

Boulder Town, Utah Minutes

Town Council Regular Meeting

Tuesday, August 19, 2025

7:00 PM at Boulder Town Community Center

Boulder Community Center, 351 North 100 East, Boulder, UT 84716 Phone: 435-335-7300

Opening Ceremonies

Call to Order

The meeting was called to order by Mayor Conrad Jepsen at 7:01 PM on August 19, 2025

Roll Call and Determination of Quorum

The mayor conducted a roll call, starting with those online.

- Josh Ellis, Town Councilmember
- John Veranth, Town Councilmember
- Ray Gardner, Town Councilmember
- Conrad Jepsen, Mayor
- Gladys LeFevre, Town Councilmember (Online via Zoom; Arrived late at 7:04 PM)

Mayor Jepsen established a quorum.

Pledge of Allegiance

Mayor Jepsen requested attendees to rise for the Pledge of Allegiance.

Adoption of Agenda

The mayor requested a motion to adopt the agenda as presented.

Josh Ellis made a motion to adopt the agenda as presented. Ray Gardner seconded the motion.

The motion passed unanimously.

Conflict of Interest Disclosure

No conflicts of interest were disclosed by council members.

Consent Agenda

The consent agenda included approval of meeting minutes from July 15, draft financial reports, and scheduling the next regular meeting for September 2, 2025, at 7:00 PM.

John Veranth requested a brief discussion of the financial reports before approval. He stated that he was fine with approving them, but he had some questions that were unclear to him. He requested that Dave Sanderson make a presentation on the financial reports at the September meeting to help the council understand items like the large negative balance in the checking account. John believed this wasn't necessarily a problem, but wanted a clear explanation.

John Veranth moved to approve the consent agenda, remarking on the financial reports. Josh Ellis seconded the motion.

The motion passed unanimously.

Department and Staff Reports

Councilmember Gladys LeFevre's Report

Gladys LeFevre reported that she was applying for the county's Christmas program to receive decorations. She was trying to confirm dates for the Christmas market to coordinate events. She stated the cemetery and town hall were okay as far as she knew.

Councilmember Ray Gardner's Report

Ray Gardner reported that he was not aware of any particular issues with his assignments, including those related to the library, park, or enforcement. Nothing had been brought to his attention requiring a report.

Councilmember Josh Ellis' Report

Josh Ellis provided updates on several areas:

Landfill: He was close to finalizing work with Jackson Excavating to bring large equipment to dig pits at the landfill. This was expected to be completed within approximately three weeks. Josh noted that everything at the landfill currently needs attention, so they would try to find an interim solution.

Fire Department: Josh reported there hadn't been much activity, which he noted was fortunate for this time of year.

Wildfire Council: Josh apologized for not touching base with Judith on this topic, but was not aware of any pressing issues at the moment.

Councilmember John Veranth's Report

Councilmember John Veranth reported on several items:

Planning: A joint training with a representative from the state office was scheduled for Tuesday, September 16th, starting in the morning. John suggested planning for 2 hours, a break, and then a Q&A session. He requested that council and planning commission members submit specific questions ahead of time so they could be organized and forwarded to the presenter, Rob Terry.

RSTR (Residential Short-Term Rental) Ordinance: Councilmember Veranth emphasized the need to reach a conclusion on this issue, which has been under discussion since December 2024. He planned to post a summary of past council decisions, background documents, and alternatives he previously presented in the September meeting materials. He requested council members review the material to be prepared to make decisions on RSTRs, to agree on an approach, and to schedule a public hearing the following month.

Hydrology Meeting: Councilmember Veranth reported attending a meeting where they discussed FEMA floodplain mapping for the county. He noted this was a lengthy process projected to be completed in 2028-29, with some concerns expressed by other towns about potential negative impacts on property values if areas were incorrectly designated as floodplains.

Roads: Councilmember Veranth addressed the restroom signs situation. He had gathered information from multiple stakeholders, including the state park manager, Jamie, who had provided a letter expressing concerns about being the only entity in town providing public restroom facilities despite tourism benefiting the entire community. After further discussion with Jamie, it was clarified that she did not want additional UDOT signs directing traffic to the state park.

