

1. The meeting was called to order at 6:00 pm.
2. The Pledge of Allegiance was led by Mayor Moser.
3. Roll Call: Trevor Black, Robert Campbell, Judith Davis, Ron Brown and Mayor Moser were present. Legal Counsel was excused. Rod Mills of Ensign Engineering was present. April Ruesch was present. Dale Harris was excused. Chief Louie Ford was present. Jack Davis was present. Town Clerk, Nathan Bronemann, was present taking minutes.

4. Declarations of conflict of interests.
None stated.

5. Public Comments

Becky Lindhardt asked who would be replaced on the board off appeals.

Mayor Moser said that topic would be discussed during that agenda item (#8).

Motion made by Trevor Black to close public comment. Robert Campbell seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Judith Davis-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 5/0.

6. Discussion on vacation rentals

Mayor Moser said the Town had received a petition regarding a home that is being used as a bed and breakfast. He said the neighbors said this was causing issues in the neighborhood. He said many municipalities in the county were currently looking at vacation rentals. He said he would have Nathan Bronemann email out a copy of Hurricane City's ordinance with regard to vacation rentals. He said some communities charged a transient room tax on vacation rentals. He said there were some issues with late night noise complaints and parking that were common. He asked the council to review the Hurricane City ordinance as a possible solution for Apple Valley. He said it would be on the next agenda for further discussion.

7. Discussion on participation in county animal shelter

Mayor Moser said Washington County approved a \$200,000 expenditure to design a no-kill animal shelter to be built near Purgatory. He said they were soliciting donations for the construction and operation. He said the prison would be in charge of the day to day operation of the facility. He said municipalities with no animal shelters would be able to use the facility. He said it would be wise for the Town to pledge half of the funds collected from dog license fees to the shelter in exchange for the service they would provide.

8. Discussion and action on replacing Board of Appeals member and posting vacancy

Mayor Moser said there would be two members who's term is expiring at the end of June and he said those positions needed to be posted. He also said Mr. Frank Lindhardt, who was the current chairman of the Board of Appeals. He said Mr. Lindhardt had a disagreement with a town decision and rather than appealing the decision to the Town Board of Appeals, he went to the Ombudsman's office. He also said there were threats of filing a case against the Town. He said this created a conflict of interest.

Mayor Moser said his actions were not appropriate for his position.

Nathan Bronemann said Mr. Lindhardt had also made a false claim by stating that the use of a delay agreement was not following the Town ordinances.

Mayor Moser said that next council meeting the attorney would be present and Mr. Lindhardt would be invited to be present.

Robert Campbell said he felt it was retaliatory.

Mayor Moser said it was not retaliatory; it was a legitimate legal concern.

Rod Mills stated that there had been a lot of problems statewide with appeals boards. He said it had been recommended to not appoint someone who lived in the municipalities.

9. Discussion and action on tentative 2016 FYE budget amendments

Mayor Moser read through suggested budget changes that were prepared by the clerk. He said the suggested changes would be available to the public for viewing prior to the public hearing scheduled in two weeks.

Motion made by Mayor Moser to put this suggested budget out to the public to review. Judith Davis seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Judith Davis-yes, Ron Brown-no, Mayor Moser-yes. The motion passed 4/1.

10. Report on Gateway Project progress

Rod Mills said they had begun to lay reinforcing steel in preparation to pour the concrete floor on the first half of the bridge. He said engineering would be testing and monitoring the strengths. He said he recommended that the majority of the concrete paving be done in June before the weather became too hot. He said in 30-45 days the traffic should be rerouted to the new half of the bridge.

Ron Brown questioned Interstate Rock Product's backfilling.

11. Reports from Town Council members on assignments

Robert Campbell said there was a solid waste meeting. He said there was concern with the lack of recycling and contamination in the recycling material. He said they discussed ways of educating the public.

