

## **Tropic Town Council Meeting**

Minutes of the Tropic Town Board Meeting  
Held April 13, 2017 at 6:00 p.m. in the Tropic Town Heritage Center

**PRESENT:** Mayor WaLon Brinkerhoff **BOARD MEMBERS:** Jason Bybee, Travis LeFevre, Dennis Pollock and Brook Wiseman. Marie Niemann – Tropic Town Clerk & Sydney Syrett – Tropic Town Treasurer.

**OTHERS:** Brett Chynoweth, Bob Sudweeks, Carson DeMille, Cary Deccio, Kelly Shakespear, Levi Holm, Robert & Joanne Brannon, Travis Holm, Scout Holm

**CALL TO ORDER:** Mayor WaLon Brinkerhoff

**PRAYER:** Cary Deccio

**PLEDGE:** Robert Brannon

**APPROVAL OF MINTUES:** A correction as to the alternate location for the cell tower was made - A motion was made by Dennis Pollock to approve the minutes of the Tropic Town Board Meeting held March 9, 2017 with this correction. Second by Brook Wiseman. Motion carried.

**APPROVAL OF THE AGENDA:** A motion was made by Travis LeFevre to approve the agenda. Second by Jason Bybee. Motion carried.

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### **THE COMMUNITY**

Bryce Canyon Mule Days: The summer season is starting off with an event hosted by the BV Business Association. Merrilee Mecham reported an arena is being built on the south side of T-Hill to host the Bryce Canyon Mule Days; this year it will be May 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup>. The event is starting off with a Brenn Hill concert being held at Red Rock City barn ~ more details to come. An ice cream social is schedule Thursday at the Heritage Center. They are hoping the event grows and becomes an annual event hosting a variety of activities; with a parade, barrel racing, roping, and other competitions as well as a variety of clinics and food vendors. Funds were secured from the County and ½ Marathon Committee. Mayor offered financial support from the Town; Merrilee was appreciative, but believes they have it covered this year.

### **PLANNING COMMISSION**

Business License: Cary Deccio made application for a car rental business; being based out of his home, but meeting up with those visiting the area off premises ~ Ruby's Inn, Airport, etc. All was found to be in order and in compliance with town code. A motion was made by Jason Bybee to approve a business license – Second by Travis LeFevre. Motion carried.

Another business license application was reviewed for Robert & Joanne Brannon. The previous owners of their home had a guest house; they would like to use it as a vacation rental. All is in compliance with the town code on vacation rentals ~ zoning, tax codes, w/s rate, etc. A motion was made by Jason Bybee to approve a business license for Robert and Joanne – Second by Travis LeFevre.

Robert expressed appreciation to the Mayor, Council and the community for welcoming them and the Bible Church into the community. They have accepted a service mission in China, which will take them a few times throughout the year. The bible church will be run by a congregation from Marysville.

Building Permit: An application was reviewed for Mavis Streble to build a home ~ all was found to be in order. As reported in PC meeting, w/s connections are on hold until the lagoon capacity situation can be remedied. Discussed purchasing a w/s connection from someone not in use; council had no problem with this. A motion was made by Travis LeFevre to approve a building permit – Second by Dennis Pollock. Motion carried.

Travis, Levi & Scout Holm: The subdivision & motel proposal started, but never completed by Richard Parry, has left many unanswered questions as to the recording, infrastructure and approval of the project. Over the past few months, the property was purchased by the Holms with plans to build a 102 room motel; being it was never completed, a review of the minutes and an investigation of the County records as to what is recorded and approved was done; records indicate the subdivision & plat map was recorded, but it was never completed or approved; nor was the motel portion approved.

Addressed in PC meetings, discussions on vacating the subdivision, recording of the plat, and a number of other items have been addressed. In April, Levi asked for a height variance of 37ft; upon further investigation, a resolution was passed in 2008 changing the height restriction to 40ft. Levi was also asked to sign off with Fire Chief Ron Harris on being able to provide emergency/fire services; Levi reported he spoke with Ron; it would be the County that would sign off of sprinkling system. Council questioned what condition the water line is; Brett reported the required ISO is 1,000 gpm and water line needs to be looped; but it is a dead-end line. It was also reported none of the fire hydrants throughout town provide 1,000 gpm.