Councilmember Veranth recommended requesting UDOT to remove the restroom signs but keep them in storage pending a longer-term resolution of financial support for tourist facilities, while leaving the after-hours signs at the state park gate. He also suggested that the town request support from the county and travel council for public restrooms along Highway 12.

Another road issue involved the status of Boulder Pines Road, which appears on the 2023 map submitted to UDOT for calculating class C road money, but was not shown as a town road on the 2012 map.

Councilmember Veranth suggested claiming it as a town road and addressing any objections from landowners separately. Town Attorney Winn indicated that he and Zoning Administrator Erin Smith had discussed this issue and would include Councilmember Veranth in future discussions.

Mayor Conrad Jepsen's Report

Mayor Conrad reminded everyone about the change in dumpster locations, as all dumpsters have been moved to a central location. He mentioned the county's offer to help redesign the area, clean it up, grade it, and add gravel.

The mayor also mentioned a potential new dental service, in which a provider was interested in establishing a mobile facility in Boulder. He mentioned that the provider accepts various insurance plans and wanted to gauge community interest.

Staff Reports

Zoning Administrator Erin Smith, Deputy Clerk and Treasurer Lacy Allen, and Election Officer Devaki Murch were absent. Town Clerk Elizabeth Julian stated that a detailed staff report was included in the meeting materials, highlighting a few key points, including information about the Utah League of Cities and Towns annual convention in Salt Lake City on October 1-2; an information session by the Colorado River Authority of Utah on September 10; and the Five County Association of Governments' CDBG workshop on September 29-30.

Clerk Julian reported that all 2025 ordinances had been sent for codification, with 2024 ordinances to follow. She noted work was underway to improve accessibility of ordinances, resolutions, minutes, and meeting recordings on the town website and other platforms.

The Tree City Committee was working with town staff to ensure compliance with open meeting laws.

Clerk Julian also reported on collaboration with Larson and Company to address outstanding IRS compliance issues, preparation for upcoming audits, ensuring current insurance policies, working on ADA compliance for meetings, and addressing excessive water usage at the firehouse and town park.

Public Comments

Judith Geil spoke in support of the Boulder Utah250 resolution, stating it was a wonderful opportunity to revitalize community participation and support local organizations. She emphasized that council members should not be concerned about activities related to the resolution falling on their shoulders, as organizations like the Wildfire Council had already expressed interest and commitment to the resolution.

Tessa Barkan from Hills and Hollows commented on the dumpster consolidation issue. She explained the significant financial impact on local businesses, which could potentially cost \$5,200 per year for private trash removal. She requested that the town consider pushing back against the consolidation, or if not possible, to ask the county for a cost breakdown and potentially offer to pay the difference to maintain multiple dumpster locations.

Nancy Tosta reminded the council to consider the formal ordinance transmitted by the planning commission as part of the RSTR update process, noting the significant time and public input that went into its development.

Donna Owen spoke about the loss of dumpsters at Sugarloaf Valley Farms and the impact on local businesses. She suggested using resort tax money to help mitigate the costs for businesses and expressed concerns about potential littering by tourists unable to find public trash receptacles.

Discussion and Possible Action on July 4, 2025, Celebration

Councilmember Ray Gardner provided a brief report on the July 4th celebration. He stated that feedback was generally positive. The budget was \$3,000, and actual expenditures came in around \$2,000. Ray noted this was only possible due to the generous donations of time and services from citizens.

Councilmember Gardner mentioned there were some difficulties in locating Fourth of July items, which were stored in multiple areas. He suggested consolidating storage and creating an inventory to facilitate easier future preparations.

Overall, Councilmember Gardner felt the event worked out well, but emphasized it was made possible by the generosity of community members.

Discussion and Possible Action on Celebrating 250 Years, July 4, 2026

America250 Utah - A Year of Celebration and Service Video

A video about the America250 Utah celebration was shown to the council and the public.

Boulder Utah250 Resolution

Josh Ellis made a motion to adopt Resolution 2025-5 regarding the 250-year celebration. Gladys LeFevre seconded the motion.

- Gladys LeFevre: Aye
- Josh Ellis: Aye
- John Veranth: Aye
- Ray Gardner: Aye
- Conrad Jepsen: Aye

The motion passed unanimously at 7:49 PM on Tuesday, August 29, 2025.

