

**Tremonton City Corporation  
Land Use Authority Board  
September 2, 2009**

Members Present:

Steve Bench, Building Inspector  
Chris Breinholt, City Engineer  
Paul Fulgham, Public Works Director  
Shawn Warnke, City Manager  
Dottie Garn, Deputy Recorder

Steve Bench called the Land Use Authority Board Meeting to order at 9:05 a.m. The meeting was held September 2, 2009, in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Steve Bench, Chris Breinholt, Paul Fulgham, Shawn Warnke and Dottie Garn were in attendance. Marc Christensen, Parks and Recreation Director, was also in attendance.

1. Approval of agenda

**Chris Breinholt made a motion to approve the agenda.** Paul Fulgham seconded the motion. Vote: Steve Bench - aye, Chris Breinholt - aye, Paul Fulgham - aye, Shawn Warnke - aye. Motion approved.

2. Approval of minutes: August 26, 2009

**Steve Bench made a motion to approve the minutes.** Chris Breinholt seconded the motion. Vote: Steve Bench - aye, Chris Breinholt - aye, Paul Fulgham - aye, Shawn Warnke - aye. Motion approved.

3. Unfinished Business:

a. Spring Acres Pond - Continuing discussion

Ben Johnston, and Louis and Jay Christensen were present to discuss the continuing issues with the Spring Acres Pond. Shawn Warnke said he has read the comments the Christensen's had on the draft agreement between them and the City. The Board discussed what the City could do in-house and what the Christensen's would be responsible for. Public Works would most likely install the irrigation and sprinkler system. Mr. Christensen would like to purchase the sod and maybe have the City install it. Paul Fulgham said they can use a battery operated timer for the secondary water for irrigation control because that type of system works quite well. Mr. Christensen wasn't sure if they should speak with Dustin Ericson or talk about it at this meeting, but he isn't sure where the rebuilding of the existing pond is covered

in the agreement or who is paying for it. Mr. Christensen said he doesn't feel like the City only contributing 20% of the cost to move the existing pond and rebuilding the pond is enough. Steve Bench said it may be better for the Christensen's to speak with Shawn Warnke and Dustin Ericson to fine-tune the agreement. Mr. Warnke asked about rock and the Christensen's said they would like to provide them. Mr. Christensen said the agreement states the City would be the project manager and Mr. Warnke agreed. Paul Fulgham said there is a concern about not paying sales tax while the City is doing a project benefitting a private developer. Prior to the City's involvement, Mr. Warnke would like the land to be dedicated to the City so the City is not spending funds on non-City property. The Board discussed putting all the money for the project in an account that can be controlled by the City. Mr. Christensen asked if they can hold their money and wait until the project is ready, instead of the money just sitting in escrow for months before the project starts. Mr. Warnke is concerned that there needs to be some kind of warranty period, maybe 1-2 years, for the project. Steve Bench said it sounds like there needs to be a few more agreement changes.

4. New Business:

a. Subdivision Bonds Completion and current status

Steve Bench would like to discuss the current bonds.

Chadaz Subdivision Phase 2 – passed inspection except the sidewalk isn't in, send them a letter, chip seal is not done, landscaping has been postponed until more lots are sold. There are no homes built and there is nothing around it but canal and weeds, so until there are people around, there is no reason to landscape it.

Cloverfield Phase 2 – Paul Fulgham said this has passed most inspections, curb and gutter is mostly done but nothing else can be done until the asphalt is done. Subdivision is idle and there is no active bond. Any last activity was 10/3/08.

Country View Phase 2 – sitting idle, has not been recorded, no bond.

Fairview Subdivision Phase 2 – still has issues with backfill, chip seal complete, meter box setters need to be staked, sewer laterals need to be marked on the curb.

Garfield Subdivision Phase 2 – never made it to Final and has not been recorded.

Tremont Place – issues such as backfill, storm drain completions. Steve Bench received a letter from the FDIC whom took over the affairs of the bank that ordinarily handles the guarantee for Mr. Jackson stating his bond will be null and void.

5. Walk-ins

There were no walk-ins.

6. Comments/Reports:

a. Building Inspector - Steve Bench

Mr. Bench had nothing further to discuss.

b. City Engineer - Chris Breinholt

Mr. Breinholt had nothing further to discuss.

c. City Attorney - Dustin Ericson

Mr. Ericson was not in attendance.

d. Public Works Director - Paul Fulgham

Mr. Fulgham had nothing further to discuss.

e. City Manager - Shawn Warnke

Mr. Warnke had nothing further to discuss.

7. Public comments:

There were no public comments.

8. Adjournment

**Steve Bench made a motion to adjourn the meeting at 10:30 a.m.** Paul Fulgham seconded the motion. Steve Bench - aye, Chris Breinholt - aye, Paul Fulgham - 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 \_\_\_\_ day of \_\_\_\_\_, 2009.

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Dottie Garn, Deputy Recorder