

July 5, 2012

Meeting began at 7:03 p.m.

Present: Bill Muse, Mayor; Sue Inman, Gladys LeFevre, Steve Cox, Tom Jerome,
Council Members; Judi Davis, Clerk.

Public Present: Jacqui Koenig, Rod and Pauline Torgersen, Mark Nelson, Ashley
Coombs, Peg Smith and Sergio Femenias, Corry Johnson.

Pledge of allegiance

Gladys made a motion to approve the minutes of June 7. There were two meetings held on the 7th, and Mark, who had read the appeal hearing minutes, asked to have changes made to them. He noted that the personal remarks made by the Mayor to Mark regarding Mark's wasting of Bill's and the Council's time were not included, nor was Alyssa's personal request to Adiyar Haran requesting that he not erect the BCCR sign until the permit was issued. Mark requested that the minutes of that hearing not be approved until those two items are added, and he noted that he would like to reserve the right to amend the minutes again after he listens to the recording of the hearing. Bill had no objection to his remarks being added, but requested that, if Alyssa's remarks are put in, then Tom's and Bill's responses should also be included. (Craig Sorenson, Shelly and Randy Ripplinger, and Tammy Barton came.)

Gladys made a motion to approve the hearing minutes and the Town Council minutes. Tom seconded the motion. The vote was unanimous. Sue made a motion that the minutes of June 21 be accepted as presented. Steve seconded the motion. Voting in favor were Sue, Steve, and Bill. Gladys and Tom abstained from voting because they weren't at that meeting. Tom made a motion we approve the minutes of the June 25 meeting. Steve seconded the motion. The vote was unanimous.

Rod Torgersen, representing Rachel Thatcher, discussed the next item on the agenda. The Council has before it two applications, one, the vacation of a portion of the Spring Hill Subdivision and the other, the approval of the Full Moon Farms Subdivision, creation of which is dependent on the approval of the Spring Hill application. Both came to the Council with recommendation for approval from the Planning Commission. However, the Full Moon Farms approval is conditional upon having the road easement noted on the final plat and the owner's submission of applications and payment for the culinary water to Boulder Farmstead.

At the written request of Mark McIff, Judi read a letter from him in which he outlined the following: 1) The other owners of lots in Spring Hill need to sign a consent to the partial vacation. He has prepared a consent form which he forwarded to the attorney representing two of the other owners. 2) He does not object to the vacation plat being discussed, but any approval of the plats should be expressly conditioned on the receipt of the consent forms from each and every owner of the lots in Spring Hill so that they could be recorded at the same time as the plats. 3) It needs to be understood that Judi will not certify the plat with the town's seal nor will the town attorney sign his approval line on the plat until those consent documents are received and are ready to record.

In spite of Mark's comments, the Council was concerned about conditionally approving

the plats and wanted everything in place before giving that approval. Peg pointed out that past subdivisions have been approved with conditions, but the Council wants to have all paperwork in hand before giving approval. Rod would like conditional approval so he can go ahead and prepare the mylar copies and begin getting signatures on them, but is hesitant to do so if there is a chance that some other change will be requested to the plats. The Council agreed that they do not have any problems with the plats, but that the process is the holdup. If Rod were comfortable that there would be no changes, he could go ahead with his end of the preparations.

It is expected that there will not be a problem in obtaining the other owners' consent forms, but Bill stated that he understands there is some hesitation on their part in signing those forms until Rachel signs an agreement to participate in the maintenance of the road.

Tom made a motion we postpone a vote on vacating the portion of Spring Hill Subdivision until our next scheduled meeting. Gladys seconded the motion. The vote was unanimous. Tom made a motion that we postpone approval of the Full Moon Farms Subdivision until after the vacation of a portion of the Spring Hill Subdivision is approved. Gladys seconded the motion. The vote was unanimous. Rod was given permission to go ahead and prepare the mylar and start obtaining the signatures.

