

Interlaken Town Council Regular Meeting Minutes
Tuesday, 03 October 2023, 6:31 PM – 7:53 PM
Meeting Conducted Remotely with Zoom Video Conferencing Software

Zoom Meeting ID: 516 337 9977

Password: 84049

Zoom Meeting Link

<https://us02web.zoom.us/j/5163379977?pwd=QJNT3loV3J4Nm83TFJlOEdGVVU1dz09>

1. Call to Order 6:31 pm

2. Roll Call

Greg Harrigan, Mayor
Chuck O’Nan, Council Member
Sue O’Nan, Council Member
Justin Hibbard, Council Member

3. Presentations: None

4. Public Comment:

Tasha Lingos – appreciates the fire mitigation program and the work of the council. The council responded with their appreciation for Tasha’s participation.

5. Consent Agenda: None

6. Approval of Agenda or Changes

Motion: Council Member Sue O’Nan moved to approve the agenda as presented.

Second: Council Member Chuck O’Nan seconded the motion.

Discussion: no discussion.

Vote: The motion was approved with the Council Members unanimously voting Aye.

7. Approval of 9/05/2023 Council Regular Meeting Minutes

Motion: Council Hibbard moved to approve the 9/05/23 town council minutes as presented.

Second: Council Member Sue O’Nan seconded the motion.

Discussion: no discussion.

Vote: The motion was approved with the Council Members unanimously voting Aye.

8. Council Membership Update – Resolution to Cancel 2023 Election

Since the number of candidates for town council did not exceed the number of vacant offices, the Interlaken Town Municipal election is not required under State law. Bart Smith presented Resolution No. 2023-10-03 “A Resolution for Cancellation of Interlaken Town’s Municipal Election 2023” (see attachment).

The resolution certifies the election of Timothy Dixon and Jill Jacobson for 2 vacant town council seats, with 4-year terms, beginning in January 2024.

Motion: Council Member Sue O’Nan moved to Resolution No. 2023-10-03 certifying the election of Timothy Dixon and Jill Jacobson to the town council, starting January 2024.

Second: Council Member Hibbard seconded the motion.

Discussion: no discussion.

Vote: The motion was approved with the Council Members unanimously voting Aye.

Chuck Cullom has submitted a letter of resignation from the council, dated 10/3/2023 (see attachment). Smith presented Section 2.07.040 of municipal code, which outlines the process for filling a vacated seat (see attachment).

Section 2.07.040 Vacancies in Office of Mayor or Council Member

A. In accordance with Utah Code as amended, if any vacancy occurs in the office of Mayor or the Town Council, the governing body shall appoint a registered voter in the Town to fill the unexpired term of office vacated until the January following the next municipal election. Before acting to fill the vacancy, the governing body shall give public notice of the vacancy at least two weeks before the Town Council meets to fill the vacancy, and identify in the notice the date, time, and place of the meeting where the vacancy will be filled, and provide information regarding the person to whom a person interested in being appointed to fill the vacancy may submit their name for consideration and any deadline for submittal.

B. If, for any reason, the governing body does not fill the vacancy within 30 days after the vacancy occurs, the Town Council shall vote upon the names that have been submitted. The two persons having the highest number of votes shall come before the governing body and the Town Council shall vote again. If neither candidate receives a majority vote of the governing body at that time, the vacancy shall be filled by lot in the presence of the Town Council.

C. A vacancy in the office of Mayor or Council member shall be filled by an interim appointment, followed by an election to fill a two-year term, if:

1. The vacancy occurs or a letter of resignation is received by the governing body at least 14 days before the deadline for filing for election in an odd numbered year; and
2. Two years of the vacated term will remain after the first Monday in January following the next municipal election.
3. The public election shall be conducted according to the requirement and procedures of Utah Code.

All the conditions for an interim appointment must be satisfied. An appointment may be made by the town council after providing public notice of the time and place of the meeting for the appointment. The vacancy may be filled by a qualified resident of Interlaken, who would serve out the vacated seat until January 2026.

9. Road Maintenance Agreement Update – TO Engineering Bid

Chuck noted that the sign prohibiting construction traffic is no longer effective. Diana – would it be possible to put a game camera on the other side of the road? Greg – we don't own the property and who would monitor the game camera? Sue – how about a bigger sign? Greg – we could ask for more signage, but he feels not much would happen until we start fining. Sue – if we put up a specific sign, maybe it would help. Greg Watts is responsible for all the building. He could ask him to put up a larger sign. Bart will send out another communication, if you see a vehicle over 10,000 lbs on Interlaken Dr, take a photo and send it to me. It has to be on Interlaken Drive.

