**Community Center, 351 North 100 East, Boulder, UT 84716 Phone: 435-335-7300**

Boulder Town Council Regular Meeting

February 2, 2023 7:00 PM

Meeting Minutes

Town Council Members present- Jim Catmull, Mayor Judy Drain, Steve Johnson, Gladys Lefevre via Zoom, Elizabeth Julian, Assistant Town Clerk Lexxi Johnson

Public Present-

In person-John Veranth, April O'Neil, Nancy Tosta, Steve and Cheryl Cox, Babara and Larry Vanquill, Ashley Coombs, Tessa Barkan, Deja Thompson, Amber Thompson, Tina Karlsson, Dan Pence, Jessica Lefevre, Corry Johnson, Josh Ellis, Judi Davis

Via Zoom-Blake Spalding, Katie Coleman, Elena Hughes, Alyssa Thompson Shelley Price-Gibson, Dylan Rose Geerling, Ryan Johnson, Jennifer Geerlingxrfs, Jennifer Bach, Phoenix Bunke, Mathew Cochrane, Constance Lyn, Zoee Ahlstrom, Anson Fogel, Susan Malkin Kelly MD, Judith and Bill Geil, Andria RIce, Jill Trombley, Jeff Sanders, Donna Owens, Troy Julian

Meeting was called to order at 7:01

Pledge of Allegiance

– Agenda approval- Elena Hughes requested due to a time difference with her location, if her item on the agenda could be moved up. Her item regarding the Robinson Lower Boulder Road will be moved till after the first public comment.

– Approval of minutes for November, December, and January

and Emergency Meeting- Judy makes a motion to pass November minutes and Jim seconds. All members say yes and the motion carries. Judy makes a motion to pass December minutes and Steve seconds. All members say yes and the motion carries. On the January 5th minutes the word “minimum” needs to be added. Judy makes a motion to approve January 5th minutes with the addition and Gladys seconds. All members say yes and the motion carries. Judy makes a motion to pass the January emergency meeting minutes and Steve seconds. All members say yes and the motion carries.

– Public Comments-No public comment

Robinson Lower Boulder Road- April O’neal- Zoning Administrator speaks on her original findings on the road. She has now discovered that the town has been receiving funding and it is an official town road. She proposes to survey it and open it up as a 40ft right of way. She has spoken with two property owners, Sean Owen, and Annette Avery. Elizabeth comments for full disclosure that she lives in the area but she is not a part of the proposed subdivision. Elizabeth also discusses some procedures and correct wording moving forward, Dylan Rose Geerlings asks from her and Elena as property owners, who is responsible for the cost of the surveys and a timeline. April comments that since the town has been receiving funding for the road then the town will be responsible for the cost and Jim and Judy agree. April then comments the next step will be legal access agreements from the property owners. Dylan asks if there is a certain way the agreements should be done. Elena comments that an email from Dave Dodds said that not much would have to change. April comments that legally it could be an issue due to the fact that other people's properties are involved and that is why she is suggesting opening it as a road right of way and doing it correctly. The next step will be to get it surveyed. Elena asks if they have to wait for the road to be surveyed before they move forward with the application.Elizabeth comments that it will be taking a 30ft easement and making it a 40ft easement. Jim will get a hold of Jones and Demille for a survey.

– Vote for Approval of Fire School Money-Elizabeth comments that the council has already approved the funds when they approved the budget in July. Elizabeth asks Corry- Fire Chief- if they need additional funding in the budget and Corry comments that they currently have enough money in their budget, and the department has also received grants and funding from the county.

– Discussion and vote on Town Jobs and salaries- The Clerk position was taken care of in the Emergency meeting. Judy suggests giving everyone a dollar raise for everyone besides what was already agreed on for the clerk.Judy makes a motion to add a dollar raise for everyone and Jim seconds it. Elizabeth comments that the positions need to be reviewed and that she doesn't believe a flat dollar amount and more of a percent of their current pay. She also thinks that each position should be viewed on what the roles and responsibilities are. Steve Cox comments that the town has never had employees stay long enough to consider raises. Steve Johnson comments that he is favorable to a percentage pay increase and also thinks it's important considering inflation and social security increases . Jim also agrees on the percentage based on the different positions. Gladys comments that she is a no on giving raises because she believes it's a never ending cycle and she's trying to represent the taxpayers. Peg comments that she would not be satisfied with a percent as she is making less than most of the other employees and she believes she should be making at least as much as everyone else. Elizabeth comments that she believes all clerks should be looked at differently. Corry Johnson comments to Gladys on the fact that she is going to vote against raises. He speaks on keeping skilled people in the positions and if valuable people aren't treated that way then the town could lose them. Tessa Barkan comments that she believes most of the employees are W9 and not W2 employees which means they are losing a lot of their pay to taxes. Matt Cochrane comments from the PC that the administrative assistants are a valuable asset and should receive the pay they deserve. The council will research everyone's duties and what they are currently making. Elizabeth comments that it is also important to know how long everyone has been in their positions. Gladys agrees on having more structure and paying equal to the expectations. Steve asks what the next step is and asks to have all the current employees send what their duties are as they perceive them. The council will take further steps in researching and the item will be discussed further.

