

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Thursday, June 3rd, 2010

7:00 p.m.

Huntsville Town Hall

Present: Mayor James A. Truett
Council Member Steve Johnson
Council Member Max Ferre'
Council Member Alan Clapperton
Council Member Richard Sorensen
Clerk/Recorder, Gail Ahlstrom
Legal Council Jerald Engstrom

Citizens:

Angel Truett	LT. Howell	Laurie Allen
Brett Allen	Bill Medell	Pat Medell
Jill Hunter	Jed Hunter	Jay Brown
Josephine Brown	Karen Skinner	Ron Skinner
Bill Stephens	Donna Stephens	Nancy Patton
Kristin Johnson	John Posnien	Kenton Peterson
Kimberly Faust		

Mayor Truett called the meeting to order and welcomed all the visitors. There is a full quorum present tonight.

The pledge was led by Angel Truett.

Opening Ceremony was led by Kristin Johnson.

Public Comment:

Jed Hunter from the Ogden Boat Club addressed the council with concerns over the tollbooth. The procedure doesn't seem to be working out for their members. Some of their guests pulling trailers are being charged and some are not. CM Sorensen reminded Jed that at the last meeting it was decided that any guests towing a boat or trailer would be charged the \$3.00 toll just like the residents in town. Jed replied that there were a lot of boat club members who were not at the last council meeting, and they have concerns over the tollbooth. Mayor Truett asked if the decisions made at the last meeting got relayed to their members. Jed said that they explained it to some of the members. CM Sorensen asked if their member's have received their passes. Jed replied that yes, they handed them out last weekend. The boat club members have expressed to Jed that they are being discriminated against. Jed stated that if the tollbooth was past all the residences then it wouldn't be an issue; it's a problem because their members have to pay to get to their own property. Jed stated that he was let through the tollbooth without paying, but his daughter was charged \$3.00 because she had an ATV trailer. Kristin Johnson replied that she is the person who charged them. Jed's issue is that everyone in town can drive to their property for free.

Mayor Truett stated that he was instructed by the sheriff's department to place the tollbooth where it is currently at 6800 E. The reason for this is that it gives people road access to leave. When the reservoir is full the sheriff's turn traffic around at this same point. If the booth was placed further east on First Street, this would push traffic through all the side streets and around the booth, 6800 E. is the only logical place to put the booth. The Mayor stated that the town gave the boat club 70 season passes. CM Clapperton and the Mayor Truett live one block from the tollbooth and are paying the toll as well. This is not a boat issue it is a road issue. At the last meeting the comment was made that there will be some problems but the council will try to resolve them. At the first meeting with the boat club most of the council had no intentions of giving the boat club any passes at all, but the town gave them 70 annual passes. Every member has two passes, if one of their visitors comes through the booth in a car, there is no problem, they will be let through with no toll, but if they are pulling a trailer or boat the visitors will be charged. Jed feels that the town is discriminating against the boat club because of where their property is. There are other homes past the tollbooth and the same deal applies to them. If a visitor comes with a boat or trailer they will be charged the \$3. Jed thinks the solution to the problem is to move the tollbooth further west past all the residences.

Jay Brown addressed the council. They have guests who come to visit them most of them bring children with them. They come to spend the day and night and they go back and forth multiple times to the grocery store and gas station, and he doesn't feel that its right that they have to pay each time they go through the booth. Mayor Truett replied that they should only be paying once. Once they pay the toll they are given a ticket to put on their dashboard, the ticket is good for the whole day. His daughter got let through with no problem. Jay's issue is that they have a lot of guests came in with trailers, or RV's. They will be charged. Mayor Truett asked what their solution is, let all the boat club members and their entire guests through but charge citizens of the town? The town residents have to pay why shouldn't they? The council came to an agreement with some of the boat club members at the last meeting. The council is trying to be fair. The boat club has passes, the no one else in town does. The town is trying to provide a decent road. CM Sorensen stated that his wife is angry that they had to buy a season pass.

Bill Stephens approached the council. Bill stated that when he got to the booth he didn't have his passes yet; he gave the worker his name and told them he was with the boat club. He stated that he had to buy a \$30 annual pass. Mayor Truett replied that if his name is on the list, he shouldn't have to pay. CM Sorensen told Bill that the town would refund his money. Bill wanted to keep the pass for his kids. The Mayor remarked that there is a learning curve, the employees will need to be trained better, and if the boat club members name is on the list they should be let through without a challenge. The employee needs to look at the boat club list thoroughly. Mayor Truett is still hoping that AL&L is going to come to the town to negotiate something. This weekend there were a few issues that will need to be addressed.

