

Tremonton City Corporation  
Land Use Authority Board  
October 03, 2007

Members Present:

Steve Bench, Planning and Zoning Director  
Chris Breinholt, City Engineer  
Alyson Draper, City Attorney  
Paul Fulgham, Public Works Director  
Rich Woodworth, City Manager  
Elizabeth Miller, Deputy Recorder

Members Excused:

Chris Breinholt

Steve Bench called the October 03, 2007, Land Use Authority Board Meeting held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah, to order at 9:00 a.m. Steve Bench, Alyson Draper, Paul Fulgham, Rich Woodworth, and Elizabeth Miller were in attendance. Chris Breinholt was excused from the meeting.

1. Approval of agenda

Steve Bench stated that he would entertain a motion to approve the agenda. **Rich Woodworth moved to approve the agenda.** Paul Fulgham seconded the motion. The motion was unanimously approved.

2. Approval of minutes: August 1, 2007; August 8, 2007; August 15, 2007; August 22, 2007; August 29, 2007; September 05, 2007; and September 19, 2007

The Board discussed the minutes. Alyson Draper had the following corrections to the minutes of August 15, 2007. Agenda item 4.b. “semi-truck” needs to be lowercase and “poll” is spelled “pole”. **Paul Fulgham moved to approve the minutes with the above changes.** Alyson Draper seconded the motion. The motion was unanimously approved.

3. Unfinished Business:

a. UTOPIA

Pat Warner reported they are laying conduits along the highway. They have 85 percent of Tremonton 3, the southwest section, fiber cables pulled. They are ahead of schedule and things are going very fast. They have finished boring holes. They have started repairing the holes in the roads, sidewalks, and driveways. The Board expressed concern for some gravel on the roads they received complaints about. The Board discussed with UTOPIA the different locations that they have received complaints about. UTOPIA is going to take a Saturday and have a cleanup day. They will repair and cleanup all locations to the condition it was in before UTOPIA started construction.

Pat Warner reported that the transformer is only two weeks out, and they have the

vaults set. The Board stated that they could call Bruce Lennard, Brigham City Administrator to see if they have the transformer in stock. If there is something that needs to be addressed, the Board will call Pat Warner directly.

4. New Business:

- a. Concept discussion about commercial development on 400 West 300 South - Steve Haramoto

Tami Wood and Steve Haramoto informed the Board that the property on 400 West at approximately 200 to 300 South has a section that is currently under contract with Tremonton Pines. They discussed with the Board the reasons that they believe the sale of Tremonton Pines from Sam Hansen to Roger Nole fell through. Steve Haramoto was informed that Roger Knowles wanted to have all of their land in the purchase agreement. The new agreement that was purposed did not benefit all parties involved. The Board discussed the second access for Tremonton Pines as it was approved for Concept through the contracted property of Steve Haramoto. Tremonton City will verify that the development will be carried out as it was approved or Tremonton Pines will need to bring the development back for the entire approval process. Tremonton Pines has been approved for a Final on Phase 1. It has not been recorded because they have not provided a bond or construction drawings. Tremonton City will not do anything different with this development than any other development in this situation.

Steve Haramoto informed the Board that he has a box with a solar panel on his property and would like to know what it is. The Board discussed it and did not know what it was. Paul Fulgham will ask Ed Quinn to see if he know what it is. If Ed Quinn does not know, Paul Fulgham will ask Daryl Robbins.

Steve Haramoto has a building for rent at approximately 150 S 350 W, Tremonton, that is 10,000 square feet, - 100 by 100 feet - with three phase power, large doors, and cement floors. Steve Haramoto asked if the Board knows of any steady business that is looking for a location, please refer them to his number at (801) 230-1685. He is going to post a four-foot banner on the side of building stating that it is available.

- b. Walk ins - Concept review only

There were no walk-ins.

5. Monthly review

- a. Storm Drain Utility Assets and Projects

Rich Woodworth reported that the Storm Drain Utility Assets and Projects will be a winter project to assess the impact fee.

- b. 10th West and Main Traffic Safety Study

The Traffic Study has been completed by UDOT and they informed the Board that

they will be placing a Traffic Light on 1000 West and Main. The Board would like this item to maintain on the Monthly review as a reminder.

c. Easements/Vacations and recording of

Steve Bench stated that the easements and vacations are in good shape and up-to-date.

The Board discussed how to handle bonds that are held as a check. Paul Fulgham stated that Sharri Oyler has the procedure for that type of dig permit or escrow. He only verifies that they have a permit. Alyson Draper will do a form to authorize holding and cycling the check when it expires. Jay Stoking has an escrow check, Crystal Butler, and Marc Allred also currently have checks being held. The concern that the Board has with cashing the check is what to do with the interest. The Board likes holding the check because a check is considered an intent of payment and a contract. Rich Woodworth will check with Sharri Oyler to view how the Bonds are handled and if we are in compliance with State law.

