:**

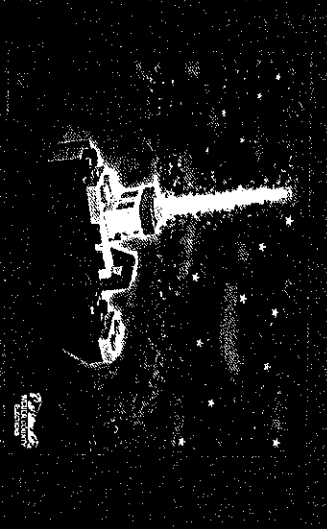
- **Before** – in a publicly noticed meeting
- **During** – in full view of poll watchers
- **After** – in a publicly noticed meeting



# RELIABLE INFORMATION



In a sea of information,  
find reliable election information  
at [www.weberelections.gov](http://www.weberelections.gov)  
or [www.vote.utah.gov](http://www.vote.utah.gov)





[elections@weberelections.gov](mailto:elections@weberelections.gov)

801-399-8034



**Mailing Address**  
P.O. Box 267  
Huntsville, UT 84317

**Phone**  
801.745.3420

**Fax**  
801.745.1792

**Web**  
www.huntsvilletown.com

**Mayor**  
Richard L. Sorensen

**Town Council**  
Kevin Anderson  
Bruce Ahlstrom  
Sandy Hunter  
Artie Powell

**Town Clerk/Recorder**  
Beckki Endicott

**Treasurer**  
Sheree Evans

**Attorney**  
Bill Morris

August 22, 2023

**To:** Huntsville Town Council  
**Submitted By:** Nikki Wolthuis, Clerk

**Subject:** Business License for Crazy B Livestock LLC, 172 S. 7200 E. Huntsville.

**Background:** The business is focused on the breeding, raising, and selling of livestock. They are starting with goats and sheep and may expand further if the market and need arises. Crazy B will pasture the majority of the livestock in unincorporated Weber County, however the property in Huntsville would be utilized if need arose. The property in Huntsville will also be utilized for office and record keeping.

**Recommendation:** To approve a business license.

**Motion:** To approve/not approve a commercial business license for Crazy B Livestock, LLC.

**Action:**

**Motion:**

**Second:**

**Mayor Sorensen:**

**Bruce Ahlstrom:**

**Kevin Anderson**

**Sandy Hunter:**

**Artie Powell:**

**Development Agreement Addendum to Huntsville Town Park Subdivision Lot 3**

This Addendum, made between Huntsville Town ("Town") and Bonnie & Hyde Inc. ("Developer") collectively known as the "Parties," on [date], extends the time of completion of the Project in the original Development Agreement by 24 months. The new expiration date is March 22nd, 2026. All capitalized terms in the DA shall have the same meaning herein.

WHEREAS, the Parties have previously entered into a Development Agreement ("DA") dated March 22, 2016; and

WHEREAS, Lot 3 identified as parcel 24-120-0003 in the March 22, 2016 Development Agreement, has since been subdivided and is now parcels 24-120-0004 and 24-120-0005. Phase II of the development project will be located on parcel 24-120-0004.

WHEREAS, Phase II of the development project is subject to the same terms and conditions as the Development Agreement of March 22, 2016.

NOW, THEREFORE, the Parties agree as follows:

Extension of Time of Project Completion: The expiration time stated in Recital Section 9 of the Agreement shall be extended by 24 months from the original expiration date, resulting in the new expiration date of March 22nd, 2026. All other terms and conditions of the DA shall remain in full force and effect during this extended period.

Project Completion: The Parties acknowledge and agree that the extension of the expiration time provided in this Addendum is solely for the purpose of allowing additional time for the completion of the development project outlined in the DA. Both Parties shall make their best efforts to ensure that the project is completed within the extended timeframe.

Amendment to Agreement: Except as specifically modified by this Addendum, all terms and conditions of the DA shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Development Agreement Addendum as of the date first above written.

Huntsville Town By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Bonnie & Hyde Inc. By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

**MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING**  
**Thursday, July 20, 2023, 6:30 p.m.**  
**Weber County Library, 131 South 7400 East, Huntsville**

Name	Title	Status
Richard L. Sorensen	Mayor	Present
Bruce Ahlstrom	Council Member	Present
Kevin Anderson	Council Member	Excused
Sandy Hunter	Council Member	Present
Artie Powell	Council Member	Present
William Morris	Legal Counsel	Excused
Nikki Wolthuis	Clerk	Present

**Citizens:** Liz Poulter, Seargent Miles, Cody Draheim, Lisa Woolsey, John Lowe, Tom Freeman, Mr. Hessenauer, Sheree Evans

1-Mayor Sorensen called the meeting to order. There is a full quorum present.

2-Pledge of Allegiance led by Sheree Evans

3-Opening Ceremony given by Artie Powell

4-Public Comments: None

5-Presentation by Weber County Fire District: Cody Draheim, EMS Division chief for Weber Fire District presented an AED to the town. They are trying to get AEDs out into the community. Mayor Sorensen said they will keep it in the Town Maintenance Building until the new Town Hall is built. Cody stated that they can do a basic CPR training class for the Town. Mayor Sorensen said that they would be reaching out in the future to arrange that.

6-Sheriff's Report Sergeant Miles reported that the boat guys had been working hard. There were some fights and arrests made at Quist Beach. Because much of Cemetery Point had been closed for construction the crowds were down and so were the problems. Now that there is more of a beach, they expect an uptick in people coming out to recreate. They are working on parking at Causey by getting law enforcement help up there. The Forest Service is planning to make the whole reservoir a fee area which will generate revenue and help with some of the problems.

Mayor Sorensen explained that there were problems on 1st street during the busiest times and wondered if there could be a sign put further east to give notice when the beach is closed. That would help with traffic problems during that time. Sergeant Miles explained that it's complicated because the sign belongs to the government, but the beach is run by a private company. The Sheriff's Office is encouraging those who run the beach to take the initiative to get the sign and place it where it needs to be rather than relying on the Sheriff's office to do it.

