

1. The Meeting was called to order at 7:03pm.
2. The Pledge of Allegiance was led by Rick Moser.
3. Roll Call: Frank Kolschefsky, Dale Kingsley, Evan Brown, Kevin Sair, Mayor Rick Moser, Town Attorney Gary Kuhlmann, Code Enforcement Officer April Ruesch, Town Treasurer Linda Felder, and Town Recorder Shannon Moser took minutes.

4. Declarations of conflict of interests.

Kevin Sair stated that he was a part time employee of Kokopelli Golf Course.

5. Public Comments.

Paul Bevan stated that he would like the definition of public and that he has been denied 11 times to be on the agendas for the Town. He then presented a letter to the Mayor and Attorney, with what he would like to see happen.

Marty Lizonbee stated that the Council was doing a great job on the roads.

Terissa Thygerson asked why the Town bulletin board was being used for people's negative agendas and not Town business.

Curtis Gubler stated that he has lived here for 27 years and up until recently never had to worry about things being stolen from his yard or destroyed. He also does not like the fact that the Town and Mr. Kuhlmann are trying to stop him from expressing the truth and his papers are being taken off of the places. He has lost a lot of friends in the last little while and believes that this is a corrupt and bad situation which has taken place with this governing body.

Charles Sampson stated that out in Cedar Point people are ripping off important papers that need to be read by all.

Tim Mintz stated that with the Kokopelli Golf Course with the lien on the property, who is paying for the bond. If the Council does not listen to the lawyer, shame on you, the Council will be held accountable.

Dale Beddo stated that the Kokopelli subject matter has become tainted, the community will not have to pay for any bond it will be KGC. In the last 3 years he has seen comments on boards with rumors and such and no one has talked to him. He would like to open his door and phone if you have any questions please feel free to ask.

John Olsen stated "bull butter."

Motion made by Evan Brown to close the public comment section. Kevin Sair seconded the motion. Vote: Frank Kolschefsky-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –yes, Mayor Moser-yes. Motion passed 5/0.

6. Discussion and possible action on addressing meeting rules.

Mayor Moser stated that he would like to see some rules. Town Attorney Gary Kuhlmann stated that there should be some basic rules so that people can be aware of them. Dale Kingsley stated that it would be a good idea to post the rules in the room for everyone to see. Amber

VanAlfen asked that the public comments be included in the minutes so that the public can know what was said. John Olsen stated that the Town was on the right track that he had been offended by both officials and the public. Tish Lisonbee asked when would we ask a question if it was not a debate or a concern. Terrisa Thygerson asked when the question may not be addressed or corrected how the person would know. Mayor Moser replied that if it needed to be an agenda item it will be or the council can talk personally to the person. Motion made by Dale Kingsley to move forward with the meeting rules resolution. Frank Kolschefskey seconded the motion. Vote: Frank Kolschefskey-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair – yes, Mayor Moser-yes. Motion passed 5/0.

7. Discussion and possible action on having an application to be on the agenda.

Mayor Moser stated that other cities use the application so they can decide where it needs to be addressed during a meeting or can be handled others ways. The application would require you to explain why you want on the agenda, the date that you would like to be on the agenda. Todd Stratton asked what would happen if you have a grievance with something that occurred. Mayor Moser stated that you could call him and see if you could work it out or if that did not happen you could call the Town Attorney. Marie McGowan asked what the time frame would be to get that paper in. Mayor Moser stated it is one week and one day before the meeting you would like to be on the agenda for, with all the necessary paper work. Trish Lisonbee asked if it would be on the website and that if you received the email to email back saying you received it.

Motion made by Frank Kolschefskey to adopt using the agenda application. Dale Kingsley seconded the motion. Vote: Frank Kolschefskey-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –yes, Mayor Moser-yes. Motion passed 5/0.

8. Discussion and possible action on Resolution No. 2010-10 Changing the name of the BLM Committee to the Apple Valley Parks and Recreation Committee.