Newel Jackson is going to send a Bond for Tremonton Place. It will be addressed to Steve Bench. Once the City receives the bond, Newel Jackson has asked for an escrow release on the pipe.

d. Policy and procedures (i.e.: Temperature of asphalt cutoff date)

The Board stated that the procedure for the asphalt cutoff temperature has been worked out and no longer needs to be specified in the agenda item. They would like it to be changed to storm drains.

1) New County requirement

Elizabeth Miller informed the Board that the County now requires to preview the plat prior to the City's signatures. This will help cut down on how many finished plats are sent back to municipalities.

e. Sewer Study

Paul Fulgham reported that the sewer line project is close to being finished. Chris Breinholt will follow-up on the effluent sewer lines.

f. Comprehensive review of utility and roads

Paul Fulgham reported that the bridge on 2000 West just off 1000 North needs Jersey Barriers and the signs marking the weight placed. Paul Fulgham received an extension from September 26, 2007. UDOT asked for a written explanation as to why the City would like to decrease the weight limit for the bridge from 30-ton to 8-ton. Paul Fulgham will take pictures and write an explanation.

g. Road Bond Review/Dig Permits

The Board stated that this item has already been discussed.

h. Ponds

Public Works will do a broadcast reseeding of the Heritage Estates pond.

The Allred/Christensen pond will be addressed when Mr. Christensen has finished his new building.

The Board discussed the retention pond that would be placed on 2300 West or 2000 West. Rich Woodworth would like to use 2000 West's barrow pit.

I. New water source

Paul Fulgham informed the Board that Country View Estates has a new plan for servicing water to their development. Randy Marriot expressed concerns for excess capacity. Paul Fulgham will write a letter to Randy Marriot addressing the excess capacity. He will send a carbon copy to the City Council and the Land Use Authority Board .

j. Task list review

| <b>Project/ Location</b>                            | <b>Task</b>  | <b>Who</b>                               | <b>Beginning Date</b>   | <b>Completed</b> |
|---|--|--|-------------------------|------------------|
| Procedures  | Update Darlene Hess with the procedure for a statement that indicates the Tax ID numbers on the annexation petition are correct. | Alyson Draper                            | 7/18/2007               | 10/3/2007        |
| Zoning Code   | Review entire code and approve or implement changes needed. (Low-income housing)   | Alyson Draper                            | 3/21/2007               |                  |
| Frontier Agreement                                  | Discuss Frontier Agreement in regards to phone numbers   | Alyson Draper                            | 6/6/2007                | 10/3/2007        |
| Harmony heights Subdivision                         | Write the legal portion of a letter to UDOT.   | Alyson Draper                            | 7/18/2007               | 10/3/2007        |
| Hooking Public Works into the City Office's network | Verify the network connection and ability  | APIATECH, Paul Fulgham, & Rich Woodworth | Once UTOPIA is in place |                  |
| Salley Simmons Annexation and Subdivision           | Checklist  | Board                                    | 05/30/2007              | 10/3/2007        |
| Country View Estates Development                    | Checklist  | Board                                    | 4/11/2007               |                  |
| Clover Field Phase II                               | Checklist  | Board                                    | 4/11/2007               |                  |
| UTOPIA Construction                                 | report   | Board                                    | 6/6/2007                |                  |