250 America - Boulder Plan

Peg Smith presented the proposed plan for Boulder 250 on behalf of the committee, which also includes Gladys LeFevre and Cheryl Cox. The plan integrates the submission from the Boulder Arts Council with Utah250. She clarified that while the state's official celebration will culminate on January 4, 2026, Boulder's activities will continue throughout the entire 2026 year.

Peg outlined various planned events and activities, including:

1. A "Give Boulder a Hand" event, tied to the dedication of Scott Aho's sculpture on September 13, may also include a potential day of service on September 11, in coordination with county initiatives.
2. Constitution Day activities on September 17, with a focus on voter registration.
3. Tree planting events starting October 7.
4. A celebration of President James Garfield's birthday on November 19.

5. Various art exhibits, including a traveling exhibit about Utah women who have made history.
6. Community clean-up initiatives.
7. Music events celebrating Americana.
8. A town-wide flag display for Flag Day.
9. A traveling exhibit about founding documents from July 1 to August 17, 2026.
10. Fourth of July celebrations.

Peg emphasized that most events would be organized and funded by various community groups and organizations, with the town mainly providing space and support. She mentioned that a \$1,500 stipend from the state would likely be used for promotional materials and flags.

The council discussed the plan and its implementation, with members expressing support for the initiative.

Discussion and Possible Action on the 2025 Municipal Election

Elizabeth Julian provided an update on the recent primary election, noting a 75% voter turnout in Boulder. She thanked all candidates and voters for their participation. Clerk Julian mentioned that more information about the upcoming election and the recent primary could be found on the town website, which is regularly updated. She encouraged residents to reach out to Devaki, her, or the county clerks for assistance and stated that future updates would be posted on the website and provided through public notices.

Discussion and Possible Action on Board of Adjustment Vacancies

Mayor Conrad Jepsen noted that no applications had been received for the vacant seat on the Board of Adjustment. He encouraged council members to actively seek out potential candidates and encourage them to apply before the September 2 regular meeting.

Discussion and Possible Action on Resolution adopting Final Subdivision Application Form

Councilmember Ellis emphasized that the town council should review the process of updating forms and applications, ideally integrating this into the upcoming bylaws as a policy.

Councilmember Josh Ellis presented a new final subdivision application form, explaining that it was developed after a thorough review of the ordinance and collaboration with Erin Smith, the zoning administrator. He emphasized that the form aims to make the approval process more transparent and aligned with the town's ordinances.

Councilmember Ellis clarified that this would be approved by motion rather than resolution, as initially planned. He explained that the difference is that a resolution typically includes background information, which isn't necessary for a form approval.

Councilmember Ellis moved to accept the final subdivision application form revision 01 as presented. Councilmember John Veranth seconded the motion to open discussion.

John Veranth expressed mixed feelings about the form, noting that using it for a real subdivision would provide the most insight. He flagged a couple of instances where the form appeared to request information not explicitly specified in the ordinance. John suggested revisiting the form after it has been used for a real subdivision.

Josh agreed, mentioning that Zoning Administrator Smith was keeping a list of issues that arise with the ordinance, forms, processes, and wording. He suggested that after completing one subdivision through the whole process, they should revisit and make changes to both forms and potentially the ordinance as well.

The motion passed unanimously.

Discussion and Possible Action on Garfield County Road Work Reimbursement & Required Budget Amendment

Councilmember John Veranth led the discussion on this item. He reported that in May, Garfield County and its contractors repaired potholes and resurfaced the subdivision streets and the full length of pavement on Lower Boulder Road with chip seal. The invoice from the county was higher than expected at \$152,184.83.

Councilmember Veranth moved to approve the payment, noting that while this amount represents about 5 years of the town's Class C road money, the work should keep the roads in good condition for 7-10 years. He confirmed with the town's accountant, Dave Sanderson, that there was \$298,000 in the Class C road fund as of May 2025, sufficient to cover the bill.

John explained that paying the bill now and later reopening and amending the budget as required later in the fiscal year. He suggested that this could be done in December, aligning with the advice from Roger Carter and Dave Sanderson regarding mid-year budget adjustments.

