

BOULDER TOWN, UTAH PUBLIC NOTICE

Governing Body: TOWN COUNCIL

Meeting Type: Regular Meeting

Date and Time: Tuesday, September 1 2026, at 6:00 p.m.

Location: Boulder Community Center, 351 North 100 East, Boulder, Utah

In accordance with the Utah Open and Public Meetings Act, [Utah Code Ann. § 52-4-202](#), the minutes for the above-referenced meeting are provided below.

MINUTES

I. OPENING PROCEDURES

1.1. Call to Order

Mayor Cheryl Cox called the Boulder Town Council Regular Meeting and Public Hearing to order at 6:02 PM on Tuesday, September 1, 2026, at the Boulder Community Center, 351 North 100 East, Boulder, Utah.

1.2. Determination of Quorum

The Mayor conducted a roll call. All Town Council members were present, establishing a quorum.

Town Council Present:

Mayor Cheryl Cox

Council Member Lacy Allen

Council Member Josh Ellis

Council Member Tina Karlsson (participating remotely via Zoom; Absent from approximately 7:02 pm until 7:28 pm due to power outage)

Council Member John Veranth (arrived late at 6:09 pm)

Others Present:

Elizabeth Julian, Town Clerk

Gina Ortolan, Deputy Clerk

1.3. Pledge of Allegiance

Mayor Cheryl Cox led the Pledge of Allegiance.

1.4. Motion to Adopt the Agenda

Mayor Cox confirmed that Version 5 of the meeting materials packet is the current and official reference for the proceedings.

Motion: Council Member Josh Ellis moved to accept the agenda as presented. Council Member Lacy Allen seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Absent, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved 4-0

1.5. Declaration of Conflicts of Interest

Council Member Josh Ellis disclosed a potential conflict of interest regarding his business that might be subject to regulation under the proposed ordinance amendments on the agenda.

II. PRESENTATIONS AND REPORTS (Information/Discussion)

2.1. Cougar and Rotenone Presentation by Constance Lynn

Constance Lynn introduced a presentation regarding the Vigil Walk over Boulder Mountain, which she organized on behalf of the community from August 11 through 14, 2026. She explained that the walk was intended to raise awareness about what she described as threats to the local cougar population and to waterways in the area. She recounted that, just days before the walk was set to begin, participants inadvertently learned that the Utah Division of Natural Resources (DNR) would be conducting rotenone poisoning operations at Pleasant Creek from approximately August 10 through 14. Community members contacted DNR, speaking with Aquatics Manager Mike Hadley, and requested that the project be postponed. Mike Hadley agreed to a pause only by court order. When the vigil marchers arrived at Pleasant Creek on August 12, they encountered DNR staff at their camp, and participants observed dead fish floating following the treatment.

Constance Lynn further reported that, following the march, she had been in contact with DNR Director Dex Magnus, and that as of that afternoon she had learned that Director Magnus intended to visit Boulder on September 22 at 4:00 PM. She expressed that her purpose in presenting the video was to move discussions about these projects from the conceptual realm into tangible community awareness, and she urged the Council and public to view what a chemically treated creek looks like.

A video was then played, which included footage from the vigil walk and the aftermath of the rotenone treatment at Pleasant Creek.

Mayor Cheryl Cox noted that the Town had been attempting to secure a meeting with DNR since January and welcomed the confirmed date of September 22 at 4:00 PM.

2.2. 2.2. Five County AOG Summit

Mayor Cheryl Cox announced that the Five County Association of Governments will provide training for all town council and planning commission members in the five county region on Thursday, September 10th from 5:30–8:30 PM at Ruby's Inn. Mayor Cox strongly encouraged all members to register and coordinate carpooling through Town Clerk Elizabeth Julian. Mayor Cox also reminded members that the League of Cities and Towns Fall Conference will be held October 27–28 in Salt Lake City, and that registration fees increase at the end of the month.

2.3. Amending Ordinances

Town Clerk Elizabeth Julian provided an overview of the proposed ordinance amendments, summarizing the five draft ordinances included in the meeting materials:

Draft Ordinance amending Chapter 110 (General Business Provisions):

Establishes foundational business licensing rules, removes business classes, sets a standard annual renewal cycle of March 1, and shifts all licensing fees to the fee schedule. Also introduces a progressive civil code enforcement framework, reserving misdemeanor prosecution as a last resort.

Draft Ordinance amending Chapter 111 (Alcoholic Beverages): Replaces outdated local licensing provisions. Under Utah law, the state retains primary licensing authority, so the town's role is limited to granting or denying statutory local consent when required.

Draft Ordinance amending Chapter 112 (Residential Short-Term Rentals as Businesses): Regulates RSTRs as businesses, requiring license holders to be natural persons who are permanent residents living on-site and present during guest stays, mandates annual compliance certifications, and requires license numbers to be displayed on online listings.

Draft Ordinance amending Section 153.204 (RSTRs as Land Use and Zoning): Maintains the cap of 12 active RSTR authorizations. The Planning Commission recommended replacing the lottery system with a first-come, first-served waiting list and replacing subjective discretion with objective guidelines for evaluating CUP conditions. Additionally, the recommended that RSTR CUPs and Business Licenses not be transferable with sale of property. Town Clerk Julian noted a legal concern flagged by Town Council Member Josh Ellis regarding the non-transferability of RSTR CUPs, noting that land use CUPs traditionally run with the land.

Draft Ordinance amending Chapter 130 (Fire Restrictions): Updates the default fire restriction season to May 1–October 31, aligns with Utah State Division of Forestry Fire and State Lands Stage 1 and 2 guidelines, adds explicit bans on dry vegetation ignition, and mandates available running water for active fire pits on private property.

III. PUBLIC COMMENT ON AGENDA ITEMS (Public Input)

Mayor Cheryl Cox opened the public comment period for non-public hearing agenda items, reminding speakers to state their names, limit comments to three minutes, to reserve comments pertaining to the proposed ordinances for the formal public hearing, and a 20-minute total period.