Karen Skinner commented that she didn't have any problems at the tollbooth. But she has a question; if their guests leave the property can they use the pass interchangeable. The council didn't have a problem with sharing the pass, once the visitors got to their property. If they are towing something they will be charged and given a receipt. If they are in a car, they are not charged as a visitor. The only time people will be charged is if they are pulling a boat, RV, or trailer.

Donna Stephens said she just realizing what the problem is, it is that people living along First Street can have visitors drive trailers, boats, and RV's to their homes and they don't have to pay, but the boat club does. This is not fair! Donna realizes that the town is in a bad spot. She feels that the town is not charging everyone fairly. The Mayor replied that 80% of traffic on First Street is going to the point. CM Sorensen feels that the town is being very reasonable. Paying to go use your boat is a different thing than having someone come to visit your property. Donna asked why they are the only ones being charged. CM Sorensen replied that each member was given two annual passes, and every guest that comes in a car can state their name and get through the toll free of charge. Laurie Allen replied when town citizens drive down the road they are going to their primary residence, but the boat club members are going to a vacation property.

John Posnien asked who owns the road. Huntsville Town owns the road clear to the cemetery. Who owns the road where the AL&L's booth sits, the town. John suggested having AL&L move their booth off the town's road and put the town's booth on. CM Ferre' replied that they have looked into this before.

Kimberly Faust asked for more clarification. She stated that some years they actually live at the boat club. When you are a member any child still living at home is considered a full member. Mayor Truett reiterated that if they mention the members name they would not be charged, unless she is pulling a trailer. Members with their name on the boat club list will not be charged to pull a trailer through the toll. CM Sorensen stated that it appears that most of the problems being addressed tonight are that the information wasn't communicated properly to the boat club members.

Mayor Truett apologized to the Ogden Boat Club for the inconvenience this tollbooth has caused but explained that the town doesn't have a choice. He has met with the Forest Service and AL&L for the past six years begging them for help, and have gotten nowhere. The Mayor explained that the town gets \$38,000 a year in B&C road funds, which has to cover wages, snowplow trucks, truck repairs and registrations, and care for the other 9 miles of road in town. To do an overlay on First Street will cost \$350,000. An additional 30,000 cars are traveling First Street to go to the point in one season. The money collected with the tollbooth will go to the maintenance of First Street only.

Jill Hunter remarked that she knew this was going to be a problem. She left the last meeting knowing they would have to come back. They sent out flyers and they have tried to notify all their members about this issue. They didn't get the passes in time to mail out before this weekend. That is why their members are upset. The 4th of July is a huge weekend for Huntsville, and a lot of families have their reunions at their homes. CM Ferre' stated that all their visitors or children have to do is state the boat club member's name and they will be let through. Jill said it's a trailer issue not a visitor issue.

Mayor Truett commented that Steve Warner with AL&L came up to the town's tollbooth to see how things were going and he saw people turning around because they didn't want to pay the \$3 toll. AL&L is losing money are they are getting mad about the situation. First Street has not been overlaid for probably 40 years, and a chip seal or overlay is recommended ever 10 years.

Department Reports:

***Mayor Truett:**

Set date for Public Hearing on amended 2009-2010 budget, and the proposed 2009-2010 budget:

CM Sorensen made a motion to set the public hearings on the amended 2009-2010 budget, and the proposed 2010-2011 budget, for June 22 @ 7:00 p.m. and to change the TC meeting from June 17th to the 22nd. **CM Clapperton** seconded. All votes aye. Motion passed.

Roll:	Mayor Truett	<u>Yea</u>	CM Ferre'	<u>Yea</u>
	CM Clapperton	<u>Yea</u>	CM Johnson	<u>Yea</u>
	CM Sorensen	<u>Yea</u>		

Discussion and/or action on contract with Uintah Justice Court:

Mayor Truett stated that he met with Mr. Engstrom, Ramona, and the Mayor, Clerk, and Judge from Uintah City. They would like to host the JP Court for Huntsville Town. Currently, if someone wants to protest their ticket they have to go to the Roy Court. Huntsville and Uintah are two of the smallest entities in the county. Uintah would like Huntsville to join with their city's JP Court. Uintah will pay the judge and the ticket split will be 50/50. Uintah will supply the clerk and the bailiff as well. Uintah will be a lot closer than Roy City for town citizens. Mayor Truett presented a letter asking to be released from an inter-local agreement with Roy City's Court and to partner with Uintah City's Court. **CM Clapperton** made a motion to pursue the inter-local agreement with Uintah City for JP Court services. **CM Johnson** seconded. All votes aye. Motion passed.

