

March 5, 2015

Meeting began at 7:07 p.m.

Present: Bill Muse, Mayor; Steve Cox, Tom Jerome, Gladys LeFevre, Cindy Wilson, Council Members; Judi Davis, Clerk; Mark McIff, Attorney.

Public Present: Farlan and Mary Behunin, Steve Dessinger, Ryan Jolley, Randy Catmull, Carla Saccomano, Ashley Coombs, Susan Heaton, Mike Putiak, Mike Nelson and Alyssa Thompson, Keith Watts and Lisa Varga, Erika Bresselsmith, Brynn Brodie, Billy Raaen, Constance Lynn.

Pledge of allegiance

Tom made a motion to approve the minutes of the February 5 meeting. Cindy seconded the motion. The vote was unanimous.

The order of the agenda was changed to allow time for our attorney to arrive before the discussion on Boulder Farmstead Water's project.

Mike Nelson reported on the **Highway 12 meeting**. They have reprinted their brochure and have set goals for bike path connections on the west end of the county. Dixie National Forest reported on their envisioning process, in which they're trying to deal with increased visitation and fewer funds. Bryce Canyon National Park has a new superintendent coming. Grand Staircase/Escalante has a new visitors' center manager, Craig Tanner, who will be starting next week. They have been putting new passing/no passing zone signs on the mountain.

Mike also led a discussion on a petroglyph from the 1950's: a piece of **art painted on the rocks** on the sharp curve below the Salt Gulch turnoff. It had been shot at and faded and was repainted in the 1960's. Because he believes it has historic value, he has formed a committee of 10 people to look at restoring it but would like Town Council input and support before proceeding. The Forest Service archaeologist supports it. If restoration is approved, they would have an art conservator evaluate it, put the restoration out for bid, and restore it. He read a letter that he proposes to send to the Forest Service if the Council supports it. Some of the concerns that have been voiced are that some don't want to see the rocks painted; it could encourage graffiti; there could be censorship of the swim suit; and visitors may be confused. On the other hand, it may cause visitors to stop in town and ask about it and make a purchase that they may not otherwise have made.

In polling the Council for their opinions, the mayor began by stating that he doesn't like the painting because he feels it takes away from the natural scenery and cheapens the

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beauty of the rocks. Cindy thinks it is part of our history. Gladys has no opinion, but whatever happens, she is opposed to using taxpayer money to go toward restoration. Steve supports it because it is iconic and was painted by some of the young women of Boulder long ago, making it historic. Tom feels it is graffiti but that it is Americana and

could find its way into guidebooks as part of the area history. He doesn't particularly like the art but feels it is representative of the people who lived here prior to us, but he is also nervous that, if we encourage this kind of rock display, we also give permission for others to do the same.

Community input was requested. Farlan isn't against it but is afraid it might open the door to billboards. He said it was a good painting at one time. Judi said it was on the rocks when she moved here and was part of what Boulder was then, but doesn't have an opinion either way about restoring it. Billy stated that we know who did it, what they did, and where they did it, but asked if we know why. Randy heard that the school bus broke down, so the girls painted the picture while waiting for the bus to be fixed. There seemed to be consensus that was how it came to be. Mary feels it is historic and is okay with restoring it if it is done tastefully. Lisa thinks it is a charming story and is iconic to the people who knew it, but is concerned about it in this time. Is there a difference between graffiti and art? Might it encourage others to do the same and have unintended consequences? Keith believes there could be other ways to commemorate it and would like to see a series of pictures of it exhibited in the Town Hall. He asked us not to give the okay to paint on public rocks as it could set a precedent. Bill would be in favor of having a series of photos in the museum. Mike said it would be a restoration of what was there once, and he wants to restore it.

Tom asked if there is a pullout on the curve. The answer was yes. He asked what the UDOT guidelines are. Could there be a display there telling the story and designating it as a historic work. It occurred at a time when it wasn't forbidden. Billy wondered if any of the artists are still alive—yes, several are. Mike said he would have the committee research the history by interviewing those who participated, so that, if it were restored, there could be an information sign below it telling the story. Tom stated that he isn't necessarily in favor of restoration. He'd like to see it fade away but put pictures and the story at the site. Constance agreed with what Lisa said. She thinks it is a slippery slope in that it opens it up for others to do the same. She doesn't feel it is appropriate for these times. Bill said there should be a compromise. Mike Putiak wondered about the process of authority. If it isn't in Boulder, it doesn't need the approval of the Council. Does the committee just want support? Mike replied that, if the Town doesn't support it, they won't pursue it. Lisa asked if they would worry about it being defaced, to which Mike N. replied that, certainly—rock art is always defaced. They will wait to decide. Mike asked the Council to talk to people and come back next month and vote.