Matt Cochran addressed the Council regarding the mountain lion and rotenone issues. He noted that a Salt Lake Tribune opinion article published that morning, authored by Paul Garvey, connected Boulder Town, the Vigil Walk for mountain lions, and the rotenone treatment of Pleasant Creek. He urged the Council to pass the pending mountain lion resolution and emphasized the urgency of acting publicly on these matters. He further reported that he had learned Pine Creek was the next waterway targeted for a similar treatment, with fish barriers already under construction, and that Sand Creek and others were likely to follow. He urged the Council to adopt a unified governing body statement and expressed hope that it could serve as a precedent for Torrey, Escalante, and other nearby towns.

Blake Spalding echoed the calls to support the mountain lion resolution and to take a stand on the rotenone issue. She described Boulder as a tourism-based economy and expressed concern about the reputational impact of allowing what she characterized as the extermination of the area's primary predator and the poisoning of a watershed known for its purity. Spalding also spoke at some length about her personal experience at the previous Town Council meeting, stating that she felt ridiculed and that certain exchanges had been disrespectful and damaging. She urged the Council to honor the community's investment in the general plan process. Spalding further expressed concern about the recent reduction of the Grand Staircase-Escalante National Monument boundaries, concerns about proposed national park designations in the Escalante Canyon area and the removal of monument protections for lands adjacent to Boulder, noting that she had submitted a statement for a related legal proceeding.

Jennifer Geerlings spoke about the general plan process, expressing concern that the Town Council had shelved the planning commission's work on the draft general plan during its previous meeting before it was complete. She argued that the process had been a genuine bottom-up community effort, citing a survey completed by 108 to 130 respondents and significant public comment. She maintained that the general plan is aspirational and does not itself create regulations, and that the Council could have allowed the Planning Commission to complete it before voting on adoption. Geerlings further questioned the Council's decision to proceed with ordinances before a current general plan was in place. She also raised concerns about statements made by a council member characterizing some community ideas as ridiculous, and argued that no single group has a monopoly on defining Boulder's future.

Mark Austin raised a concern regarding drainage at the town cemetery, noting that recent rains had caused significant erosion at the cemetery entrance. He offered to assist with installing drainage culverts, noting that coordination with the Town would be necessary given that the cemetery sits on town land.

Eric Sheffield expressed gratitude for the awareness from Vigil Walk and urged the Council to pass the mountain lion resolution. He framed Boulder's natural ecology as a defining feature that draws visitors and spoke to the town's potential to be a recognized example of ecological stewardship.

Elena Hughes also urged passage of the mountain lion resolution. She additionally spoke to what she characterized as a strained relationship between the Planning Commission and the Town Council over the past several months. She noted that

newer Planning Commission members had expressed feeling disheartened and disrespected. She encouraged the Council to use the current moment as an opportunity to build a more respectful and collaborative relationship with the commission and offered to share her thoughts in writing or by phone.

Darrell Fuller (participating remotely via Zoom) thanked the Council for including red-line versions of proposed documents in the meeting materials, noting that such formatting makes review far more efficient. He also offered brief commentary on the general plan discussion, stating his view that the Planning Commission had entered into scope creep and had not adequately reined in its work when directed to do so, though he acknowledged that communication problems had existed on both sides.

Jen Bach (participating remotely via Zoom) raised a technical note, pointing out that when the Google Docs were accessed in view-only mode, comments were not visible. She noted this had been confirmed through testing with Town Clerk Julian and suggested it be taken into account in the future.

Mary McIntyre asked to read a statement before playing a brief video. She summarized the history of Boulder Town's 2011 effort to halt rotenone treatment of Boulder Creek by UDWR, which was ultimately successful after three years of community action. She noted that the current Pleasant Creek treatment proceeded despite community requests for a public meeting. She read from a collaborative UDWR/Utah State University study that acknowledged limited ability to predict rotenone's impacts on streams and lakes and called for more research on long-term ecosystem effects. She argued that UDWR manages waterways as fisheries rather than ecosystems and described the introduction of rotenone as creating a cascade of effects on the food web. A short video was then played showing the neon-purple appearance of Pleasant Creek following treatment, at the point where the neutralizing chemical potassium permanganate had been added. The video had been included in the meeting materials packet, available for public reference.

IV. DEPARTMENT REPORTS (Information)

4.1. Members

Council Member Tina (participating remotely via Zoom) reported on the Tree Committee's plans for the October 10th Arbor Day celebration in partnership with Tree Utah, including the planting of approximately 10 trees in various locations throughout the park and community center area. She noted that Tree Utah's free-tree program will continue for approximately three more years and encouraged

use of the opportunity. She also noted that black locust trees near the community center require damage control and that she is exploring assistance from a tree trimming company.

Council Member Josh Ellis reported that the state landfill inspection for the dump occurred on July 20th and notes observations consistent with prior years; report included in meeting materials packet. He noted the fire department now has mobile Starlink connectivity available, though it needs to be mounted.

Council Member John Veranth reported on road safety improvements, including alignment concerns and proposed safety signage. He noted ongoing coordination with other agencies including a meeting with UDOT to address various concerns on Highway 12. He indicated that UDOT will be doing a speed study in the next month.

Council Member Lacy Allen reported on a recent Stop the Bleed training session provided in collaboration with the Boulder Wellness Network and Garfield County EMS. She encouraged residents to take advantage of future sessions to support local emergency response resources. Council Member Allen also noted a weekend emergency involving a choking incident and indicated she is seeking clarification on the protocol for dispatching local EMTs versus ambulances through 911.

4.2. Staff

No separate staff report was given.

4.3. Mayor

Recent Meeting and Procedural Missteps: Mayor Cheryl Cox acknowledged that the July meeting had revealed areas where the Council had an opportunity to improve. She stated that she had received significant feedback regarding procedural mistakes and a lack of civility. She reported that she had been working with Five County Association of Governments representative Roger Carter and the Town's legal counsel to address what occurred. She outlined three actions taken at the July meeting that inadvertently deviated from the posted agenda. She explained that while directives issued to the Zoning Administrator were appropriate, two specific votes occurred during the work session without being formally designated as action items, and therefore those votes do not stand. As a consequence, the directive to the Planning Commission issued at that meeting was not legally binding. Mayor Cox stated that she had deliberately deferred retabling the matter until after the September 10 training, so that the Council could have more information before

deciding how to proceed, with the matter to be placed back on the October agenda. She also noted that the removal of the cleaning deposit fee during the same July meeting would be corrected formally through action on the fee schedule later in the evening.

