

Minutes of the regular meeting of the Town Council of the Town of Apple Valley, Washington County, Utah that was held on the 4th day of August, 2016 at the Town Office Building, 1777 N. Meadowlark Dr. Apple Valley, Utah.

1. The meeting was called to order at 6:03 pm.
2. The Pledge of Allegiance was led by Mayor Moser.
3. Roll Call: Robert Campbell, Ron Brown and Mayor Moser were present. Trevor Black and Judith Davis were excused. Legal Counsel was excused. Rod Mills of Ensign Engineering was present. April Ruesch was present. Dale Harris was present. Chief Louie Ford was present. Jack Davis was excused. Town Clerk, Nathan Bronemann, was present taking minutes.

4. Declarations of conflict of interests.
None stated.

5. Public Comments

Linda Murphy asked if citizens voted to have additional chip and seal added to the Gateway project how the cost would be split up.

Mayor Moser said he was still unsure.

Linda Murphy said that during the water project some of the road base was removed and never replaced.

Mayor Moser said he was unaware of any road base being removed.

Rich Kopp asked if the substation was still part of the Gateway Project.

Mayor Moser said Rocky Mountain Power refused the parcel that was offered to them and they were still looking for another piece of property to suit their needs.

John McNamara asked what was being farmed off of Highway 59.

Mayor Moser said he was unsure what was being farmed.

John McNamara said the Gateway Project was looking good.

Rich Kopp said he had requested a stop sign and had heard that it was being ordered and he was happy about that.

John McNamara said there were some road issues in the Cedar Point area that had sand washed up on them.

Mayor Moser said there was a new phase in the works for an approval and they would have to bring those roads up to standard before approval.

Motion made by Ron Brown to close public comment. Robert Campbell seconded the motion.
Vote: Robert Campbell-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 3/0.

6. Discussion and action on conditional use permit extension for AV-1313-A – Three Points Center

Norm Thibault said they were requesting an extension on the conditional use permit as they continued to weight their options. He said that if they built a new facility, the existing value would drop nearly \$1 million as soon as the building was finished.

Mayor Moser asked if they had put an offer in on the old Olympus Academy building.

Norm Thibault said they had put in an offer and were still unsure if it would work, but it was an option as well as building in Apple Valley was still an option.

Mayor Moser said the conditional use permit had lapsed and they didn't want to extend the conditional use permit if they didn't plan to build.

Norm Thibault said it was all still up in the air, but if they did end up purchasing the other property, they would be selling the Apple Valley property.

The Council decided to continue this item for a month (until September 1st.) to find out if they would be selling or continue their plans to build in Apple Valley.

7. Discussion and action on changing a lot split from one location to another – AV-1329-A – John Peay

Mayor Moser and the council reviewed the proposed changes. He asked John Peay if he planned on personal use for the lot or if he would be selling it.

John Peay said he would have liked to do a gated community, but he was told he could not do that. He said he did not want to subdivide all six lots right now because the property taxes would increase. He said he planned on building on the new lot for himself and then to use his existing home as a vacation rental.

Mayor Moser said the town was currently working on a new ordinance for vacation rentals.

John Peay said he had received a couple offers on the entire 40 acres.

Ron Brown asked if he had any water hookups on the lot he wanted to relocate.

John Peay said there was a connection.

Mayor Moser said that if he was moving the connection, the old connection would have to be forfeited and removed.

John Peay asked if he could rent his home out.

Mayor Moser said he could rent out his home or rent it out as a vacation rental as long as he met the conditions of the town.

Rod Mills clarified that this was not yet a recorded subdivision. He said that before anything happens, the new lot split needed to be recorded.

The council and Rod Mills explained extensively that the Mylar submitted would need to be modified to accomplish what Mr. Peay wanted to do.

Motion made by Ron Brown to approve the lot change providing the current connection is abandoned and a connection fee is paid to move the connection. Robert Campbell seconded the motion. Vote: Robert Campbell-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 3/0.

8. Report on Gateway Project progress

Rod Mills said the traffic had been moved to go over a portion of new bridge and they were in the process of demolishing the old bridge. He said it was somewhat behind schedule, but there were no

timing issues with the chip and seal. He said the concrete work had gone fairly well so far. Rod said there had been a few changes, but there were no budgetary issues thus far.

9. Reports from Town Council members on assignments
Nothing to report.

10. Report and recommendation from the Planning Commission, (including discussion and action)
Nothing to report.

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

Mayor Moser said they were moving forward with putting together a master plan for the water system and seeking additional funding.

12. Report and recommendation from the Fire Department

Chief Ford said they had responded to a couple minor incidents. He said Danny Fox helped move the radio base station out to the bay.

13. Report and recommendation from the Community Events Committee

Marie McGowan reported that she had ordered the last half of the sound system. She said she was working on Founders Day entertainment. She said that there was enough left in the budget to possibly purchase a small bounce house. She said there would be an apple recipe contest on Founders Day and the Town Council members would be the judges.

14. Report and recommendation from the Code Enforcement Officer
See attached.

15. Report and recommendation from Emergency Management
See attached.

16. Report and recommendation from the Public Works Department

Dale Harris reported that he had been grading and preparing to start installing a sprinkler system and plant trees in the Gateway area.

17. Consent Calendar - Income and Expenses - Town Treasurer

Motion made by Ron Brown to approve the consent calendar. Robert Campbell seconded the motion. Vote: Robert Campbell-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 3/0.

18. Consider approval of minutes:

- a. July 21, 2016 Regular Meeting Minutes

Motion made by Mayor Moser to approve the July 21, 2016 meeting minutes. Ron Brown seconded the motion. Vote: Robert Campbell-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 3/0.

19. Announcements

Mayor Moser announced that the Washington County Fair started next Wednesday at 6 pm. There would be an ice cream social on the 20th as well as the open house for Special Assessment Areas for road improvements and the possibility of a storm drain utility.

20. Request for a closed session

None requested.

21. Adjournment

Motion made by Mayor Moser to adjourn the meeting. Ron Brown seconded the motion. Vote: Robert Campbell-yes, Ron Brown-yes, Mayor Moser-yes. The motion passed 3/0.

Meeting adjourned at 7:01 PM.

Date approved: _____

ATTEST: _____
Nathan Bronemann

Richard Moser

CODE ENFORCER'S REPORT TO TOWN COUNCIL August 4, 2016

Since July 21, 2016:

Weeds are still a problem. They are drying out and are a major fire hazard.

I'm still working on nuisance violations involving junk and junk cars stored on properties. Residents don't realize what a hazard they are.

I had to contact the town attorney regarding a sign violations case.

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 August 4, 2016

I plan to attend the Southwest Utah meetings coming up on August 9th in Cedar.

Important class for elected officials: 8/5/2016 (tomorrow) 8:00:00 AM MT, Crisis Leadership and Decision Making for Elected Officials MGT-340, Heritage Center on August 5, 2016, 105 N 100 E, Cedar City, Utah, 84720, United States

(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