Smith requested a bid from Ardurra to calculate Interlaken road surface areas to comply with the BHR and Reserves road maintenance agreements (see attached). The final bid was \$3,195. Smith suggested he do the measurements using a wheel measuring device to save money and get current numbers. Smith will use the Utah LTAP report, commissioned in 2019, in conjunction with these measurements to get current numbers (see attached).

Summit Engineering performed road surface calculations back in 2018, prior to development of the Reserves' road system (see attached). These numbers can be used for the BHR portion of maintenance expenses prior to the Reserves development when sections of Luzern Rd. were re-routed.

10. Financial Matters – Current Revenue & Expense Reporting

Smith presented the final numbers for the FY2023 water billing revenue (see attached):

Revenue Source	Collected	Budgeted
Base Usage Fees	\$173,379.62	\$173,000
Overage Fees	\$29,217.30	\$4,000
Late Fees	\$800.00	\$100.00
Total Collected	\$203,396.92	\$177,100.00

As discussed previously, the big surprise was the overage billing for FY2023. This is an anomaly which most likely won't be repeated in FY2024.

Smith also presented the numbers for revenue and expenses for the month of September and the first quarter of FY2024: July 1-September 30, 2023 (see attached). Smith noted that the numbers showed no surprises, closely matching the FY2024 approved budget.

11. Building Permit Update and Planning Commission Status

Diana Duer gave the report:

- Lot 065, Merryweather – completed 4 way and gas line inspection, driveway has been paved.
- Lot 206, Becker – additional materials are being shipped, hopefully the site will be cleaned up when the garage is usable.
- Lot 117, Broadstone – continued to backfill, framing work, she'll check on fire suppression measures the town requested. Protective fencing has been installed.
- Lot 082, Eric Merryweather, they have a new contractor.
- Lot 173, Lehmann, they had footings and column inspections.
- Lot 160, Weiler, they had insulation, sheetrock inspections completed.
- Lot 209, Crawshaw, started excavation.

Greg – last time there was a question about the cantilevered deck at the Broadstone project. Diana will reach out to Amelia to get an answer. Greg suggests that we alert the town that there is no street parking after November 1st, and a 24 hr no parking zone. Diana will not be here for next month's meeting. She will have Russ attend.

12. Super Dave Snow Removal Contract

Dave signed the contract for snow removal 2023-24. His monthly fee will be \$11,000 (see attached). He is concerned about construction zones, for example Big Matterhorn Circle, at the Crawshaw new build. The town will monitor the activity at all construction sites and remind builders of the winter parking regulations.

13. Fire Mitigation-Debris Pickup Status

The final day to place material for pickup is October 15th. As usual, many homeowners have participated in this valuable service offered for free to Interlaken residents.

14. Brush Trimming-Tree Pruning St. Moritz

Greg drove around with Travis from Visentin Trees. They will be out on Monday October 23rd. He's gonna take everything up 16 feet from the asphalt surface. He's gonna cut the limbs, haul it off, cut the rabbit grass and treat it. He charges \$3000 a day, probably will take him 2 days. We need to communicate that to the town.

15. Becker Site Complaints

Greg - we need to look at our code – there's not something that really speaks to this. We need to be clear on what our code allows us to do. We don't want to be the town with lots of rules. That's part of why we live here. Greg – we can meet with both families and codify stricter rules about what can be stored on property. Justin – would we ever consider changing the expiration date of the building permits? Diana – what if they lose their contractor or they are waiting for materials? What kind of stopgaps do we put in place to cover the unknown? Justin – could we add a renewal process to the permit? Diana will reach out to Midway to see how they handle permits. Matt Hermann noted that there is a state law regarding weight of vehicles. Greg and Bart will meet with the Beckers to discuss the situation.

16. MSD Damaged Sewer Lid Collars

There are a number of damaged sewer lids throughout town. In some cases, the concrete collars are cracked or missing sections which creates a hazard for snow removal. Smith will reach out to MSD and address the issue.

17. DPW Site and Water Tank Signage

DPW site – we have the sign and need to install it. We could drill out the post holding the cameras and mount it there. It should be above the cameras to avoid interfering with the camera cabling inside the post. Can we get Brother B to mount the sign?

Bart – we haven't made any progress on the proposed water tank signage.

18. Water Rights – Jon Schutz

Jon Schutz is reviewing additional materials provided by Bart in his efforts to research the town's water rights (see attached).

19. Other Business - None

20. Council Comments - None

21. Adjournment – Council member Sue O'Nan moved to adjourn the meeting. Council member Chuck O'Nan seconded the motion. The motion passed unanimously. The meeting was adjourned at 7:53 PM. The next regular town council meeting is scheduled for November 6th, 2023, at 6:00pm via Zoom