Travis Holm expressed with certainty that the subdivision was completed and approved, recalling the 2008-2009 minutes; and would prove it. This opened up a debate of what was actually approved ~ it was agreed that an approval was given to move forward with the recording and developing of the subdivision, but it was never completed, accepted or signed off, if so there would be documentation in the minutes and receipts on water/sewer connections and a building permit issued. Included in the debate/discussion, Dennis reported Levi was also asked to bring the subdivision into compliance with the subdivision ordinance, namely the road, curb & gutter; there is 10ft of space between the town road and the south side of the property that is the sub-divider's responsibility.

Questions and discussion continued, with Mayor reminding Travis that the project is still at the preliminary stage with the planning commission; also, as it has been explained to Levi numerous times, Tropic has a sewer lagoon issue and no w/s connections are available until the sewer study is received and information released on the status of the lagoon. Levi asked for a timeframe on when the information will be available as well as w/s connections. Dennis replied stating it could be two, maybe three years; depending on what the study reveals. Travis & Levi felt the town was delaying or dragging their feet; Travis LeFevre replied that the Town had started a study; and whatever the studies report, he can guarantee the Town will not have 105 connections to give him; plus there is a project before you that would like 150 connections for an RV Park.

Continuing, Clarification between Levi and Marie took place on what motion was made at planning commission meeting regrading what was needed to recommend the project to the Council ~ Levi questioned this, with Marie offering to play the audio of the meeting. Mayor pointed out that the bigger issue is the sewer lagoon, Carson DeMille is in attendance to give the Council an update on the status of the lagoon and possible solutions to remedy the issues; invited them to listen in.

Discussion expressed Tropic is going to grow, but at what cost; Mayor reported this project and the RV Park would double the current number of connection Tropic has. There is a breaking point and businesses will be shut off before the residents; if it ever gets to that point. Jason asked they have other property that they could use to pursue this project – Travis replied yes, but wanted to utilize this property. Travis Holm would like to complete a separate sewer study, and asked for the Town's permission – Council had no issues with it. A motion was made by Travis LeFevre that the project be returned to planning and zoning and complete the requirements of the subdivision, receiving the commission's recommendation – Second by Brook Wiseman. Motion Carried.

## **CULINARY/SEWER**

Jones & DeMille engineering was awarded the contract for the sewer study, Carson was in attendance to provide an update of their findings and to discuss the Town's options to resolve the lagoon issues. After collecting all the data and doing a "water balance" analysis, which show how much water is going into the lagoon, how much is evaporating and how much is seepage. The State has a maximum infiltration rate and Tropic is 200% more than what the state allows. Tropic's seepage is 11,000 gallon an acre per day, State allows 6,500; this reveals a liner problem. By cleaning and repairing these issues Tropic will be over capacity by the end of the year, with the lagoon overflowing; not doing the repairs will result in a \$10,000 a day penalty from the State. Jason asked if this takes into consideration the discharge permit allowing for land application, Carson replied that the permit isn't a long-term land application; Tropic isn't set up for it – having to have a chlorination, disinfectant, etc.; it is more for an emergency situation – helping the town get through the peak season. State would implement a compliance plan, which requires a 20-year timeframe ~

Discussing how to move forward, Carson reported Tropic would need an additional 9 acres of land ~ ideally the land owned by Pete Mangum to the East. The State will not give any funds to dig the cells deeper, and it wouldn't resolve the issue; cleaning, repairing and building new lagoons is needed – whatever the decision, a rate increase is inevitable. In conclusion, a public hearing/meeting is needed informing the residents as to the condition of the Town's w/s system, what direction they want Tropic to grow in, and what is their vision for the future of Tropic \* Need to focus on the General Plan ordinance, zoning districts, w/s rate structure, etc. Marie reported Dennis had asked that she talk with David Church regarding placing a moratorium on w/s and limiting or allocating them \* residential/commercial – lodging, or other services; Mr. Church stated it all comes down to what is written in the General Plan.

