

MINUTES TO BE APPROVED AT NOVEMBER TOWN COUNCIL MEETING

Boulder Town Council Regular Meeting  
September 5th, 2024 7:00 PM  
Meeting Minutes

Town Council Members present- Mayor Judy Drain, Josh Ellis, Ray Gardner, Gladys LeFevre, John Veranth

Town staff present or on Zoom- Town Clerk Jessica LeFevre, Deputy Clerk Lacy Allen

Meeting was called to order at 7:02PM

The Pledge of Allegiance is spoken

**Approve agenda**

Councilmember Veranth made a motion to approve the agenda. Councilmember Lefevre seconded the motion.

All in favor.

Motion Carries.

**TC conflict of interest disclosure**

Councilmembers Gardner and Lefevre stated they both have RV parks.

**Approve Minutes**

Councilmember Ellis made a motion to approve the April 4th Regular Meeting, May 2nd Regular Meeting, June 6th Regular Meeting, July 25th Special Meeting, August 8th Regular Meeting as amended.

Councilmember Lefevre seconded the motion

All in favor.

Motion Carries.

**Department report, Council and Administrators**

Councilmember Ellis reported to the Wildfire Council, there will be a questionnaire coming out. The Fire Department implemented the new app for incident communication.

Councilmember Veranth reported he contacted Chriss Potter that the Pathway Grant has been rescinded and he needs to get it in writing over to Chris Potter.

Councilmember Gardner reported that he met with members of the tree committee to look at possible locations to plant 8 trees. He forwarded the information to the Park Committee. A decision needs to be made by the 15th.

Mayor Drain reported on the Tree Committee that they received a grant for 8 trees to put in the park. There will be 30 trees available. They are first come, first served. To be eligible for the trees, you need to commit to help plant community trees. There will be Apple Cider pressing and Wood Fired Pizza by Karen. This event will be held on October 8th.

Zoning Administrator Erin Smith reported most days Monday through Friday she is available around 2:30 and is available by appointment.

Commissioner Nancy Tosta reported on the Planning Commission. They are continuing to work on the Subdivision Code and it is still a work in progress. The next meeting will be on September 19th. They would like to request a discussion with the Planning Commission sometime after that to go over Subdivision Code to get comments which will be followed by a Public Hearing.

Commissioner Tosta mentioned there is an upcoming "Voices of Boulder" event or series of events that will be a collection of stories from Boulderites. The first one will be on October 18th at the Anasazi Museum.

Commissioner Tosta reported that Shelley has resigned. There will be a vote at the next meeting.

Councilmember Veranth suggested a special meeting on October 1st at 7PM.

### **Mayors Comments**

Mayor Drain read Donna Jean Wilson's Obituary and made a few kind remarks about Donna Jean Wilson.

### **Public Comment**

Donna Owen commented that she appreciates everyone and what they do. She says there is need to work on Lower Boulder Road and the weeds on the corner are very dangerous. She also commented that the fees implemented last month are exorbitantly large and are possibly illegal. She asked the town to read the ordinance again.

Blake Spalding echoed what Donna Owen stated about the roads.

Councilmember Veranth gave an overview of the RV Ordinance Process based on the final draft from the Planning Commission. A 270 day stay period was discussed and needed to be discussed with public input.

Councilmember Veranth made a motion to close the Regular Meeting and move into a Public Hearing. Councilmember Lefevre Seconded. All in favor. Motion Carries.

### **Public Hearing - RV Ordinance**

Blake Spalding commented that she would like to see RV Rentals correlate with a 9 month tourist season. The businesses are providing the lionshare of the budget for the town and it seems reasonable that they be able to have housing that would coincide with the season.

Mark Nelson commented he thinks that the way the RV Ordinance was written should have been dead on arrival and feels that it doesn't work. Table of Uses as to what is potentially compatible is not defined and it is not specifically spelled out enough. He feels some of the wording is vague and the idea of a "local worker" isn't spelled out either. He also said this ordinance seems impossible to enforce.

Jen Bach commented that living in an RV you are not subject to the same amount of property taxes. She asked how the people living in the RV's contribute to the income for the town. She feels that 270 days is almost permanent and so what is the incentive to build a home. She also asked if there is a permit involved? Are there fees and how are the limits enforced?

