

May 6, 2021 Town Council Meeting

Meeting began at 7:00 p.m.

Council present: Steve Cox; Mayor, Elizabeth Julian, Conrad Jepsen Council members, Judi Davis, Michala Alldredge; Town Clerks

Public Present: Peg Smith, Colleen Thompson, Korla Eaquinta, Ashley Coombs, Matt Cochran, Cookie Schaus, Jeanne Zeigler, Nancy Tosta, Daniel Hawley, Elena Hughes, Michelle Lebaron, Ana Sanders

Meeting began at 7:00pm

Pledge of Allegiance

**Approve minutes for April 1st meeting:**

Judy made a motion to approve the April 1st meeting minutes. Conrad seconded the motion. Motion passed 4-0. (JD, CJ, EJ, SC)

**Public Hearing for Ordinance 2021-3 Codification of Ordinances:**

Mayor Cox asked if the Town Council (TC) had any questions about the final version of the codified ordinances. There were no questions so he made a motion to move to a public hearing. Judy seconded the motion. There were no public comments. Mayor Cox made a motion to close the public hearing and return to the regular meeting. Conrad seconded the motion. Motion passed 4-0. (JD, EJ, CJ, SC).

**Discussion and vote on adoption of Ordinance 2021-3:**

The mayor then opened it up to the TC to discuss or make a motion to adopt the ordinance. Elizabeth made a motion to adopt Ordinance 2021-3. Judy seconded the motion. Motion passed 4-0 (CJ, JD, EJ, SC)

**Public Hearing for Ordinance 2021-4 Amendment to RSTR Ordinance 2019-2:**

Matt Cochran gave a brief overview of the reasons the Planning Commission (PC) wanted to change the allowable number of RSTR's (per zone) from a floating cap percentage to a hard capped number. The PC feels that capping the number is important so that long term and affordable housing options aren't as affected by potential short term rentals. Also, the PC has been working hard to focus all commercial activities to Highway 12 and feel a capped number promotes that as well. Mayor Cox asked questions and expressed concerns about the long term impact on the Resort (community) Tax, which is based on a percentage of total population related to the number of rooms available. Boulder has to meet a certain criteria to qualify as a resort community which enables us to charge a resort tax. Currently, revenue from the Resort Tax makes up approximately one third of our town budget at an estimated \$60K annually. His concern is that if the number is capped Boulder potentially could lose its ability to impose the resort tax by limiting the number of rental rooms as the town population grows. Mayor Cox also

inquired about one of the whereas statements in the original ordinance that states that the PC deems it desirable to allow RSTR in recognition of the rights of property owners to use their property to generate income and to create jobs associated with the RSTR activity. He asked if the PC is no longer in favor of those rights. Matt explained that the PC's goals are in favor of the rights of property owners as well as preserving the quiet use and residential neighborhoods so that they don't become de facto commercial zones. The PC felt they could achieve that by capping the number. Cookie added that the PC felt the need to reconsider this due to traffic changes on Lower Boulder road. Mayor Cox made a motion to open the public hearing. Conrad seconded the motion. Motion passed 4-0 (JD, CJ, EJ, SC). No public comments. Mayor Cox made a motion to close the public hearing and move back into the regular meeting. Judy seconded the motion. Motion passed 4-0. (JD, EJ, CJ, SC).

#### **Discussion and vote on adoption of Ordinance 2021-4:**

Mayor Cox reiterated his concerns about implications on the town's Resort Tax by capping the number instead of allowing for growth. He then asked to hear from each TC member. Judy suggested adding wording to the ordinance so it is revisited every so often to avoid losing the Resort Tax. Elizabeth stated that it doesn't seem like there is concern currently with the number of existing CUP's and feels it should be addressed when there is more of a concern or number of utilized CUP's/RSTR's. Conrad feels the PC did due diligence and agrees there should be a capped number and amend the ordinance in time if it becomes needed. Mayor Cox stated that he feels the ordinance is restrictive enough with the floating cap versus a hard capped number of RSTR's. Elizabeth recommended the TC/PC revisit the issue in 6 or 12 months when more data is available to review. Judy made a motion to table the amendment for 12 months when more data has been collected. Conrad seconded the motion. Motion to table amendment passed 4-0 (JD, CJ, EJ, SC).

#### **Review of 3rd Quarter budget:**

Mayor Cox asked TC members to look specifically at departments and categories that they are responsible for to get ideas in preparation for the 2021-2022 budget meeting in June.

#### **Discussion of Preliminary 2021-22 budget:**

Questions and discussion of categories and amounts. Mayor Cox asked everyone to look over and meet with their committees to see if allotted amounts seem reasonable. He asked them to be conservative but cover their needs when requesting amounts.