12. Report and recommendation from the Planning Commission, (including discussion and action)

Jack Davis said they had reviewed a request and scheduled a public hearing for the rezoning of two parcels from OST to Residential 1-acre.

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

Mayor Moser said the tank cleaning was scheduled for next Wednesday.

14. Report and recommendation from the Fire Department

Louie Ford said burn season would close June 1st. He said the weeds were getting tall. He asked Judith Davis for her help in finding defibrillator equipment.

15. Report and recommendation from the Community Events Committee

Marie McGowan said the first Ice Cream Social of the year would be this Saturday at 7 pm. She outlined the commencement dates for the summer camps. She said the sports program had been cancelled since the proposed director would not be available.

16. Report and recommendation from the Code Enforcement Officer

See attached.

17. Report and recommendation from Emergency Management

See attached.

18. Report and recommendation from the Public Works Department

Nothing to report.

19. Consent Calendar - Income and Expenses - Town Treasurer

Robert Campbell requested that the building inspector contract be placed on the agenda to review.

Motion made by Ron Brown to approve the consent calendar. Trevor Black seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Judith Davis-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 5/0.

20. Consider approval of minutes:

a. May 5, 2016 Regular Meeting Minutes

Motion made by Ron Brown to approve the May 5, 2016 meeting minutes. Trevor Black seconded the motion. Vote: Trevor Black-yes, Robert Campbell-abstain, Judith Davis-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 4/0 with one abstention.

21. Announcements

Nothing more to announce.

22. Request for a closed session

None requested.

23. Adjournment

Motion made by Trevor Black to adjourn the meeting. Judith Davis seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Judith Davis-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 5/0.

Meeting adjourned at 7:03 PM.

Date approved: _____

ATTEST: _____
Nathan Bronemann

Richard Moser

CODE ENFORCER'S REPORT TO TOWN COUNCIL May 19, 2016

Since May 5, 2016:

I will be out of town and unable to attend this meeting.

Many dogs still aren't licensed.

Weeds are coming up like crazy. Now is an excellent time to take care of them before they get completely out of hand and get their yards cleaned up during burn season, which ends on May 31st. I will start posting warning tickets to those that aren't attempting to control the situation.

I've sent out a Notice to Vacate to 2 people living on their property without a building permit or occupancy permit, but they came back. I've since posted notices on their doors.

I've sent a building permit bill to people that built a building without a permit, submitted an application after given warnings, but have never paid for the permit or received it, and haven't heard back, so may be turning it over to our attorney. I've also talked to someone about applying for a building permit for a shed after they submitted money, but still haven't received an application.

I've gotten complaints regarding dogs at large and left notice for the owner telling them I would be notifying the town prosecutor. The town continues to get complaints regarding the same dogs. I sent the complaints and report to the town prosecutor, but haven't heard from him.

I've noticed people staying in trailers and will be notifying them, that this can happen for only 4 months.

People should contact the town office before putting up any buildings, fences or animal runs, or before moving trailers and other items on to properties, to make sure they are in compliance with all ordinances or check land use codes on our website.

If anyone has a complaint regarding a town ordinance violation please come into the town office and fill out a complaint form.

Thank you,
April Ruesch

EMERGENCY MANAGEMENT REPORT May 19, 2016

I attended Washington County Citizen's Corps Council and LEPC on May 12th.

I attended the Public Safety Conference is May 17th and 18th at the Dixie Center. I was very informative and enjoyable and I learned a lot. One of our main speakers was an undercover cop from Colorado. He reported on how bad the state has become since marijuana has been legalized and urged Utah to not legalize it.

(IMPORTANT Reminder all town officials, workers and firemen are required to take NIMS courses, at least the ICS100 & 700). It is also recommended that town officials take ICS-G402. Firemen especially should complete more ICS courses online and when they become available to be eligible for grants and to be prepared for emergency incidents. 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. THIS will need to be done to continue getting the grant.)

Thank you,
April Ruesch