

September 1, 2011

Meeting began at 8:45 p.m.

Present: Bill Muse, Mayor; Gladys LeFevre, Sue Inman, Dennis Bertucci, Randy Ripplinger, Council Members; Judi Davis, Clerk; Mark McIff, Attorney

Public Present: Alan and Anna Scott, Ashley Coombs, Tom Jerome, Peg Smith and Sergio Femenias, Daniel Corpuz, Doug Hall, Colleen Thompson, Cookie Schaus, Julie Robinson, Sharon Friend, Barbara, Holly and Kathleen Wood, Ray Nelson, Sam Stout, Randy Catmull, Steve and Cheryl Cox, JD LeFevre, Ana Sanders, Jabe Beal, Bob and Naomi Brems, Constance Lynn and Matt Cochran, Mary Jane Coombs, and Scott Brodie.

No pledge of allegiance (no flag)

Gladys made a motion to approve the second version of the minutes of the August 4 meeting. Randy seconded the motion. The vote was unanimous, except that Dennis abstained from voting since he wasn't at the August 4 meeting.

Gladys made a motion we adopt Ordinance 66 adding Borrow Pits as a conditionally permitted use as it was presented. Randy seconded the motion. The vote was unanimous.

The mayor gave a history of the development of the Tract Park. In 2001 Tina Karlsson was chairman of the park committee, and we entered into a contract with the BLM. Scott Brodie was the next chairman. During the next years we started working with UDOT to develop the park under a grant, which kept having more requirements added until the Town Council decided unanimously to return the grant. We then put park development on hold while developing the upper lot where the town buildings are located. During that time, under a Scenic Byways grant, we contracted with a company to develop a master plan and also planted trees and bought adjoining property and irrigation water shares. The Tract park hasn't been neglected. We renewed our lease with the BLM for the Tract property. It is a 14-year lease that extends to 2023. We need to do certain things along the way which are listed in the lease. Some things we have to do. It was proposed that we hire Sam Stout as a licensed contractor to do the parking lot and amphitheater and that we erect a sign, build a fence, cut the grass, and remove the animals. Money that has been reserved for certain purposes is itemized in the Town's financial statements and is available for public review online or in the office of the Town Clerk. About \$10,000 has been kept in reserve for development of the Tract park for several years.

Jabe explained that the BLM wants us to prove up the property. A sign, walkway, and parking area are good starting points to show use. We don't have to follow the master

plan exactly.

Bill set a goal to prove up on it in three years. The Town Council should be more proactive. We will have a report on the park every month. Tom announced that he has resigned as chairman of the park committee, and that they had drawn up a proposal. There is currently not a chairman of the committee, but Tina and Julie Robinson have volunteered to be the co-chairs. They understand there is a budget. The committee is open to integrating a skate park into the design but would like to have a more detailed plan. Because we cannot expect to maintain the park on volunteer labor, we need to consider setting a budget, and they recommend \$3,500-5,000/year. They suggested making the parking area, mowing trails, having events and putting in gates. They were also concerned about keeping it green and suggested we work on ditches to flood irrigate it.

Bill thanked Tom for his volunteer service as park chairman and accepted his resignation. He then proposed that the Council take charge until after the election when a new Council member will be appointed chair of the committee. He asked those who are on the committee to continue with their service. There is a need for better communication. Loch Wade has mowed the top part in exchange for the hay, but it is difficult to mow because of rocks and hills, so we need to find a different way to mow it. At the end of the year we will take pictures and show what we've done. In the meantime, we'll brush hog it.

Our goal will be to do the parking lot, sign and bridge this year. The amphitheater will probably have to wait until next year. Sam wondered if we can use road money for the parking lot. Judi will check, but we probably can't, and Sue stated that we have a good part of the road money already allocated to other projects. We have about \$10,000 set aside for development of this park and will see if we can get donations to help with the project. We have now placed the park at the top of our list of projects and will apply for a grant to help. We will be hiring Sam Stout as contractor, and he can hire subcontractors as needed. Laura DeMay is working on a sign. Bill would like to use boulders from the town lot if there is a way we can incorporate them into the development.

Daniel summarized his request to build a skate facility in conjunction with the amphitheater. He wants it to be a use-at-your-own-risk park and hopes to have a vote tonight. Bill appreciates his generosity and offer, but several things make it not feasible at this time, such as concerns about liability, other projects that are more pressing, and concerns from others about whether there would be enough use.

Daniel had discussed liability at last month's meeting and passed on to us a copy of a section of Utah code that appeared to say that communities have no liability in this kind of activity. Mark commented on that section, stating that when a person does

something, he inherits the risk that comes with it. But if the Town takes it on and runs it, we have to keep it as safe as can be. So, if we do it, we have to maintain it to keep it safe. Dennis thinks it's not a bad idea, but feels we have to look at the use it will get from the community. Sam feels we are getting ahead of ourselves and that we should do other things first, then look at this later. Dennis made a motion we table the skate park proposal until a later time. Gladys seconded the motion and the vote was unanimous.

Ana and Jeff Sanders own a lot that shares a boundary with the tract park as the result of a road vacation. Ana said they would like to put the fence in the new, correct place. If the town would furnish the materials, they would do the labor. They are thinking of an alternating cedar post and T post fence. It would be 571 feet from B Street south to the bottom. The prices she had checked would be in the neighborhood of \$900. Gladys suggested seeing what kind of money we want for the whole park. Bill may be able to get a better price and will check. Generally, adjoining owners share the cost of a fence. We'll discuss it at next month's meeting after Bill gets another price.