|   |  |                                    |            |           |
|---|--|------------------------------------|------------|-----------|
| Tremonton Pines                           | Checklist  | Board                              | 6/6/2007   |           |
| La Vista Estates                          | Checklist  | Board                              | 6/6/2007   |           |
| Spring Hollow Phase I                     | Checklist  | Board                              | 6/6/2007   |           |
| Water and Secondary water on the Hillside | View water and secondary water options for the Hillside  | Board                              | 6/6/2007   |           |
| Country View Estates Phase I Development  | Checklist  | Board                              | 4/4/2007   |           |
| Sewer Master Plan                         | Review Sewer Master Plan   | Board                              | 4/4/2007   |           |
| Spring Acres Phase 4                      | Checklist  | Board                              | 4/4/2007   |           |
| Tremonton Place                           | Checklist  | Board                              | 4/4/2007   |           |
| Holmgren Historical Farms                 | Checklist  | Board                              | 7/18/2007  |           |
| McFarland Subdivision                     | Checklist  | Board                              | 7/18/2007  |           |
| Harmony Heights Subdivision               | checklist  | Board                              | 7/18/2007  | 10/3/2007 |
| Garfield Estates Phase 1 & 2              | Checklist  | Board                              | 08/22/2007 |           |
| Park Meadows lot line adjustment          | Checklist - view sidewalk  | Board                              | 08/29/2007 |           |
| River Valley Subdivision Phase 4          | Checklist  | Board                              | 9/5/2007   | 10/3/2007 |
| River Valley Subdivision 4-plexes         | Checklist  | Board                              | 9/5/2007   |           |
| Asphalt cutoff date letter                | Send letter to all developers informing them about asphalt cutoff temperature                    | Board                              | 9/5/2007   |           |
| Thompson/Stokes Subdivision               | Checklist  | Board                              | 9/19/2007  |           |
| Lookout Point                             | Checklist  | Board                              | 9/19/2007  |           |
| Secondary Water                           | Advice Developers next to the canal to install secondary water                                   | Board                              | 9/19/2007  |           |
| Cable Conduit Enforcement                 | Review the communication conduit requirements for Payson, Murray, West Valley, Orem, and Lindon. | Chris Breinholt                    | 7/18/2007  | 10/3/2007 |
| Harmony Heights Subdivision               | Write the fundamental portion of a letter to UDOT.   | Chris Breinholt                    | 7/18/2007  | 10/3/2007 |
| Disturb the natural flow of Storm Water   | Review Plat  | Chris Breinholt                    | 9/19/2007  | 10/3/2007 |
| Aerial Photo                              | Print Photo and Price Photo  | Chris Breinholt                    | 9/19/2007  | 10/3/2007 |
| Newel Jackson                             | Manhole - Accounts Receivable  | Chris Breinholt and Rich Woodworth | 9/5/2007   | 10/3/2007 |
| Flood Plane Map                           | Check with FEMA to see the statues of the Flood Plane Map  | Paul Fulgham                       | Yearly     |           |
| Senior Center Blue Prints                 | Create a 3-D drawing to include a draft conceptual drawing. Senior Center                        | Paul Fulgham Board                 | 9/19/2007  |           |

|   |   |                      |                                    |            |
|---|---|----------------------|------------------------------------|------------|
| 10th West and Main Stop Light           | Contract UDOT   | Rich Woodworth       | 3/21/2007                          |            |
| Water Sources                           | Assess Finances available to find water                     | Rich Woodworth       | 1/31/2007                          |            |
| Allred Pond                             | Call Louis Christensen in regards to the Allred Pond        | Rich Woodworth Board | <del>2/21/2007</del><br>10/03/2007 |            |
| Disturb the natural flow of Storm Water | Ask Byron Wood  | Rich Woodworth       | 9/19/2007                          | 10/03/2007 |
| Redo Annexation Boundaries              | Give Alyson Draper a copy of the current annexation policy. | Steve Bench          | 3/21/2007                          | 10/3/2007  |
| Railroad Company agreement              | Complete application for Railroad company                   | Steve Bench          | 7/18/2007                          | 10/3/2007  |

6. Comments/Reports:

a. Building Inspector - Steve Bench

Steve Bench had nothing further to discuss at this time.

b. City Engineer - Chris Breinholt

Chris Breinholt was excused from the meeting.

c. City Attorney - Alyson Draper

Alyson Draper reported that she wrote the letter to the developers specified in the September 19, 2007, meeting. The letter is similar to the one Paul Fulgham wrote last year. Elizabeth Miller will do a Macro Merge with the form and data to decrease redundancy.

Alyson Draper wrote a Release of Liability to protect Tremonton City from any liability to the individuals who would like to remove the antiques from the second floor museum. The Board discussed the liability of the Senior Center building and the people who enter. The City will give the Release of Liability to the Museum Committee and allow them to organize the removal of the antiques. There cannot be more than five or six people in the museum at a time, and no one under age 18 will be allowed in the building.

d. Public Works Director - Paul Fulgham

Paul Fulgham reported that West Liberty Foods is looking at doing a pretreatment for their sewage because they are sending a lot of sludge to the City Treatment Plan. Paul Fulgham has not completed calculating their bill for the use of the City Treatment Plant.

The Board discussed the representation for Country View Estates Subdivision. The Board decided that whoever comes to represent Randy Marriot will need to bring documentation showing that they have decision making power. This will help to

communicate and develop the subdivision properly.

e. City Manager - Richard E. Woodworth

Rich Woodworth had nothing further to discuss at this time.

7. Public comments:

There were no public comments.

8. Adjournment

**Steve Bench moved to adjourn.** Alyson Draper seconded the motion. The motion was unanimously approved. The meeting adjourned at 10:39 a.m.

The undersigned duly acting and appointed Deputy Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the Land Use Authority Board Meeting held on the above referenced date.

Dated this 10 day of October, 2007

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Elizabeth Miller, DEPUTY RECORDER

