

November 4, 2010

Meeting began at 7:04 p.m.

Present: Bill Muse, Mayor; Randy Ripplinger, Dennis Bertucci, Sue Inman, Gladys LeFevre, Council Members; Judi Davis, Clerk; Mark McIff, Attorney  
Public Present: Sergio Femenias, Cookie Schaus, Cheryl and Steve Cos, Scott Brodie, Ashley Coombs, Don Montoya, Mike Nelson and Alyssa Thompson.

Pledge of allegiance

Sue made a motion we approve the minutes of the meeting held October 7 as presented. Randy seconded the motion. The vote was unanimous.

Randy made a motion we approve the minutes of the October 7 meeting of the Local Building Authority. Sue seconded the motion. The vote was unanimous.

There was a discussion on the possibility of putting a restriction on the deed of the property the town bought from the Wilsons to keep it as a park. Mark doesn't think it is a good idea. If we were to put a restriction on the deed, another Council could rescind it. The town can't give away property without receiving fair market value, so if we put a restriction on it so only one thing could be done with it, it would devalue the property. There are other reasons he thinks it is not a good idea. Bill understands the reasons for wanting the restriction. The Boulder Community Alliance would like it for an arts center, but the feedback he is getting from citizens is that, while an arts center would be good for the community, that piece of ground is not a good place for it. (Donna Owen came.)

Bill suggested the possibility of letting them put it on the north end of this property. (Mary Jane Coombs came.) Cheryl asked if the town could offer an extended lease. Another consideration she feels we should entertain is whether we want it to be a part of the town center or not. If it can't be done here, there's no point in even discussing it. They have been offered land at another site. (Pete Schaus came.) Judi reported that Curtis stated at a BCA meeting that this lot isn't an acceptable site because they wouldn't be able to serve alcohol on public property. She agreed with Cheryl that there is no need to discuss it tonight since they haven't presented a proposal and they apparently aren't interested in this location. Mark isn't aware that they can't serve alcohol, unless the insurance company has a restriction against it.

Don feels the town has a fiduciary responsibility to all of its citizens. We are looking at one group. Other municipalities have conference facilities that they rent to groups. Perhaps the town should own the building and charge for its use so we aren't burdened by

the cost but can recoup the cost through rent. We should make it available to all groups, not just one.

Scott brought the conversation back to the issue of dedicating the Wilson property to park purposes. He didn't realize it couldn't be done. Mark explained the restrictions on subdivision requiring particular uses of land as opposed to putting restrictions on your own property. No one is requiring us to put these restrictions on it. Bill asked if it would hurt to do it to relieve the worries of those who are concerned that we might let it be used for something else. Then, if a future Council wants to rescind it, they can. Randy doesn't see any motivation to do it until we have title to the BLM land. Gladys made a motion that we've visited with the attorney, and at this point there's no reason to put a restriction on the deed. Randy seconded the motion. The vote was unanimous. (Peg Smith and Tina Karlsson came.) Cookie asked what the public process would be if the town were considering selling the property. We would have public hearings and get public opinion. Cheryl discussed the possibility of the BCA building on this property, but Bill stated that we won't do anything else until and unless the Boulder Community Alliance presents their request to the town.

Bill appointed Gladys to be Mayor Pro Tem while he presented some personal business. The Planning Commission looked at the concept proposal for a new subdivision request from Rachel Thatcher and, in the process, found that the road to the existing Springhill Farms Subdivision doesn't meet fire code because of a section of the road that has a 16-18% slope. The turn onto the road into the subdivision is dangerous. Pete had the St. George and Panguitch fire marshals look at the road. The subdivision is legal and recorded, but it would be unethical to give a building permit with the road as is. Bill is personally paying the majority of the cost to build a new road that will meet fire code. Bill and Pete have walked the proposed new access three times, and an engineer has mapped it. The average grade of 7.5% meets fire requirements. This is just a new access to an existing subdivision. Bill is requesting that Pete sign the plat tonight and that he have permission to sign as mayor conditional on all owners signing it. Randy made a motion we accept the map with the new road design contingent upon changing the plat by adding the words, "easement dedicated and accepted" before the signatures, and that signatures of all the owners be on the plat. Dennis seconded the motion. The vote was unanimous. This is a private road, not a public road. Pete conveyed his appreciation for Bill's working out this problem and coming up with what he feels is a great resolution.