Mayor Cheryl Cox reminded the Council that formal motions must take place only under items explicitly posted for action, and that while the Council can establish consensus and assign tasks during discussion and informational sessions, voting on binding matters must conform to posted agenda items.

Respectful Conduct: Mayor Cheryl Cox stated that the Council must do better when it comes to respectful behavior, and that she believes they should hold the Council to a high standard as a model for the community. She shared that she had been working on her own leadership and proposed that the Council build on existing ethics standards by adopting a clear code of conduct applicable to elected officials, appointed members, staff, and volunteers. She noted that a draft code of conduct had been included in the meeting materials for Council members to review over the coming months, with the goal of adopting it after further deliberation.

AV Solutions: Mayor Cox reported that the Town continues to experience challenges with its audiovisual equipment. She noted that while a previous proposal to correct these issues was rejected by the Council, she committed to working with staff to research solutions used by other Utah towns, with the goal of improving both in-room microphone clarity and remote participation through Zoom.

Boulder Farmstead Water Company Stakeholder Meeting: Mayor Cox announced that Boulder Farmstead Water Company would hold a stakeholder meeting on Wednesday, September 16, at 7:00 PM. She stated she intended to attend to represent the Town and invited other Council members to participate.

Water Usage: Mayor Cox noted that the Town had experienced some overages in water usage the previous month—\$30 over budget for the community center grounds and \$95 over for the town park—but characterized this as a significant improvement over the previous month. She publicly thanked Corry Johnson, maintenance, and Council Member Tina Karlsson for their work in reducing water usage and acknowledged the positive role of recent rainfall.

Hazard Mitigation: Mayor Cheryl Cox reported that the hazard mitigation committee had met the previous week and was continuing to develop a draft plan with Five County. She anticipated that once the draft was ready, stakeholder

meetings would be convened, with fire identified as the primary hazard warranting attention. She noted that she and Council Member Josh Ellis would be collaborating on community wildfire-related matters.

Rotenone and Community Notification: In response to the presentations and public comments heard earlier in the meeting, Mayor Cox addressed the community's concerns about the Pleasant Creek rotenone treatment. She acknowledged the personal dimension of the issue, noting her own background as a downwinder and with family members who are also downwinders and expressing that she has a deep personal difficulty accepting governmental assurances of safety. She identified the core issue for the town as a failure of communication — the community was never notified in advance that the treatment was going to occur, and signage was not posted at prominent places on at the site. She noted that required public notices were posted in the Spectrum rather than in local publications accessible to the community, such as the Insider. Unless Council members had objections, Mayor Cox stated her intention to write a letter on behalf of the Town to those making these decisions, asking them to reconsider the poisoning and, at minimum, to substantially improve local community notification practices. She described this as a first step, with the possibility of pursuing a formal resolution in the future depending on Council direction.

Anonymous Complaint: Mayor Cox reported that the Town had received an anonymous letter of complaint on August 13, which had been distributed to the Town Council. In accordance with the Town's established 2016 policy for handling noncompliance issues — which requires the citation of a specific code violation — the Council was declining further action at this time. She used the occasion to remind the public of the requirements for submitting a valid complaint, and noted that Town Clerk Julian had included the 2016 policy in the meeting materials.

Boulder Arts Council: Mayor Cox expressed enthusiasm for the Latin fusion band performance held the previous Saturday, which had drawn community members from both Boulder and Escalante. She noted that the final Music in the Parks event for 2026 would be held on September 11, featuring 3hattrio and an art exhibit reception featuring Kristin Barsh and Lisa DeLong.

V. CONSENT AGENDA

Council Member John Veranth moved to pull items 5.1 (Acceptance of Financial Reports) and the related expenditures acceptance from the consent agenda, noting that the financial reports reflected incomplete data and should not be approved.

Council Member Josh Ellis seconded and additionally noted a broader concern about the language of "accepting expenditures" implying blanket approval. The financial reports were pulled for presentation at a future meeting after updates are completed, revising what was submitted by Dave Sanderson.

Motion: Council Member John Veranth so moved [to approve the consent agenda, excluding the financial reports and related expenditures items, with those items to be reviewed at a subsequent meeting]. Council Member Josh Ellis seconded.

Vote: Voice Vote – All members voted in favor; Council Member Tina Karlsson not present for vote.

Result: Approved 4-0 (Financial reports pulled for future review; proposed minutes from July 7 and August 11 approved)

VI. PUBLIC HEARING (Public Input Only, Motion to Enter/Exit)

Mayor Cheryl Cox called for a motion to close the regular meeting and enter the public hearing.

Motion: Council Member Josh Ellis moved to close the regular meeting and enter the public hearing. Council Member Lacy Allen seconded.

Vote: Roll Call Vote – Council Member Josh Ellis - Aye, Council Member Tina Karlsson - Absent, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved unanimously 4-0-1 — Public hearing opened at approximately 8:10 PM

Mayor Cheryl Cox provided an overview of the public hearing's purpose: to gather community input on proposed amendments to Boulder Town Code Chapters 110, 111, 112, Section 153.204, and Chapter 130, in compliance with Utah Code §10-9a-204.

Mayor Cox reminded speakers to state their full name for the record, specify which ordinance they were addressing, and noted that the Council would not respond to individual comments during the hearing but would address them later in the agenda.