John Veranth made a motion to approve the payment of the \$152,184.83 invoice from the county. Gladys LeFevre seconded the motion.

During the discussion, Councilmember Ellis clarified that the budget amendment was necessary because only \$125,000 had been allocated for this work in the 2026 budget, which was passed in June 2025.

The motion passed unanimously.

Information on Ordinance 2025-G to Amend a Section of the Boulder Town Zoning Code (§153.117) to Remove "Commercial Use" from the Table of Uses

Councilmember John Veranth introduced this item, explaining that the town council had requested the planning commission review this change to the land use ordinance. He reported that the planning commission promptly returned it with a recommendation, including a slight modification that Councilmember Veranth felt improved the ordinance.

Councilmember Veranth noted that this would be a legislative act requiring a town council hearing. He suggested using this meeting to ensure a substantial agreement on what to present at the hearing.

Town Attorney Michael Winn confirmed he had reviewed and approved the form of the ordinance as recommended by the planning commission.

John Veranth made a motion to schedule the ordinance for public hearing in September. Josh Ellis seconded the motion.

During the discussion, Councilmember LeFevre sought clarification on whether commercial use would still be allowed in some form.

Councilmembers Veranth and Ellis explained that the existing commercial uses would need to be grandfathered in, and that the overall zoning code related to commercial use was complex and in need of revision.

Councilmember Ellis emphasized that this change was primarily to protect against potential misuse of the current broad "commercial use" category, while more specific commercial activities (like guest ranches or mobile food

businesses) would still be allowed under their individual entries in the table of uses.

The motion to schedule the public hearing passed unanimously.

Presentation and Discussion on 2025 Relevant Legislative Changes

Michael Winn, the town's legal counsel, presented on relevant legislative changes from the 2025 session. He focused on five key bills:

1. House Bill 456 - Transient Room Tax: This bill authorizes counties to increase the tax rate on transient rooms to offset the impacts of tourism. Michael encouraged the council to seek representation on the travel advisory council or approach the Garfield County Commission directly to advocate for Boulder's needs.
2. House Bill 368 - Local Land Use Amendment: Michael discussed potential annexation policies, proposing that Boulder consider collaborating with Garfield County to ensure the town has a say in developments near its borders. For instance, he suggested creating an annexation plan that would require a formal request for annexation into Boulder, effectively granting the town the first right of refusal. Additionally, it would be an opportunity to collaborate with the Planning Commission and be included in the general plan revision.
3. House Bill 368 - Lot and Boundary Line Adjustments: New legislation exempts survey and recording requirements for these adjustments. Michael advised that if Boulder wants to maintain its current requirements, it needs to pass an ordinance explicitly stating so.
4. House Bill 179 - Local Regulation of Business Entities: This requires local governments to adopt an ordinance governing how they will evaluate new and unlisted business uses. Michael suggested the town might want to maintain its current approach of not allowing uses not listed in the table of uses.

Michael also briefly touched on other legislative areas, including housing density incentives, government records management, and changes to election law.

The council discussed these changes and their potential impacts on Boulder. They agreed to have Michael provide more detailed information and

potential ordinance language for consideration before assigning tasks to the Planning Commission.

Additionally, the council requested that Michael conduct research and provide a report on the implications of House Bill 48, specifically regarding Wildland Urban Interface Modifications. Michael acknowledged the need for further investigation into this bill to ascertain its potential impact on the Town of Boulder.

Discussion and Possible Action on Administrative Consultant

Councilmember Josh Ellis led the discussion on this item. He reported that since the last approval of \$5,000 for Elizabeth's administrative support on May 29th, they had not yet "found the bottom of the hole" in terms of outstanding administrative responsibilities, noting that the scope of work had expanded.

Councilmember Ellis stated that significant progress was being made on new processes. However, work continued to focus on outstanding issues.

Councilmember Ellis explained that, financially, the current arrangement was breaking even compared to previous staffing costs. Between June and July, the town spent slightly over \$7,900 on combined administrative support from Elizabeth and Lacy, in contrast to the approximately \$7,700 they would have spent on Jessica, the former clerk.

He highlighted that they were remaining within the budget, noting that they were not incurring any extra expenses while achieving a lot more.