We need to open the budget in order to spend the money for the park development and will schedule a public hearing for 7:00 on the night of the October meeting.

Bill suggested that Tina and Julie serve as co-chairpeople until January, that the Council take a more active role, that we hire Sam as the contractor to do the things mentioned earlier in the meeting, that we be prepared to take pictures of what we've done during the year, that we have a place on the agenda every month for a report on the park, and that we appoint a member of the Council in January to be the chair, but until that time, the Council is the chair. The two ladies will work with who we've got, and he'd like the names of those people, plus he'll appoint others to it. Gladys and the contractor (Sam) will be on the committee.

To clarify, Gladys asked if we would have a committee . . . Bill: we don't have a committee; no one's been appointed. Gladys: Is it a proposal to have a committee, and they will bring things to the Town to be approved? She would like to see proposals and costs before we agree to any work being done. She wondered if we can legally appoint a contractor, or if we need to put it out for bids. Mark answered that we can hire an engineer without bidding. Gladys is over the Town Hall and grounds. We need to get the rails up on the playground equipment. Bill suggested a type of railing that he's used which meets code and can be purchased at Ace Hardware. It needs to be done soon. Tom will continue watering. We need to rework the sprinkling system before spring. Tom know where the lines are. To summarize, the Town Council is the chair of the park committee, and the committee will remain as is. We will discuss the park progress at Council meetings, and Tom will continue watering. Sam will get costs of the work we need done. We need to have a survey first and also need to brush hog the upper end.

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The BLM has asked the Town for a letter of support for the Head of the Rocks Wayside project. The draft letter was reviewed, and Judi was directed to mail it to Rene Berkhout with a copy to Allysia Angus. Dennis made a motion we approve the letter of support for the overlook project for the BLM. Sue seconded the motion. The vote was unanimous.

Alyssa Thompson requested funding help for intermediate EMT training. Dennis made a motion we fund Alyssa Thompson's Intermediate EMT training up to \$500. Sue seconded the motion. The vote was unanimous.

Cheryl Cox, representing the Arts Council, discussed decorating the walls of the Town Hall. Some buildings in the area have old historical photographs around the building, and we might consider doing something like that. The Arts Council would like to have some exhibit space. Can we coordinate these efforts? The Arts Council is willing to assist, or it could be done with a combination of library and Arts Council volunteers. The Boulder Heritage Foundation is willing to help with the history part of the project. Bill suggested that we could meet with them in December after we've used the building for a month. In response to a question, Peg reported that the library shelving will be in place when the library opens. The Arts Council or a committee of people could be thinking of ways to decorate. They will be working on it.

Matt reported that the Forest Service mailed their FONSI on the rotenone project last week. There is now a 45-day appeal period in process. An appeal is submitted to the region. The Environmental Assessment has a lot of science. Matt has asked for an additional 45 days for appeals, and his request may be approved. There is a chance an appeal won't be approved, in which case the next step will be to sue. He and Constance are willing to help anyone with an appeal. He requested that the Town file an appeal. Bill gave an update on the Irrigation Company/Garkane problems. An appeal will be a slow-it-down strategy. There will be a meeting Monday at 6:00 at the free box for those who would like help drafting an appeal. Judi should have copies of the EA tomorrow if anyone would like one.

Department reports were given. There was discussion on the cemetery sign offered by the King family. The comments Gladys have received are that the wording seems to suggest that the cemetery itself instead of the sign was donated by the Kings. It was suggested that it could read "stone" or "marker" or "sign" donated by family and that it could be on the back of the sign. Dennis made a motion we approve the sign for the Boulder cemetery with the donation of the sign language on the back. Gladys seconded the motion. The vote was unanimous. Gladys will keep looking for the established date.

Thanks to the Planning Commission for their efforts on the Zoning Ordinance change. They expect to have a public hearing for a CUP at their October meeting.

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The Fire Department extinguished dumpster and trailer fires. There were few injuries. Naomi asked who can clean up the burned dumpsters. The lids of the burned ones need to be replaced. Judi will write to Brian Bremner asking that they be repaired. Bill complimented the Fire Department on their response at Raymond's trailer fire.

Judi will vote the Boulder Farmstead Water proxy. It was decided that our 4th of July celebration will be on the 4th. The Arts Council, of which Cheryl and Raymond are a part, are willing to help, but we need to decide soon what we want them to do and what the budget will be.

Randy asked if we could prepare a franchise agreement between the Boulder Farmstead Water Company and the Town on easements. We'll work with Mark to draft an agreement.

Dennis made a motion we go to executive session to discuss litigation. Gladys seconded the motion. The voting was as follows: Dennis, Aye; Sue, Aye; Gladys, Aye; Bill, Aye; Randy, Aye.

Open meeting recessed at 9:25 p.m., and resumed at 10:25 when Gladys made a motion to open the meeting. Dennis seconded the motion. Voting was as follows: Sue, Aye; Dennis, Aye; Randy, Aye; Gladys, Aye; Bill, Aye.

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

The meeting adjourned at 10:30 p.m.

Minutes prepared by Judith Davis, Clerk