- 6.1. Draft Ordinance No. 2026-D: Amendments to Boulder Town Code Section 153.204 (Residential Short-Term Rentals regarding Land Use and Zoning)**
- 6.2. Draft Ordinance No. 2026-C: Amendments to Boulder Town Code Chapter 112 (Residential Short-Term Rentals as Businesses)**
- 6.3. Draft Ordinance No. 2026-E: Amendments to Boulder Town Code Chapter 110 (General Business Provisions)**
- 6.4. Draft Ordinance No. 2026-A: Amendments to Boulder Town Code Chapter 111 (Alcoholic Beverages)**
- 6.5. Draft Ordinance No. 2026-F: Amendments to Boulder Town Code Chapter 130 (Fire Restrictions)**

Jen Bach (participating remotely via Zoom) addressed Draft Ordinance No. 2026-D regarding the non-transferability of RSTR CUPs. She had conducted internet research and found examples of other Utah jurisdictions — including Daggett County and Bountiful — that had successfully implemented provisions making short-term rental CUPs non-transferable upon property sale. She summarized that Daggett County requires the new property owner to apply for a new license within 45 days of transfer, or the CUP is forfeited. Bountiful similarly states that short-term rental permits do not run with the land. She proposed that the Council consider some form of grace period following a property transfer, during which the new owner would be required to satisfy all current license and CUP conditions. She also noted that transfer requirements could serve as a useful mechanism for bringing nonconforming uses into compliance, and expressed her view that maintaining the cap on RSTR authorizations, while providing for reassessment points, was preferable to removing it.

Darrell Fuller (participating remotely via Zoom) provided comment, though his remarks were not directed toward any of the five specific ordinance amendments under consideration for the public hearing. Instead, he addressed the proposed code of conduct referenced earlier in the Mayor’s report, urging the Council to exercise extreme caution regarding any ethics rules that could potentially restrict public speech. He referenced the classical concept of *logos* — the connection between

speech and reason — and stated he would vigorously oppose any ethics provisions that he viewed as restricting free expression.

Blake Spalding addressed the RSTR provisions, specifically expressing interest in understanding the process by which short-term rental listings are established and regulated. She described what she characterized as several unlicensed or unregistered Airbnb-style operations in their neighborhood, including one that she said hosted a large party at night. Spalding argued that RSTR operators should be subject to the same tax obligations, insurance requirements, and regulatory compliance as traditional lodging businesses. She also expressed a preference for requiring RSTR operators to live on the property where the rental operates, which she said was not the current practice in her area of observation.

Ray Gardner addressed the RSTR cap and questioned the fundamental fairness of limiting authorizations to a fixed number. He argued that a first-come, first-served approach inherently advantages those who secured licenses early, allowing them to retain that benefit indefinitely. He proposed a conditions-based approach instead, suggesting that any applicant able to meet clear, enforceable conditions should be eligible for a license, regardless of when they applied, and that those who cannot meet the conditions simply would not qualify.

Elizabeth Julian, speaking as a community member, requested clarification on the proposed on-site residency requirement for new RSTRs, specifically asking how it would be administered and enforced. She also questioned why RSTR operators would be subject to an on-site presence requirement when traditional lodging establishments like hotels and motels are not, and encouraged the Council to evaluate the potential enforcement and administrative challenges.

John Catmull (participating remotely via Zoom) addressed several points. He stated that he had paid all required lodging taxes, town taxes, and state-required fees from the day he opened his short-term rental, and sought to correct what he characterized as a recurring misconception that RSTR operators do not pay taxes. He questioned the logic of requiring the license holder to be a permanent resident living on-site, noting that if he is required to live at the rental property, he would have no separate place of residence and could not simultaneously be a guest host. He asked whether there would be grandfather provisions for established operators such as himself and his brother-in-law, and raised the issue of ensuring a level playing field between RSTR operators and traditional lodging providers.

Mayor Cox confirmed that no additional online commenters were waiting to speak and invited any remaining in-room speakers. Hearing none, she noted that additional written public hearing comments had been submitted and were included in the meeting materials packet.

Motion: Council Member Josh Ellis moved to exit the public hearing and reenter the regular meeting. Council Member Lacy Allen seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Absent, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved 4-0 — Public hearing closed at approximately 8:25 PM.

VII. ADMINISTRATIVE ACTION ITEMS (Motion Required)

7.1. Approve Resolution No. 2026-20: Public Entity Update

This resolution updates the town's Public Entity Investment Fund (PTIF) authorization to remove Dave Sanderson and add Elizabeth Julian as an authorized signatory for PTIF account access.

Motion: Council Member Josh Ellis moved to update the entity form [to] remove Dave Sanderson and add Elizabeth Julian. Council Member Lacy Allen seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Absent, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved 4-0

7.2. Consideration of Hiring Recommendation of Deputy Clerk/Recording Secretary

Mayor Cheryl Cox reported that the hiring committee completed interviews for the Deputy Clerk position, with outstanding candidates applying. The committee recommended Gina Ortolan for the position.

Motion: Council Member Josh Ellis moved to accept the hiring of Gina Ortolan [as Boulder Town Deputy Clerk]. Council Member John Veranth seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved unanimously 5-0

Action Item Assigned: Gina Ortolan officially hired as Boulder Town Deputy Clerk/Recording Secretary.

7.3. Consideration of Resolution No. 2026-U: Planning Commission Seat 1 and Resolution No. 2026-V: Planning Commission Alternate

Mayor Cheryl Cox noted that applicants would have the opportunity to briefly address the Council before action was deferred to after the closed session. The following applicants presented:

Mark Austin noted his extensive experience serving on land use commissions in Springdale and dealing with local, county, and state land use matters over many years.

Jen Bach (participating remotely via Zoom) noted she has served as Planning Commission alternate, attended several trainings, and has been actively engaged in both town council and planning commission meetings for approximately five to six years.

Donna Owen (participating remotely via Zoom) stated her qualifications as a 40-year Boulder resident, business owner, EMT for 22 years, and property owner, expressing willingness to serve as an alternate.

Alyssa Thompson (participating remotely via Zoom) noted 20 years in the community as a business owner and property owner, with a desire to return to Planning Commission service.

Action was deferred pending the closed session. See Section XIII.