– Vote on Adopting the Park Trail Resolution 2023-01- Judy makes a motion to adopt the park trail resolution 2023-01 and Jim seconds. John Veranth drew a map of moving the trail closer to the fence and still allowing parallel parking. Corry Johnson asks as the town park and maintenance man if he can see the map and better understand what is being proposed. Judy comments that the resolution that is being voted on states that there is no parking on the path. The parking will still be available as is and the trail will be moved. Corry speaks of his concern on the access to the fire hydrant and asks if there are other options for parking. Blake Spalding comments that Dave Mock is willing to run the trail behind the fence. Blake comments that typically people who are parking out on the hwy are trailers and late RV type vehicles. The lodge has prohibited large vehicles due to no turn around or being able to pull through. Blake also comments on the concern of people parking on the West side of the highway and crossing the road without a crosswalk walk. Jim suggests creating a fire lane with no parking near the hydrant. The council discusses the need for the resolution. Judy comments that they ran it by the attorney and he approves it. John Veranth suggests deciding on what the future of the trail is before passing the resolution. Jessica Lefevre asks if the resolution applies to the entire trail or just the section in front of the lodge. Jim answers that it will apply for anywhere on the trail. Judy asks for a vote on the motion and Jim says yes, Steve yes, Gladys no, Elizabeth no, and Judy yes. The motion carries 3-2 and Judy reads the resolution.

– Vote for Adopting Jones and Demille as Boulder Towns Engineers- The council had discussed adopting Jones and Demille at the January meeting but had not voted. Judy makes a motion to adopt Jones and Demille as the town Engineer and Jim seconds. Elizabeth comments that she does not see it necessary and the way it's written in the ordinances, each time the town needs an engineer then they can choose who they use. The council agrees that is what was discussed and it goes to a vote. Gladys says no, Elizabeth says no, Jim says no, Steve says no, and Judy says no. The motion is not passed.

– Transfer Money from savings to Money Market account- Judy spoke with Mountain America and she would like to make a proposal to transfer the money from savings to Money Market so the town can start earning more interest on the money. Judy makes a motion to transfer the extra $30,000 out of savings to the Money Market account and Gladys seconds. Gladys says yes, Elizabeth says yes, Steve says yes, Jim says yes, Judy says yes, and the motion carries.

-All the clerk applicants stand up to speak and tell about themselves. The three applicants that speak are Amber Thompson, Jessica Lefevre, and Stephanie Love. Alyssa Thompson applied but is not present. Stephanie Love chooses to bow out of her application due to the fact that she does not have long term plans to stay in town..

– Executive Session for hiring new Clerk- Judy makes a motion to close a public meeting and open executive session and Jim seconds. Elizabeth says yes, Jim says yes, Steve says yes. Gladys comments that she cannot vote as Jessica (applicant) is her daughter in-law.

-The council goes into the office and the Executive session opens.

-The council returns to the meeting room.

Steve Cox comments that the council then needs to end the executive session and open the regular meeting.

-Judy makes a motion to end the executive session and Steve seconds. Gladys says yes, Elizabeth says yes, Jim says yes, Steve says yes, Judy says yes, and the motion carries.

-Judy makes a motion to resume regular meetings and Jim seconds the motion. Gladys says yes, Elizabeth says yes, Steve says yes, Jim says yes, Judy says yes and the motion is passed. Regular meeting resumes.

– Hire new Town Clerk- Judy welcomes Jessica as the new town clerk. Elizabeth comments that by the next meeting the council needs to decide on what training and how they will be paid for. Steve Cox comments that the council needs to offer the job to Jessica and the council needs to vote on it. Judy then votes to appoint Jessica as the new Town Clerk and Steve seconds. Elizabeth says yes, Steve says yes, Jim says yes, Judy says yes and Gladys does not vote. The motion passes.

– Approve funds for Clerk training $125- Gladys comments that she believes there is more than one and that it should be looked into and decided on what ones the clerk should complete. After more discussion the approval is tabled till March meeting.

– Josh Ellis Ethics complaint- the complaint has been sent in to the attorney and into the state. The town is waiting to hear back on next steps. Elizabeth asks what is in place for situations like this and has found an ordinance from Mapelton ordinance addressing Ethics.She comments that regardless where the complaint goes, it would be best practice to adopt a similar ordinance. Josh Ellis comments that he did talk with Ashley Carter who is director of the political ethics committee at the state level. Josh discusses his standing on the complaint and options moving forward. Josh comments that he would be willing to not pursue the complaint any further if the town would adopt something similar to the Mapelton ordinance. Judy comments that she agrees that the Mapelton ethics ordinance would be a good idea. Elizabeth believes it'll be worth passing on to the planning commission to start looking into.