7- Discussion and/or action on approval of the minutes for the TC Meeting 6-15-23

**(See Attachment #1) TCM Sandy Hunter motioned to approve the minutes. TCM Ahlstrom seconded the motion. All votes aye. Motion passed.**

**8. Discussion and/or action on Business License Nokware LLC Not Medical Advice (See Attachment #2) TCM Sandy Hunter motioned to approve the license as soon as the Fire Safety and Health Department Permits were obtained. TCM Powell seconded it. All votes Aye. Motion passed.**

**9. Discussion and/or action on adopting the Utah State Tax Rates recommended by Weber County. (See Attachment #3) Mayor Sorensen asked Sheree Evans, Town Treasurer to explain the new tax rate. She said that the tax rate has changed slightly over last year with an increase of only \$200-300 in revenue. It is very minimal, about a 3.3% increase. TCM Ahlstrom questioned why the rate hike was needed when property values were also increasing. The rate should decrease rather than increase, shouldn't it? Mayor Sorensen explained that the price would be negligible for homeowners and the money would be spread out and used in different areas not associated with the Town.**

**TCM Sandy Hunter motioned to adopt the Utah State Tax Rate. TCM Powell seconded the Motion. Roll call vote. Votes reflected below. Motion passed.**

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Kevin Anderson				X
CM Sandy Hunter	X			
CM Artie Powell	X			

**10. Discussion and/or action on adopting the Huntsville Town Consolidated Fee Schedule (See attachment #4) There was a discussion on increasing the beer license to the maximum allowed by law of \$300. TCM Hunter recommended the Town change it to \$300 to increase revenue and research if there are two separate licenses needed, one for beer and one for liquor. TCM Ahlstrom questioned the need to increase the license fee. There was a brief discussion on park fees. TCM Ahlstrom motioned to adopt the Consolidated Fee Schedule as it is but change the typo on the park fees and not increase the beer/liquor license. TCM Powell seconded the motion. Roll Call Vote. Votes reflected below. Motion passed.**

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Kevin Anderson				X
CM Sandy Hunter	X			

CM Artie Powell	X			
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Mayor Sorensen pointed out that with only four businesses in town and at \$50 increase in the beer license fee, that is only \$200. The Town needs money, but not that bad.

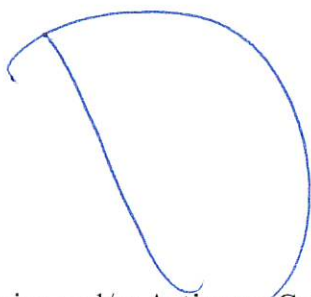
**TCM Anderson joined by phone to talk about his agenda item.**

**11. Discussion and/or action on Anderson consolidation of parcels. (See Attachment #5)**

TCM Anderson recused himself from participating in the proceedings other than to present information on the issue. He explained that he purchased ¼ acre of his neighbor Gary Probasco's property to the east so that he could build a barn. The subdivision was recorded and approved by the Planning Commission and the Town Council. The Land Use approval has been given through the Planning Commission and he will get the building permit soon to start building the barn later this summer. He was there at this meeting to get the approval for the consolidation of the lots.

**TCM Hunter motioned to approve the parcel consolidation application by Kevin Anderson. TCM Ahlstrom seconded it. Roll Call Vote. Votes reflected below. Motion passed.**

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Kevin Anderson				X
CM Sandy Hunter	X			
CM Artie Powell	X			



**12. Discussion and/or Action on Culinary Water Application for Tom Freeman, parcel #240140003 (See Attachment#6)**

Tom Freeman explained that they are acquiring an address for the property and now want to get a culinary water connection. The TC reviewed the Appeals Authority decision stating that the Freemans are only allowed to build on parcel #240140003. Per town code, a culinary water hookup must only be used for the lot it is designated for. On the Water Application Mr. Freeman listed both parcels he owns so the Town cannot accept the application as is. Mr. Freeman said that it was an error on his part to list both parcels. He will change that on the application.

Mr. Hessenauer, a citizen, and living at the property just west of Mr. Freeman had a question about how the water is going to be hooked up to the property. Mr. Freeman explained that he has access to his property through Mr. Clawson's driveway. An easement was made, and it is in writing. Mr. Hessenauer is concerned about the driveway being impacted to the point that the trees might be torn down. That would impact their ability to live there without air conditioning. Mr Freeman assured Mr. Hessenauer that he would not be tearing down any trees. He has investigated doing different things like putting all the utilities in at once and possibly using a boring method to make as little of an impact as possible.

**TCM Hunter motioned to approve the Water Connection Application for parcel #240140003 only. TCM Powell amended the motion to approve the Water Connection Application but make the water line part of the mitigation plan from the Appeals Authority decision. TCM Ahlstrom seconded it. Roll Call Vote. Votes reflected below. Motion passed.**

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Kevin Anderson				X
CM Sandy Hunter	X			
CM Artie Powell	X			

13. Discussion and/or action on Resolution 2023-7-20 to accept the Lowe Annexation Petition

John Lowe explained that they do not have any intention of developing the property anytime soon. His ancestors owned the property, and he would like to pass it down to his descendants. They already have one water hookup from the Town tied to the property. TCM Hunter asked about the discrepancy in the surveyor's numbers and the county's numbers on the actual size of the property. (See attachment #7) She wondered how they were going to get 4 lots out of the acreage because they would also need to include a road. Dr. Lowe explained that years ago Halvor Bailey, who has since passed away, and whose land now belongs to his grandson, Lonny Bailey, had promised him that he could use his driveway for a road going back to his property. The driveway abuts the property east of the Lowe's and is 20 feet wide. TCM Hunter pointed out that they would need 66 feet total to build the road. Dr. Lowe realized that was the case and would resolve the matter in the future.

TCM Powell wondered about the address that was listed on the Agent Authorization Form. Dr. Lowe said the address listed on the form is his office's. TCM Powell said it should instead list the address of the Huntsville property.

Mayor Sorensen explained the annexation issues to Dr. Lowe including the worry over water resources and the time constraint on annexing within the brief time limit the Town has.

**TCM Hunter motioned to approve Resolution 2023-7-20 to accept the Lowe Petition with a change on the petition to say a "3-4 lot subdivision" depending on acreage with a minimum of 3 acres per lot. TCM Powell seconded it. Roll Call Vote. Votes reflected below. Motion passed.**



VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Kevin Anderson				X
CM Sandy Hunter	X			
CM Artie Powell	X			

14. Discussion and/or Action on Annexation without a petition

**Mayor Sorensen motioned to table the discussion on Annexation without a petition. Powell seconded it. All votes Aye. Motion passed.**

15. Department updates:

Mayor Sorensen heard nothing but good comments about the 4<sup>th</sup> of July. TCM Powell is going to start putting together a potential list of fireworks companies and get an RFP.

TCM Ahlstrom announced that an overlay will be done on the street from Shirley Layton's to Bill White's and past Scott Richardson's. The Town Maintenance Building will also be getting a paved parking lot.

TCM Hunter discussed the need to do a work session with Sean Harwood in the coming months to talk about the improvements proposed and completed at Cemetery Point. Mayor Sorensen stated that we also need to talk to Sean Harwood about the Toll Road contract that is expiring soon and the water line replacement. The water line that goes from Dale Grant's home to the cemetery needs to be replaced because it continues to break, costing the town thousands of dollars in repair costs every year. The Town could convince Sean Harwood to help with that.

TCM Powell opened a discussion about the process of adjusting the lot lines of the town parcels in the Park Subdivision. He suggested the Planning Commission finish consolidating the parcels before the Town Hall is started. Mayor Sorensen stated we should ask Sunrise Engineering to survey the property.

**TCM Hunter motioned to approve the May 2023 bills. TCM Ahlstrom seconded it. All votes Aye. Motion passed.**

**TCM Hunter motioned to approve the June 2023 bills. TCM Ahlstrom seconded it. All votes Aye. Motion passed.**

**TCM Ahlstrom motioned to adjourn the meeting. TCM Hunter seconded it. All votes Aye. Motion passed.**

**Meeting adjourned at 8:13 p.m.**

---

Nikki Wolthuis, Town Clerk

A handwritten signature in blue ink, appearing to read 'DRAFT', is written across the page. The signature is slanted upwards from left to right. A horizontal line is drawn across the page, passing through the middle of the signature.

**MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING**  
**Thursday, August 10, 2023, 4:30 p.m.**  
**Huntsville Town Maintenance Building, 165 South 7500 East, Huntsville**

Name	Title	Status
Richard L. Sorensen	Mayor	Present
Bruce Ahlstrom	Council Member	Present
Kevin Anderson	Council Member	Present
Sandy Hunter	Council Member	Present
Artie Powell	Council Member	Present
William Morris	Legal Counsel	Excused
Nikki Wolthuis	Clerk	Present

**Citizens:** Ron Gault, Rex Harris, Chase Freebairn,

1-Mayor Sorensen called the meeting to order. There is a full quorum present.

2-Pledge of Allegiance led by Rex Harris

3-Opening Ceremony given by TCM Kevin Anderson.

4-Public Comments: A comment from Brent Ahlstrom was read by TCM Bruce Ahlstrom later in the meeting. **See Attachment #1**

5-Sheriff's Report: No report today. Lt. Cowley was not able to attend.

6-Sage Development Presentation. Chase Freebairn gave an update on the Sage Development project. The plat for the subdivision is recorded and the bond in place. The restoration plan that took some time is now complete. The excavator will start working on the road Monday, August 14th. The lots will be open for a presale at the end of August and be under contract by mid-September. The TC asked Chase for a copy of the permit from the Army Corps.

Wendy Mckay joined on a phone call and was put on speaker.

7- Discussion and/or action on approval of RFP for Huntsville Town Hall/Community Center

**Rex Harris**, Construction Project Manager for the Huntsville Town Hall/Community Center, began the discussion with the following questions: How do we want to utilize the funds that have been raised? Are we comfortable going forward and getting bids? What's the plan if the bids are too high? **See Attachment #2 for building details.**

The first question was discussed at length. Part of the money raised is the CDBG grant monies from the federal government. When using federal money there are certain requirements for contractors that include following Davis Bacon Wages, using American made materials, and carefully documenting how the CDBG funds are being used. Using federal money on part of the

project will cause headaches in separating out materials and payroll. The project will likely be more expensive and time-consuming. It could also become difficult to get bids as not all contractors are familiar with the building requirements when using federal dollars. Rex has personally spoken with contractors who do not like doing projects funded with federal money.

The estimated cost of the building is between \$150 to \$250 per square foot. That's an average of about 200 million dollars. If you add the extra costs of using federal money which is estimated at 20 percent, you get \$400,000 or the amount of the CDBG. We could go ahead without the funds, and it would cost the same as using the funds but with all the headaches.

Rex understands that a lot of work went into applying for the grant, but from a business stance it makes more sense to build without it.

The TC asked Rex many questions. TCM Anderson asked if we could build the Town Hall separate from the Community Center and use the CDBG for just one of those buildings to solve some of the problems. Rex said it would cost more to do it that way and the federal government would see that we are trying to bypass their process.

Mayor Sorensen asked if we can just use the CDBG funds for the excavation and be done with it? Rex explained that when the funds are used for any part of the project, the requirements affect it.

Wendy, who helped secure the CDBG was asked by Mayor Sorensen to give her opinion on the issues. She also had a chance to talk to several builders and is convinced that we should go forward without the federal funds. But a concern she has is if the CDBG is turned down, would it be harder for us to get federal funding in the future?

TCM Anderson asked if they could use the funding for something else. Wendy explained that the funds must be used for what was specified in the application. What about amending the application? It's possible, but the town barely got the funding in the first place because the average income in the Town- which includes 2<sup>nd</sup> homeowners- has gone up. The director of the funds is also strict and might be hard to convince.

Ron Gault was asked his feelings on the project. He stated that he would hate to give up the money without real hard data, but he believes Rex and Wendy who have talked to contractors.

TCM Powell wondered if they could use the funds for improvements in the park like a new bowery and playground equipment?

The TC discussed other concerns. One was if the CDBG application is amended and funds are used for the park or playground instead of the building, others who applied but weren't awarded the funds might complain that the Town did a "bait and switch."

TCM Sandy Hunter asked if they could make up the federal funds with private donations? Mayor Sorensen gave a breakdown of all the funds raised and where they came from. The TC realized there might be a shortage and a need to do more fundraising especially considering incidentals and landscaping costs. TCM Powell worried about financing that extra money.

TCM Anderson discussed other funding sources like a committee in the legislature that deals with funding for cities and towns. Town resident Jason Kyle is on that committee and could help secure extra funds. The fact that the town is celebrating its centennial year might garner interest in the project and help earn money. TCM Anderson will talk to Jason Kyle soon.

TCM Powell suggested another source of funding was the Ogden Valley Park Board. If a committee put together a proposal the Town could ask for between \$10,000-50,000.

TCM Ahlstrom had a concern about following the constitution. They took an oath to follow it. These grants are not a delegated power granted to the federal government under Article I section 8 of the constitution and the 10<sup>th</sup> amendment further makes these grants unconstitutional. He then read a message from his brother Brent Ahlstrom, town resident and member of the Appeals Committee, who could not be at the meeting. **See Attachment #1**

**TCM Anderson motioned to send out an RFP for bid on construction of both buildings with no federal money involved. Bruce seconded the motion. Roll Call Vote. Votes reflected below. All votes Aye. Motion passed.**

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Kevin Anderson	X			
CM Sandy Hunter	X			
CM Artie Powell	X			

**TCM Anderson made a second motion to not use the CDBG for the new Town Hall but amend the grant to use the money to develop other recreational facilities. TCM Powell seconded it. Roll Call Vote. Votes reflected below. Motion passed 4-1.**

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom		X		
CM Kevin Anderson	X			
CM Sandy Hunter	X			

CM Artie Powell	X			
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The discussion continued and it was suggested that they get together soon to finalize ideas for using the CDBG funds. The TC discussed the importance of waiting until the bids come in to make a final decision.

8. Discussion and/or action on TC Meeting Minutes 7-20-23

**TCM Sandy Hunter motioned to table the TC Minutes. TCM Anderson seconded it. All votes Aye. Motion passed.**

9. Discussion and/or action on the Work Session Minutes 7-20-23

**(Attachment #3) TCM Ahlstrom motioned to approve the minutes. TCM Hunter seconded the Motion. All votes Aye. Motion passed.**

10. Discussion and/or action on approving the CDL Class for Mack Devries. Gary Probasco has said that Mack is doing an excellent job and could help the town this winter if he had his CDL license. **Ahlstrom motioned to approve up to \$3,500 towards the CDL License and all other associated fees. TCM Anderson seconded the motion. All votes Aye. Motion passed.**

11. Discussion and/or action on the Huntsville Town Ordinance 2022-5-22 Land Use Administrative Amendments- After a brief discussion about some of the changes in the ordinance, (See attachment #4), **TCM Hunter motioned to table the ordinance. Ahlstrom seconded the motion. All votes Aye. Motion passed.**

12. Department Updates

TCM Powell and Mayor Sorensen talked about the success of the Symphony concert in the park. Mayor Sorensen hopes they will consider coming again in the coming years.