7.4. Consideration of Contract No. 2026-03: Fire Protection And Water Access Agreement With Boulder Farmstead Water Company

Mayor Cheryl Cox provided background, noting that the town and water company had been attempting to reach agreement for several years. She confirmed that a February 13, 2023 letter from Boulder Farmstead Water Company stated they would not renew the prior agreement, dated September 1984, so the option before the Council was the draft contract in the meeting materials. She noted the draft contained a blank for a dollar amount and, while the Water Company had been involved in drafting, the document had not been formally accepted by them, particularly pending the town's payment offer.

Council Member Josh Ellis clarified for the record that the Water Company cannot legally deny the fire department access to hydrants; the agreement is therefore not about access itself, but about the protocols for how the town accesses hydrants, the communication and notification surrounding that access, and the allocation of liability, indemnification, and insurance responsibilities. He stated that the primary financial component of the agreement is payment for snow removal around hydrants. He suggested a starting offer of \$500 per year.

Council Member Josh Ellis expressed that the Water Company had not sent a representative to this agenda item. He and other members described the negotiating dynamic as a back-and-forth process that had dragged on without resolution and urged that the matter be handled in a way that was fair to both parties.

Council Member John Veranth proposed that, if the Water Company did not accept the \$500 offer, the parties be encouraged to engage a mutually agreed-upon third-party arbitrator to determine an appropriate amount, rather than allowing the matter to remain unresolved for another year.

The Council discussed the question of maintenance obligations, with Council Member John Veranth emphasizing that the Water Company—having received a multi-million dollar federal grant through the USDA to install a 600,000-gallon tank and supporting infrastructure—bears the maintenance obligation for that infrastructure, including the hydrants. He noted that under the terms of USDA funding, the Water Company is federally required to provide fire access. He stated there was no precedent for a municipality paying to maintain infrastructure it does not own, and described the agreement as covering access protocols and snow

removal only, not maintenance or repair.

Council Member John Veranth also raised an equity consideration: the hydrants serve properties throughout the town, including properties on wells that are not customers of the Water Company, and some level of compensation for that public safety service may be appropriate, even if the precise amount remained in dispute.

The Council agreed that the draft contract as presented was acceptable in all respects other than the dollar amount, and that \$500 should be offered as the town's opening position, with an invitation to the Water Company to counter-offer if they did not accept.

Motion: Council Member John Veranth moved (to present the draft contract as that the town,) that the Council authorizes the town to present the draft that's in the meeting [materials] packet as the town's current offer, with an amount of \$500, and ask Boulder Farmstead if they are willing to accept or counter offer it. Council Member Josh Ellis seconded. :

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved unanimously 5-0 — at 7:45 PM to authorize the town to present the draft Contract No. 2026-03 as included in the meeting materials packet, with \$500 entered in the blank for section 5.1, as the town's current officer, and to invite Boulder Farmstead Water Company to accept or submit a counteroffer.

Action Item Assigned: Mayor Cheryl Cox and Town Clerk Elizabeth Julian to transmit Contract No. 2026-03 with the \$500 annual figure to Boulder Farmstead Water Company, requesting a counteroffer if not accepted as presented.

7.5. Consideration of Proposed Resolution No. 2026-M: Predator Management Study

Mayor Cheryl Cox noted that Resolution No. 2026-M, Version 3 — addressing predator management study and related public safety concerns — had been reviewed by the town attorney since its presentation in July, with no changes

recommended.

Motion: Council Member Josh Ellis moved to approve Resolution No. 2026-M, Version 3, as presented at the July 7, 2026 town council meeting. Council Member John Veranth seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved unanimously 5-0

7.6. Consideration of Tree City Official Proclamation for Arbor Day

Council Member Tina explained that the annual proclamation is required to maintain Boulder Town's Tree City USA status and to allow the Tree Committee to apply for continued recognition. The Arbor Day celebration date was set for October 10, 2026.

Motion: Council Member Josh Ellis moved to accept the Tree City USA official proclamation of Arbor Day set October 10, 2026 for Boulder Council Member Lacy Allen seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved unanimously 5-0

VIII. LEGISLATIVE ACTION ITEMS (Motion Required)

Council Member John Veranth proposed a process for working through the draft ordinances: the Council would discuss each ordinance in detail, accept motions to amend specific wording where there was disagreement, and then vote on adoption. For minor changes, staff would be directed to make corrections before final codification. For major changes, a clean draft would be prepared for a subsequent vote. Mayor Cheryl Cox and other members agreed this was a sound approach.

Repeal and Replace Language: Council Member Josh Ellis raised a procedural point that the town's own ordinances require that code amendments be enacted as a repeal and replace of the prior section rather than as a piecemeal amendment. He noted that prior efforts to submit red-lined versions to the town's codification service, American Legal, had resulted in confusion and the codified version not matching what the Council had voted on. Both Council Members Josh Ellis and John Veranth agreed that all five ordinances should be formatted as repeal-and-replace documents referencing a clean text in Exhibit A, rather than amendment-style documents.

***Action Item Assigned:** Town Clerk Elizabeth Julian to work with the Town Attorney to reformat all five ordinances as repeal-and-replace documents referencing a clean text in corresponding Exhibits.*

Red-Line Comparison: Councilmember Ellis raised a process concern applicable to all five ordinances: He requested that future reviewed ordinance drafts include a full red-line version for comparison purposes.

8.1. Consideration of Draft Ordinance No. 2026-D: Amendments to Boulder Town Code Section 153.204 (Residential Short-Term Rentals regarding Land Use and Zoning)

Council Member Josh Ellis opened discussion by emphasizing that the ordinance amendments being considered in this package were housekeeping in nature and not intended to make major policy changes such as altering the cap on RSTR authorizations. He noted that any major changes of that scope would need to go back to the Planning Commission and were outside the intended scope of this effort.