#### **Set date for 4th of July celebration:**

Mayor Cox reported that the Boulder Community Alliance (BCA) would like to plan to have the 4th of July celebration on Saturday, July 3, 2021. He made a motion to approve July 3rd for the 4th of July celebration. Judy seconded the motion. Motion passed 4-0. (CJ, JD, EJ, SC). Judi and Michala will work to obtain a parade permit. The BCA will put the itinerary together.

#### **Discussion and vote on adoption of Resolution 2021-2 Enacting Fire Restrictions:**

Mayor Cox read the proposed Resolution. Elizabeth asked if additional wording needs to be added to clarify the size of the fire pit. She suggested passing the Resolution now but to look at the wording. She will consult with the fire department and fire council about clarifying the wording. Elizabeth made a motion to approve the Resolution. Conrad seconded the motion. Motion passed 4-0. (JD, CJ, EJ, SC)

**Appointment of Michala Alldredge as Zoning Administrator:**

Mayor Cox read a letter of resignation from Curtis Oberhansly and expressed gratitude for his hard work and hours of time donated to his position of Zoning Administrator (ZA). He then made a motion to appoint Michala Alldredge as the Zoning Administrator. Judy seconded the motion. Motion passed 4-0 (JD, CJ, EJ, SC). Mayor Cox then proposed that the TC think about appointing a Deputy ZA. He will revisit this in the June meeting.

**Department Reports:**

**Planning Commission, Roads and Garfield Planning Commission:**

Judy talked with Jay Brooks about coming to fill and fix roads where necessary. She has ordered the road signs for Ripplingers and Gladys's roads. She is working on 5 signs total. Mayor Cox asked her to look at the Anselm Spring road sign as well. She reported that the PC is still working through the RV and campground ordinance with Lee Nellis. Additionally they had a public hearing on proposed amendments to the RSTR ordinance. Lastly, Ray Nelson presented a subdivision concept plan.

**Enforcement, Landfill, Town Grounds, and Park Committee:**

Conrad is waiting to hear back regarding metal pickup from the landfill. He is still working on a cement pad. Mayor Cox asked if TC members looked at the metal planters at the community center where Corry has initiated covering with lava rock. All TC members like it. Mayor Cox asked Conrad to give Corry the go ahead to continue with the project. He also asked him to contact the Park Committee about budgetary and any other needs.

**EMS, Fire Council, Library Board, Arts Council and GCSD:**

Elizabeth reported no updates from the fire department. She reported that Karen DeBonis has EMT training and is working towards certification in Utah/Garfield county. She reiterated the need for additional EMT's. The Library reopened last Saturday, the hours are 10am-12pm. The Arts Council has a few events planned this summer. She reminded everyone to view the current art exhibit by Escalante High School students that will be up for one more week. She reported that Garfield County School District GCSD has 3 weeks of school left. She furthered that it has been a successful year of in person learning. She continued that the school board meeting will be in Tropic on Thursday, May 13, 2021 at 5pm. Mayor Cox thanked her and her staff for keeping school going this year.

**Cemetery, Buildings and Travel Council:**

Mayor Cox reported that he forwarded Gladys information on a grant that allows towns to map the cemetery and digitize records that she will look into. She will organize a clean up of the cemetery and put flags up for Memorial day.

**Mayor:**

Mayor Cox reported that anyone who received their first Covid-19 vaccine at the clinic in Boulder can schedule their second shot in Escalante on May 13, 2021. He reported that he signed the Safe Route to School grant paperwork. When we receive the paperwork we can work with Jones & DeMille to move forward on that project. He asked Judy and Elizabeth to coordinate in those efforts with Jones & DeMille. He reminded everyone that we will use Class C roads to fund and then be reimbursed in July 2022. He reported that Tree City is working in the park every Wednesday morning and that we were recognized as a Tree City (again). He thanked Pam Furches for handling the paperwork. He reminded TC members to turn in their state auditing training and conflict of interest forms turned in to the clerks.

**Clerks:** Approve checks issued for April.

Elizabeth made a motion to approve the checks issued. Judy seconded the motion. Motion passed 4-0 ( JD, CJ, EJ, SC). Mayor Cox and Judi reminded all that this year we will elect a Mayor and two Council members. Contact Judi Davis at the office or at home sometime between June 1-June 7, 2021 to file.

**Public Comments:**

No public comments.

Judy made a motion to adjourn. Conrad seconded the motion. Motion passed 4-0 (JD, EJ, CJ, SC).