

PLACE

Cedar Fort Town Hall
50 East Center
Cedar Fort Utah

MINUTES TAKEN BY

Vonda Cook

TOWN EMPLOYEES PRESENT

Vonda Cook – recorder/clerk

VISITORS

Angie Gurney, Chad , Greg Douglas, Barry Miller, Kaly Richmond, Justin Richmond, John Jacob, Dennis Cook, Weston Ault, Justin Lyon, Chris Jensen, Lynnette Groff, Clarence Ault, BD Berry, WG Berry, K Berry, John Berry, Steve Bowen, Steve Berry, Mathew Chase, Ronald Steel, Nathan Harris, Emily Covarrubias

CALL TO ORDER

Mayor Anderson called the meeting to order at 8:15 p.m.

ROLL CALL

Mayor Anderson, Chris Murphy, Richard Stark, Ellen Cibula, Dave Gustin

PLEDGE OF ALLEGIANCE

Bart Berry

PRAYER/THOUGHT

Mayor Anderson

REVIEW/APPROVE PREVIOUS MEETING MINUTES

Mayor Anderson made a motion to approve the meeting minutes for 21 March 2017 as presented. Councilman Murphy seconded it. Motion passed unanimously.

BUDGET REVIEW

The Council reviewed the budget. There were no issues.

REVIEW/APPROVE TOWN BILLS

Mayor Anderson made a motion to approve the town bills as presented. Councilwoman Cibula seconded it. Motion passed unanimously.

REPORTS FROM ZONING/BOA, FIRE DEPARTMENT, TOWN EMPLOYEES

P&Z Chairman Barry Miller reported that Paul Peterson had resigned from P&Z and they need a new commission member.

Steve Bowen said everything had been pretty quiet for the fire department.

There were no reports from town employees.

REPORTS FROM COUNCIL MEMBERS

Councilman Stark asked for an update on the bathrooms at the park. Mayor Anderson said it is coming along.

Councilman Gustin asked if anyone had checked the B&C road funds to see if we were getting the correct amount of funds coming to us. Councilwoman Cibula said she would check.

Councilwoman Cibula said she had talked to Preferred Paving about the kids request for the roads. She said they haven't got back to her yet.

Councilman Murphy thanked everyone who helped on the cemetery project and donated equipment.

Mayor Anderson said they had received another CDBG grant for the rec center modifications that will include a big room, new HVAC unit and new waterline up 100 east connecting the community center to the town water system.

AGENDA ITEM #1 – VOTE TO APPROVE LAND USE ORDINANCE – PLANNING AND ZONING-FROM PUBLIC HEARING

Mayor Anderson said he thought they should move forward because they have had meetings and discussion. He said if P&Z wants to address any of the changes they can and he said he hopes people come to those meetings and participate.

Mayor Anderson made a motion to approve P&Z Ordinance CFO-200-PZ-2017 as published on the state website. Councilman Murphy seconded it. Motion passed unanimously.

AGENDA ITEM #2 – VOTE TO APPROVE LAND USE ORDINANCE – SUBDIVISION-FROM PUBLIC HEARING

Mayor Anderson made a motion to approve P&Z Subdivision Ordinance CFO-202-SD-2017. Councilwoman Cibula seconded it. Mayor Anderson said he hoped P&Z would review this change and discuss it and if people have strong opinions about it that they will come to the meetings and voice their opinions. Councilman Stark said he was of the opinion that they should hold off for 30 days. Councilman Murphy said they had held meetings every week and they had talked it out and he felt comfortable with what they were doing. He said at this point he didn't see any reason to drag it out. Councilman Gustin said even if they wait, they can't make everyone happy.

Mayor Anderson called for a vote. Mayor Anderson, Councilman Murphy, Councilwoman Cibula and Councilman Gustin voted yes and Councilman Stark voted no. Motion passed with 4 yes votes and 1 no vote.

AGENDA ITEM #3 – VOTE TO APPROVE LAND USE ORDINANCE – SENSITIVE AREA OVERLAY – FROM PUBLIC HEARING

Mayor Anderson made a motion to approve Cedar Fort ordinance #CFO-026-SA-2017. Motion passed unanimously.

AGENDA ITEM #4 – DISCUSSION AND VOTE ON SHERIFF CONTRACT

Mayor Anderson made a motion to accept the sheriff's contract as presented to the council with the rates and times as agreed to [by the Town]. Councilwoman Cibula seconded it. Councilman Gustin said this is the same contract they agreed to in the last meeting. Mayor Anderson said the terms of the contract were for 7 hours/week at the rate of \$50.00/hr. He also said that Cedar Fort had been over charged and would be receiving a refund of almost \$15,000.00.

Mayor Anderson called for a vote. Motion passed unanimously.

AGENDA ITEM #5 – DISCUSSION AND VOTE ON RECREATIONAL GRANT APPLICATION

Mayor Anderson said they had received a recreational grant for \$1000.00. He said it comes from the hotel tax. He said they can spend it or roll it over for 3 years. Mayor Anderson proposed they use the grant for gravel in the cemetery. Council discussed. Council decided to use it on gravel and if that isn't accepted they will roll it over for future use at the park.