Tammy Barton, Director of the Garfield County Ambulance program, discussed the recent break-in to the firehouse where the ambulance is stored. She discussed the program and the County's agreement with the town. The County supplies the EMT's and the ambulance, and the Town supplies a climate controlled, secure building. She emphasized that there is no plan to take the ambulance from Boulder and that they are planning to replace this one within the next few years with a somewhat smaller one. Corry stated that the vandal tried to pry open the bay door and couldn't, so broke a window. We asked what other communities do for security. Tammy responded that an ambulance is a draw because of the possibility of drugs. The best deterrents are a locked building, officers regularly patrolling the area, and everyone in the community being vigilant for unusual activity. She was surprised there was no more destruction than there was; only a few syringes were missing.

Bill asked what we can do. Randy said they had talked of using the west bay, but the ambulance probably won't fit in it. Corry stated that, if someone wants to break in, they will. Corry and Randy have discussed many possibilities. There are no suspects in the break-in. Shoe and finger prints were taken, but the reality is that we are small, and the state crime lab has many more pressing things to do than to try to identify the person who broke in to Boulder's firehouse. That information will remain on file, and if a suspect can be identified, they can submit a name to the State and they will see if the prints match. Bars on the windows or cameras in the bay might be possibilities. Farlan has offered to make the bars. The key policy was briefly discussed. Fire Department personnel would like to have keys so that, if they get there first, they can have the ambulance warming up and ready to go when calls come.

Tammy appreciates the support of the community and Fire Department of the EMT program. She recommended that we weigh the cost of security against its actual potential value. Past incidents of breaches of security in the County have just been kids. Steve suggested that Corry and Randy put together a proposal and come next month with ideas. In the meantime, we need to get the window replaced. Corry will do it. They will check

on prices for bars for the windows.

Gladys asked about the expense of EMT training in Boulder because of the distance and cost of housing for our trainees and asked if we couldn't get some help from the County, perhaps through the money that is charged for transports. Tammy explained that the County subsidizes the training of all EMT's by half and that the EMT's get a small stipend at the end of the year. The remainder of the money charged for runs goes to equipment. The services of Life Flight are expensive, and it was asked if the County would consider contracting with them to participate in some kind of a voluntary insurance program. Tammy replied that the fixed wing and helicopter services are independently owned, and there is nothing the County can do to help with those costs. They charge everyone the same amount. However, they are trying to work out a refund for County residents. Medicare and Medicaid only pay about 62% of the cost of those flights.

Craig (Sage) Sorenson introduced the sport of pickleball, which is becoming very popular. It is inexpensive, with paddles in the \$25-65 range and the balls costing less than a dollar each. It is a good sport for non-athletes and is good for hand-eye coordination and fitness. It is found in many schools. It encourages a good code of conduct and good sportsmanship and is a game for gentlemen and ladies. It is popular in Escalante, and there is interest in Boulder. He has looked around town and found three options to locate a court or courts: 1) the Town Hall court, 2) the elementary school court, and 3) the recreation hall at the church for winter. A court is 40' long by 20' wide, and the net is 34". The town's court, with posts in place, would accommodate a fixed net, and there are portable nets available. There is information online about the sport and the requirements. Escalante has received a grant to help with expenses of setting up the program, and Peg has offered to write a grant for up to \$250 to buy the net for here and a portable net, paint for the lines (Eddie Young has offered to paint the lines), eight paddles, and four balls. If we agree to apply for the loan, it will be submitted under Craig's name, as a Pickleball Ambassador, with an endorsement from the Town Council and the school. One thing we need to address is protection of the windows. Tom feels we should request that the net only be up when it is in use. He would like to see people use the grounds. Craig suggested we establish an Escalante-Boulder rivalry. Tom made a motion that the Boulder Town Council state its support for establishing pickleball as a local sport on the concrete pad on the town grounds and also on the concrete pad at the local school and authorize Peg to apply for a grant. Steve seconded the motion. The vote was unanimous.

Ryan Orton of UDOT discussed with Bill and Judi weed control along Highway 12. UDOT is required to meet certain criteria but is willing to work with us. He would like to meet with us in our August meeting to discuss the requirements and possibilities. We will get the word out to the community.