Motion made by Evan Brown to accept Resolution No. 2010-10, with Town Attorneys suggestions. Dale Kingsley seconded the motion. Vote: Frank Kolschefskey-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –yes, Mayor Moser-yes. Motion passed 5/0.

9. Discussion and possible action on Letter of Commitment for the Five County AOG Multi-Jurisdictional Local Hazard Mitigation Plan Effort.

Mayor Moser stated that the contract would be with Five County in order to clean up and help with responding and the legal issues that could ensue. Motion made by Dale Kingsley to accept the Letter of commitment for the Five County AOG Multi-Jurisdictional Local Hazard Mitigation Plan Effort. Kevin Sair seconded the motion. Vote: Frank Kolschefskey-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –yes, Mayor Moser-yes. Motion passed 5/0.

10. Discussion and possible action on Council Members appointments.

Motion made by Mayor Moser to have Frank Kolschefskey as Mayor Pro Tempore, Roads and weed control chair, Dale Kingsley as public safety, Citizen Corp, Mosquito Abatement, Evan

Brown as Planning Commission and Waste Management, Kevin Sair as Fire Department Liaison and Community Events. Dale Kingsley seconded the motion. Vote: Frank Kolschefskey-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –yes, Mayor Moser-yes. Motion passed 5/0.

11. Discussion and possible action on Resolution No. 2010-07, road committee members

Mayor Moser stated that the Roads Committee was started 5 years ago and with no participation became null. He would like to recommend that Frank Kolschefskey be Chairman,

and that Andy White, George Strutzel, Todd Stratton, Craig Rosequist be members of the committee. They will hold a meeting once a month to prioritize the spending and fixing of the roads and plan regular maintenance. Marie McGowen asked if it will be in the news letter. Citizen asked about the roads survey. Mayor Moser replied that the consensus of the returns was for better maintenance on the dirt roads. Terrisa Thygeron asked if the big ditches on the sides of the road will be worked on. Mayor Moser stated that the Roads Committee will work on the priorities and what needs to be done. Motion made by Evan Brown to accept Resolution No. 2010-07 as presented. Kevin Sair seconded the motion. Frank Kolschefskey-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –yes, Mayor Moser-yes. Motion passed 5/0.

12. Discussion and possible action on reviewing the UDOT delay agreement with Kokopelli Golf.

Dale Beddo requested that this item be tabled until he can have some more research done on the issue and also asked the Council if they could release the Certificate of Occupancy. Motion made by Dale Kingsley to table the item until further notice and release Kokopelli Golf's Certificate of Occupancy. Frank Kolschefskey seconded the motion. Vote: Frank Kolschefskey-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –abstained, Mayor Moser-yes. Motion passed 4/0 with one abstention.

13. Fire Department Report

Brandon Orr reported that they will be having an ISO inspection and hopes it goes well. He also stated that burn season is open until April 30, and they can get their permits at the Town Office.

14. Report and recommendation from the Planning Commission.

Dick Naylor stated that the public hearings for the lot split and subdivision were moved up to the Town Council. He would also like to set up a work meeting with the Council to discuss the Kokopelli Review and the subdivision ordinance. Motion made by Dale Kingsley to have a work meeting on February 25<sup>th</sup> at 6pm. Kevin Sair seconded the motion. Vote: Frank Kolschefskey-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –yes, Mayor Moser-yes. Motion passed 5/0.

a. Resolution No. 2010-08 Appointing Evan Brown to the Planning Commission. Motion made by Frank Kolschefskey to accept Resolution No. 2010-08. Kevin Sair seconded the motion. Vote: Frank Kolschefskey-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –yes, Mayor Moser-yes. Motion passed 5/0.

b. Resolution No.2010-09 Appointing Todd Stratton as an Alternate Planning Commission Member. Motion made by Evan Brown to accept Resolution No. 2010-09. Dale Kingsley seconded the motion. Vote: Frank Kolschefskey-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –yes, Mayor Moser-yes. Motion passed 5/0.

c. Schedule a work meeting with the Town Council for the concept review of the Kokopelli Subdivision.