Discussed the purchase of a water/sewer connection not in use; it was agreed that if the meter is not installed it could be sold. It was asked to contact David Church inquiring if a moratorium can be placed on commercial and not residential.

On the advice from Town Engineers Jones & DeMille, and the information received the motion was made by Dennis Pollock to place a moratorium on water/sewer connection and to allow a purchase of a w/s connection from someone that has been paid for, but is not installed. Second by Travis LeFevre – Motion carried.

## **ROADS/STREETS**

Road Bid Awarded: Bid opening was held April 11, 2017 ~ a number of bids were submitted with the lowest being received from Larry Rose. Council expressed concern with Larry's work ethic when it comes to being dependable and consistent, keeping on task and meeting the deadline; the Council asked Daron to convey their expectations to Larry regarding this and having his workers onsite beginning the workday when they arrive. The penalty associated with the contract will be enforced. Council discussed project details and funding, with the possibility of some roads being cutout due not having the deeded right-of-ways; specifically 1250 North, Crowther, etc. A motion was made by Jason Bybee to award the Road project to Larry Rose Construction Second by Travis LeFevre – Motion carried. Mayor Brinkerhoff signed the agreements.

## **PARKS/RECREATION**

Some shrubs/trees planted by the Veteran's memorial have died; will need to replace. Regarding the framing in of the office area, Brook asked that a "notice" be placed in the Garfield Insider advertising the need for a licensed contractor to do repairs and construction work at the Heritage Center. Update on the bronze statue, a letter was sent to from Barry Huntington requesting a refund; discussed options. Council asked Brook to follow up with Barry, giving the company an ultimatum to produce the statue by a certain date or \$30,000 ~ the cost to have someone else make the statue.

## **FIRE DEPARTMENT**

The sale of the old Search and Rescue Truck was put out for bid and awarded to Bill Frandsen.

## **ANIMAL CONTROL**

Discussed one specific dog in general that continues to run loose; it was reported the owner did come in a purchase a dog license and paid the previous impound fee and 2 holding fees.

## **EMPLOYEE REPORT**

Town Clerk Marie Niemann passed the Notary Test ~ will be submitting application to the State. Also, following on the Council's request regarding the compensation other communities give to those who serve on the Council and Planning Commission, an ordinance was prepared for the Council to review and discuss what road they want to proceed, if any. Along with this, Council needs to decide how they would like to hold the municipal election – mail-in or walk-in. Travis expressed strongly the need to positively advertise the election ~ discussed ways to make the community aware of the positions up for re-election: Mayor & 2 Council seats.

Other items included the amending of the Fee Schedule – the increase in the water sewer rates, conditional use permit, business licensing, etc. Also, will the renewing of business licenses coming up in June, the resolution amending the business license ordinance identifying “Vacation Rental” will need to be adopted in May.

Brett reported the water tank alarm is installed and needs adjusting; each time the level drops him and Bob are notified and have responded 3 to 4 times a night.

It was reported that the “Night Sky” program is still in operation ~ when Kevin was approached about it, he reported he wasn't charging, but taking donations. Another issue needing to be addressed is the operation of Bryce Valley Lodging newly built cabins; they are operating with a permit of occupancy. Information was also conveyed their plans to move the rocks/trees back once the permit was issued; which continues to prove their scheming work ethics ~ A motion was made by Brook to contact Jared Woolsey and Red Tag the project. Second by Dennis Pollock – Motion carried.

## **MAYOR'S REPORT**

An incident occurred that angered a business owner regarding information that his business was on the delinquent list – a conversation discussing the delinquent water shut off list was overheard by Officer Pierson; thinking he was helping, went to the elementary school and told the Megan. Mayor Brinkerhoff asked that when discussing items in the office to be more aware of the surroundings – understanding that the incident was not intentional.

Council would like a room count of businesses be made annually; and asked Sydney to report to the Council those businesses that are not paying their resort taxes.

## **ADJOURN**

A motion was made by Jason Bybee to adjourn – Second by Brook Wiseman. Motion carried.

Approved this 11<sup>th</sup> day of May 2017  
Marie H Niemann – Tropic Town Clerk