The Mayor asked Steve to chair the discussion with Mark Nelson, who had requested that we consider three concerns of his. Those concerns, along with the responses recommended by our attorney, are: 1) Why did we not give Mark written responses to his outlined complaints in his first appeal as he requested? There is no requirement that a written decision be given on something that isn't an appeal, which his first appeal was determined not to be. 2) He submitted the appeal that we heard last month not only to us but also to the Board of Adjustment, but the clerk didn't give the paperwork to them. Why? A person only gets one local appeal on any matter. It used to be that the BoA did hear all appeals, but the law changed, and in Boulder the appeal authority to decisions

made by the PC is the Town Council. 3) Mark wants the mayor to itemize the many hours of his time that Mark has wasted so it will be on the public record. Doing so would only take up that many more hours of Bill's time, and there is no requirement that he do it.

Mark asked why he didn't get this answer from us sooner. Steve's response was that we didn't have to respond since it wasn't a legitimate appeal. Mark replied that, had he known, he would have changed it to a complaint. He did a lot of work and submitted a lot of evidence about things he was concerned about, and none were discussed, none were entered into the record. Steve recognized what is wanted, but apparently we don't have to respond. Mark asked for a copy of what was read. Mark feels he is entitled to responses, but Steve feels it is a moot point. Mark stated that Mark McIff doesn't want to answer to him (Mark Nelson), and apparently the Council doesn't, either. He stated that, over the years, he has wasted his time by serving on the Town Board, Board of Adjustments, Water Company, Planning Commission, Park Committee, serving as an EMT, and donating labor and backhoe work. He paid for his own training courses. He stands by his record. Steve thinks everyone appreciates what Mark has done in the past. Mark thinks he should have received this response three months ago, and Steve responded that he didn't know it was an issue. Mark asked about the written comments on his last appeal. The response was written and sent to the attorney for comments. It has just come back this afternoon and will be in his hands within the next few days.

The Mayor read Ordinance 67, An Ordinance Imposing Firework Restrictions, as proposed. The motion made in the June 25 meeting included in the restrictions other things which the Council felt should be part of this ordinance. Gladys made a motion to adopt Ordinance 67 as presented with the additions of restrictions on open fires, outdoor cooking except in contained metal cooking apparatus, smoking outdoors except on a surface cleared of vegetation or other flammable material, and the discharge of firearms. Tom seconded the motion. The vote was unanimous.

The Planning Commission approved conditionally applications for Spring Hill and Full Moon Subdivisions, approved the Catmull sign application, held a public hearing on a CUP application for the Boulder Mountain Lodge and subsequently approved it. They are continuing work on the general plan. They held a discussion on an application for a Zoning Ordinance change submitted by Loch Wade, but no action was taken. Alyssa wanted to open a discussion on the topic of non-compliance and the enforcement of ordinances.

Steve thanked the Boulder Arts Council for presenting the patriotic program on July 4. The band didn't realize that a stage and lights were needed. Steve asked for \$50 more to cover the extra costs of providing and setting up those things. The Council unanimously approved the expenditure. The celebration was a good one. The Arts Council would be willing to arrange for the band again if they can start soon. We will have them give us a requested budget.

The upper two portions of the tract park have been mowed and the trees watered. We will sometime have to budget to get a mower and weed trimmer and to refurbish the shed. Bill is willing to hire himself out to do some of the mowing as soon as he gets his equipment fixed. Tom is willing to help with the ditch watering. Loch has also offered to help explain the ditches to Steve. Steve will call a Park Committee meeting, and Bill will have someone come and give a demonstration of a drip system that works with ditch

Meeting held July 5, 2012
Page 5

water.

The BKRE Subdivision roads are cut up while water improvements are being made. As a follow-up from last month's meeting, Sue reported that nothing of the trailers except construction waste was put in the landfill; the metal was all removed for scrap.

Gladys made a motion the meeting adjourn. Sue seconded the motion. The vote was unanimous.

The meeting adjourned at 8:40 p.m.

Minutes prepared by Judith Davis, Town Clerk