

Minutes of the regular meeting of the Town Council of the Town of Apple Valley, Washington County, Utah that was held on the 20<sup>th</sup> day of October, 2016 at the Town Office Building, 1777 N. Meadowlark Dr. Apple Valley, Utah.

1. The meeting was called to order at 6:01 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 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

Rich Kopp asked about the construction deadline and if there were any repercussions for finishing late.

Mayor Moser said no penalties had been enacted yet. He said it had to be over 30 days late to impose penalties. He said it would be discussed if substantial completion was too late.

Marty Lisonbee said the Gateway looked phenomenal.

Colleen Kuehne asked why the drainage fee was only for lots with homes.

Mayor Moser said only lots with homes were charged due to their impermeable surfaces and the Town attorney advised to do so as no other municipalities were charging vacant lots a drainage fees.

Justin Canaan asked who would be maintaining the drainage ditches.

Mayor Moser said the drainage ditch maintenance in front of the home was still the responsibility of the home owner. He said the purpose of the drainage fee was for projects to move drainage in specific areas.

Justin Canaan asked if right-of-ways had been purchased for the drainage projects that had taken place.

Mayor Moser said easements had been obtained for those areas.

Misty Devereaux said she was concerned about the bus stop. She said her son had been hit by a car mirror in the construction area. She said the construction workers didn't shut down completely today when the kids crossed the bridge.

Mayor Moser said Rod Mills would address the issue in the next agenda item.

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. Report on Gateway Project progress

Rod Mills reported on the double chip and seal process and how the process worked. He said about three miles was done. He said the bridge structure had been completed and they were working on the surface to prepare for concrete paving over the next two weeks.

Rod Mills said they had been aware of some issues with children in the construction area over the last couple weeks. He said he was disappointed to hear that there was no equipment stand down today since the crew had committed to do so when children were present. He said he would follow up with them. He said they planned to have children load and unload by the gazebo where they were most safe. He said he and the mayor met with the school district to discuss safety issues with the bus stop and children walking home. He said most of the construction would be done in the next couple weeks.

Forrest Kuehne asked when the Town might be able to afford a little more chip and seal.

Rod Mills said the chip and seal that was just done was from a portion of the funding that was for the Gateway Project. He said they hoped to be able to obtain some additional funding from some other agencies to be able to do additional improvements in the future. He said that the Town also planned to do small sections each year using the Town's available budget.

Colleen Kuehne asked about putting a guardrail on the curve on N. Rome Way.

Rod Mills said some improvements needed to be made on that hill to make it safer. He recommended widening the road, adding drainage to both sides as well as adding a guardrail. He said that area wasn't on the current priority list.

Harlan Ashby said he had previously told the Town that they couldn't afford 8 miles of chip and seal. He said he was called a liar and ordered out of the meeting.

Mayor Moser said he wasn't called a liar and was asked to leave the meeting because he was being unruly.

Harlan Ashby asked about the effects of freezing on the chip and seal.

Rod Mills said freezing and thawing was always a factor with any surface. He said it wouldn't be any worse for a double chip and seal than regular asphalt.

Rich Kopp asked if there would be a designated stop for the bus with signage.

Rod Mills said that they were working to assign that designated area.

Misty Devereaux asked if there would be any lighting in the bridge area.

Mayor Moser said that it wasn't in the immediate plan, but there would be a five foot sidewalk on both sides of the bridge.

Justin Canaan said he felt the area was too close to highway to be safe.

Mayor Moser said the kids were previously being dropped off in the middle of the road and the Town had met with the head of transportation for the school district and they felt the new area was much safer.

Ron Christensen asked if there would be a weight restriction on the new roadways.

Mayor Moser said there would be a weight restriction on the new roadways and signs would go up. He said that if heavier equipment needed to come in, they would have to contact the Town for permission to so.

Robert Campbell thanked everyone for their feedback.

7. Reports from Town Council members on assignments

Robert Campbell said he had met with a gentleman from up north who was over solid waste and he said Apple Valley was smart for staying out of mandatory curbside recycling.

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

Nothing to report.

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

Nothing to report.

10. Report and recommendation from the Fire Department

Chief Ford said they hadn't been paged out in the past few weeks. He suggested the Town offer an incentive to fire fighters for their service.

11. Report and recommendation from the Community Events Committee

Marie McGowan said the Town Halloween event was coming up on October 31<sup>st</sup>. She said there would be a trunk-or treat. She said the committee planned to judge Christmas lights this year and give a prize to the winner of the best lights.

12. Report and recommendation from the Code Enforcement Officer

See attached.

13. Report and recommendation from Emergency Management

See attached.

14. Report and recommendation from the Public Works Department

Dale Harris said the through Town there was no lighting or any safety zone anywhere else in Town other than the Gateway. He said he has seen a very dangerous situation in the past and was happy to see the Gateway area created. He said he was working on keeping the water flowing in the ditches.

15. Consent Calendar - Income and Expenses - Town Treasurer

Motion made by Trevor Black to approve the consent calendar. 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.

16. Consider approval of minutes:

- a. October 6, 2016 Regular Meeting Minutes

Motion made by Ron Brown to approve the October 6, 2016 meeting minutes. 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.

17. Announcements

Mayor Moser announced the Halloween potluck on the 31<sup>st</sup>. He said there would be 2 locking bulletin boards in the postal building. He said one would be for the Town and one for residents. He said interested residents needed to bring materials in to Marie and they would be posted weekly for a period of two weeks.

18. Request for a closed session

None requested.

19. Adjournment

Motion made by Judith Davis to adjourn the meeting. 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.

Meeting adjourned at 6:44 PM.

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

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

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

**CODE ENFORCER'S REPORT TO TOWN COUNCIL October 20, 2016**

Since October 6, 2016:

Weeds are still a problem.

I notified 1 neighbor about their fence too high in the front yard and another about theirs being too close to the bar ditch. I'm still working on nuisance complaints for junk on properties. I was threatened with a lawsuit by one person...

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

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**EMERGENCY MANAGEMENT REPORT October 20, 2016**

I attended SWCCC and SWRRT on October 11th in Cedar City. There was a State CCC phone conference today and there is an EAS meeting in St. George tomorrow at the county building.

On November 2nd there is Spontaneous Volunteer Management training at DXATC. Each municipality should send three to five individuals; one of those members needs to be an Emergency Manager or their designee.

The free Pipeline Safety Dinner & Training is on Mon. Jan. 9, 2017 at 5pm, for all emergency responders and public officials.

UEMA Conference will be January 11 & 12, probably in West Jordan.

(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 for future FEMA grants.)

Thank you,  
April Ruesch