Mayor Anderson made a motion to accept the proposal as read and presented, that the Recreation Grant go for gravel at the cemetery with an alternate as a rollover if that doesn't work. Councilman Murphy seconded it. Motion passed unanimously.

AGENDA ITEM #6 - DISCUSSION AND VOTE ON NEW TREASURER

Mayor Anderson said they did not receive any applications for the Treasurer position. Councilman Stark said he would do it. Mayor Anderson said he can do it according to State law but he can't be over budget.

Mayor Anderson made a motion to accept Richard Stark's offer to be Treasure with the understanding that his assignment over budget would be shifted to another council member. Councilwoman Cibula seconded it. Motion passed with Mayor Anderson, Councilman Murphy, Councilwoman Cibula and Councilman Gustin voting yes and Councilman Stark abstained. Motion passed with 4 yes votes and 1 abstention.

AGENDA ITEM #7 – DISCUSSION AND VOTE ON NEW PLANNING AND ZONING COMMISSION MEMBER

Mayor Anderson said they had one interested party but he would have to qualify himself. He said in his opinion it needs to be done properly. The requirement was that there is a formal request with qualifications and desire to serve. Bart said that wasn't posted. Mayor Anderson said it was posted and read it from the notice. The Council discussed the issue.

Councilman Stark made a motion to accept the application of Bart Berry as the new Planning and Zoning member with the term ending 2021. Councilman Murphy seconded it. Motion passed.

AGENDA ITEM #8 – DISCUSSION AND VOTE ON REVISION TO WATER RATE ORDINANCE (SHUTOFF DETAILS, NO RATE CHANGE) – CFO-402-WR-2017

Mayor Anderson went through the proposed changes to the ordinance. Councilman Murphy made a motion to accept revisions to the Water Rates Ordinance #CFO-402-WR-2017. Councilwoman Cibula seconded it. Motion passed unanimously.

AGENDA ITEM #9 – DISCUSSION AND VOTE TO APPROVE EMS DOCTOR CONTRACT

Chief Chase said they had found a doctor to back up the fire department. His name is Mark Bair. He explained that if Cedar Fort does not have a back up doctor they are not in compliance with state law and can be held liable for anything the EMT's do. He said with the addition of Dr. Bair, Cedar Fort will be 100 % in compliance with state law. The contract will be for \$1000.00 annually and Dr Bair has agreed to split up the payment throughout the year. Dr. Bair is an ER doctor with trauma training.

Councilman Stark made a motion to accept the EMS doctor contract. Councilman Gustin seconded it. Motion passed unanimously.

AGENDA ITEM #10 – SWEARING IN FOR FIRE DEPARTMENT PERSONNEL – MATHEW CHASE AND EMILY COVARRUBIAS

Agenda item #10 moved to later in the meeting. Emily had not arrived.

AGENDA ITEM #11 – DISCUSSION AND VOTE ON CHANGES TO CULINARY WATER CONNECT EXCHANGE ORDINANCE – CFP-414-CE-2008

Mayor Anderson made a motion to table the vote and discussion on the culinary water connection exchange until next month. Councilman Stark seconded it. Motion passed unanimously.

AGENDA ITEM #12 – DISCUSSION AND VOTE ON LYNNETTE GROFF REQUEST FOR WATER CONNECTION TRANSFER

Lynnette said she has a well permit and she would like to put the water right into the town system. Mayor Anderson said there were a couple of problems. He said first, the property is not in Lynnette's name. Councilwoman Cibula pulled it up on her computer and it said the owner of the property was Danny Looker. Lynnette said that was a mistake.

The Mayor said there were 2 more issues that the lawyer has counseled the town on; 1.) The town is requesting a municipal water right and hers is a domestic water right, and 2.) The historic point of diversion must cease and be guaranteed that it has ceased and the responsibility is on Lynnette to provide this documentation. He said if the town accepts the water right as is, then the responsibility is on the town and it should be on Lynnette.

Councilman Gustin said the ordinance as written requires the town to take in water rights that are unencumbered with a clear title. Until those two issues are resolved they are still considered encumbered and the town is not willing to take the risk and will not accept them.

Lynnette said when she came in a year ago no one said anything about 54 east or west. She said she was approved by the State. Councilman Gustin told her she had the option of drilling a well and not deeding the water to the town. He explained to her that if she drills a well then she bears the risk of those conditions. The town is not willing to assume those risks.

Councilman Gustin made a motion to deny the application for the water connection with the water rights that have been provided to us [the Town] in their current form for Lynnette Groff. Councilwoman Cibula seconded it. Motion passed unanimously.

AGENDA ITEM #10 –

Mathew Chase and Emily Covarrubias were administered the Oath of Office by the town clerk.

AGENDA ITEM #13 – ADJOURN PUBLIC MEETING

Councilman Gustin made a motion to adjourn. Councilwoman Cibula seconded it. Motion passed unanimously. Meeting adjourned at 9:30 p.m.