

MINUTES TO BE APPROVED AT OCTOBER 5, 2023 TOWN COUNCIL MEETING

Boulder Town Council Regular Meeting  
June 1, 2023 7:00 PM  
Meeting Minutes

Town Council Members present- Mayor Judy Drain, Steve Johnson, Jim Catmull, Gladys LeFevre, Elizabeth Julian, Town Clerk Jessica LeFevre

Meeting was called to order at 7:00 PM

Pledge of Allegiance

**Approve agenda-** Mayor Drain stated she forgot about the fire restrictions and was going to have Clerk LeFevre make copies of the Chapter 130 to post around town.

Councilmember Lefevre motioned to approve the agenda. Councilmember Catmull seconded. All voted Aye. Motion passed unanimously.

**TC conflict of interest disclosure-** There were no conflicts declared.

**Approve 2023 Minutes-** Action postponed due to the implementation of a new system and the discussion of a new minutes taker that would be added to the next agenda.

**Public comments-** Mayor Drain opened the meeting for Public Comment.

Ashley Coombs suggested the Council meet twice a month to allow all of the Public Comments to be heard when there were long agendas. He also suggested that during the busy summer months the dumpsters be emptied twice a week and have the dump open more than just Saturday.

Josh Ellis agreed with Mr. Coombs and then commented on the pedestrian pathway. He stated he had submitted a written opinion and had not seen it posted on the website and thought the whole process seemed odd and that from the Boulder ordinances, public infrastructure and development were not exempt from the planning process and it was a land use decision that should go through that process. Mr. Ellis stated he was glad that the fire restrictions were implemented early and appreciated the Town being proactive on that.

Mayor Drain closed the Public Comment.

**South Central fiber optics update-** Tony Dinges from South Central presented this item. He stated they wanted to have it up and running by the end of summer and that as a customer they could expect internet to be 3-4x's faster than what they currently had. Mr. Dinges said they expected to start in 4 weeks and most of their installations were 1 ¼ inch duct which would be installed first using a single tube plow down the sides of the roads and down some of the driveways. They tried to use the plow whenever possible but they also had a drill for places where there was rock that they could not get through with the plow. He stated they would also be placing vaults and peds throughout the community. The vaults were ground level and would not be noticeable and the peds were about ten inches square 12 inches off the ground and those were used mostly at the property lines which would replace the old metal peds on

properties and would eventually all be removed. He stated it would cost more than the current copper rates and was about \$85 a month with fees and taxes which was about a \$7 dollar increase but the service would be much better.

Mr. Dinges wrapped up his presentation and opened the floor for questions.

Councilmember LeFevre asked if they were following the same right of ways as the phone lines already were. Mr. Dinges replied that in most places they would, but there was new construction they would need right-of-way to. He commented that it was so tight in town they would be using the fiber that was currently there and they would be doing salt gulch, lower boulder, and the town and the mesa as one phase and the neighborhood would be the second phase and they would be building all the way out to Garkane.

Councilmember Catmull asked if a land line would still be required to have internet access. Mr. Dinges replied he did not think that that would still be the case.

Councilmember Julian asked if there were any areas that would not have access to this. Mr. Dinges replied if someone currently had access to their service then they would have access to the fiber and they would be adding additional lines to some of the newer houses that had been built recently and if someone was within 300 feet of the facilities it was free to hook up, if they were within 1,000 feet of the facilities and dug the ditch it was also free but if the person did not dig the ditch they would be charged for the materials.

Clerk LeFevre clarified that the cost of getting fiber to houses with existing coverage was covered. Mr. Dinges confirmed and stated if there were people without existing service along their route then they could be added.

Peg Smith asked if the draw was included in this project. Mr. Dinges replied yes, that every place their service already went would be included.

**Adopting pay schedule for all positions-** Mayor Drain motioned to pass the pay schedule. Councilmember Johnson seconded.

Councilmember Catmull motioned to pass the staff pay scale with a minimum of one year before any raise is considered. Councilmember Johnson seconded. All voted Aye. Motion passed unanimously.

Mayor Drain made a motion to move from the public meeting to the public hearing. Councilmember Julian seconded. All voted Aye, motion passed unanimously.