There were ruts in the park left from the semitruck and stage that will need to be fixed.

Mayor Sorensen talked to UDOT about a runaway truck lane off Trappers Loop. It could look like the one in Garden City with a separate lane containing gates to slow down the trucks if needed.

TCM Ahlstrom got a bid for the repaving of two blocks and the Town Maintenance Shed parking lot of approximately \$40,000. He was happy with the bid because he thought it would be higher.

There was a discussion about the two town lots on the northwest corner of the Park Subdivision that were recently for sale. There have been some interested parties, but the property is now off the market. The TC would consider ideas but would not put the properties back on the market soon.

**TCM Anderson motioned to adjourn the meeting. TCM Ahlstrom seconded the motion. All votes Aye.**



<b>Water company</b>	<b>Base water rate \$</b>	<b>Base usage in gallons</b>	<b>Connection fees \$</b>
Huntsville Town	50.00	6,999	5,000/20,000
Pineview West Water	80.00	8,000	4,200
Eden Water Works	65.00	20,000	22,000
Liberty Pipeline	35.00	20,000	unknown
Nordic Water Co.	75.00	20,000	14,300
Washington Terrance	24.00	4,000	unknown
Pleasant View	21.00+7.50=28.50	6,000	unknown
N. Ogden	19.62/28.27/27.22	6,000	unknown



## Notice of Culinary Water Rate Increase

In accordance with Utah Code 10-8-22, the Huntsville Town Council hereby give notice that the Town will hold a public meeting at the Huntsville Library on August 23, 2023, at 6:30 PM, to increase culinary water rates by \$5.00 and the culinary water connection fee from \$5,000 to \$7,500 for Town residents and from \$20,000 to \$30,000 for out-of-town residents.. Any person interested in attending will be afforded the opportunity to appear and participate in a public meeting addressing culinary water rates.

### CERTIFICATE OF POSTING

I hereby certify that the foregoing Notice was posted on the Utah Public Notice Website and at the Town Office located at 7381 E. 200 S. Huntsville.



DATE: 8-22-2023

Nikki Wolthuis, Town Clerk

**HUNTSVILLE TOWN  
ORDINANCE NO. 2023-23-8  
CULINARY WATER RATES**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING THE  
CULINARY WATER RATES FOR THE TOWN; SEVERABILITY; AND  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Huntsville Town (hereafter "Town") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

**WHEREAS**, *Utah Code Annotated* §10-8-84 and §10-8-60 allows municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the Town;

**WHEREAS**, *Utah Code Annotated* §10-8-22 allows the Town to impose culinary water rates;

**WHEREAS**, the Town finds that its water resources are limited, and that the Town is in need of additional funds to support its culinary water system and associated infrastructure;

**WHEREAS**, the Town has engaged Ron Gault, its Water Board Chair, who recommends that water rates be increased as proposed in this Ordinance;

**WHEREAS**, the Town provided the requisite notice of the public meeting where all culinary retail water customers were afforded the same opportunity to appear and participate in a public meeting addressing culinary water rates;

**NOW, THEREFORE**, be it ordained by the Town Council of Huntsville Town as follows:

**Section 1: Repealer.** Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

**Section 2: Culinary Water Rate Schedule.** The following culinary water rates are hereby imposed:

Culinary Water Rate Schedule	
Culinary Water Base Rate	\$5 Increase
Overages	\$2 Increase
Culinary Water Connection Fee (Town Resident)	\$7,500
Culinary Water Connection Fee (Non Resident)	\$30,000

**Section 3: Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

**Section 4: Effective date.** This Ordinance take effect immediately upon approval and posting.

PASSED AND ADOPTED by the City Council on this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, hereby certify that foregoing Ordinance was duly passed and published or posted at: 1) Huntsvilletown.com, 2) Huntsville Town Office Building, and 3) Utah Public Notice Website on the above referenced dates.

\_\_\_\_\_  
Town Clerk

DATE: \_\_\_\_\_

RE: Water rate question

Nordic Mountain Water <nmwi@digis.net>

Thu 8/17/2023 12:51 PM

To: Shannon Smith <ssmith@huntsvilletown.com>

1 attachments (108 KB)

Usage Rates.pdf

Hi Shannon,

Here are our fees and rate schedule.

Infrastructure fee \$10,000

One-time membership fee \$300

Hook up fee (once owner is ready to connect into the system) approx. \$4000 or current market rate (cost of pipe from distribution line and meter box).

Monthly billing \$75 for 0-20,000 (monthly bill of \$75 is due with our without connection to the system. The monthly payment keeps the owners ability to connect into the system once they are ready.

Attachment has the overage use charges listed.

Thanks!

Melanie Peterson

NMWI Office Manager

From: Shannon Smith [mailto:ssmith@huntsvilletown.com]

Sent: Monday, August 14, 2023 4:52 PM

To: nmwi@digis.net

Subject: Water rate question

Hello Melanie,

This is Shannon Smith from Huntsville Town. Just a reminder if you can send me your water rate schedule and your connection fee information. I would really appreciate it.

Thanks,

Shannon Smith

14,300 - to connect

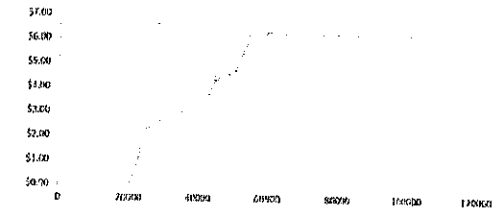
Nordic Mountain Water, Inc. Water Usage Rates

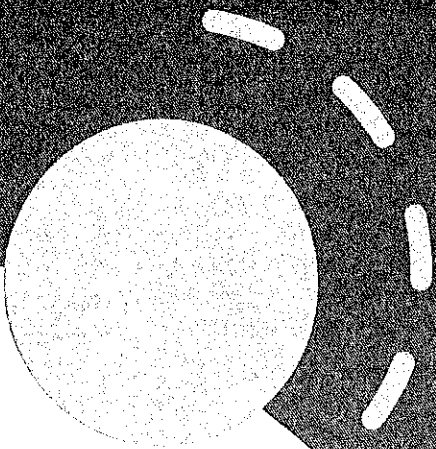
Residential	Usage	Monthly base rate	rate per 1,000 gallons	Range
				From - To
	0-20,000			
	up to 20,000	\$75.00		0 - 20,000
	next 5,000		\$2.40	20,001 - 25,000
	next 5,000		\$2.80	25,001 - 30,000
	next 5,000		\$3.00	30,001 - 35,000
	next 5,000		\$3.40	35,001 - 40,000
	next 5,000		\$4.40	40,001 - 45,000
	next 5,000		\$4.50	45,001 - 50,000
	next 5,000		\$5.20	50,001 - 55,000
	next 5,000		\$6.20	55,001 - 60,000

example:

20,000	\$75.00	\$75.00
5,000	\$2.40	\$12.00
5,000	\$2.80	\$14.00
5,000	\$3.00	\$15.00
5,000	\$3.40	\$17.00
5,000	\$4.40	\$22.00
5,000	\$4.80	\$23.00
		\$176.00

Nordic Mountain Water Usage  
Overage Rate CURRENT



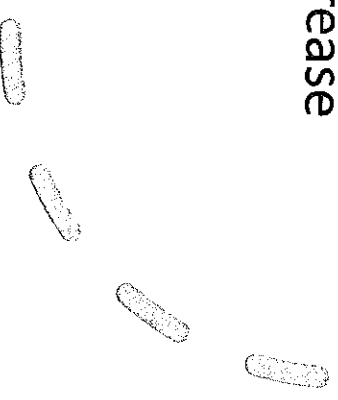


# **HUNTSVILLE TOWN CULINARY WATER SYSTEM STATUS REPORT**

August 23, 2023

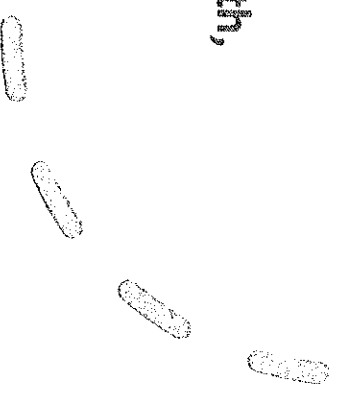
# Agenda

- Operating the Culinary Water System
- Status with DDW and DWQ
- Recent & Ongoing Maintenance Activities
- What Does Our Water Cost to Produce?
- What Are Other Towns Around Us Charging?
- Recommendation for a Rate Increase



# Operating the Culinary Water System

- Operator and Analyst – **Angie Jones**
  - Certified water analyst – part time for Huntsville
  - Weekly tests and plant calibrations
- Backup Operator – **Steve Benjamin**
  - Daily checks
  - Maintenance of springs, reservoir, distribution system
- Distribution System Maintenance - **Gary Probasco, Dave Meserley, Thom Summers, David Richardson**
  - Water hookups, leak repairs
- Water Reading, Billing - **Shannon Smith, Carol/Cathy Stoker, Sheree Evans**





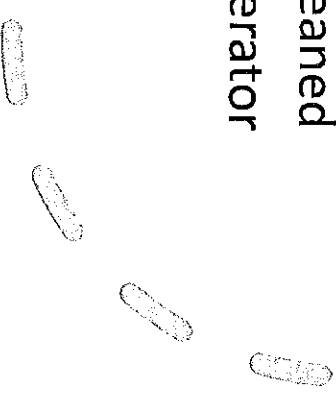
# Status with the Div Drinking Water and Div Water Quality

- Yearly Quality Report was in the July water bills
  - All containments are ND or within acceptable limits
- Successfully Passed the Sanitary Survey this month
  - Water System Capacity will be recalculated
- State and EPA rules Compliance
  - Cross Connection/Backflow Program being reinvigorated
  - EPA will be issuing a new National Primary Drinking Water Regulation: Lead and Copper Rule Improvements
    - **Note: this could drive us to replace the line out to the cemetery**



# Recent & Ongoing Maintenance Activities

- Hired Thom Summers Excavating to help with distribution system
  - Brings wealth of experience and expertise
- With help from Aqua Engineering and APCO
  - Sensor Upgrades – resolving reliability issues
  - Turbidity unit recalibrated
  - pH probes replaced
  - Chlorine monitor rebuilt
- Replaced influent and effluent flow meters
- Backwash ponds and springs cleaned
- Stand alone backup power generator installed by Brad Layton



TASKS TO BE PERFORMED	BEST TIME TO PERFORM	COST/CONTRACTOR/TOWN RESPONSIBLE PERSON
#1 - Add additional computer monitoring by programming Opto 22 to calculate daily (24 hr periods) water usage. Resolve the issue with TeamViewer not reporting alarms via text messages.	ASAP	ARPA funds APCO
#2 - Determine the cause of the "Chlorine Leaktif" on the Plant Overview screen and resolve the issue. Replace Chlorine gas detection/alarm system, and #3 below	Fall 2023	Ron ~\$8,000 ARPA funds APCO/Aqua Engineering
#3 - Install a temperature settable thermostat to control the heat in the chlorine room, repair the automated venting unit, and install an oxygen mask on the oxygen tank.	Fall 2023	Ron/Steve ARPA funds APCO/Aqua Engineering
#4 - Complete refurbishment of reservoir level reporting system	Fall 2023	ARPA funds
#5 - Replace door locks with electronic keypad locks	Fall 2023	Ron/Steve \$1,500 M & A funds Steve
#6 - Continuing plant infrastructure refurbishment Obtain spare Ashcroft pressure transducers for the raw water, and cartridge filter pressure sensing Install automatic condensation discharge for air compressor Investigate refurbishing the booster motors/pumps	Ongoing through 2023	M&A funds Aqua Engineering Steve Brad Layton
#7 - Refurbishing the used chlorine pump motor(s) (Johnson Electric) for a spare and purchasing a spare chlorine pump	Summer 2023	\$3,500 ARPA funds Steve
#8 - Complete installation of backup power supply	Summer 2023	\$29,000 ARPA funds Brad Layton
#9 - Plan for a future refurbishment of the two multi-media filters and reactant tank.	Will require having the plant off-line for up to 3 days. No sooner than FY 25.	M&A funds for analysis. ~\$38,000, Capital Improvement funds Suez - Filter Tech Ron/Steve
#10 - Investigate the possibility of, and obtain a cost estimate for, replacing at least the primary pneumatic controlled valves that experience the hammer issue with electric motor driven units. This would require some modifications to the control subsystem that activates the valves.	Fall 2023	Remaining ARPA funds and Capital Improvement funds APCO/Aqua Engineering Ron/Steve Steve/Thom
#11 - Complete initiation of Cross Connection program. Conduct survey, inspect backflow preventors, etc.	Summer-Fall 2023	Steve/Thom
#12 - Conduct distribution system survey/refurbishment evaluation and coordinate with Fire Dept. on plan for fire hydrant inspections	Fall 2023	M&A funds M&A funds
#13 - Continue gathering data, find reservoir overflow and drain pipes, prepare and submit responses to State violation remediations	On-going	Steve/Thom M&A funds Angie
#14 - Complete GIS mapping of the distribution system	Fall 2023	M&A funds David

## What's in the Future?

Example: Main Line

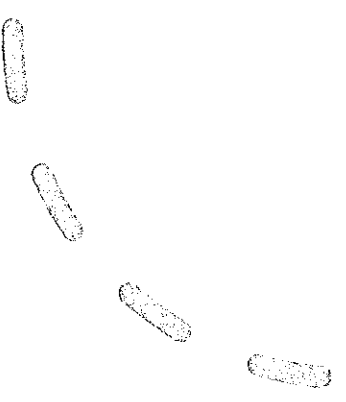
Leak November 2022

- Huge leak just before Thanksgiving – repair can easily exceed \$10,000
- Difficulty in finding this leak showed a need for better mapping
  - Now conducting a GPS mapping task to reduce time to locate all points in the system