Councilmember Ellis emphasized the importance of continuing this work to prepare for a smooth transition when new staff are eventually hired, ensuring they walk into a functioning system.

Josh Ellis moved to engage Elizabeth Julian for additional consulting services in an amount not to exceed \$5,000, due to an expanded scope of work that prevented progress on her original proposal. John Veranth seconded the motion.

During the discussion, Councilmember Veranth amended the initial motion from "due to extenuating circumstances that prevented progress" to "due to an expanded scope of work that prevented progress." He also expressed his gratitude to Elizabeth for all that has been accomplished and the progress that has been made. Mayor Jepsen reiterated that the expansion is ongoing.

Councilmember Gladys LeFevre sought clarification on the billing arrangement, and Mayor Jepsen confirmed that it was based on an hourly rate. Councilmember Ellis supported this confirmation, stating that this was standard for a contractor relationship.

Councilmember Gardner inquired whether Josh anticipated needing an additional \$5,000 to complete the work. Mayor Jepsen emphasized the importance of maintaining the current staffing structure and advocated for its continuation at least until the end of the calendar year. Councilmember Ellis pointed out that they were financially breaking even with their previous costs and suggested planning to continue this arrangement through the end of the year.

The motion passed unanimously.

Summary of Discussions and Action Items

Elizabeth Julian provided a comprehensive summary of the meeting's discussions and action items, with support from Councilmember Veranth, including:

1. Inviting CPA Dave Sanderson to discuss financial reports and answer councilmember questions.
2. Preparing for the upcoming land use and CUP training, including collecting questions from invitees.
3. Drafting a letter to UDOT regarding restroom signs.
4. Addressing technical issues with meeting equipment, including the microphone covers and the owl, to ensure Zoom video and audio for future meetings.
5. Filing and posting the Boulder Utah250 resolution and completing the process with the state.
6. Reposting Board of Adjustment vacancies and encouraging individual outreach.
7. Post the approved final subdivision form.
8. Require updates to forms and applications to be approved by the Town Council and included in the upcoming by-law.s
9. Pay Garfield County for the road work invoice and open the budget in the future to appropriate the funds as required, either for this item or after six months, to include all needed budget adjustments.
10. Scheduling a public hearing for the commercial use ordinance change for the September 2nd meeting, posting notice by Friday, August 22
11. Michael Winn will share an invitation to the upcoming Six Counties meeting regarding annexation plans

12. Michael Winn will follow up on various legislative changes and their implications for Boulder by providing suggested language to determine if assigned to the Planning Commission, including lot and boundary adjustments, as well as new and unlisted businesses.
13. Michael Winn will look into the WUI bill and provide feedback and guidance
14. Elizabeth Julian was approved to continue in her role as administrative consultant and town clerk
15. John Veranth will attend the Community Impact Board training
16. John Veranth will work with Erin Smith and Michael Winn regarding the Boulder Pines Road
17. Gladys LeFevere will discuss the transient room tax with the county, although this may not occur until November at the next Travel Council meeting.

Potential Upcoming Business

Council members discussed items for future meetings, including:

1. Discussion on the RSTR ordinance to prepare for a future public hearing and potential action, likely taking place in October.
2. Preparation and logistics for the training scheduled on September 16th.
3. Discussion about dumpsters and waste management in response to citizen feedback.
4. John Veranth will attend the Boulder Farmstead Water Company annual board meeting on Monday, September 15th, at 7 PM. The goal is to seek clarification on the subdivision process and water rights, with a specific focus on aligning each stage of the process with the ordinance and the provision under Utah law that does not require proof of water rights before subdivision approval. The outcome may necessitate changes to the ordinance and/or the process.
5. Public hearing, discussion, and potential action regarding the Commercial Use ordinance.

Public Comments

Bill Geil commented on the trash dumpster issue, emphasizing that Boulder's unique 13-mile length makes centralizing dumpsters impractical for many residents.

Donna Owens thanked the council for listening to and considering the discussion of the dumpster issue for the businesses.

Executive Session

No executive session.

Adjourn

With no objections, Mayor Conrad adjourned the meeting at 9:04 PM.

Minutes Approved: September 2, 2025
/s/ Elizabeth Julian
Boulder Town Clerk