

**PARAGONAH TOWN BOARD  
SPECIAL MEETING  
44 NORTH 100 WEST, PARAGONAH TOWN HALL  
SEPTEMBER 2, 2025 – 7:00 P.M.**

**Attendance/Town Board:** Marge Cipkar, Mike Abbott, Todd Memmott, Travis Isaacson, Todd Robinson (Mayor)

**Others in Attendance:** Nancy Dalton (Planning Commission Chair), Kathleen McGovern, Sharrah Brewster (Town Treasurer), Eric Walker, Jayne Stones (Town Clerk), Chuck Bentley, Kevin Guyton, Dakota Veater, Dan Burgett (Town Maintenance Manager), Denise Burgett, Preslee Meneley, Chris Meneley, Russell Abbott, Dale Robinson. Late: Justin Wayment.

**Pledge**

**1. Call meeting to order:** Todd Robinson called the meeting to order

**2. Declaration of Conflict of Interest:** None declared.

**3. Adopt Agenda:** Travis Isaacson moved to adopt the agenda as presented. Mike Abbott seconded the motion. All in favor. Motion carried.

**4. Review Public Utility Easement for fire hydrant on Chris Meneley's property located at 777 Red Creek Canyon Road and make decision:** Todd Robinson asked Chris Meneley if he brought a plan of what he is doing. Chris said no he did not. Todd said as far as he knows he is planning on building one house. Sometime in the future he would like to make 2 more lots. In the annexation agreement it states that before a building permit can be issued certain improvements need to be made to the property including installing water, power, etc. As part of these improvements, Chris was trying to compact the dirt to make a road on his property and was using one of the town's fire hydrants to haul the water back and forth. This created a mess on the Town road. Todd said he called Chris and told him to clean it up which he did. He suggested Chris use the existing fire hydrant along the road by his property. Chris said he couldn't use it because there is too much stuff in the way including ditches, weeds, rocks, etc. He wanted to start using the fire hydrant he installed on his property. Mike Abbott said he went up and talked to Chris and told him before we can turn the water on to the hydrant they need an easement. He also told him the pressure at the fire hydrant needs to be tested, the water line flushed, and some water samples needed to be taken. Dan Burgett said he has tested the water and flushed the line, but it will need to be flushed again. Travis Isaacson said the Fire Department will take care of this and the maintenance of the hydrant. Chris had Steve Woolsey write up a description for the

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easement using points given to him by Chris and then he had Security Title draft the easement. The easement was then sent to our town attorney Justin Wayment who added some verbiage. Chris had it notarized, and it just needs to be recorded. The Town Clerk sent a copy of the easement to all the Town Board members to review. One of the Town Board members felt the easement should be discussed and reviewed at a meeting and this is why we are having this Special Meeting. Mike Abbott said it was discussed at the previous meeting, and he agreed to give the Town an easement. Marge asked Chris if he had a building permit application. Chris said yes he did but he hasn't filled one out. Marge said before he does anything he needs to look at it because it shows what needs to be done before a permit can be issued. One of the requirements is a prairie dog clearance letter. Chris said he has a prairie dog clearance letter that is good until April 1, 2026. After more discussion the following motion was made: **Mike Abbott moved to accept the easement for the waterline going to the fire hydrant located on Chris Meneley's property. Travis Isaacson seconded the motion. All in favor. Motion carried.**

**5. Discuss development of Chris Meneley's property and address any concerns:**

Todd Robinson said Chris asked for a list of what he needs to do. The building permit application addresses most of what needs to be done. A building permit is not needed to install infrastructure on private property. The town ran the power and water to the property line. Chris has installed and paid for everything on his property including the fire hydrant and waterline. The waterline will become the towns once the easement is recorded. Marge Cipkar asked why the easement wasn't put in place before he turned on the water. Mike said Dan was just testing it and flushing the line and that is what was agreed upon. Marge said agreed upon by who and it would have been a done deal without an easement if she hadn't said anything. Mike said it was discussed at the Town Board meeting. Marge said Dan would have turned on the water without an easement if she wouldn't have said something. Dale Robinson said he needed to leave the meeting early because he was not feeling well but before he left he wanted to impress on the board that the annexation agreement is spelled out plainly and it is the Town Boards responsibility- not the County, not the State, or the Canal Company' – to make sure things are done right including the drainage and easements on that property.

Discussion took place concerning the history of the annexation agreement. It was initially written up under the assumption that a subdivision was going to be developed and that's why it includes stuff about roads, infrastructure, installing a water tank and supplying adequate water pressure. Chris understands there is no pressure and so does the fire department. The Water Improvement Project will help solve these

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problems. The only problem with the annexation agreement is that it was never recorded. A map of the annexation was recorded. When he bought the property the title search did not show anything about an agreement and so we can't hold him to everything in the agreement. We can require him to follow our ordinances. Comment was made when the initial annexation took place the Canal Company had to annex in their property or else a peninsula would have been created. The Canal Company agreed to be part of the annexation with the understanding the easements and drainage would be taken care of and when the property was purchased there should have been some due diligence, and the question should have been asked where is the rest of the document? Todd Memmott said he did some research and found that an ordinance recording the annexation was filed on May 14, 2007. Question was asked if it referred to the agreement. The agreement was signed in December of 2007. Todd said he would have to look at it more carefully. Justin explained that when you annex property you have to go follow certain procedures. The rules for annexation have changed several times in the past 25 years so it is hard to say what was required at that time.

Annexation agreements are recorded so that anyone who purchases the property in the future knows about the agreement before they purchase the property. The Town needs to make sure all future annexation agreements are recorded. If the person buying the property is not aware of the agreement then it is hard to enforce. Chris Meneley stated he was not aware of the agreement when he purchased his property. Justin told Chris he hoped that he would give the Canal Company their easement. Discussion took place concerning the water line being put in the wrong location. At the overflow it is off about 400-500 feet and along the road about 15-20 feet. Comment was made that Charlie Boardman was there when the waterline was put in so he must have thought it was in the correct location. Todd Memmott said he hopes they can agree to redo the easement. Chris Meneley stated he is in the process of filing a lawsuit and this issue they are discussing has to do with the Canal Company and not the Town. Drainage and the Canal Company easements are addressed in the annexation agreement but we need to see if the Ordinance references the agreement. If not, Todd Robinson said we have ordinances in place that will cover a lot of the same stuff including a Flood Damage Prevention Ordinance, Road Master Plan and Subdivision Ordinance.

According to the Road Master Plan the road in front of that property needs to have an 80 foot right of way with 60 feet of asphalt. However, this won't be required until he builds more than one house. Chris was also told if he fills up ditches or messes with the natural flood channel he could be held liable for flooding on other peoples property. Chris said he did fill in the ditches from the pond. Todd Memmott said he had one more question. Chris went into the office to pay his impact fees but was told he first needed to

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have a building permit. Jayne Stones said that is how they have always handled impact fees - they are paid when the building permit is issued. Justin Wayment said this is correct and it is how most cities and towns handle impact fees. Impact Fees go along with building not the development of property.

**6. Adjourn meeting: Todd Robinson moved to adjourn meeting. Travis Isaacson seconded the motion. All in favor. Motion carried.**