# What Does Our Water Cost to Produce?

- No simple answer!
  - Water rights
  - Source Maintenance
  - Treatment Plant Maintenance
    - Chemicals, filters, sensors, pumps, ponds, etc.
    - Utilities
    - Reporting
  - Distribution System Maintenance
  - Monitoring, recording and reporting to State
  - Administration
  - Labor
    - Operators
    - Maintainers
    - Vendors
    - Administrators



# A Simple Calculation for Water Cost

- We produce 20,000-30,000 gallons a day, with an average of 3,113,658/mo, or ~37,000,000/yr
- The total normal operating expenditures for the water system in FY2023 was ~\$200,000 (less depreciation)
- That comes to ~ .5 cents/gal
  - But -
- That doesn't take into consideration **depreciation** on our plant valued in the range of \$5,000,000
  - We're using a figure of \$240,000 per year for depreciation but not setting that much aside
- Incorporating just that depreciation amount to the cost comes out to ~ 1.2 cents/gallon

# A Simple Calculation for Water Cost (cont.)

- If we take the current base of 7,000 gals/mo for our users, we could say it's costing us between:

$$7000 \times \$0.005 = \mathbf{\$35} \text{ ...and ...}$$

$$7,000 \times \$0.012 = \mathbf{\$84}$$

to produce and deliver water



# What Are Other Towns Around Us Charging?

Town	Cost for 7,000 Gallons (our base)
Huntsville	\$50 (in town boundary) \$65 (out of town boundary)
Pineview West	\$80 (for 8,000 gal base)
Eden Water	\$65 (20,000 gal base)
Liberty	\$35 (20,000 gal base)
Washington Terrance	\$39.30 (for 7,000 gal)
Pleasant View	\$30.75 (for 7,000 gal)
N. Ogden	\$33.29 (resident – 7,000 gal) \$49.50 (non-resident – 7,000 gal)
Ogden	\$42.49 (7,000 gal)



# Water System Funding Recommendations

- We haven't been budgeting adequately for depreciation
  - We need to continue increasing the Emergency Reserve fund
  - Currently at ~\$315,000
  - Loan balance is ~\$615,000
- We hired Thom Summers LLC to be on a retainer of \$1500/mo
  - That alone works out to ~ \$5/hookup/mo
- Recommend a \$5/mo base rate and \$2 ea coverage bracket increase for both in and out of town boundaries

BACKUP

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# Actual to Date and Predicted Ongoing Repair/Maintenance Costs

Year	Ave Sampling for Expenses Estimate	75 <sup>th</sup> -Percentile Expenses Estimate	R & M Budget	Actual Expenses	Gen & Admin Expenses Budget	Actual
2022	\$53,338	\$59,111	\$50,000	\$40,600	\$15,700	\$13,960
2023	\$34,806	\$48,011	\$75,100	\$57,031	\$19,600	\$12,740
2024	\$43,069	\$57,652	\$80,100		\$27,700	
2025	\$41,309	\$56,459				
2026	\$35,360	\$48,991				
	10-Yr Average	10-Yr Average				
	\$39,464	\$52,641				

## HUNTSVILLE TOWN CONSOLIDATED FEE SCHEDULE

Effective July 1, 2020 (updated 8-1-2023)

### CEMETERY

\*\*No cemetery plots will be sold to anyone living outside the 84317 zip code area without approval from the Huntsville Town Council. Interment fees for those living outside of the 84317 zip code area who purchased plots prior to April 19, 2018 will be the same as the Non-resident fee.

Plots (84317 – Non-Resident) - \$ 1500  
 Plots (Huntsville Town) - \$ 500  
 Interment (84317 – Non-Resident) - \$ 700  
 Interment (Huntsville Town) - \$ 500  
 Cremation Interment (84317 – Non-Resident) - \$ 300  
 Cremation Interment (Huntsville Town) - \$ 200  
 Infant Interment (84317 – Non-Resident) - \$ 300  
 Infant Interment (Huntsville Town) - \$ 200  
 Disinterment, full - \$ 2000  
 Disinterment, Urn - \$600  
 Plot Buy Back - \$ 400

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### WATER/GARBAGE

Base rate allots 7,000 gallons per month

Huntsville Town Rates:

Garbage - \$ 16  
 Recycle - \$ 6  
 Extra Garbage Can - \$ 12  
 Commercial Garbage Can - \$ 16

**Base Rates:** Users of the Huntsville Town culinary system shall be assessed a monthly base rate according to the respective meter size and category of their connection(s) as defined in Table 1:

**Table 1 - Base Rates**

<b>Connections within the municipal boundaries of Huntsville Town</b>		<b>Connections outside the municipal boundaries of Huntsville Town</b>	
<b>Meter Size</b>	<b>Monthly Rate</b>	<b>Meter Size</b>	<b>Monthly Rate</b>
¾ inch	\$50	¾ inch	\$65
1 inch	\$78	1 inch	\$101
1.5 inches	\$111	1.5 inches	\$145
2 inches	\$145	2 inches	\$185
3 inches	\$205	3 inches	\$225

**Overage Fees:** Users of the Huntsville Town culinary system shall be assessed an additional monthly fee that if they exceed 7,000 gallons per month per connection. The rate at which the overage fee shall be assessed shall be based on the overage category of their usage as defined in Table 2:

**Table 2 – Overage Fees**

<b>Total usage per connection (gallons per month)</b>	<b>Overage Fee Rate</b>
0 – 6,999	\$0 (monthly base rate)
<b><i>Overage Category</i></b>	<b><i>Overage Fee Rate per 1,000 gallons</i></b>
7,000 – 9,999	\$5
10,000 – 19,999	\$6
20,000 – 29,999	\$7
30,000 – 39,999	\$8
40,000 – 49,999	\$9
50,000 – 59,999	\$10
60,000 – 69,999	\$11
70,000 – 79,999	\$12
80,000 – 89,999	\$13
90,000 – 99,999	\$14
100,000 +	\$15

Late Fee – 1 ½% of the total bill

Certified Letter Fee - \$ 15

Return Check Fee - \$ 30

Shut Off Fee - \$ 75

Water Reconnect Fee - \$ 75

Culinary Water Connection Fee (Huntsville Town) - \$ 5,000  
Culinary Water Connection Fee (Out of Town) - \$ 20,000  
Culinary Water Meter Fee - \$ 350  
Culinary Water Connection Fees provide for 30 feet of ¾" at cost of \$ 350.  
Property Owner will pay the cost of connection beyond 30 feet of ¾" pipe.  
Fire Hydrant - \$ 20,000  
Water Fees for Construction or Companies - \$ 50 per 1,000 gallons and \$ 25 for each additional 1,000 gallons

Huntsville Waterworks (Private Company – Not a Huntsville Town Fee)  
Waterworks Irrigation Co. Connection Fee - \$ 1000 minimum  
Waterworks Irrigation Co. Purchase Shares (2 required) - \$ 500 each = \$1,000  
Water Irrigation Co. Water Shares Yearly Assessment Fee - \$ 60 per share

#### PARKS

East/West Bowery & Stage Rental:

Valley Resident Half Day - \$ 50  
Non-Resident Half Day - \$ 85  
Valley Resident Full Day - \$ 100  
Non-Resident Full Day - \$ 170

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Special Events:

Activities held on Town streets or Town property are defined as "special events" when they are an athletic, entertainment, or political activity held for profit, nonprofit, or charitable purposes with the anticipated number of participants plus spectators exceeding 150, or any event/gathering requiring alteration of Town traffic/closing of a Town street.

