

Minutes of the regular meeting of the Town Council of the Town of Apple Valley, Washington County, Utah that was held on the 5<sup>th</sup> day of May, 2011 at the Smithsonian Fire Department Building, 1777 N. Meadowlark Dr. Apple Valley, Utah.

1. The meeting was called to order at 7:00 PM.
2. The Pledge of Allegiance was lead by Mayor Moser.
3. Roll Call: Evan Brown, Trevor Black, Dale Kingsley, Kevin Sair, Mayor Moser, and Code Enforcement Officer April Ruesch were present. Legal counsel was excused. Town Clerk Nathan Bronemann took minutes.
4. Declarations of conflict of interests.

None Stated.

5. Public Comments.

Lillie Maclean asked about proposed special service district. Mayor Moser clarified that is was a resolution for the intent to create a special service district for drinking water, sewer, and other services that the town needs. A public hearing will be held on the 26<sup>th</sup> of May and Two Bears will attend the hearing to represent themselves. They (Two Bears) have an agreement to purchase the Apple Valley Water Company.

Eveln Greco asked why there weren't any women on the planning commission. She asked if there had been a ruling from the town attorney on the storage question and if the Two Bears public hearing notice was on the town's website. Mayor Moser responded that there hasn't been a ruling and that the notice is now on our website, that it has been on the states website for a few weeks and that it has been published in the paper and will be for three weeks every Wednesday.

Eveln Greco again asked is someone would be willing to make a secure bulletin board. Mayor said that the only bulletin board would be on the Town building since having other bulletin boards elsewhere has created too much of an issue in the past. He also stated that we have the Town's website and the state website. The Town is also working on creating an email database where town residents can subscribe to receive town information via email.

Motion made by Dale Kingsley to close public comments. Kevin Sair seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

6. Discussion and possible action on Resolution No. 2011-12 appointing Roger Ashmore as a new member of the Planning Commission.

Mayor Moser read the resolution. Motion made by Kevin Sair to accept Resolution No. 2011-12. Evan Brown seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

Kevin Sair expressed thanks to Roger Ashmore for all his efforts and help in the town. Mayor Moser stated that the reason these two members were appointed to the planning commission is due to their participation and past meeting participation. The alternates can be moved into permanent positions as they demonstrate participation in future meetings.

7. Discussion and possible action on Resolution No. 2011-13 appointing Todd Stratton as a new member of the Planning Commission.

Mayor Moser read the resolution. Motion made by Dale Kingsley to accept Resolution No. 2011-13. Kevin Sair seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

8. Discussion and possible action on Resolution No. 2011-14 appointing Lyle Fausett as a new alternate member of the Planning Commission.

Mayor Moser read the resolution. Motion made by Kevin Sair to accept Resolution No. 2011-14. Evan Brown seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

Dick Naylor asked if there was an order that alternates are chosen to fill in, in the event of the absence of regular members. Mayor Moser stated that there wasn't a specific order and that it is at the discretion of the committee chair.

9. Discussion and possible action on Resolution No. 2011-15 appointing Cynthia Browning as a new alternate member of the Planning Commission.

Mayor Moser read the resolution. Motion made by Kevin Sair to accept Resolution No. 2011-15. Evan Brown seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

10. Discussion and possible action on Resolution No. 2011-16 appointing Margaret Ososki as a new alternate member of the Planning Commission.

Mayor Moser read the resolution. Motion made by Evan Brown to accept Resolution No. 2011-16. Kevin Sair seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

Mayor Moser stated that the Planning Commission guideline books will be ordered by the clerk and issued by the chair so that all members know their duties and expectations.

11. Discussion and possible action on Resolution No. 2011-17 setting the Town Clerk/Recorder salary.

Mayor Moser explained that we will be saving money by combining the Clerk/Recorder and Treasurer position. He also said that Dale Kingsley was appointed as Treasurer to save money but that the clerk would be doing the Treasurer duties and forwarding them to Dale Kingsley to be signed off on and that the Town would still be audited. Also, the clerk will be more available to the public with the new hours.

Mayor Moser read the resolution. Motion made by Dale Kingsley to accept Resolution No. 2011-17. Kevin Sair seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

12. Discussion and possible action regarding the approval of Mohave Community College Foundation's temporary Beer and Liquor permit.

Mark Tompson, from Mohave Community College Foundation explained the intent of a golf classic May 26<sup>th</sup>. He said that there would be a meal costing \$120 per plate and that they

wanted to have the ability to serve wine with the dinner. Mayor Moser stated that the clerk would need to look up which class the application would fall under. (Class D – Special Event)

Motion made by Evan Brown to approve Mohave Community College Foundation's temporary Beer and Liquor permit. Dale Kingsley seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

13. Discussion and possible action regarding sending the Town Clerk to election training in Cedar City on May 26<sup>th</sup>.

Motion made by Trevor Black to approve sending the Town Clerk to election training. Kevin Sair seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

14. Discussion and possible action with regard to scheduling the public hearings for the 2010-2011 budget amendment and 2011-2012 budget.