Elena Hughes spoke in favor of the 270-day limit. She reminded them that they talked a lot about if there are municipal concerns and that they have been addressed elsewhere in the ordinance. She thinks this is a good thing to do.

Phoenix Bunke spoke in support of the changes in the ordinance. RV's as temporary housing is something other people are actually doing in town and is something used by private landowners and it is more affordable. She is also in support of the 270 day limit. She thinks this makes it safer and it makes leases feel more appropriate. It would allow protections for landowners, businesses and people living in RV's.

Dan Pence said he is totally in favor of the Ordinance. He commented people have been living in RV's in Boulder as long as he can remember. We have been talking about housing for years and this does not solve it, but it is a common sense, concrete step and we need to start moving and he would like to see it unlimited. He is in support of this ordinance.

Nina Brownell voiced support of the RV Ordinance. It makes sense for Local Businesses and people trying to live here long term. Most people use it as a stepping stone and save money while you can.

Donna Owen commented she is for and also against this. Mobile home parks could have been allowed tucked away and put in a place that wasn't right out front, but RV parks are now on Highway 12. Is there a permit process? The town seems to be super tight on some things and super loose on the other.

Jennifer Geerlings thanks the Planning Commission and the Town Council for trying to make sense of the RV Ordinance and make it better. She said she supports it and there are many RV's around town not being used and she thinks they should be used for housing. We all want Boulder to be a good place and she doesn't feel that this ordinance threatens that.

Nancy Tosta clarified that the change in the Ordinance 153.176 was one amendment that the Planning Commission put forth allowing recreational vehicles to be allowed as temporary housing. It was an attempt to have housing for businesses to house employees.

Councilmember Veranth made a motion to close the Public Hearing and go back into the Business Meeting. Councilmember Lefevere seconded the motion.

All in favor.

Motion Carries.

### **Discussion and Possible Vote on RV Ordinance**

Councilmember Veranth made a motion to approve the text of the ordinance-2024-2-version 070224 -with-TC-Amendments including approval of the changes highlighted in yellow in the version on Google Drive.

Councilmember Lefevre seconded the motion.

Discussion amongst the council started at 1:15:24 and ended at 1:26:09

Councilmember Ellis spoke about RV's and the housing crisis. He stated these ordinances are easy to fix if it gets out of control. He stated that he's ok with making a rule of 1-2 RV's per property and that they should try it out.

Councilmember Lefevre asked if this is only to be used for employee housing or is it open to anyone?

Councilmember Ellis responded that it can be on any property.

Councilmember Lefevre states she had concerns and they should make sure the RV's are licensed. She asked how the 270 day limit is enforced.

Councilmember Gardner commented that he thinks it will be hard to enforce given the lack of resources. He stated he has a conflict of interest since he has an RV park and said he shouldn't vote on it.

Mayor Drain said she doesn't have a problem with it and sees potential problems down the road but it is all about being able to track and enforce the 270 day limit.

Councilmember Gardner abstained.

All others in favor.

Motion Carries.

### **Budget/Financial Reviews**

Town Clerk Jessica Lefevre gave the 2024 fiscal year and financial audit update, including the discovery that the Town had failed to pay many quarters of employee taxes to the IRS via Form 941 dating back to 2019. The timestamp to listen to the recording starts at 1:28:00 - 1:54:00.

JMV recommends a brief summary of the financials for the record.

### **Fee Schedule**

This item was tabled for the next month.

### **Independence Day**

Tabled for now.

### **Moosemens Weather Station**

Councilmember Lefevre made a motion to approve the Moosemens Weather Station.

Councilmember Ellis seconded the motion.

All in favor

Motion carries.

### **Staff Upcoming Work & Priorities**

Replacing Crosswalks, sign fixed, Corry Job Description, Staff email list.

### **Approval for August checks issued**

Town Clerk Jessica Lefevre stated she would like to wait to vote on this until next month because she was unable to double check on the checks and amounts. The Council agreed.

### **Upcoming Business for October**

Work Meeting, Fee Schedule, filling the Planning Commission seat, Independence Day.

### **Adjourn**

Mayor Drain adjourned the meeting at 9:15 PM.

DRAFT