Fees for Special Events are based on the number of people attending and participating in the event. Event must receive Town Council approval.

150-300 people: \$ 1000 for park rental with a \$ 250 refundable cleaning fee

201-500 people: \$ 2000 for park rental with a \$ 500 refundable cleaning fee

501 and above: \$ 3500 for park rental with at \$ 750 refundable cleaning fee

### BUSINESS LICENSING

Home Occupation Business License (licenses not required) - \$ 36

Commercial Business License - \$ 75

Restaurant - \$ 100

Peddlers/Solicitors - \$ 25 per person for two-week license

Beer License - \$ 250

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### OTHER FEES

Green Waste (for Huntsville Residents Only):

Per load - \$ 5

Punch Pass (5 loads) - \$ 20

GRAMA Requests:

Research - \$ 20 per hour

Copies - .25

Audiovisual Reproduction - \$ 10 per item

Copies: .25 per page

Audiovisual Copies: \$ 10 per item

## LAND USE

Land Use Permit – \$ 150

Conditional Use Permit: \$ 450

Variance Application: \$ 450

Subdivision Application: \$ 750 + \$25 per lot

Minor Subdivision Application: \$ 300 + \$ 25 per lot

Boundary Line Application: \$ 300

Consolidation Application: \$ 150

Land Use/Engineering Research: \$ 170 per hour

Zoning Map Amendment: \$ 500

Annexation Application: \$ 2000

## BUILDING PERMIT

Plan Reviews, Valuations and Building Permits based on current ICC tables – see attached.

Electrical, Plumbing and Mechanical inspections associated with a Building Permit – each individual inspection is 5% of the Building Permit.

Building Permits also require Wastewater Certificate and Fire District Receipts from Weber County.

Self-Remodel Permit - \$ 0

Excavation Permit - \$ 75

Individual inspection - \$ 200

Replace & Rework Permit - \$30

\*\*Penalty for not obtaining a building permit – 5% of the value of the project up to \$ 7,500





## NOTICE OF ACTION

**TO: Huntsville Town Council**  
**FROM: Huntsville Town Planning Commission**  
**DATE: July 26<sup>th</sup> 2023**  
**RE: Ordinance 2022.5.22-Land Use Administrative Amendments**

---

The Huntsville Town Planning Commission held a public hearing on July 26th 2023 to review and discuss Ordinance 2022.5.22- Land Use Administrative Amendments. The Planning Commission made its recommendation of approval to the Town Council with the changes as notated in the edited document attached.

-----  
Shannon, Clerk

**HUNTSVILLE TOWN  
ORDINANCE NO. 2022.5.22  
LAND USE ADMINISTRATIVE AMENDMENTS**

**AN ORDINANCE OF HUNTSVILLE TOWN, REPEALING, RE-ENACTING AND AMENDING THE LAND USE AUTHORITY AND PLANNING COMMISSION ADMINISTRATIVE STRUCTURE; LAND USE DUTIES AND POWERS; LAND USE APPEALS; SEVERABILITY; AND EFFECTIVE DATE.**

**WHEREAS**, Huntsville Town (hereafter “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

**WHEREAS**, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the Town;

**WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

**WHEREAS**, the Town finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare;

**WHEREAS**, after publication of the required notice the Planning Commission held its public hearing on \_\_\_\_\_, to take public comment on the proposed Ordinance, after which the Planning Commission gave its recommendation to \_\_\_\_\_ this Ordinance;

**WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on \_\_\_\_\_;

**NOW, THEREFORE**, be it ordained by the Town Council of Huntsville Town as follows:

**Section 1: Repealer.** Section 15.3.4 of the *Huntsville Municipal Code* entitled “Planning Commission” is repealed. Chapter 15.5 of the *Huntsville Municipal Code* entitled “Appeal Authority” is repealed and re-enacted as Land Use Authorities and Appeals. Any other ordinance or portion of the *Huntsville Municipal Code* inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

**Section 2: Administrative Actions.** The *Huntsville Municipal Code* is amended to repeal all instances requiring administrative action, or non-legislative action, on a land use application by the Town Council, excepting subdivisions over ten (10) lots.

**Section 3: Adoption.** The following portions of the *Huntsville Municipal Code* are hereby adopted to read as follows:

**15.5.010 Planning Commission.**

1. Establishment. In accordance with Utah Code Annotated §10-9a-301, Town hereby establishes the Planning Commission subject to this Section.
2. Membership. The Planning Commission is composed of five (5) members ~~and one~~ <sup>may have</sup> *alternate* who shall be residents, and registered voters, of the Town duly appointed by the Mayor, subject to the advice and consent of the Town Council. *The alternate will be invited to all meetings and in the event of one of the five (5) members being absent, the alternate is eligible to vote.*
3. Term. Each member of the Planning Commission shall serve a term of ~~two~~ *three (3)* years. Terms may be staggered. *Members may be reappointed.*
4. Vacancy. Any vacancy in the Planning Commission is filled for a ~~two (2)~~ *three (3)* year term by appointment of the Mayor, subject to the advice and consent of the Town Council.
5. Removal. A member may be removed for missing sixty (60) percent of the meeting in a during a calendar year, or by majority vote of the Town Council.
6. Powers and Duties. The Planning Commission shall only exercise the powers and duties set forth in Utah Code §10-9a-302, and as follows:
  - a. Recommendation. Review and make a recommendation to the legislative body for:
    - i. A general plan and amendments to the general plan.
    - ii. Land use regulations, including:
      1. Ordinances regarding the subdivision of land.
      2. Amendments to existing land use regulations;
  - b. Decision. The Planning Commission shall hear and decide all land use applications, subject to review by the Town Council.
  - c. Review. The Mayor or any member of the Town Council may request to review a decision by the Planning Commission by filing a written request with the Town Clerk within ten (10) days of any decision. The Town Council by majority vote may amend, modify, approve, or deny a land use application under review by the Town Council.
7. Presiding Officer. *One member will be appointed by the Mayor with the advice and consent of the Town Council to serve as the Chairman. The Planning Commission shall, at its first meeting each year, elect a Chair and Vice chair from its membership. Each member shall rotate serving as chair for a period of one year commencing the first meeting of each year.*
8. Quorum. A quorum of the Planning Commission consists of three (3) members present at a public meeting. A decision of the Planning Commission based upon the majority vote of the quorum present and voting at a public meeting. Each member present at a meeting shall vote on an issue, yea or nay, except when a member declares a conflict of interest. A tie vote fails, or is deemed to be a negative recommendation, as the case may be.