Non-Transferability of CUPs — Section 153.4155: Council Member Josh Ellis explained his concern. He acknowledged that the Planning Commission had recommended making RSTR CUPs non-transferable upon property sale, but argued this was not legally defensible under state land use law, which provides that CUPs run with the land. He noted that all of the land use training materials the Council had received were consistent on this point. He further argued that the intent behind separating the land use CUP from the business license was precisely so that the residency and operational requirements—including on-site owner presence—could be placed in the business license section, which renews annually, rather than in the CUP. Under this design, even if a CUP transfers with a property sale, the new owner would still need to obtain a new business license each year and would need to meet all current residency and operational requirements to do so. If they could not,

they would be unable to operate the RSTR even if the CUP technically transferred. Council Member Ellis also raised an equity concern: if CUPs are not transferable, a property owner who has built an RSTR business and depends on that income to service a mortgage would be unable to sell to a buyer in a similar financial situation, effectively destroying the economic value of that business.

Councilmember John Veranth seconded the motion to strike the non-transferability provision, citing consistency with established legal principles that CUPs are among the only land use decision types that run with the land, and noting that even if non-transferability were technically legal, it would be poor policy.

Motion: Council Member Josh Ellis moved to (strike, we amend the ordinance to) strike item 5, [Section 153.4155, ‘which provided that neither RSTR business licenses nor RSTR CUPs are transferable’]. Council Member John Veranth seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Abstain.

Result: Approved 4-0-1 — Motion to strike Section 153.415 (5)

Restoration of Prior Ordinance Provisions: Council Member Josh Ellis noted that the Town Attorney's revised version of the ordinance had omitted several provisions that had been in the original, including language addressing the configuration of units in proximity to adjoining properties and dwellings, the relationship to contiguous lot boundaries (particularly relevant where an applicant owns multiple contiguous lots), and provisions regarding proposed time of year and duration of use. He confirmed he had added these provisions back into the draft, as they reflected the original legislative intent and no substantive change in content. No objections were raised by the Council to restoring these provisions.

Following discussion, the Council agreed the ordinance was ready for adoption as amended.

Motion: Council Member Josh Ellis moved to adopt Draft Ordinance No. 2026-D, as amended. Council Member John Veranth seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council

Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: unanimously Approved 5-0 at 8:17 PM

8.2. Consideration of Draft Ordinance No. 2026-C: Amendments to Boulder Town Code Chapter 112 (Residential Short-Term Rentals as Businesses)

Council Member Josh Ellis led discussion on Draft Ordinance No. 2026-C.

Eligibility Framework — Restructuring for Clarity: Council Member Josh Ellis identified a structural concern in the eligibility section, noting that the first three criteria addressed property eligibility (having a CUP, a Board of Adjustment determination of lawful nonconforming use, or grandfathered status) while the fourth criterion addressed applicant eligibility (meeting residency and operational requirements). He recommended restructuring so that applicant eligibility was clearly listed first, followed by the property eligibility criteria, to improve readability and prevent future confusion. He noted the Planning Commission had been confused by this ordering, as had he initially. Council Member Josh Ellis proposed recording, there was no voiced objection.

Opportunity to Cure Period: The proposed draft had included a 15-day opportunity to cure a business license violation before enforcement action. Council Member Ellis found 15 days insufficient and proposed extending the period to 30 days, with further discussion suggesting 60 days might be more reasonable. The Council agreed to change the cure period to 60 days.

Hearing Officer Reference: The draft referenced a hearing officer, which Boulder does not have. Council Member Josh Ellis recommended replacing this with a reference to the town's existing appeals authority, which the Council agreed to.

Non-Transferability Conforming Amendment: Consistent with the amendment adopted under Item 8.1, the non-transferability language in this chapter was revised to read only that RSTR business licenses are not transferable, removing the reference to CUPs that had been struck from the zoning ordinance.

Motion: Council Member Josh Ellis moved to adopt Ordinance No. 2026-C, Chapter 112, as amended. Council Member John Veranth seconded.

***Vote:** Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.*

***Result:** unanimously Approved 5-0 at 8:27 PM*

8.3. Consideration of Draft Ordinance No. 2026-E: Amendments to Boulder Town Code Chapter 110 (General Business Provisions)

Council Member Josh Ellis led discussion on Draft Ordinance No. 2026-E.

Grandfathering of Existing Business Licenses: The preamble included language providing that any annual business license valid on the effective date of the ordinance would remain valid. Council Member Ellis questioned if this provision was intentional, or instead template language, and Town Clerk Julian confirmed that the Town Attorney had been aware of the town's specific situation and had drafted it accordingly.

Action Item Assigned: Town Clerk Elizabeth Julian to confirm with the Town Attorney that the grandfathering provision in the preamble is intentional and aligns with the town's specific legal situation.

Exemptions — Restoration of Prior Ordinance Language: Council Member Josh Ellis noted that the draft had omitted an existing exemption from the business licensing requirement for certain categories, including wholesale or resale businesses without a physical presence in town, agricultural production, incidental businesses (such as a child's lemonade stand), nonprofits, businesses expressly exempted by state or federal law, and businesses exempted under valid reciprocity agreements. He also noted the existing exemption for businesses specifically exempted from taxation and fees by state or federal law, and disclosed that his own consulting business does not require a Boulder business license under that provision because he is not required to charge sales tax under state law. He acknowledged the conflict of interest inherent in recommending the inclusion of a provision that benefits his own situation, but noted the provision was already present in the existing codified ordinance and he was simply suggesting restoring it. The Council debated whether the removal of certain provisions was necessitated by legal factors previously unknown to the body. It was the consensus of the members that, absent specific legal mandates or recommendations to the contrary, the original language should be reinstated. Council Member Josh Ellis presented suggested text for these restorations within a redlined draft for review.

Home-Based Business Licensing and State Law: Council Member John Veranth raised a substantive issue regarding home-based businesses. He cited Utah Code §10-1-203, which prohibits municipalities from charging a fee to a resident for operating a home-based business unless the combined off-site impact of that business and the primary residential use materially exceeds the off-site impact of the residential use alone. He argued that if the town cannot charge a fee for home-based businesses that produce no material off-site impact, the basis for requiring a business license for such businesses is also weakened. He recommended adding exemption language along those lines directly to the ordinance. Council Member Josh Ellis noted that he had added suggested language exempting businesses with no impact outside the home structure, which he believed addressed this concern in part. Discussion ensued regarding where the line should be drawn—a massage therapist with clients coming to a home, for example, generates traffic and therefore arguably some off-site impact—but the Council agreed that the addition of the no-external-impact language was a reasonable starting point.

