

**PLACE:** Cedar Fort Town Hall, 50 East Center, Cedar Fort Utah

**TIME:** 7:00 p.m.

**MINUTES TAKEN BY:** Vonda Cook

**TOWN EMPLOYEES PRESENT:**

Autumn Blackner- Treasurer, Vonda Cook – Recorder

**COMMISSION MEMBERS PRESENT:**

Dave Rose – Chairman, Gary Cook, Taras Lojik, Bart Berry

**VISITORS PRESENT:**

Mayor Howard Anderson, Verlynn Cook, Jason Cook, Autumn Blackner, Stephen Miller, Councilman David Gustin, Councilman Chris Murphy, Lori Adams, Councilwoman Cibula, Cara Lyon, Calvin Cook – didn't sign, Annie Miller came late and didn't sign, Doug Chesley came late and didn't sign

**AGENDA ITEM #1 – OPEN MEETING – ROLL CALL, PLEDGE OF ALLEGIANCE, PRAYER/THOUGHT**

Chairman Rose called the meeting to order at 7:00 p.m. He said all members of P&Z were present except for Jason Davis. The Pledge of Allegiance was led by Commissioner Lojik and the prayer was offered by Chairman Rose.

**AGENDA ITEM #2 – APPROVE MEETING MINUTES FOR OCT. 10**

The Commission reviewed the meeting minutes for 10 October. Chairman Rose made a motion to approve the minutes for October 10. Commissioner Berry seconded it. Motion passed unanimously.

**AGENDA ITEM #3 – APPROVE MEETING MINUTES FOR SEPT. 12**

The Commission reviewed the meeting minutes for the meeting held 12 September. Chairman Rose made a motion to approve the meeting minutes for September 12 as presented. Commissioner Lojik seconded it. Motion passed unanimously.

**AGENDA ITEM #4 – DISCUSSION ON ANNETTE AULT SUBDIVISION**

Annette was unable to attend the meeting. She will be on the agenda at a later date.

**AGENDA ITEM #5 – DISCUSSION AND VOTE TO APPROVE STEPHEN MILLER BUSINESS LICENSE**

Stephen said he wants to do a software business out of his home. He will be writing software. Chairman Rose asked him if he will have clients coming to his home. Stephen said no.

Commissioner Berry made a motion to approve Stephen Millers business of Venture Software LLC home occupation business license. Commissioner Lojik seconded it. Motion passed unanimously.

**AGENDA ITEM #6 – DISCUSSION AND VOTE TO APPROVE JASON COOK MISCELLANEOUS BUILDING PERMIT**

Jason said he was applying for a permit to build a carport /cover for a motor home. Commissioner Rose asked him if it was a prefab building. Jason said yes. Mayor Anderson pointed out that Jason's carport would be similar to his carport. The Commissioners reviewed the plan. All setbacks were good.

Chairman Rose made a motion to approve Jason Cooks' building permit #1268. Commissioner Berry seconded it. Motion passed unanimously.

**AGENDA ITEM #7 – DISCUSSION AND VOTE TO APPROVE DOUG CHESLEY OUTBUILDING PERMIT**

Doug was not there yet and Chairman Rose explained that Doug had a building permit last year and he never got it built. [Correction: Doug's building permit was approved this year on 11 July, 2017 but fees were not paid within the required 60 days after approval. Fees were paid 31 October, 2017.] Chairman Rose said the building and all of the setbacks are the same. Gary asked if they could just renew it.

Chairman Rose said it was approved for electrical but not water. Vonda said she didn't know if he was going to do electrical at this time because they are having trouble finding the line. Chairman Rose said if he does the electrical at a later date he will have to have an electrical inspection.

Commissioner Berry made a motion to approve the updated building permit for Doug Chesley, #1266. Commissioner Lojik seconded it. Motion passed unanimously.

**AGENDA ITEM #8 – DISCUSSION AND VOTE TO APPROVE BART AND STEVE BERRY LAND ADJUSTMENT/SUBDIVISION**

Commissioner Berry explained that when Tyna Minet Anderson submitted a subdivision application to approve her property [she acquired it from Steve and Bart Berry], they [Steve and Bart] were wondering if they had to do the other piece as well since it was done at the same time. He said he didn't know what it required. Mayor Anderson said the Berry's got their application in within the grace period. Chairman Rose agreed it was submitted before the grace period expired and said it is just a formality to make sure that it is recorded as an approved subdivision.

Bart said they went to the County and the two entities couldn't come together on the correction and he said the supervisor said to do it and the other guy said he won't do it and they have been battling over in for 3 months. He said finally he and Steve said they would just get new deeds and he said Tyna has the new one and they are going through the process of getting that fixed.

Commissioner Cook made a motion to approve Bart and Steve Berry's approval for the subdivision on Tyna Andersons plot and on the division of that property. Commissioner Lojik seconded it. Motion passed with 3yeses and 1 abstained. Chairman Rose, Commissioners Cook and Lojik voted yes. Commissioner Berry abstained.

**AGENDA ITEM #9 – DISCUSSION AND VOTE ON FALCON COMMICHAUX SUBDIVIDING**

Chairman Rose turned the time over to Falcon. Falcon said he is ready to go the whole nine yards. He said he understood the seriousness of the allegations [he is making] and he had lots of information. Chairman Rose said that any of the legal information he [Falcon] may have was not for P&Z and they couldn't address any allegations against the Town. Falcon said he had been afraid that was the case.

Chairman Rose said that from the letter that Falcon had sent to the Town he gathered that Falcon wanted two buildable lots. Falcon wanted to explain his relationship with John Jacob that led up to this point. Chairman

Rose said they had read Falcons letter and understood that part of it. Commissioner Berry also said they had read the letter and added that the timeline was there.

Falcon said they thought the property was sold in 2008 but the sale didn't go through so they didn't split the property at that time. Falcon said the first split was in 2015 where he split a portion off from his house, but he was unable to get it sold as one piece. John Jacobs wanted to buy part of it so he said he split it a second time during the moratorium. Commissioner Cook said they fixed that by putting it back into one lot. Commissioner Cook said John Jacobs told the P&Z that he didn't understand at the time. Commissioner Cook said they fixed that by putting it back into one lot. He said he thought it was just an error on Falcon and John Jacobs part and P&Z should approve the split now.

Mayor Anderson asked what happened during the moratorium. Commissioner Cook said Falcon and John Jacobs split the lot during the moratorium, and then in about June, P&Z had them put it back into the original description to correct the split that was done during the moratorium. He continued by saying that now Falcon wants to split it into two lots. Falcon explained that he wanted to divide it into two lots that would meet the new requirement of 150 ft. of road frontage on a one acre lot.

Councilman Gustin said that if Falcon had subdivided during the moratorium it was illegal and all subdivision during the moratorium was unlawful. He said even if he had done it with the 150 ft. it would still be unlawful.

Commissioner Cook said it was done at the wrong time with the wrong descriptions. After the moratorium they put in back together during the grace period. He said he thought it was ok.

Commissioner Berry made a motion to approve Falcon and Janiece Commichaux's subdivision with whatever number they assign it as stated. Commissioner Cook seconded it. Motion passed unanimously.

#### **AGENDA ITEM #10 – ADJOURN PUBLIC MEETING**

Chairman Rose made a motion to adjourn the meeting. Commissioner Berry seconded it. Motion passed unanimously. Meeting adjourned at 7:40 p.m.