

MINUTES OF THE TOWN COUNCIL  
MEETING  
OF THE TOWN OF CLARKSTON

August 3, 2015  
7:00 P.M.

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Town Council Meeting held at the Clarkston Town Hall, 50 South Main, Clarkston, UT

Attendance: Mayor Kendon Godfrey  
Councilmembers: Ann J. Godfrey,  
Richie Calderwood

Absent: Councilmember Steven Palmer

Kristi Hidalgo, Town Clerk

Also in attendance: Glen Godfrey, John Luthy, Valerie Luthy, Norris Buttars, Taylor Clark

1. CALL TO ORDER

Mayor Godfrey called the Clarkston Town Council to order at 7:00 p.m. Councilmember R. Calderwood led the Pledge of Allegiance and offered Reverence to begin the meeting.

2. NEW BUSINESS

Mayor Godfrey addressed the minutes of the Clarkston Town Council Meeting held June 16, 2015. Councilmember A. Godfrey motioned for the Clarkston Town Council to approve and adopt the minutes of June 16, 2015. Councilmember R. Calderwood seconded the motion. All in favor "Aye". Motion carried

John Luthy – Snow Removal Inquiry – John Luthy stated that he is under contract with Mr. Norris Buttars for two parcels of land. One parcel is  $\frac{3}{4}$  of an acre and is within town limits. The other parcel is  $17\frac{1}{2}$  acres and is in the county. The property is adjacent to the Clarkston Town water tanks. Mr. Luthy handed out maps of the aforementioned land to the Council. **See Attachment A**

Mr. Luthy reported that he has been to the county and his understanding is that when Mr. Buttars got approval from the county, seven years ago, to subdivide the land the county said it was a buildable lot. Mr. Luthy also stated that when Taylor Clark, Mr. Buttars realtor, went to the county for approval to put the property on the market the county told him it was a buildable lot. Mr. Luthy stated that, when he and his wife were first interested in the property, the county told him that it was a buildable lot. Mr. Luthy reported that more recently the county has expressed concerns and are not willing to give a building permit for the lot unless Clarkston Town can guarantee snow removal up to the town limit so that a driveway can come off of the town part of the lot. Mr. Luthy asked the Council if he put a home on that land would the town provide snow removal up to the town limit. Councilmember R. Calderwood stated that the town does not do snow removal on that road even though the water tanks are up there. To get to the water tanks during the winter snowmobiles, tractors, or four-wheelers are used. Councilmember R.

Calderwood stated that it would incur a huge cost for the town to plow that road and there is no turn-around for the snow plow. Councilmember R. Calderwood wondered if there are any legal obligations for the town to provide snow removal to this property. Mayor Godfrey stated that he didn't know he would have to check with the town attorney. Mr. Luthy believes that if there is a home up there then the town would have a legal obligation to clear the road up to the town limit. If not a legal obligation, there would be some liability there knowing that folks would be coming up and down the road. If the town didn't clear the road there could be some liability. Mr. Luthy concluded that whether the town has a legal obligation to make it possible to build up there is a different question. Councilmember R. Calderwood wondered if the town has a legal obligation if it is forced upon the town. Councilmember R. Calderwood stated that the property is in the county and the county is now saying it is not a buildable lot because the county will not provide snow removal to the lot. Taylor Clark interjected that there is written approval from the county for the subdivision. The Cache County Roads Department director has since determined that they will not provide snow removal on this road and the building permit can be denied for health and safety reasons. Mr. Luthy declared that he has not received a definitive answer yet from the county. He reiterated that if the county does issue the building permit the town would have an obligation to plow and maintain the road or open itself up to liability. Mr. Luthy believes that the county is trying to coerce them and Clarkston Town to make this happen solely through the town road. Councilmember R. Calderwood feels that this is an issue that Clarkston Town needs to take up with the county. If the county is going to approve buildings outside of town limits, that impose a cost onto the town, Clarkston Town should be notified at the beginning of the process. Clarkston Town should not have to make hard decisions for the county. The Council did not make a decision at this time on whether to provide snow removal to this property. The Council did determine to meet with the Cache County Road Director to discuss this matter with him. Mayor Godfrey will set up the meeting and inform councilmembers of when it will be.