*include*

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**15.5.010 Planning Commission.**

1. Establishment. In accordance with Utah Code Annotated §10-9a-301, Town hereby establishes the Planning Commission subject to this Section.
2. Membership. The Planning Commission is composed of five (5) members and may include one alternate who shall be residents, and registered voters, of the Town duly appointed by the mayor, subject to the advice and consent of the Town Council. The alternate will be invited to all meetings and if one of the five members is absent, the alternate can vote.
3. Term. Each member of the Planning Commission shall serve a term of three (3) years. Terms may be staggered. Members may be reappointed.
4. Vacancy. Any Planning Commission vacancy is filled for a three-year term by appointment of the mayor, subject to the advice and consent of the Town Council.
5. Removal. A member may be removed for missing sixty (60) percent of the meeting during a calendar year, or by majority vote of the Town Council.
6. Powers and Duties. The Planning Commission shall only exercise the powers and duties set forth in Utah Code §10-9a-302, and as follows:
  - a. Recommendation. Review and make a recommendation to the legislative body for:
    - i. A general plan and amendments to the general plan.
    - ii. Land use regulations, including:
      1. Ordinances regarding the subdivision of land.
      2. Amendments to existing land use regulations;
  - b. Decision. The Planning Commission shall hear and decide all land use applications, subject to review by the Town Council.

9. Rules. The Planning Commission shall follow the Rules of Procedure and Order adopted by the Town Council.
10. Compensation. The Mayor may fix per diem and compensation as established by the Town Council.

**15.5.020 Land Use Authority.**

1. Appointment. In accordance with Utah Code §10-9a-302(1)(c), the Mayor, subject to the advice and consent of the Town Council may appoint an Administrative Hearing Officer as the Land Use Authority to review and approve routine and uncontested land use applications, including:
  - a. Land Use Permits (including ~~proper and~~ accurate site plans).
  - b. Conditional Use Permits.
  - c. Subdivisions of three (3) lots or less in accordance with Utah Code §10-9a-605, notwithstanding a plat and compliance with Chapter 15.25 is required.
2. Qualification. The individual appointed should have qualified experience in land use as a professional surveyor, attorney, civil engineer, educator, or other land use related field.
3. Applicability. The Administrative Hearing Officer shall serve until removed by the Town Council or a successor is appointed. In the event that an Administrative Hearing Officer is not appointed, or in the event an application is contested, the Planning Commission is hereby designated as the Land Use Authority.
4. Standard. A land use decision is an administrative act and shall be made in accordance with Utah Code §10-9a-306.
5. All decisions made by the Administrative Hearing Officer will be presented to the Planning Commission at the next available meeting by report.
6. Contested. A land use application is only deemed contested if an adversely affected party files a written contest with the Town Clerk on a complete land use application duly filed with the Town ~~regarding a land use application~~ under this Section, prior to action by the Administrative Hearing Officer or within ten (15) days of ~~of~~ the presentation to the Planning Commission. *fifteen after*
7. Compensation. The Mayor may fix per diem and compensation as established by the Town Council.

**15.5.030 Appeal Authority.**

1. Establishment. In accordance with Utah Code §10-9a-701, *+variance* the Mayor, subject to the advice and consent of the Town Council may appoint an Appeal Authority to hear and decide the appeal of any land use applications decided by the Planning Commission or Town Council.
2. Appointment. The Mayor shall appoint an individual, including alternates, as the Appeal Authority subject to the advice and consent of the Town Council. *and Variance*
3. Qualification. The individual appointed should have qualified experience in land use as a professional surveyor, attorney, civil engineer, educator, or other land use related field.
4. Compensation. The Mayor may fix per diem and compensation as established by the Town Council.

- and Variance*
5. Authority. The Appeal Authority is quasi-judicial and serves as the final arbiter of issues involving the interpretation or application of the municipal code in the course of hearing and deciding all appeals, including:
    - a. Appeals set forth in Utah Code 10-9a-701(1)(b).
    - b. Variances in accordance with Utah Code §10-9a-702.
    - c. Appeals regarding geological hazards shall be administered in accordance with Utah Code §10-9a-703.
    - d. Any other appeal specified in the municipal code.
  6. Time. In accordance with Utah Code §10-9a-704, a written appeal of any land use decision shall be filed with the Town Clerk within ~~ten~~ <sup>10</sup> calendar days of the decision issued by the land use authority. An applicant present at a meeting where a decision is made is presumed to have actual notice of the decision which shall be deemed as the commencement of the ~~ten~~ <sup>10</sup> calendar day appeal period.
  7. Burden. In accordance with Utah Code §10-9a-705, the appellant has the burden of proving error.
  8. Due Process. Due process is afforded in accordance with Utah Code §10-9a-706.
  9. Scope. Subject to the scope set forth in Utah Code §10-9a-707, the standard of review for the appeal authority is as follows:
    - a. For factual matters, the Appeal Authority may review the matter de novo.
    - b. The Appeal Authority shall determine the correctness of a decision of the Land Use Authority in its interpretation and application.
    - c. An appeal may be made where a Land Use Authority has applied a land use regulation to a particular application, person, or parcel.
    - d. All other standards for making a shall be based upon the preponderance of the evidence.
    - e. The appealing party is limited in raising claims only to those claims that were initially raised at the time the decision was made upon the land use application.
  10. Final Decision. The Appeal Authority shall issue a final decision in accordance with Utah Code §10-9a-708.
  11. District Court. No person may challenge in district court any land use decision of the Town until that person has complied with Utah Code §10-9a-801, and otherwise exhausted all administrative remedies and in accordance with Utah Code §10-9a-701(2). The following limitations apply:
    - a. No adversely affected parties shall present a theory of relief in district court that was not first presented to the appeal authority.
    - b. Adversely affected parties are precluded from pursuing duplicate or successive appeals before the same or separate appeal authorities as a condition of the adversely affected party's duty to exhaust administrative remedies.
    - c. The Appeal Authority may provide that a matter be appealed directly to the district court.
- and Variance*

**Section 4: Effective Date.**

This Ordinance is effective immediately upon adoption and posting.

PASSED AND APPROVED by the Town Council on this 1<sup>st</sup> day of June 2023.

\_\_\_\_\_  
Huntsville Town Mayor – Richard L. Sorensen

ATTEST:

\_\_\_\_\_  
Town Clerk – Beckki Endicott

RECORDED this 1<sup>st</sup> day of June 2023.

PUBLISHED OR POSTED this 1<sup>st</sup> day of June 2023.

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, Utah, hereby certify the foregoing Ordinance was duly passed and published or posted at 1) Huntsville Town Office Building 2) [www.huntsvilletown.com](http://www.huntsvilletown.com) and 3) Utah Public Notice Website on the above referenced dates.

\_\_\_\_\_  
Nikki Wolthuis, Town Clerk

DATE: \_\_\_\_\_