

April 6, 2017

Meeting began at 7:05 p.m.

Present: Bill Muse, Mayor; Gladys LeFevre, Farlan Behunin, Steve Cox, Pete Benson, Council Members; Judi Davis, Clerk.

Public Present: Walt Gove, Bob Phillips, Donna Owen, Garin and Haylee Apperson, Josh Ellis, Ashley Coombs, Mike Nelson and Alyssa Thompson, Perry Tancredi, Peg Smith\*.

Pledge of allegiance

Gladys made a motion to approve the minutes of the February 2 meeting. Farlan seconded the motion. Bill, Gladys and Farlan voted in favor; Steve abstained because he wasn't at the February meeting.

The County wants to know if we want to do this November's **election** by mail or in person. After some discussion, Gladys made a motion that we conduct our election this year by mail. Steve seconded the motion. The vote was unanimous.

**Boulder Farmstead Water** was given an award and would like to hang the **plaque** in the Community Center. Gladys made a motion that we allow them to hang their plaque in the Community Center. Pete seconded the motion. The vote was unanimous. Gladys will let them know where they should hang it.

The Tree City committee is preparing their **Arbor Day** celebration and would like the Town to donate \$200 for treats. Gladys thought that when we approved participating in the program, it was on the condition that the Town not fund it. After some discussion, Steve made a motion that we approve \$200 for Arbor Day refreshments. Pete seconded the motion. Voting in favor were Steve, Pete, and Bill. Voting against were Gladys and Farlan. \*

Cheryl Cox, on behalf of Randy Hall, asked if the Hall family could fund a **bench** to be placed in the Tract Park in memory of their father, LeFair Hall. The family will pay for the bench and installation. Other families will be allowed to do something similar if they want. Gladys made a motion that we accept their proposal. Pete seconded the motion, and the vote was unanimous.

Use and reservation of the **pavilion** were discussed. Steve has done some research of others' policies and suggested, based on what he learned, that we have divisions of use and cost. He suggested time periods of half and full day, with half days being from 8:00

to 2:00 or 3:00 to 10:00, with resident half-day fee set at \$25 and non-resident at \$40. Full day charge would be \$50 for residents and \$75 for non-residents. Steve made a motion that the charges be as outlined above, and Gladys seconded the motion. The vote was unanimous. We will post a sandwich board style sign when there are reservations, and Steve will get a signboard.

Pete made a motion the Council adjourn to **executive session** to discuss personnel. Gladys seconded the motion. By roll call vote, Gladys, Farlan, Steve, Pete and Bill each voted yes. Council adjourned to executive session at 7:35.

At 7:40, Gladys made a motion that open meeting resume. Pete seconded the motion. Voting in favor by roll call vote were Gladys, Farlan, Steve, Pete and Bill. Karen Terry was rehired as Community Center groundskeeper and Bob Phillips was rehired as CC custodian/Tract Park maintenance person.

Garin and Haylee Apperson are exploring the possibility of a Class B **restaurant beer license** for their business. They would like to sell a higher point beer than Utah beer. It would help them sustain their livelihood, and they would sell more dinners. They want to stay in the community, but they need more income than they are now making. Under DABC rules, 70% of their sales have to be food. Mike Nelson reported that other state parks have concessionaires that have liquor licenses. The question was asked if they qualify under town ordinances as a restaurant. Because they are not planning to move their new facility, they feel they qualify as a restaurant, but our ordinance requires that customers of a restaurant eat inside and not on paper or plastic tableware. The State requires that they have a contained space with signs saying the beer cannot leave that space.

It was brought up that their Conditional Use Permit is for a mobile food business. We need more time to look into our definitions and uses. Alyssa stated that, if the use changes, the CUP is void. Gladys read our ZO definition of restaurant and asked if we need to revised the definition. The ordinance change process was discussed. Perry stated that State and Town definitions of restaurants differ. Could we change the applicable version of Ordinance 29 to allow any establishment the state approves? Gladys asked Judi to check with our attorney about the possibility of changing the definition and to check with DABC about their requirements.

Donna, on behalf of Shawn, is requesting Town approval for a **package liquor store** at Hills and Hollows. The process for obtaining this license is different from Magnolia's, where the alcohol is consumed on premises. She stated that their request is in the interest of safety. They want to prevent people from driving to Bicknell or Escalante to buy their alcohol and returning to town over dangerous roads. They need a letter from the Town stating that we aren't opposed to having that kind of store in Boulder. Some stores are

stand-alone facilities, but theirs would be in conjunction with Hills and Hollows. It will be inside the store and will be locked to everyone but employees. Pete suggested that we write a letter to DABC letting them know we are not opposed to H&H applying for the license. We then will have a year to make a decision. Josh asked if we could also tweak Ordinance 29 to set standards. Steve recommended that we send the letter stating that we are not in opposition to their applying and that we deal with the ordinance change. Farlan seconded the motion. The vote was unanimous.

Pete discussed the **Cooperative Wildfire Program**. If we participate, they'll help us fight fires outside the town without charge. We need at least two firefighters to take online courses to certify. Our obligation is to do wildfire mitigation. We can meet most of that obligation through volunteer hours. He will arrange to have someone from the State come and do landowner training. We need a Community Wildfire Preparedness plan which states the conditions and reasons for participating. Pete will prepare the plan, and Bill will sign the agreement.

Troy Mills talked with Pete about requirements to be a **Fire Marshal**. No certification is required. Pete could do it. Steve made a motion we appoint Pete to be Fire Marshal. Farlan seconded the motion, and the vote was unanimous.

There has been a request for No Parking signs or stripes at the corner. Farlan has a sign post. Steve will order the sign. We need more room at the landfill. We probably only have about five more feet of depth left. Things will settle over time, but we need more elevation. Gladys asked if we need some regulations on construction waste. Some of the waste is coming from out of town. We need a solution. Can we require construction dumpsters? Gladys will check with the County to see what they do about construction waste.

Steve reported that the Park Committee met. We need a new roof on the maintenance building. Sam and Randy will do it if we will approve their doing it. Steve made a motion that we hire Sam Stout and Randy Catmull to replace/repair the roof on the Tract Park maintenance shed. Pete seconded the motion. The vote was unanimous. The water is on at the Tract Park. We have a brush hog.

Pete reported that the Planning Commission is taking a lot of time as they study the Kennedy subdivision application. Peg reported that the Rural Planning Group will help with revising the General Plan. Pete asked the Council to let the PC know if there are any planning issues we want them to address. Carla will get us a list of things the PC wants addressed.

Gladys reported that Jamie Pace may be able to fix the outside water by the firehouse.

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Carla has asked Bruce Parker for help with the current subdivision. Bruce is willing to help but wants to know how much the Mayor/Council want him to be involved in answering questions on the Kennedy subdivision. Bill thinks it would be money well spent, as does Pete. Pete made a motion that we ask Bruce Parker for help on the subdivision concerns and that we pay him for his time. Steve seconded the motion. The vote was unanimous.

Bill reported that the new light is up. He would like community input (approval, concerns) on it. We need to raise money to replace current street lights. Garkane lowered the price for us—this may be a one-time thing.

**Checks issued** in March were reviewed. Steve made a motion to approve them. Farlan seconded the motion. The vote was unanimous.

The **quarterly budget comparison** was distributed to the Council for review.

Judi thanked Steve for repairing the rain gutter on the north side of the Community Center and Perry for spending hours toward resolving problems with the Town computer.

Farlan made a motion to adjourn the meeting. Pete seconded the motion. The vote was unanimous.

The meeting adjourned at 8:45 p.m.

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Minutes prepared by Judith Davis, Town Clerk