**Public Hearing for adopting 2023-2024 budget-** Mayor Drain stated the only thing they had done was to add \$50,000 at the bottom for up-and-coming projects.

Councilmember Julian made a motion to close the public hearing and return to the public meeting. Councilmember Catmull seconded. All voted Aye. Motion passed unanimously.

**Vote for adopting 2023-2024 budget-** Mayor Drain made a motion to approve the 2023-2024 budget. Councilmember LeFevre seconded.

Mayor Drain called for a vote on the motion. All voted yes. Motion passed unanimously.

**Elections announcements-** Clerk LeFevre commented she had sent out a pegboard but reminded people that in order to be considered for the November election they needed to apply by the 7<sup>th</sup> and there were three seats open.

**Zoning Administrator updates-** April commented they had not found a qualified person yet and she would stay on until they found someone qualified to replace her. She stated there was a 1-lot Rice subdivision which had passed the Planning Commission and the only condition she could say was that the road needed to be put in before building started and once the road was complete and approved by the town, they could move to the final for the plat.

**Rice subdivision-** Mayor Drain made the motion to pass the preliminary application for the Rice subdivision with the condition that once the road was completed by the appropriate standards, they could file their final plat. Councilmember Johnson seconded. All voted yes. Motion passes.

**Planning Commission Clerk job-** Mayor Drain clarified that Peg needed 6 months to train someone. Peg replied she hoped they could get someone hired after this meeting so they could get started but she truly wanted to finish the calendar year herself. She thought 6 months would be an appropriate amount of time for proper training.

Peg commented that this job was not only Planning Commission Clerk but also the Board of Adjustments clerk and that historically there had not been much action for the Board of Adjustments but if a business came before the Board of Adjustments there would be additional hours required. Councilmember Julian asked when the BOA meeting was. Peg replied whether they needed it or not it was in January.

Councilmember LeFevre asked if they had considered combining the town clerk and the planning commission clerk and hiring an assistant or hiring people to do the minutes. Clerk LeFevre commented when this idea was first brought up she was considering it but then she became concerned that she would hold all the keys. There was discussion about having a Deputy Clerk and combining it with the treasury position but the legality of that needed to be looked into and they needed to look into what positions overall could be combined.

Mayor Drain postponed the conversation for the following month until they determined the legalities of combining positions.

Councilmember LeFevre asked if transcribing was a special skill and if it would be helpful to hire someone to transcribe minutes. Clerk LeFevre replied it would be very helpful and that it was a lot for her to try to be present in the meetings and take minutes at the same time and it freed up a lot of her time to do more important things. Peg commented that the minutes requirements for Boulder did not need to be extensive and needed to only present the basic facts of who was present and what was discussed.

**Zoning Administrator job-** Mayor Drain said they would repost the job and April would stay on until they found someone.

**Public Treasures' Investment Fund (PTIF) Resolution-** Clerk LeFevre explained it was not as simple as just moving money around and within the state there were authorized people on the account and the people on the account had not been changed and so it was still Steve Cox, Judy Davis, and Gladys LeFevre and in order to change the authorized persons there needed to be a resolution. It was decided that Judy Drain, Jessica LeFevre, and Gladys LeFevre would be the three new authorized persons.

Councilmember Catmull moved to pass the PTIF resolution to change the authorized persons to Judy Drain, Jessica LeFevre, and Gladys LeFevre. All voted Aye. Motion passed unanimously.

**Tree City Ordinance review-** Councilmember Julian suggested forming a committee for these kinds of discussions rather than having them in Council meetings. Mayor Drain and

Councilmember LeFevre suggested new language for the ordinance. There was discussion on what language Council wanted to replace. Sam Stout was concerned about the types of trees that were being put into the park and thought Russian Olives, Cottonwoods, and elms should be banned. It was decided a draft would be written up and any changes could be made before action was taken.

**Independence Day update-** Councilmember John gave an update on the Independence Day festivities. There was discussion on what the town budget for all of the events would be. Clerk LeFevre informed Council there was \$2,000 in the budget allotted to the festivities. Councilmember Julian suggested they rescind the motion made on the budget to increase the budget to \$3,000.

Councilmember Julian made a motion to rescind the motion passed previously on approving the budget. Councilmember LeFevre seconded. All voted Aye. Motion passed unanimously.