Mayor Moser stated that after having a work meeting for the budget, the Council will correct any issues and moved to hold a public hearing during the next Town Council Meeting, on the 19<sup>th</sup> of May for the amending of the 2010-2011 budget and the 2011-2012 proposed budget. Trevor Black seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

Mayor Moser moved to schedule the public hearing to adopt the 2011-2012 budget on June 2<sup>nd</sup> during the Town Council Meeting. Dale Kingsley seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

15. Fire Department Report.

Chief Denny Bass stated that some of the fire crew attended brush training in Cedar City at a cost of \$2,055, which the state paid for. He also stated that Brush 191 needed to be decommissioned due to the fact that it would cost too much to repair and that he had a replacement truck for the Town Council to review and approve. It is a 2001 flatbed 1-ton diesel valued at \$11,500 and he would like to purchase it for \$6,000 plus a donation receipt for the remainder of the value.

Mayor Moser stated that if the truck checks out and if the council agrees that he moves to approve that purchase. Kevin Sair seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

Chief Denny Bass also stated that by working with the BLM they will be able to get two newer reconditioned water tenders. The BLM will shuttle them to Moab and the Town's fire crew will pick them up then. He said that he is also working with the state of California to get a new engine donated. It is valued at about \$75,000. If they okay the donation, it will need to be picked up. The trucks need to be inspected and insured in the next 30 days. Brush 194 has cost \$400 so far to rebuild the engine and will cost a total of about \$1,200.

Mayor Moser made a motion to approve the expenses necessary to bring home the two tenders from Moab, Utah and the expenses necessary to bring home the engine from California. Evan Brown seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

Mayor Moser mentioned that the fire department is about \$9,000 under budget this year thanks to the efforts made by Chief Bass.

16. Report and recommendation from the Code Enforcement Officer.

See attached.

17. Report and recommendation from the Citizen Corps Council.

See attached.

18. Roads Report and consideration of continuing improvements.

Trevor Black stated that the grader has been out fixing roads and that they will be spraying weeds. April Ruesch mentioned that there is a road sign down at Mt. Zion and Zion Circle. Mayor Moser stated that those who have sent notice to not be sprayed will not be sprayed.

19. Report and recommendation from the Parks and Recreation Committee.

Motion made by Dale Kingsley to table this item. Kevin Sair seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

20. Report from the Community Events Committee.

Kevin Sair reported that Miss Apple Valley pageant will take place Saturday, May 7<sup>th</sup> at 7:00 pm at the fire station. Also, they are accepting donations for a scholarship fund that is to be set up for the Miss Apple Valley participants. Mayor Moser also mentioned that the Mayor's Association is working closely with the Dixie Community College to try to obtain a \$5,000 scholarship for the winners of each of the community pageants in the area. He also mentioned that the Ironman competition will take place this Saturday in St. George and Hurricane starting at 4:00 am.

21. Consent Calendar - Income and Expenses - Town Treasurer.

Motion made by Evan Brown to accept the consent calendar. Dale Kingsley seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, Trevor Black-yes, and Mayor Moser-yes. The motion passed 5/0.

22. Consider approval of minutes:

a. April 21, 2011 Regular Meeting Minutes.

Motion made by Trevor Black to accept the minutes from April 21, 2011 as presented. Kevin Sair seconded the motion. Vote: Evan Brown-abstained, Trevor Black-yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 4/0 with one abstention.

b. April 27, 2011 Work Meeting Minutes.

Motion made by Dale Kingsley to accept the minutes from April 27, 2011 as presented. Trevor Black seconded the motion. Vote: Evan Brown-abstained, Trevor Black-yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 4/0 with one abstention.

23. Request an executive session.

None requested.

24. Adjournment.

Motion made by Kevin Sair to adjourn the meeting. Dale Kingsley seconded the motion. Vote: Evan Brown-yes, Trevor Black-yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

Meeting adjourned at 7:55 PM.

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

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

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

**May 5, 2011 CODE ENFORCER'S REPORT TO TOWN COUNCIL**

Since April 21, 2011:

The big dumpsters were here on Easter weekend and things were pretty quiet. I attended L.E.P.C. meeting in St. George. Ironman is this Saturday, May 7<sup>th</sup>. I attended P.D.S. class in Springdale, on Communications. Then took and past the final and got my certificate. I have 1 class left in June.

Apple Valley Town Ordinance 2005:10:5, page 109 should be corrected to read town clerk-recorder. What do we need to do to get this changed?

(Reminder to all elected officials to take NIMS courses ICS-G402, 100 & 700. If you need assistance let me know.)

*April Ruesch*  
*Code Enforcer*

**CITIZENS CORPS COUNCIL REPORT May 5, 2011**

We plan on having a Citizen's Corps Meeting on May 17<sup>th</sup> and CERT training on May 24<sup>th</sup>.

Thank you.

*April Ruesch*