### 3. DEPARTMENTS

Mayor Godfrey – Roberts Rules of Order – Mayor Godfrey asserted that the proper procedure for public comment is at the end of the meeting as afforded on the agenda. Mayor Godfrey feels that if a citizen has pertinent information to the topic being discussed it is alright to hear from them as long as they raise their hand and conduct themselves in an orderly and respectful manner.

Councilmember Nathan Whiting Resignation – Mayor Godfrey read a letter of resignation from Councilmember Nathan Whiting. See Attachment A Councilmember N. Whiting resigned due to educational requirements and stated that it was his pleasure to have served on the Clarkston Town Council for the past two years.

National Night Out Against Crime - Clarkston Town National Night Out Against Crime is scheduled for August 17, 2015 at 6:30 p.m. The Council will provide hot dogs, chips, cookies, and pop. Cynthia Vincent, the Neighborhood Watch Chairperson for Clarkston

Town, will oversee the activities for this event. Mayor Godfrey will contact her to see if there is anything she needs the Council to help with.

Parks Department – Park Rules and Regulations - Mayor Godfrey reported that Parks Director, Rodney Buttars, has drawn up a list of Park Rules and Regulations.

See Attachment C

Mr. Buttars would like the Council to review and discuss this list and formally adopt by resolution a list of Park Rules and Regulations to govern the park. Mayor Godfrey asked the Council to review the list and be prepared to discuss this at the next Town Council Meeting to be held August 18, 2015.

Councilmember A. Godfrey - Warrant List- Councilmember A. Godfrey presented the Warrant List for July 2015. Councilmember R. Calderwood motioned for the Clarkston Town Council to approve the warrant list as read. Councilmember A. Godfrey seconded the motion. All in favor “Aye”

Martin Harris Pageant Dinner – Councilmember A. Godfrey reported that the meal is going well. The numbers attending are down. The Council felt that the reason is because it has not been advertised as well since the pageant tickets are purchased on-line. The dinner information is not easy to find on the website. Councilmember A. Godfrey will post a flyer inviting citizens of Clarkston Town to support the dinner and that extra food will be sold on the Saturday nights during the pageant.

Councilmember R. Calderwood – Water Department – Councilmember R. Calderwood reported that the water tanks have been staying full to over flowing. Clarkston, Trenton, and Newton are moving forward on plans to redevelop Big Birch Springs. The three towns are in the process of selecting an engineering firm for this project. Councilmember R. Calderwood informed the Council that Sunrise Engineering is moving forward on applying for a Community Impact Board Grant (CIB) to update the Clarkston Town Water Master Plan. Councilmember R. Calderwood stated that part of the application process is to hold a Public Hearing to discuss making application for this project. The Council determined to hold a Public Hearing on August 18, 2015 at 6:30 p.m. to discuss making application to the Community Impact Board for a project to update Clarkston Towns Water Master Plan.

Upcoming Parades – Councilmember R. Calderwood stated that the final parade for this year is the Wellsville Founders Day Parade. It will be on Monday September 7, 2015 at 10:00 a.m.

LUDMA –The Council tabled the following LUDMA Agenda items until the next Town Council Meeting held August 18, 2015:

- Building Permit and Zoning Clearance Application Approval
- Building Permit Bond
- Building Inspection Requirement that Agricultural Buildings be Engineered

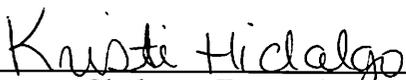
4. RELEVANT BUSINESS

Public Comment - Glen Godfrey – Mr. Godfrey recommended extending the cemetery black metal fence on the north side of the restrooms. Mr. Godfrey also suggested putting in a gate for access to the restrooms from the road. Mayor Godfrey stated that this is a good idea but the town does not have the funds for it right now.

Next Meeting - The next meeting will be a Public Hearing and Town Council Meeting and will be held Tuesday August 18, 2015. The Public Hearing will begin at 6:30 p.m. followed by the regular Town Council Meeting at 7:00 p.m.

5. ADJOURN

There being no further business to come before the Council, Councilmember A. Godfrey motioned that the Clarkston Town Council Meeting adjourn. Councilmember R. Calderwood seconded the motion. All members present voted “Aye”. Motion carried. The meeting adjourned at 8:45 p.m.

  
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Clarkston Town Clerk

