

Minutes of the regular meeting of the Town Council of the Town of Apple Valley, Washington County, Utah that was held on the 6<sup>th</sup> day of March, 2014 at the Smithsonian Fire Department Building, 1777 N. Meadowlark Dr. Apple Valley, Utah.

1. The meeting was called to order at 6:30 pm.
2. The Pledge of Allegiance was led by Mayor Moser.
3. Roll Call: Roger Ashmore, Trevor Black, Judith Davis, Kevin Sair, and Mayor Moser were present. Legal Counsel, Gary Kuhlmann was present. Code Enforcement Officer, April Ruesch, was present. Fire Chief, Louie Ford was present. Town Clerk, Nathan Bronemann, took minutes.
4. Declarations of conflict of interests.

None stated.

Mayor Moser reminded the council that their annual conflict of interest letters were due.

5. Public Comment

Mike Maddocks asked what to do about the kids tearing up the roads on their ATV's.

Mayor Moser said they needed to call the Washington County Sheriff's office to have an officer dispatched to issue a citation.

Margaret Ososki said she had gone to the sheriff's office and she was told that they couldn't do anything to get the roads repaired.

Mayor Moser said that they could only issue a citation and that the prosecuting attorney could seek damages.

Louie Ford said that if they were running without a spark arrester that the police could confiscate the ATV or motorcycle.

Motion made by Roger Ashmore to close public comment. Trevor Black seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

Mayor Moser turned the time over to Chief Louie Ford to show a video about a small village in Australia was destroyed by a fire. He explained that the Town had similar conditions that everyone needed to be aware of.

6. Report on Annual Financial Statements – Hinton Burdick, CPAs and Advisors

McKay Hall presented the 2013 Town financial statements to the Town Council.

Motion made by Roger Ashmore to accept the financial statements as accepted. Trevor Black seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

7. Discussion and possible action on adopting Ordinance 2014-02 adopting the State building code

Mayor Moser explained that the Town was required to adopt the State building code.

Motion made by Kevin Sair to adopt Ordinance 2014-02 adopting the State building code. Roger Ashmore seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

8. Discussion and possible action on Resolution 2014-06 - Establishing Youth Council

Mayor Moser read the resolution.

Motion made by Kevin Sair to adopt Resolution 2014-06 - Establishing a youth council. Trevor Black seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

9. Discussion and possible action on Public Safety - Police impact fees

Mayor Moser said that the Town had been charging an impact fee for police and that the Town was not able to spend these fees on any approved expenses. He said that all collected fees not spent within seven years needed to be refunded. He added that the proposed commercial building, Three Points Center would be required to pay nearly \$36,000 in police impact fees. He said that the Town would be unlikely to spend that money.

Kevin Sair stated that he was one of the individuals that had paid said impact fees and that he would be abstaining from voting on this issue.

Mayor Moser read Ordinance 2014-03 rescinding and refunding the police impact fees.

Motion made by Trevor Black to adopt Ordinance 2014-03 approving the refund of all previously collected Public Safety - Police impact fees and to rescinding the future collection of such impact fees. Judith Davis seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-abstain, and Mayor Moser-yes. The motion passed 4/0 with one abstention.

10. Discussion and possible action on Resolution 2014-07 in support for Washington County Transportation Funding Proposal

Mayor Moser read the resolution.

Motion made by Trevor Black to adopt Resolution 2014-07 in support for Washington County Transportation Funding Proposal with conditions discussed in a previous Town Council meeting. Judith Davis seconded the motion. Vote: Roger Ashmore-abstain, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 4/0 with one abstention.

11. Reports from Town Council members on assignments

a. Arts & Recreation Tax – Mayor Moser

Mayor Moser reported that Washington County was proposing a 0.1% sales tax that would go toward non-profit organizations in the County as well as to municipalities in the County to fund the arts and parks. He said they estimated that the Town would receive \$1,900 in the coming year. He said this tax would be on this November's ballot for a vote.

Judith Davis reported that a gentleman in the Town would like to offer the use of his smoker and slushy machine at the Town events.

12. Report and recommendation from the Planning Commission

Jack Davis said they were attending training. He said they had a public hearing scheduled on a lot split and rezoning for John Peay.

13. Report and recommendation from the Big Plains Water and Sewer SSD

Mayor Moser said that the State was still reviewing the plans and that they should go out to bid soon.

14. Report and recommendation from the Parks and Recreation Department and the Community Events Committee

Mayor Moser reported that the Miss Apple Valley pageant would take place on April 12<sup>th</sup>.

15. Report from the Fire Department

Louie Ford reported that seven individuals including fire fighters and a couple Town residents had attended CPR training.

a. Discussion and possible action on Emergency Medical Responder training

Mayor Moser that Chief Ford would like to send two of the firefighters to Emergency Medical Responder training at a cost of about \$1,208.

Motion made by Roger Ashmore to approve the cost to send two firefighters to Emergency Medical Responder training. Trevor Black seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

Judith Davis expressed an interest in what the firefighters would be qualified to do after receiving the training.

Louie Ford said that it was a 40 hour class that was somewhat extensive pre-EMT training.

April Ruesch agreed that it would be in-depth training.

Roger Ashmore said that this was a beneficial stepping stone and that it would qualify the fire department for more grant money.

16. Report and recommendation from the Code Enforcement Officer

See attached.

17. Report and recommendation from Emergency Management

See attached.

18. Roads Report and consideration of continuing improvements

Trevor Black said that the dump truck was in the process of being repaired.

19. Consent Calendar - Income and Expenses - Town Treasurer

Motion made by Trevor Black to approve the consent calendar. Roger Ashmore seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-abstain, and Mayor Moser-yes. The motion passed 4/0 with one abstention.

20. Consider approval of minutes:

a. February 20, 2014 Regular Meeting Minutes

Motion made by Kevin Sair to approve the February 20, 2014 regular meeting minutes. Trevor Black seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

21. Announcements

Mayor Moser announced that Town Clerk, Nathan Bronemann would be attending training in Sandy, Utah next week and that the Town office would be closed. He said the Hurricane City would be burning off all the natural gas in the line between Apple Valley and Hurricane and that the burn would take up to two days.

22. Request for a closed session

None requested.

23. Adjournment

Motion made by Roger Ashmore to adjourn the meeting. Kevin Sair seconded the motion. Vote: Roger Ashmore-yes, Trevor Black-yes, Judith Davis-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

Meeting adjourned at 7:45 PM.

Date approved: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Nathan Bronemann

\_\_\_\_\_  
Richard Moser

**March 6, 2014 CODE ENFORCER'S REPORT TO TOWN COUNCIL**

Since February 20, 2014:

There are still many unlicensed dogs. I may have to take the owners to court.

It's a good time to start exterminating weeds and cleaning up yards now that it is burn season and the big dumpsters will be here March 14th, 15th & 16th.

April Ruesch

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**EMERGENCY MANAGEMENT REPORT March 6, 2014**

Washington County Citizen's Corps. Council and L.E.P.C. will be next Thursday.

(IMPORTANT Reminder all town officials, workers and firemen are required to take NIMS courses, 100 & 700. It is also recommended that town officials take ICS-G402. We need your cooperation. The more people trained, the better prepared we will be. Outside help will not always be available and able to get to us. (If you need assistance let me know.)

Thank you.

*April Ruesch*