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Steve began the discussion on the **Boulder Farmstead Water Company upgrade project** by stating that the Town has an agreement with BFWC and other utilities to allow them to do projects without going through a lengthy permitting process. He read excerpts from that agreement. Both sides have obligations in the process. Permission for this and any project was given when the agreement was signed in 2012. Ryan Jolley from Jones & DeMille Engineering fielded questions. The grant for the project is through the Division of Drinking Water and is for \$2 million. The contractors will supply traffic control and will keep the traffic flowing. They will stay as much as possible between the existing fences, i.e. in the area that is public by right of use. If they have to go beyond that, they are on private property and will work with the property owners. When they have to replace fencing, it will mostly be better than is currently there. The time frame for completion of the project is 150 days, starting in early May.

The Mayor stated that there have been concerns voiced by the owners of businesses at the Burr Trail/Highway 12 corner. The trees that are within the construction zone are the only ones that will be taken out. Randy stated that the UDOT right of way is two feet from the building and that the owners were sent letters long ago identifying the boundary. The project will not be disrupting any of their property. Ryan stated that the contractors don't like to deal with trees and that they will shift the pipes as much as they can to leave them. The contractor will want to move through an area as fast as possible and probably will be a day at the most at the corner.

Lisa appreciates their willingness to talk to the landowners ahead of time. There will be places where they have to take out trees when they are directly over the infrastructure, but they will replace trees, gravel, and anything else they disturb.

Ryan explained the fences in Lower Boulder. In most places the distance from the center of the road to the fences is 20 feet, although it varies considerably. It doesn't work to do 40' all the way. At the top, easements are set for a 60' road. They will have to work with each property owner. They have found that the existing pipeline is right under the middle of the pavement, as it was laid long before there was any pavement. There was a discussion on fences and trees. They have identified just one small tree that may have to come out. If property owners along the east/west stretch will allow the line to be inside their property line, the large trees can stay. They will replace fences with a field wire/T post/wood post fence with two strands of wire on top. If anyone wants a pole on the top instead of wire, they will do it, but the owner will have to pay the difference in cost. In consideration of wildlife, Lisa supports a top rail instead of wires.

Jones & DeMille will prepare the dedication plats where needed. The Town will get the signatures. The road will be shifting widths. There are a few areas where we would ask for property above what is being used now, but it is up to the property owners to give it or not. They will avoid crossing under roads except the two places where they will need to

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cross, and they will fix up anything they disturb. We should plan now to chip seal when they are finished, and we could work together on the chip sealing/repairing. Constance asked if they have looked at some way to avoid chlorinating the water. Ryan responded that the state requires it of anyone who has springs that feed the system, which we do.

Constance, Brynn and Steve, representing the **Tree Committee**, stated that there is a need to better manage the water at the Tract Park. They would like to bring someone in to help figure out how to do that. Constance explained a weekend program they are proposing for which they will need some funding. The Boulder Skills Foundation will donate \$800, the grant will fund \$800, and they would like \$800 from the town. Steve recommended using \$800 of the \$1,500 from the Tree budget in the Capital Projects fund. Tom is in favor. Since we are trying to prove up on the property, this would be one more step toward that goal. Even though it is in the project management plan, Gladys is opposed to a community orchard because of ongoing expenses and asked why we need it. There is plenty of fruit in town in good years. Who will get the fruit besides the raccoons and deer? She sees it becoming more expensive and wonders how we can fund everything.

Constance repeated that the community orchard was approved with the management plan, but she doesn't picture a line of trees. It would mimic the natural system. The fruit will not all be for human use. The Tree City budget has money for pruning, and we can apply for another grant after this one ends. Cindy agrees with Gladys' concerns about the cost. Bill would like to approve \$800 for now. Gladys stated that there are other people, such as someone from the Extension Agent's office, who would come and give advice. Constance said this person, as an objective outsider, would create a full design and that it is time consuming. A large part of the design is planning the water. Without an efficient plan for watering, nothing else can be done. Steve explained that we received the \$25,000 grant from DNR to do things covering all aspects of trees. That money will be used to purchase, maintain, and water trees. In creating the management plan, however, they didn't budget for expert help, and that is what this request is for. He feels the money we had previously budgeted for trees in the Capital Projects Fund could be appropriately used in this design, as it is critical that we do it right. Gladys made a motion that we allow \$800 to be used from the Town Park budget for this request. Cindy seconded the motion. The vote was unanimous.