Default Penalty — Criminal Misdemeanor: The draft retained a provision stating that unless specific penalties were provided, violations of the chapter constituted a class B misdemeanor. Council Member John Veranth strongly objected to treating a paperwork or business license compliance violation as a criminal offense by default. He argued this was disproportionate, unenforceable in practice, and created exposure for residents who might technically be in violation of an administrative requirement. Council Member Josh Ellis agreed, noting that the broader question of civil enforcement policy—including how fines are structured, how they are made to stick, and how the town would actually pursue non-payment—needed to be addressed comprehensively across all ordinances, not just in this chapter. The Council agreed to remove the default misdemeanor penalty provision and to address civil enforcement policy as a separate, coordinated project. Council Member Josh Ellis provided suggested language within a redlined draft for review.

Motion: Council Member Josh Ellis moved to adopt Draft Ordinance No. 2026-E, amending Boulder Town Code Chapter 110, as amended during the meeting. Council Member John Veranth seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: unanimously Approved 5-0 at 8:45 PM

8.4. Consideration of Draft Ordinance No. 2026-A: Amendments to Boulder Town Code Chapter 111 (Alcoholic Beverages)

Brief discussion addressed whether a fee should be associated with the local consent process. Council Member John Veranth noted that under Utah law, municipal fees must reflect the actual cost of providing a service, and the only service here is a legislative action, making a fee difficult to justify. No fee was included. The Council proceeded to approve the draft ordinance as presented in the meeting materials packet.

Motion: Council Member Josh Ellis moved to approve Ordinance No. 2026-A, Chapter 111, as presented. Council Member Lacy Allen seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: unanimously Approved 5-0 at 8:47 PM

8.5. Consideration of Draft Ordinance No. 2026-F: Amendments to Boulder Town Code Chapter 130 (Fire Restrictions)

Council Member Josh Ellis led discussion on Draft Ordinance No. 2026-F.

Legislative Findings Section: The draft included a legislative findings section, which the attorney noted could be included if the Council preferred it as protection against a challenge to the town's use of police powers to regulate fire. Council Member Josh Ellis recommended removing this section, noting that no other town ordinances contain such language and that he found it unlikely anyone would challenge the town's authority to regulate fire hazards. The Council agreed to remove the section.

Fire Pit Definition: The draft defined a fire pit as a permanently constructed structure. Council Member Josh Ellis recommended removing the word "permanently constructed" to accommodate the widespread use of portable fire pits and fire mats, which have become common, particularly in outdoor recreation contexts. He also added a requirement that the fire pit be protected by a three-foot radius of noncombustible materials, noting that the prior language could have

permitted a constructed fire pit surrounded by dried vegetation. The Council agreed to both changes.

Default Fire Restriction Stage: Council Member Josh Ellis identified a gap in the draft: while Stage 1 and Stage 2 restrictions were defined, the ordinance did not specify what stage the town defaults to absent a specific resolution. He recommended adding language establishing Stage 1 as the default during the fire restriction season, to avoid the need for a new resolution each year simply to activate the basic season restrictions. The Council agreed.

Violation Penalty: The draft referenced a violation penalty. Council Member Josh Ellis suggested replacing misdemeanor with a \$1000 fine. The Council agreed that rather than embedding a specific dollar figure in the ordinance, the penalty should be referenced as set forth in the fee schedule, consistent with the Council's overall direction of removing specific dollar amounts from code language. The Council agreed to make that change. Council Member Josh Ellis provided suggested language within a redlined draft.

***Motion:** Council Member Josh Ellis moved to approve Ordinance No. 2026-F, Chapter 130, as amended. Council Member John Veranth seconded.*

***Vote:** Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.*

Result: unanimously Approved 5-0 at 8:51 PM

8.6. Consideration of Draft Resolution No. 2026-W: Fee Schedule

Mayor Cheryl Cox introduced the revised fee schedule, describing it as a reformatting effort that converted the prior spreadsheet into a single document with a table of contents, incorporated suggested fee adjustments, and reflected the Council's prior direction to remove the cleaning deposit for local residents. She noted that the fee schedule would likely need to be revisited monthly initially as individual ordinances are updated, before settling into annual or biannual review cycles.

Council Member Josh Ellis moved to refer the fee schedule to committee rather than vote on the full document at this meeting. He outlined the following bullet points to

guide the committee's work: (1) remove fees not specifically authorized by an enabling ordinance; (2) separate fines and civil enforcement penalties from the fee schedule, as fines are distinct from fees and would become a separate project; and (3) develop a policy on which facility uses should be subject to fees and which should not.

On the question of facility use fees, Council Member John Veranth expressed his view that the community center exists to build and serve the community and that the Town should be generous in allowing civic and community-oriented activities at no charge — particularly given that the majority of the Town's revenue comes from tourism-related taxes rather than from residents. He drew a distinction between commercial or private use, on the one hand, and open community-benefit programming on the other. Mayor Cheryl Cox acknowledged that not all uses are equivalent in community benefit, noting that private events such as a family memorial or party may warrant some fee even if open to the public. The Council agreed this distinction would be worked out by the committee.

Council Member John Veranth proposed that the committee also document a cost basis or back-of-envelope calculation for each proposed fee, consistent with state law requirements that municipal fees must reflect the actual cost of providing a service and cannot function as a hidden tax increase.

Motion: Council Member Josh Ellis moved to refer this to committee, [with] a few high level bullet points we agree on instead of going line by line right now especially tonight. Council Member John Veranth seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: unanimously Approved 5-0 — Referred to subcommittee.

Action Item Assigned: Fee Schedule Committee composition to consist of Council Member John Veranth, Zoning Administrator Erin Smith, Council Member Lacy Allen, and at least one clerk. A progress report was directed for October, with draft consideration in November.

