

**Tremonton City Corporation
Land Use Authority Board
August 26, 2009**

Members Present:

Steve Bench, Building Inspector
Chris Breinholt, City Engineer
Dustin Ericson, City Attorney
Shawn Warnke, City Manager
Dottie Garn, Deputy Recorder

Steve Bench called the Land Use Authority Board Meeting to order at 9:10 a.m. The meeting was held August 26, 2009, in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Steve Bench, Chris Breinholt, Dustin Ericson, Shawn Warnke and Dottie Garn were in attendance. Marc Christensen, Parks and Recreation Director, was also in attendance. Paul Fulgham was excused from the meeting.

1. Approval of agenda

Motion made by Shawn Warnke to amend the agenda and delay the approval or consideration of the minutes until Dustin Ericson arrives. Second by Chris Breinholt. Vote: Steve Bench - aye, Chris Breinholt - aye, Shawn Warnke -aye. Motion approved.

2. Approval of minutes: August 12, 2009

After the arrival of Dustin Ericson, Chris Breinholt made a motion to approve the minutes. Second by Shawn Warnke. Vote: Chris Breinholt - aye, Dustin Ericson - aye, Shawn Warnke -aye. Motion approved. Steve Bench abstained from voting as he was not in attendance for the August 12, 2009 meeting.

3. Unfinished Business:

a. Sorenson Subdivision - Final, Chris Sorensen

Consideration by the Board of the Final approval of the two-lot subdivision. Mr. Bench said the Board still needs the mylar and signatures on it. Before this is recorded the City will need the deferral agreement for the construction of the road and public improvements in the right-of-way. Dustin Ericson gave the Board members a rough draft of the deferral agreement. The Board discussed the agreement and changes that need to be made. Mr. Ericson said he can make the changes today so the Plat can be recorded as soon as possible. **Chris Breinholt made a motion to approve the Sorensen Subdivision Final Plat.** Steve Bench seconded the motion.

Vote: Steve Bench - aye, Chris Breinholt - aye, Dustin Ericson - aye, Shawn Warnke -aye. Motion approved.

b. Spring Acres Pond - Continuing discussion on City contribution - Rick Christensen

Mr. Ericson gave the Board members a rough draft of an agreement to be between the City and the Christensen's for the improvements and changes to the Spring Acres Storm Water Pond. The Board members discussed the changes needed in the agreement. Mr. Bench would like the Christensen's to come next Wednesday to this meeting with comments on the agreement. Mr. Warnke would like to have the Engineer's Estimate as soon as possible.

4. New Business:

a. Walk ins

Don Anderson has a concern about the subdivision agreement concerning his home property at Spring Acres Subdivision, which states his property would have sidewalks and curb and gutter. His home was built over a year ago and he would like to put in a yard but cannot until the sidewalk is installed. Marc Allred told Mr. Anderson to install the sidewalk himself and he would reimburse the cost. Mr. Anderson has paid for the installation of sidewalks in front of his two driveways and has sent that amount for reimbursement to Mr. Allred and received no response. Mr. Anderson said Mr. Allred has told him he will only reimburse him \$10 per foot for the sidewalk, not the \$14 per foot that it actually costs. Mr. Anderson feels that this is unacceptable and would like to put a claim against Mr. Allred's escrow or bond. Mr. Bench said that won't be possible as this subdivision is several years old. Chris Breinholt said Mr. Allred either needs to install the sidewalk or needs to pay Mr. Anderson to install it and \$14 per foot is a reasonable cost. Mr. Bench said he will call Mr. Allred after this meeting and get back with Mr. Anderson.

5. Comments/Reports:

a. Building Inspector - Steve Bench

1) Review proposed changes and amendments to Zoning and Land Use Codes and Public Works Standard

Mr. Bench discussed a process of proposing to leave the Attorney on the Land Use Authority Board, to add Marc Christensen to the Board, and that in turn would help in not re-writing the ordinance every time there is a change. The Board discussed adding different department head positions to the Board.

b. City Engineer - Chris Breinholt

Chris Breinholt had a comment regarding the development of the well at the Cedar Ridge Subdivision. Mr. Breinholt's understanding is that the City needs to own the property, so the City needs to subdivide the property. The City will need to get an application to the County this week, otherwise, the County does not meet again until sometime in October. Mr. Breinholt said the City can get an application completed, submit it to the County, but it has to include a notarized letter from the property owner stating they know what is going on and they are okay with the proposed subdivision.

c. City Attorney - Dustin Ericson

Mr. Ericson had nothing further to discuss.

d. City Manager - Shawn Warnke

Mr. Warnke asked the Board members about Jared Glover. Mr. Glover had an issue with the installation of a sidewalk and would like the City or the contractor to install it. The Board discussed Mr. Glover's concern but no official decision was made.

6. Public comments:

There were no public comments.

7. Adjournment

Steve Bench made a motion to adjourn the meeting at 11:05 a.m. Shawn Warnke seconded the motion. Vote: Steve Bench - aye, Chris Breinholt - aye, Dustin Ericson - aye, Shawn Warnke - aye. Motion approved.

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 of the Land Use Authority Board Meeting held on the above referenced date.

Dated this 2nd day of September, 2009.

Dottie Garn, Deputy Recorder