– Arts Council: – 1. Spotlights to be installed on the Park Pavilion by Boulder Arts Council; 2. Gallery partnership of two Utah Arts and Museums Traveling exhibits with Boulder Arts Council paying for one and Boulder Town paying for one ($125.00); 3. Burning of the elk sculpture in the park; 4. Designate Boulder Arts Council as Boulder’s Local Arts Agency.- Cheryl Cox speaks representing the Boulder Arts Council as the president and she states everyone currently on the board. Cheryl discusses hiring the Fiery Furnace Marching Band and would like approval for the date of July 1st. After some discussion the council agrees that with unknown 4th of July celebration plans then it would be best to invite the band on another date. Cheryl then reads through the 4 listed above items that the Arts Council is presenting. Judy makes a motion to approve all 4 of the items and Gladys seconds. Gladys yes, Elizabeth yes, Steve yes, Jim yes, and Judy yes. The motion to approve is passed

– Tree City Committee presentation- Constance speaks as the Tree City president and describes some of the background, committee members, roles and responsibilities of the Committee , as well as some of the events and projects they host. Tina Karlsson speaks regarding the damaged tree near the dumpsters with the worry for the fire hydrant. Tina took some photos and sent them to the DNR rep. The rep wasn’t sure when he would be able to come and see the tree and he recommended blocking off the area so people could not drive through the spot. Tina comments that she doesn’t believe the driveways between the trees are safe or necessary in her opinion. Jim discusses the damage he has assessed on the tree and his concern for it falling. Tina comments that the committee just wants to be a part of the discussion and decision. Matt Cochrane comments that there is a protocol that needs to be followed about working with the advisory committees when making these decisions. Matt also comments on how well of a job the town of Torrey is doing on maintaining their large trees on their roads. Judy apologizes for not reaching out to the committee when the process started. Judy asks if everyone is in agreement to remove the leaning tree near the dumpsters and hydrant. Jim will contact the tree service.

– Vote on money approval for Trimming Burr Trail Trees-Jim has received a written form of what it will cost to trim and remove the trees on the Burr Trail ($3800). Jim discusses what trees will be trimmed and removed. Elizabeth asks if the Tree Committee has been informed and Judy says she spoke with Constance. Jim says that some of the trees are on private property owned by the Petersons but hang over the town road. Dan Pence suggests having an arborist inspect the trees before trimming and offer some advice. Dan also describes how important the balance of the trees is. Constance agrees with what Dan said. Jim makes a motion to approve the money for trimming the trees on the Burr Trail and Steve seconds. Gladys says yes, Elizabeth says yes, Steve says yes, Jim says yes, Judy says yes and the motion to approve the money passes.

– Checks- Judy makes a motion to approve the December checks and Gladys seconds. All council members say yes and the motion to pass the December checks is passed. Elizabeth makes a motion to approve January checks and Steve seconds. All council members say yes and the motion to approve the January checks is passed.

– Department Reports

Gladys-Gladys asks Jimmy to look over the town roads and let her know so they can update it with the state and determine how many miles the town is collecting.Gladys discusses an ordinance regarding a standard roads needed to meet to be town roads. Elizabeth comments that the ordinance was updated in 2022. Gladys comments that she has completed the training. Her questions are- Does the town have a records Policy? Is there a fee schedule for GRAMA requests? Ethics Ordinance? Gladys also has a question about clerks and treasurers. She believes that the positions need to be looked into and determined who is supposed to do what. Her last question is if the town needs to have a Risk assessment done. Judy comments that the risk assessment has been done. Gladys comments that she is working on cleaning out the freebox.

Elizabeth- Library hours are staying the same, Wednesdays 11-1 and Saturdays 10-12 and hot drinks and baked goods are available on Saturdays for purchase to support the library. The Arts Council gave their update. Planning commission has two public hearings for CUPs for businesses, Lee Nellis is working on bylaws. April O’neal found a discrepancy in the Meadowlark subdivision and it will be coming back up, and the first report on the housing groups.

Steve- still needs the park committee resolution to be approved. Waiting on having the meeting with the committee.

Jim- Bradlee Best would like to know if Boulder town would be open to putting a rollaway dumpster for old appliances and metal at the dump for him to take for his business. All of his vehicles are natural gas. Jim comments that he has been approved by the insurance company. Elizabeth asks if the town has to approve it and Jim comments that he is not being paid and there will be no contract. No new updates on roads besides what was discussed on the Burr Trail Trees. Corry Johnson said Winter Fire School went great and no emergency calls last month.

Judy- Garfield planning commission had 6 public hearings. The commission passed a new ordinance for subdivisions regarding problems they have been having with parking and people doing what they want to do.

– Public Comments-Donna Owen comments that she missed what happened with Robinson Road and the council explains that the item was moved from the end to the beginning of the agenda. Elizabeth comments that the recording will be posted online so she can listen to what was discussed.

– March Business-

Jim comments that he may not be present for the March meeting

Updates from the Robinson road

Town jobs and Salaries

Preliminary 4th of July

Ethics complaint

Park Committee resolution

Jim makes a motion to adjourn the meeting and Judy seconds. Elizabeth says yes, Gladys says yes, Jim says yes, Steve says yes, Judy says yes and the meeting is adjourned.