Following the vote to refer the fee schedule to committee, Council Member John Veranth moved separately to formally rescind the \$150 cleaning deposit for resident use of the town facility, correcting the procedurally improper vote

taken at the July meeting.

Motion: Council Member John Veranth moved that we officially rescind the \$150 cleaning deposit for residential, resident use of the [community center]ecind the \$150 cleaning deposit for resident use of the town community center. Council Member Lacy Allen seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye

Result: unanimously Approved 5-0 — Rescinded the \$150 cleaning deposit requirement for residents reservations of the Boulder Community Center facility

IX. WORK SESSION (Discussion Only - No Action Taken)

9.1. Meeting File Storage & Management Review

Council Member Josh Ellis led discussion on the need to establish a coherent file storage and management system for Town meeting materials and records. He described the current situation as disorganized, noting that multiple transitions in staff and structure over the past several years had resulted in materials being scattered, difficult to retrieve, and inaccessible through the desktop interface. He identified that the meeting materials workflow and long-term records management needed to be addressed as an integrated problem, rather than through continued piecemeal adjustments to the Town's current Google Drive setup. He also noted that the question of which working documents should be accessible to the public — particularly editable or comment-enabled Google Docs — would require guidance from the Town Attorney on records policy. He acknowledged that the inability to view document comments in view-only mode was a significant functional limitation for both public transparency and internal collaboration.

Mayor Cheryl Cox connected this discussion to earlier Council consideration of platforms such as Civics Plus, which would address meeting materials management, public notification, ADA-compliant website compliance, and related functions in an integrated way. She expressed the view that continuing to use Google in ways it was not designed for — rather than adopting a dedicated municipal records system — was producing ongoing difficulties.

Council Member John Veranth emphasized the importance of ensuring that documents with significance beyond a single meeting are filed in a way that allows retrieval years later, citing past instances where survey results or inspection records had been lost. He expressed strong support for a more robust records management effort.

Action Item Assigned: A document management subcommittee was established, comprising Town Clerk Elizabeth Julian, Council Member Josh Ellis, and either Mayor Cheryl Cox or Council Member John Veranth. Participation is open to additional staff, representatives from the Planning Commission, and others as long as a quorum isn't established.

X. GENERAL PUBLIC COMMENT (Public Input)

Jennifer Geerlings expressed concern about a council member's characterization of certain general plan comments as coming from people trying to tell long-term residents what to do. She argued that no individual or group has exclusive authority over Boulder's community identity, and that inclusive governance requires welcoming all voices.

Blake Spalding raised concerns about the installation of flock (license plate recognition) cameras in Boulder by the sheriff's office, noting that residents and visitors have expressed discomfort with the surveillance. She asked the Council to explore whether the town has authority to restrict or remove such cameras and raised concerns about the potential effects of large-scale mining operations should monument protections be removed.

Mayor Cheryl Cox responded that she had spoken with the county sheriff about the cameras and would invite him to present to the Council and citizens regarding their purpose and use, and noted she would explore with the town attorney what authority the town may have regarding their presence. She also noted the camera at Boulder's location had been vandalized shortly after installation.

XI. CLOSING BUSINESS

11.1. Review of Outcomes, Assignments, and Counsel Recommendations

Town Clerk Elizabeth Julian summarized all actions taken during the meeting. She recommended that once the five adopted ordinances are finalized and posted, they be placed on the next meeting agenda for a brief review to catch any transcription

errors before codification, due to the revisions made during the meeting, without requiring a public hearing.

11.2. Future Agenda Items

The following items were identified for future agendas:

- Review of finalized ordinances (Nos. 2026-A, C, D, E, F) —October meeting
- Project permit ordinance review and high-level policy discussion
- Purchasing policy —October meeting
- Employee cost-of-living adjustment
- Landfill employee compensation, following completion of training
- Board of Adjustment replacement with an appeals authority — Council Member John Veranth to present
- Planning Commission direction —October meeting
- Civil enforcement policy and ordinance consistency project —ongoing

Council Member Josh Ellis recommended that in the future, a plain-language bullet-point discussion of policy intent occur before any ordinance is sent to the town attorney for drafting, to reduce cost and ensure alignment.

11.3. Confirmation of Next Regular Meeting

The next regular meeting was confirmed for **Tuesday, October 6, 2026**.

XII. CLOSED SESSION (Action - Motion Required To Enter/Exit)

Motion: Council Member Josh Ellis moved to enter a closed session to discuss the character, competence, or health of an individual in this room. Councilmember John Veranth seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved unanimously 5-0. — Closed session entered at 9:47 PM.

XIII. RETURN TO REGULAR MEETING (Discussion & Possible Action)

Motion: Council Member Josh Ellis moved to return to the regular meeting. Council member Lacy Allen seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved unanimously 5-0. — Regular meeting reconvened at 9:52 PM.

Upon returning to regular session, the Council took action on the Planning Commission appointments deferred from Item 7.3.

Motion: Council Member Lacy Allen moved to approve Resolution No. 2026-U appointing Jen Bach to Boulder Town Planning Commission Seat 1 for a term expiring December 31, 2028. Council Member Josh Ellis seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved unanimously 5-0. — Appointing Jen Bach to the Planning Commission; Seat 1

Motion: Council Member Lacy Allen moved to approve Resolution No. 2026-V appointing Mark Austin to the Planning Commission Alternate for a term expiring December 31, 2028. Council Member Josh Ellis seconded.

Vote: Roll Call Vote – Council Member Josh Ellis- Aye, Council Member Tina Karlsson - Aye, Council Member John Veranth - Aye, Council Member Lacy Allen - Aye, Mayor Cheryl Cox - Aye.

Result: Approved unanimously 5-0. — Appointing Mark Austin to the Planning Commission; Alternate

XIV. ADJOURNMENT

Mayor Cox adjourned the regular meeting and public hearing at 9:54 PM.

CERTIFICATE

BOULDER TOWN, STATE OF UTAH

/s/ Cheryl Cox, Mayor

ATTESTATION:

/s/ Gina Ortolan, Deputy Clerk/Recording Secretary

Date Approved by the Town Council: **October 6, 2026**