Roll:	Mayor Truett	<u>Yea</u>	CM Ferre'	<u>Yea</u>
	CM Clapperton	<u>Yea</u>	CM Johnson	<u>Yea</u>
	CM Sorensen	<u>Yea</u>		

Toll Booth update: (See Attachment #1)

Mayor Truett reported that the tollbooth opened up on Thursday May 27th. Following is a list of money received each day at the tollbooth along with the hours put in by employees. On May 27th, \$105.00 with 7 hours worked. May 28th, \$51.00 with 9 hours worked. May 29th, \$93.00 with 12 hours worked. May 30th, \$411.00 with 12 hours worked, and May 31st, \$663.00 with 12 hours worked, for a total of \$1323.00 revenue and \$520.00 in wages. The weather has been stormy and the crowds haven't come yet. Scott Layton told the Mayor that Steve Warner is coming up to meet with him tomorrow. The Mayor is hoping that AL&L will negotiate with the town. Kristin Johnson clarified that if a boat club visitor comes with a boat or trailer they will be charged. The answer is yes. Brett commented that this is more than once a week visitors, the boat club is having visitors all week long all summer long. Most of the problems tonight were because their members weren't informed.

(See Attachment #2) The town prepared a paper to hand out at the tollbooth that explains why the town is charging the toll. AL&L came up with their own letter to hand out about the town's toll; there are a couple of inaccuracies in AL&L's letter. Mayor Truett read from the letter. It acknowledges that the town doesn't have enough money in the budget for road expenses, but are now asking you to pay to rebuild ALL of their roads. The letter also states that the town will collect about \$60,000 from guests and that less than 10% of First Street's summer usage is from recreational users and no use occurs in the winter. If this is true it would mean that each town

resident is leaving their home over 30 times a day. It also states that Huntsville has already found a solution and has received a \$300,000 grant for road repairs. The letter does not state that the grant doesn't fund until 2015. The town is going to change the letter it's handing out to address AL&L's inaccuracies.

Kenton asked if AL&L operates all three boat launches. The answer was yes. They won't lose money because people will use one of the other boat docks. CM Clapperton said that's true except for when the other parking lots fill up. Huntsville is the only location with a decent beach. Kristin asked how often AL&L negotiate their contract with the Forest Service. The answer is every 5 years, and they just renewed their contract this year. Kristin asked what it would take for the town to bid on this contract and employ town kids. Mayor Truett stated that Scott Layton told him about 10 years ago the Forest Service did come to the town to see if they would want to manage The Point and the response was no. CM Clapperton remarked that AL&L take care of Anderson Cove, The Point, Port Ramp, and all the campgrounds up South Fork. It's one bid for all the facilities.

Discussion and/or action on Toll booth enforcement:

Mayor Truett would like to add an infraction section to the tollbooth ordinance for people who think they can just drive through the tollbooth without paying. The employee will need to try to get a license plate number and let the sheriff's department know. The sheriff's department has been very good with checking in on the tollbooth. The town needs to have an ordinance in place so the sheriff's department can write a ticket. The council decided upon a \$40.00 fee. **CM Ferre' made a motion to set the infraction fee for refusing to pay the toll at \$40.00.** CM Johnson seconded. All votes aye. Motion passed.

Roll:	Mayor Truett	<u>Yea</u>	CM Ferre'	<u>Yea</u>
	CM Clapperton	<u>Yea</u>	CM Johnson	<u>Yea</u>
	CM Sorensen	<u>Yea</u>		

CM Clapperton made a motion to hold a public hearing on the penalty section of the toll booth ordinance on June 22nd. CM Ferre' seconded. All votes aye. Motion passed.

Roll:	Mayor Truett	<u>Yea</u>	CM Ferre'	<u>Yea</u>
	CM Clapperton	<u>Yea</u>	CM Johnson	<u>Yea</u>
	CM Sorensen	<u>Yea</u>		

Discussion and/or action on Huntsville's Veteran's Memorial Fund Raiser:

Mayor Truett spoke with CM Johnson about the town to work with the American Legion on raising money for a Veteran's Memorial to be placed in the Huntsville Cemetery, to be placed for next year's Memorial Day Ceremony. The Mayor stated that there is a \$5,000 municipal grant that the town could put towards this fund. Donations could be collected at both the American Legion's and the town's 4th of July breakfasts. **CM Sorensen made a motion to use the \$5,000 Municipal grant to go towards a Veteran's Memorial to be placed in the Huntsville Town Cemetery.** CM Ferre' seconded. All votes aye. Motion passed.