Cheryl is here representing a group which is forming a Boulder Arts Council. There are several people interested in the arts coming from different directions with different needs, and it seems wise to have an organization through which these needs can be met. If there are arts programs here that would attract tourists, people will stay longer and spend more, thus helping the town's economy. Grants up to \$1,500 are available for non-profit

foundations, but Arts Councils can get up to \$16,000 in grants. A bare bones group has been created comprised of Cheryl Cox, Dianne Oberhansly, Tina Karlsson, Raymond Shurtz, and Dennis Bertucci as a representative from the town. This would be “our” (“Boulder’s”) arts council. They will be meeting Monday at 6:00 at the Town Hall and are inviting anyone who is interested to come and help figure out what this is. What does it look like? What activities will it espouse? They will look at having a membership group and want community participation. When they decide what it is, they will come and tell us. Dennis stated that it is being formed to represent all arts and to coordinate events. Randy asked if there is a connection between this and the BCA. The need for a building for both groups connects them. The building would be owned by BCA and managed by the Arts Council, but the Council will be independent of BCA and will be its own entity.

Alyssa reported that this year’s recycling program has just ended. They hauled 2,000-3,000 pounds of recyclables to Cedar City every two weeks in 13 trips. She has a plan for next year’s program and will keep us updated.

We have received the engineering contract from Jones & DeMille. Mark has studied it and feels that we can approve it. The Council would like a chance to see it first, so Judi will get a copy to everyone so they can read it. We will have an open house/meeting to approve it on Friday, November 12 at 7:00. The agenda will include approval of the contract and receiving more input on the building renovation. Don recommended that we look for their get well strategy in the event contingencies come up. A copy will also be placed in the library so anyone who wants can study it.

Randy discussed the EMT’s. The cost to individuals should be \$400-450. If someone serves for two years, the County may reimburse some of the cost. Donna clarified that if the individual pays for it himself, there would be reimbursement, but there would be none if the County and/or Town pays. Don, Shelly, and Alyssa are pretty solid candidates. The exact amount of County participation has not yet been determined. Randy will bring exact numbers to the meeting on the 12<sup>th</sup>, and we will discuss it further then.

The school is doing a Christmas party, and we can participate with them if we want. If someone else wants to volunteer to do a community party, that’s okay, too. After some discussion, it was decided that we will partner with the school. Randy will find a Santa Claus and Gladys will do the gifts.

Roads and Landfill: Mark Nelson and Donna Jean have both given their thanks for fixing their roads. The County will spread gravel on B Street when they are free. Sue will check to see when we can get it; hopefully it will be before winter. We need to put “No Trespassing” signs at the landfill. Farlan pushed the debris into the green pit, crushed the

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construction pit, and pushed back the appliances. The County knows the appliances have to be moved and will do it as soon as they are free. The Fire Department will burn the pit Saturday. The Reid's have a low spot on their road which needs gravel, so Sue will see about getting it filled. Don presented some visibility problems with the entrance to the highway from his house and from B Street. Sue will contact UDOT about taking care of it. Mary Jane reminded us that the willows on the Lower Boulder Road are a hazard to the school bus. Eric was supposed to trim them but was out of town for the funeral of his father. Sue will ask him to make them top priority as soon as he returns. Gladys reported that the County Recorder said we own the land under the roads designated on the original townsite map. She suggested we sell land if we receive more requests to vacate roads. This will be further considered at a later date.

Judi will write to the Boulder Mountain Ranch about their oversized sign.

Gladys was given permission to create a cemetery committee which will create some rules for operation of the cemetery to present to the town.

The Fire Department has a leaky roof. Dennis talked to Corry and Steve Simmons about fixing it. Corry's bid was lower, so Dennis authorized him to go ahead and fix it.

Planning Commission meetings are on Tuesdays now, and Randy will be able to attend.

The Mayor invited the Council to be at the Garkane parking area on November 9 to witness the taking of water from the Irrigation Company in response to Garkane's FERC relicensing.

Dennis made a motion the meeting adjourn. Randy seconded the motion. The vote was unanimous.

The meeting adjourned at 9:20 p.m.

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Minutes prepared by Judith Davis, Town Clerk