Item C was talked about at the begining of this section.

15. Report and recommendation from the Code Enforcement Officer.

Please see attached.

16. Roads Report and consideration of continuing improvements.

Evan Brown reported that he had completed the gravel on the Apple Valley Road and that it would be spread out on Friday, due to a scheduling problem. As for the new Apple Valley Drive Road he will leave the decision up to the roads committee. Paul Bevan stated that Mr. Naylor intended to discriminate against property owners that anyone under a half acre would

have to do the pavement, curb and gutters, and those who are above the half acre would not have to do so. Trish Lisonbee stated that it was the cost that put her off of the chip and seal and the pavement. She is hoping the Road Committee will solve some of the problems. Richard Ososki asked how the roads were chosen that needed to be done. Mayor Moser stated that because of the scheduling problems we cannot get to everyone's road all the time, but we had a volunteer who wanted to learn how to operate the grader and that should fix some problems. He would like the citizens to call the Town Office if they do have a problem with any road. Eve Greko asked about the pond and what was being done about it. The Mayor stated that the Town still had not found the culvert and it would cost about \$3000.00 to fix. The Roads Committee will look into the problem and see where we need to spend the money. Charles Greko asked what else could be put on the roads to help. Paul Bevan stated that the pond could be solved with road base and leveling, the Town could ask for Todd Stratton to donate the road base.

17. Report and recommendation from the Citizen Corps Council.

Dale Kingsley reported that they are holding CERT meetings those who are interested please come and join.

18. Report from the Community Events Committee.

Evan Brown reported that the Chili Cook Off will be held on April 24<sup>th</sup>, also the Flee Market in April.

19. Consent Calendar-Income and Expenses-Linda Felder, Town Treasurer.

Motion made by Dale Kingsley to accept the consent calendar as presented. Frank Kolschefsky seconded the motion. Vote: Frank Kolschefsky-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –yes, Mayor Moser-yes. Motion passed 5/0.

20. Consider approval of minutes:

- a. February 4, 2010 Regular Meeting Minutes.

Motion made by Dale Kingsley to accept the minutes as written. Evan Brown seconded the motion. Vote: Frank Kolschefsky-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair – yes, Mayor Moser-yes. Motion passed 5/0.

21. Request an executive session.

Motion made by Mayor Moser for an executive meeting to discuss legal matters. Kevin Sair seconded the motion. Vote: Frank Kolschefsky-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –yes, Mayor Moser-yes. Motion passed 5/0.

22. Adjournment

Motion made by Dale Kingsley to adjourn the meeting. Evan Brown seconded the motion. Vote: Frank Kolschefsky-yes, Dale Kingsley-yes, Evan Brown-yes, Kevin Sair –yes, Mayor Moser-yes. Motion passed 5/0.

Meeting adjourned at 8:48pm.

Minutes taken by Shannon Moser

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

ATTEST BY: \_\_\_\_\_  
Shannon Moser

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

February 18, 2010 CODE ENFORCER'S REPORT TO TOWN COUNCIL

Since February 4, 2010:

I sent out 54 warning letters to residents that haven't licensed their dogs this year. Several people came in or mailed checks after I did the letters so I apologize to them. We've issued approximately 90 dog licenses this year.

I got a call about a found dog a resident had had for several days. I knew where the dog belonged, but it took me 2 days to contact the owner. On 2 occasions I located dogs in the road, chase them home and gave warnings to the owners.

I gave out 1 citation for various sign violations and 1 warning ticket.

I've taken pictures of various code violations.

I attended LEPC meeting at Dixie Regional. They really need volunteers for the Ironman Triathlon. If anyone can help you can sign up on the internet.

I attended CERT training. I'd like to thank Andy White for teaching the class on earthquakes.

The weeds are going to be a big problem this year because of all the rain. I'll be sending reminders out with the next waste disposal bills.

Thank you,  
*April Ruesch Code Enforcer*