Roll:	Mayor Truett	<u>Yea</u>	CM Ferre'	<u>Yea</u>
	CM Clapperton	<u>Yea</u>	CM Johnson	<u>Yea</u>
	CM Sorensen	<u>Yea</u>		

Department Reports:

Mayor Truett reported that a possible Eagle Scout project was brought to his attention. It would be nice to have some nice benches at the cemetery. CM Sorensen mentioned that on the town's website there is a tab for scout projects that needs to be added to. He will add the bench idea.

Mayor Truett reported that the Memorandum for Understanding (MOU) for Powder Mtn. developers and W.C. Commissioners passed. The Mayor brought this up because he has a big concern. He met with Snowbasin and saw their Master Plan, and they are ready to go. They were going to go public with their Master Plan last Tuesday. Snowbasin was going to have something to show to the town council Tuesday. Snowbasin emailed the Mayor saying that they are going to the meeting on Friday. The developers for Powder Mtn. with this MOU could have up to 2800 dwellings. They are not using any Transfer Development Rights (TDR). Snowbasin has 755 TDR's they are doing it the right way. What a coincidence that they are putting the brakes on the same day as the MOU is passed. The Mayor suspects that Snowbasin is going to go to the county commissioners and say, you allowed Powder Mountain 2800 units without any TDR's, what will you do for us now?

Mayor Truett reported on his WACOG meeting the Mayor's are getting approached by the Health Department. The town needs to make sure that it has a mass gathering permits and food handler permits ready for the 4th of July.

The Mayor mentioned that there is a new Inter-Local Agreement for Animal Services. Basically the fee will go up from \$750 to \$1,300. CM Sorensen thinks the town should negotiate this agreement. If the town doesn't agree to this the town will not have any animal control services.

Mayor Truett reported that he met with Mike Bulloch about the Green Valley Academy. They are hoping to purchase Trig Simpson's home, by the Monastery and add bunk houses onto it. They will house 36 boys from 15-18 years old who suffer from bi-polar, OCD's, Autism, and other mental health conditions. This school is creating some controversy.

***Council Member Johnson:**

Department reports:

CM Johnson reported that things are going good with the 4th of July. CM Ferre' mentioned that a town just enacted a cemetery plot recall. If there has been no contact with a plot owner for 60 years, and no one knows who the plots belong to the town is taking the plots back and reselling them. CM Ferre' would like to see Huntsville do this type of thing.

***Council Member Sorensen:**

Department reports:

CM Sorensen reported that River Hyde completed his Eagle Scout project within 5 days: he spread 120 yards of playground bark, stained fences, and hung up safety signage. There was a high spot by the swing set. CM Sorensen had Dusty Polson from Western Landscaping come and removed all the poles and smoothed the area out and it looks real nice. Hydro seeding will also be done.

CM Sorensen hung a flag on the tollbooth today. CM Sorensen reported that the deadline on the grant for the green waste facility was June 10th. CM Sorensen was able to get a two week extension. He plans to have a few more free dump days so more trees can be accumulated. The mulching will be done around the 20th of June.

***Council Member Ferre’:**

Discussion on yard nuisance violations:

CM Ferre’ mentioned that there are a couple of homes in town where the grass is quite high. CM Ferre’ would like to send letters out to the property owners letting them know they are in violation of the town’s nuisance ordinance. Gail will send out the letters next week.

Department reports:

CM Ferre’ reported that he and Lewis Johnson attended an all day training seminar this week.

CM Ferre’ reported that the potholes will be done Friday. This weekend they are going to measure the intersection at 500 S. and 7700 E. The stop sign is set so far back that you have to drive past the stop sign to look for traffic; they plan to move the stop sign. There is also a stop sign that needs to be moved by the Ogden Valley Community Church.

***Council Member Clapperton:**

Department reports:

CM Clapperton had no business to report.

New Business:

Mr. Engstrom reported that the insurance company settled the Marcia Eisenhower’s law suit for \$7,500, and they got Craig Storey out of the Huntsville lawsuit.

Citizens Comments:

John Posnien asked how long it would take to get the equipment off of the street. His neighbor has had a lift in front of his building for four months now. CM Ferre’ will look into this.

Approval of Town Council Minutes for meeting held May 20th, 2010:

CM Johnson made a motion to approve the minutes of the Town Council meeting held May 20th, as prepared. CM Clapperton seconded. All votes aye. Minutes were approved.

Approval of Work Session minutes for meeting held May 20th, 2010:

CM Johnson made a motion to approve the minutes of the Work Session meeting held May 20th, as prepared. CM Ferre’ seconded. All votes aye. Minutes were approved.

Mayor Truett mentioned that all item on the agenda have been addressed. CM Ferre’ made a motion to adjourn. CM Johnson seconded. All votes aye.

Meeting adjourned at 9:00 p.m.

Gail Ahlstrom, Clerk/Recorder

James A. Truett, Mayor