Mike Putiak reported that BCA initiated an **Adopt a Highway program** for the 20 miles from the Hogsback to the Homestead Overlook. There are 10 groups participating—some actively and some not. They want to have a group with a group leader for each of the two-mile stretches and asked if Boulder Town wants to keep its section active. The stretches are sponsored by BCA, Boulder Library, Boulder Town, LDS Church, Boulder Mountain Lodge, Boy Scouts, Heritage Foundation, Boulder Mountain Guest Ranch, and the Human Rights Coalition. The Town is willing to give their stretch up if someone else will take it.

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The list of **checks issued** in February was reviewed. There was a question on a check issued to Garkane: it was to pay for the new light at the Town grounds. The light was replaced, but it doesn't have a hood on it, which Tom specifically asked for. Judi will contact Garkane about installing the hood. The cost of the meal for the participants at Winter Fire School was questioned. Because they volunteer throughout the year, we have agreed to pay for one group meal at WFS. Gladys made a motion to approve the checks issued. Cindy seconded the motion. The vote was unanimous.

The Mayor read Tom Jerome's letter of resignation and expressed his heartfelt thanks to Tom for his service to members of the community in so many ways, including his willingness to teach tai chi without charge to anyone who wanted to learn and benefit from it.

Mark reviewed the law on filling the vacancy. We give two weeks' notice during which we receive letters of interest. Sometime after the two weeks, we schedule an open meeting at which we interview the interested people. The discussion on who to appoint takes place in the open meeting. We should probably ask each person the same questions, although the responses may create an opportunity to expand in different directions for each person. The law is a little confusing from this point. If the vacancy isn't filled within 30 days after the vacancy occurs, the Council votes, and the two persons having the highest number of votes appear again and another vote is taken, and if neither receives a majority vote, the vacancy is filled by lot. Because the law doesn't stipulate how the vacancy is filled *before* thirty days have passed, Mark assumes a similar process would be followed. We should narrow the field to two before taking the final vote. The vacancy will be advertised tomorrow, with the meeting following in two weeks on March 20.

The **groundskeeper and Tract Park positions** were discussed. We received two letters of interest. The jobs are very different, and Tom thinks it's a good idea to have different people do them. Cindy made a motion that Karen Terry be the groundskeeper on these grounds and that Dan Hitt be the maintenance person at the Tract Park and that they be on a contract basis. Gladys seconded the motion. The vote was unanimous. Judi reported that Dan asked if the Town had a need for a computer person to work with our website. He is interested if we do. There are a few changes that need to be made to make the site more user friendly, but overall it would be very minimal, sporadic work. We will advertise for someone to do computer work for us, with the understanding that it will not be a big job.

Because the **custodian** contract doesn't end until the end of May, we will wait to discuss that position until next month. Gladys suggested that we have a clipboard for the custodian, groundskeeper, and TP maintenance person on which they can keep track of their hours worked and the work done. We will work toward getting that ready.

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Cindy will order signs for the landfill soon. To maintain her EMT certification, she needs continuing education hours and requested \$125 to attend a conference plus additional funds for meals and lodging. There was some discussion on other ways to obtain the hours that might be more helpful for the work EMT's do here. We will continue the conversation next month.

Steve reported that work will begin on the restrooms and pavilion on April 1. He feels that we need to have another water hookup at the park once the restrooms go in. Gladys suggested that we consider moving the cemetery hookup to the Tract Park. It isn't used at the cemetery, so we might as well use it at the park since we're paying for it anyway. If the time comes that we need one at the cemetery, we could buy another one. We need to brush hog the old dead grass in the middle pasture by May. UDOT personnel are meeting Monday and will talk about continuing the trail over the new water line as it is installed. Gladys reported that the County Commission has approved crushing gravel for our use. She will contact them about crushing enough now to chip seal the Lower Boulder road after the water project is finished and about their doing the chip sealing for us.

On behalf of the Boulder Arts Council, Steve reported that the Ririe Dance Company will be coming to Escalante on April 24 for the benefit of both communities. He also pointed out the new art exhibit that just opened.

The Planning Commission had a lively discussion on the distillery with no decision being made. The Scotts are proceeding with their application.

Tom made a motion the meeting adjourn. Cindy seconded the motion. The vote was unanimous.

The meeting adjourned at 10:00 p.m.

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Minutes prepared by Judith Davis, Town Clerk