Councilmember Julian made a motion to take \$1,000 from the cemetery maintenance fund and move it to the Independence Day budget making it \$3,000. Councilmember LeFevre seconded. All voted Aye. Motion passed unanimously.

**Solar event in October-** Councilmember LeFevre volunteered to contact the different agencies to see how they were planning to accommodate the influx of people for the event. It was decided she would be appointed for the role.

**Ongoing updates on concerns of Pedestrian Path-** Councilmember Catmull presented the item and said the money was presented to the town for an ADA path so that was what they had to do. He checked to see if they could change it to asphalt which would add 1/3 of the money presented to them for what they applied to and there were chemicals they could add to concrete to prevent cracking and improving maintenance and concrete was the easiest and cheapest way to do it.

Sam Stout commented that this was a really good deal and if they turned this money down they weren't going to get this deal again so they really needed to look into this before making a decision.

Mayor Drain decided they needed to look into the proper avenues they needed to take throughout the process to make sure they followed the appropriate requirements for accepting the money.

Councilmember LeFevre asked about the maintenance of the path. Councilmember Catmull explained what concrete maintenance would look like.

## **Town Projects**

- a. resurface pickleball court** – Mayor Drain commented the pickleball court was in bad shape and they left it at the top of the list.
- b. extend Town Pavilion parking** – It was decided a proposal would be written up and presented to Council by the Parks Committee. Sam Stout said he would put in the culvert at his own expense with his equipment if the Town paid for the materials.
- c. New “Welcome to Boulder” signs** – Councilmember LeFevre commented there was money available through the travel council for these, they just needed to decide what they wanted them to look like.

**d. north side of Town Hall** – It was decided to keep this on the list and not discuss it too much.

**Review Town Hall building use requirements and rental amounts assigned-** Clerk LeFevre stated the document regarding this had been found that day in the office and had not yet been uploaded to the Town website, but it would be. Rental fees and a cleaning clause were discussed and the item was postponed for a later date.

**9/11 Day of Service-** Councilmember Johnson presented the item and explained what the Day of Service was.

**New town attorney-** Mayor Drain stated she had talked with Mark McIff and he had suggested they use the ULCT and have an attorney on stand-by for what the ULCT did not take care of. She explained the guy's name was Todd Godfrey and he was very good but her concern was how fast they would get back to them. Clerk LeFevre commented that all of the towns in Garfield County except Loa used the ULCT and suggested they reach out to other cities to ask about response time. She explained she had talked to Michael Winn, the county attorney for Wayne County who seemed interested in taking on the role as a stand-by attorney and when asked about how much he would cost, he said he did not work here for the money, and it could be discussed. He has done a lot of work with Torrey who had similar issues as Boulder Town so he was already relatively versed on some of the issues Boulder would need an attorney for.

It was decided to invite Mr. Winn to the next meeting for a discussion about going forward.

**Department reports-** Councilmember Catmull reported that the fire department had an extrication class at the museum, and he was talking to Johnson and Miller about getting grant money for fixing the road in the subdivision for severe weather.

Councilmember LeFevre reported that when Dean collected money for dump runs he did not know what to do with money and so he brought it to Hall's store and they needed to figure out what they did with that process. There was discussion about giving him a ticket book and having him drop slips into the drop box so the Town could bill people.

Councilmember Julian reported the library was continuing to have the same hours.

Councilmember Johnson had nothing to report.

Mayor Drain reported they had passed one CUP at Garfield and two at the subdivision and that they were just waiting for the paperwork for Tamarix and Bree and once they got the insurance, they would start cutting the trees.

Councilmember Julian reported on Planning Commission updates and Arts Council updates.

**Approval for May checks-** There was discussion of the May checks.

Motion made by Mayor Drain to approve the checks issued in May. All voted Aye. Motion passed unanimously.

**Final public comments-** Public comments submitted online were read from Josh Ellis, Shelley Price-Gipson.

**July Business-** Mayor Drain presented the July business items.

**Adjourn-** Motion made by Mayor Drain to adjourn. Seconded by Councilmember Catmull. All voted Aye. Motion passed unanimously.

Meeting Adjourned.

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Minutes prepared by Jessica LeFevre, Town Clerk

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Date

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