

July 6, 2017

Meeting began at 7:00 p.m.

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

Public Present: Elizabeth Julian, Daniel Kennedy, Alyssa Thompson, Pete and Cookie Schaus, Ashley Coombs, Carla Saccomano, Heather Plumb, Denise Pennington, Ryan and Oakley Haws, Peg Smith.*

Pledge of allegiance

Steve made a motion to approve the minutes of the June 1 meeting and Gladys seconded the motion; Gladys made a motion to approve the minutes of the June 15 meeting and Pete seconded the motion; Steve made a motion to approve the minutes of the June 28 meeting and Pete seconded the motion. The vote on all motions was unanimous in favor.

The Highway 12 Committee would like donations to help fund a **reprint of the Route Guide**, and the Mayor asked if we want to participate. At Steve's request, Gladys reported on how the Travel Council spends their money. (*) Steve wondered why they need money from the towns since they have a budget of over a million dollars. Gladys stated they are sending out more brochures than they expected and that they are facing unexpected expenses on publicity to counter the fire news. Farlan made a motion to allot \$200 to the reprinting of the Scenic Byway 12 Route Guide. Pete seconded the motion. The vote was unanimous.

Steve reported that the Town received an anonymous **complaint** about campaign signs which have not been removed since last year's election. He will contact the landowners.

Alyssa reported that she was contacted four months ago by a **UDOT permits officer** about entering into a lease agreement (\$3,700) so she could continue using a section of UDOT right of way where her parking lot is. She told them she wouldn't do it. They called her back a week later and said she had to enter into the lease agreement because they had received a complaint about people parking down the Burr Trail. The whole west side of the parking lot at the corner is not privately owned. Neither the businesses nor Gibbs Smith (the property owner) has put up signs indicating that the area between them and the highway is a parking lot. The same officer came back two weeks ago to see if she was ready to sign the lease and that he would be back to put up cement barriers along the property line if she didn't. She told him that everyone in the state who is also in non-compliance has to be treated the same before she will agree to it. UDOT has since had a team meeting and will step back for now and asked that we not send them names of other

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property owners who are in the same position. UDOT needs a township right-of-way map. She listed several in town who are also encroaching on UDOT right-of-way. (*) Alyssa was told by Jared Beard of UDOT that enforcement of these problems will come, but it will not be soon. It became an issue now because someone filed a complaint with UDOT. They don't have the manpower to enforce the law against everyone along Highway 12, but if they receive a complaint, they have to address it. Although it is an issue, UDOT has tabled it for the time being. Someone has seen a map that showed Highway 12 making a right angle turn rather than a curve. No one seems to know when or how the change was made and how it might affect the property where the old King store is. They believe that everyone along Highway 12 is in violation—that their right-of-way extends into the yards of everyone. Ideally they would like those landowners to buy the right to use that land from UDOT to settle the problem. Bill wondered if we should have Mark look into it. Judi will look for old maps that might show the road as it was.

The Planning Commission has approved the **Fox Grove Subdivision** with conditions and passed it to the Council. Steve has a question on whether the Muse road (parallel to Daniel's proposed road) is public. He feels a judge should make a legal decision on 1700 South as well as the Muse road as to whether they are private or public. There is a possibility of having 14 more lots that would need access. He's not comfortable approving the subdivision until we have a legal decision on the roads. Daniel clarified that there is wording on the Muse Subdivision plat that makes it a private road. Bill asked Steve to talk to Mark to see how to proceed to get a legal judgement and stated that time is of the essence. He asked Daniel if he had considered taking the road east from the Lower Boulder Road between Lots 2 and 3. He had considered it, but it would split his pasture and make farming it inconvenient. A road down the center would not suffice if he does a future subdivision. The road he is proposing would be private, not public.

Pete reminded Daniel that the turnaround needs to have a 50' radius and that we should include the Planning Commission conditions when we approve it. Steve will contact Mark to see what the process should be from here. Who will pay for getting a legal decision? It is not the Town's responsibility. Daniel would like to move ahead on developing the four front lots and wondered if we can approve the four lots conditionally. Steve will check with Mark. If there's some way we can do that, we will have a special meeting.

Peg commented on the jog in the road. If it doesn't resolve the parallel road problem, Daniel would need to go to the Board of Adjustment for a variance.

Farlan reported that the construction pits at the landfill are full and need to be mashed down. He will work with Donna Jean to find someone to do it.

The Rural Planning Group activity had good participation. Their report will be presented when it is ready. We will put "no parking" signs across the Burr Trail south of the Burr

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Trail Grill and also at the Post Office.

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

The meeting adjourned at 8:10 p.m.

Minutes prepared by Judith Davis, Town Clerk