

Minutes of the regular meeting of the Town Council of the Town of Apple Valley, Washington County, Utah that was held on the 16th day of June, 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 led by Mayor Moser.
3. Roll Call: Trevor Black, Evan Brown, Dale Kingsley, Kevin Sair, Mayor Moser, and Code Enforcement Officer April Ruesch arrived at 7:10 pm. Legal counsel was excused. Town Clerk Nathan Bronemann took minutes.

4. Declarations of conflict of interests.

None Stated.

5. Public Comments.

None.

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

6. Discussion and possible action on Resolution No. 2011-19 appointing Roger Ashmore to the Roads Committee.

Motion made by Trevor Black to accept Resolution No. 2011-19. Kevin Sair seconded the motion. Vote: Trevor Black-yes, Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

7. Discussion and possible action on Resolution No. 2011-20 appointing Douglas Randall to the Roads Committee.

Motion made by Dale Kingsley to accept Resolution No. 2011-20. Trevor Black seconded the motion. Vote: Trevor Black-yes, Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

8. Discussion and possible action on Resolution No. 2011-21 appointing Jay Kleinfeldt to the Roads Committee.

Motion made by Kevin Sair to accept Resolution No. 2011-21. Trevor Black seconded the motion. Vote: Trevor Black-yes, Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

9. Discussion and possible action on approving Gary Marier as a member of the Smithsonian Volunteer Fire Department.

Motion made by Evan Brown to approving Gary Marier as a member of the Smithsonian Volunteer Fire Department. Kevin Sair seconded the motion. Vote: Trevor Black-yes, Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

10. Discussion and possible action on a work program for delinquent solid waste accounts.

Mayor Moser stated that the Town has over 25 delinquent accounts amounting to around \$8,000. He explained that two years ago, the Mayor of Grantsville City instituted a work program for delinquent utilities where individuals could work off their delinquent balances

doing needed work for the city. If they choose to do so, the Mayor will review the proposed work and approve/disapprove the work. He asked the members of the Council to review the Grantsville City version of the program and return with comments and suggestions. There will be an ordinance drafted for approval next Town Council meeting. Evan Brown added that there are some residents that are not being billed. Mayor Moser agreed and stated that they will not be back-billed, but the Town will now start billing all those individuals.

11. Discussion and possible action on collection of delinquent solid waste accounts.

Mayor Moser explained that the easiest process for this would be to include a 30-day warning notice with those bills and then the Town would have the option to take them to small claims court. Since putting liens on a couple of the delinquent properties has not worked, small claims court would be the best means to collect those funds. Kevin Sair asked what the costs were to go to small claims court. Mayor Moser said that there is around a \$25 fee for each claim that can be added back into the collection amounts.

12. Discussion and possible action on the new Fireworks Ordinance.

Mayor Moser explained that since the Utah State Legislature had passed a new law legalizing some aerial fireworks, the Town feels it necessary to create an ordinance restricting the use of the fireworks to the furthest extent allowed by the new law. This would be to allow the use of fireworks only June 26th-July 26th on the Smithsonian Fire Department premises and require residents to notify the chief by phone or voicemail prior to lighting them. They must also notify him of the time and date that the fireworks will be used. Mayor Moser read the ordinance (2011-02). He also added that there will be an Independence Day activity at the Fire Department.

Motion made by Kevin Sair to accept the new fireworks Ordinance 2011-02. Trevor Black seconded the motion. Vote: Trevor Black-yes, Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

13. Set date for work meeting to discuss Judy Creek Development.

Motion made by Mayor Moser to schedule this work meeting June 21st at 7:00 pm. Kevin Sair seconded the motion. Vote: Trevor Black-yes, Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

14. Set date for work meeting to meet with grant writer, Jethro Barlow.

Evan Brown asked if another individual who does grant writing could also attend. Mayor Moser said that that would be fine and that the clerk would schedule it.

Motion made by Trevor Black to schedule this work meeting June 23rd at 6:00 pm. Kevin Sair seconded the motion. Vote: Trevor Black-yes, Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

15. Announce web-based newsletter information subscription.

Mayor Moser announced that on the Town's website (www.applevalleyut.org) individuals could subscribe to the Town's newsletter to receive updates on the Town's activities.

16. Discussion and possible action regarding cancellation of Allied Waste contract and switching to Dumpsterz for the Town office's solid waste dumpster pickup service.

Mayor Moser explained that the Town was paying over \$260/month for the dumpsters. The company, Dumpsterz has offered to provide one dumpster and pickup twice a month for \$75 per month.

Motion made by Kevin Sair to switch to Dumpsterz for solid waste pickup service. Evan Brown seconded the motion. Vote: Trevor Black-yes, Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

17. Report and recommendation from the Planning Commission

Dick Naylor reported that they had had a training session from the Town Attorney regarding meeting conduct.

18. Report from the Fire Department

Colby Wittwer reported that they had been through training and all passed the pack test and that the majority of the fire fighters are now Red Card certified so that they can fight state wildfires. He also added that they helped with the Toquerville fire on Monday. They now have one tender operational and are just waiting on parts for the other two.

Mayor Moser added that there are two new trucks that the Town received for free thanks to the diligence of the Town's Fire Chief, Denny Bass, and that they would soon be painted white. He also added that Denny Bass was able to obtain two tanks for those trucks free of charge.

19. Report and recommendation from the Code Enforcement Officer

See Attached.

20. Report and recommendation from the Citizen Corps Council

See Attached.

21. Roads Report and consideration of continuing improvements

Trevor Black reported that they are working on getting some of the signs fixed and that they have been doing some road grading and would be again tomorrow.

22. Report and recommendation from the Parks and Recreation Committee

Marie McGowan reported that they have been having a lot of meetings for the Volunteer Park and drawing up plans. She also stated that they are doing some fundraisers to raise money for the park. Mayor Moser added that they were working hard in that effort.

23. Report from the Community Events Committee

Kevin Sair announced that there would be a July 4th celebration at the Fire Department starting at 7:00 pm and there would be soda and drinks for sale.

24. Consent Calendar-Income and Expenses-Town Treasurer

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

25. Consider approval of minutes:

- a. June 2, 2011 Regular Meeting Minutes

Mayor Moser stated that item number 8 needed to have the time 7:00 pm added to the date.

Motion made by Mayor Moser to accept the minutes from June 2, 2011 as corrected. Dale Kingsley seconded the motion. Vote: Evan Brown-yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. Trevor Black abstained. The motion passed 4/0.

26. Request for an executive session

None requested.

27. Adjournment

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

Meeting adjourned at 7:44 PM.

Date approved: _____

ATTEST BY: _____
Nathan Bronemann

Richard Moser

June 16, 2011 CODE ENFORCER'S REPORT TO TOWN COUNCIL

Since June 2, 2011:

I'm still actively working on the weed and thistle problem. Residents should have at least a 30 foot cleared perimeter around their homes for fire safety.

I've written 1 citation for dog violations.

The big dumpsters will be here next weekend, June 24, 25 and 26th. As soon as the firemen burn the big pile out here, it will no longer be accessible.

(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 June 16, 2011

We'll be having a Citizen's Corps meeting at 6:30pm on June 22nd. We'll be discussing plans for our CERT program.

On June 30th I'll be attending a Radiation and Nuclear Awareness course at Dixie Regional Center.

Thank you.
April Ruesch