Minutes of the regular meeting of the Town Council of the Town of Apple Valley, Washington County, Utah that was held on the 5th day of April, 2012 at the Smithsonian Fire Department Building, 1777 N. Meadowlark Dr. Apple Valley, Utah.

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, Roger Ashmore, Dale Kingsley, and Mayor Moser were present. Legal Counsel was excused. Kevin Sair arrived late at 6:09 pm. Code Enforcement Officer, April Ruesch was present. Town Clerk Nathan Bronemann took minutes.

4. Declarations of conflict of interests.

   None stated.

5. Public Comments

   Margaret Ososki asked if there was any dust ordinance.

   Mayor Moser said that he is not familiar with a dust ordinance.

   Trevor Black said that the Utah State air quality has a dust ordinance.

   Joe Parker asked who was responsible for cleaning out the ditches.

   Mayor Moser said that it was the property owner's responsibility to keep them clean, but that the Town was entering into a lease agreement for a backhoe and that the Town would be out to clean the problem areas.

   Margaret Ososki asked if the Town would be spraying for weeds.

   Trevor Black said that they would not be spraying this year due to the road construction that would be taking place to replace water lines.

   Motion made by Trevor Black to close public comment. Roger Ashmore seconded the motion. Vote: Trevor Black-yes, Roger Ashmore –yes, Dale Kingsley-yes, and Mayor Moser-yes. The motion passed 4/0.

6. Presentation of Miss Apple Valley Royalty – Mayor Moser

   Marcia Miner announced that there were 18 participants in the junior pageant and that they ranged from ages 2-12. She introduced the representatives for the junior court.

7. Discussion and action on approving a Class D special events alcohol license for Mohave Community College's Silver Sage Golf Classic fundraiser at the Kokopelli Golf course on May 24th, 2012 – Mark Timpson

   Motion made by Roger Ashmore to approve the alcohol license. Trevor Black seconded the motion. Vote: Trevor Black-yes, Roger Ashmore –yes, Dale Kingsley-yes, and Mayor Moser-yes. The motion passed 4/0.

   Kevin Sair arrived at 6:09 pm.

8. Discussion and possible action on purchasing accounting/billing software package

Mayor Moser said that that the SSD board and Town Council had received a demonstration of the Pelorus Software last Friday. He said that it would cover all of the needs of the Town and SSD and that they would split the cost of the software.

Evelyn Greco asked for clarification on the price.

Mayor Moser said that it would cost $4,000 up front and $1,200 per year for use and service which also includes all updates. He explained why the updates were important. He also said that with Pelorus Software the Town will receive the entire software package unlike with the other software companies.

Roger Ashmore asked how soon the SSD might be billing for water.

Mayor Moser said that it could be as soon as the first of June.

Motion made by Mayor Moser to approve the purchase of the Pelorus Software. Kevin Sair seconded the motion. Vote: Trevor Black-yes, Roger Ashmore –yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

9. Discussion and possible action on purchasing water rights with the culinary water impact fees.

   Mayor Moser said that the Town had $16,795 in the culinary water impact fee fund. He said that the Town could purchase water rights at $4,000 per acre feet. He said that if the Town did so, they would be able to lease them to the SSD and receive free use of water for the Town's property including the park. He said that they are able to purchase four acre feet of water from the Cedar Point Water Company.

   Jack Davis asked how many acre feet were owned by Cedar Point Water Company.

   Mayor Moser said that they owned over190 acre-feet, but that there for over 600 more acre-feet on the system that are owned by other entities.

   Motion made by Roger Ashmore to look into this purchase of water rights with the culinary water impact fees. Dale Kingsley seconded the motion. Vote: Trevor Black-yes, Roger Ashmore –yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

10. Report and recommendation from the Planning Commission

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

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

    Mayor Moser said that the final purchase contract was ready for review. He said that if there were no issues within two weeks the purchase could be finalized. He also said that the application for funding from Rural Development has been accepted and is being reviewed.

12. Report and recommendation from the Parks and Recreation Department

    Marcia Miner, co-chair for the Parks and Recreation Committee, said that the Miss Apple Valley Pageant went very well and that they had a positive experience. She said that on Veterans Day there would be a dedication of the veteran's memorial and the signing of the Community Covenant. She said that they were working on the Founder's Day activities.

Vernae Hansen asked if the junior kids would be on the parade floats.

Marcia Miner said that there would be two floats for each class. She said that she currently was taking bids for flags.

Bonnie Maddocks asked if Marcia Miner's contact information would be in the Apple Views paper.

Marcia Miner said that it would be.

Craig Rosequist said that he was very impressed with the pageant.

Kevin Sair said that he had been elected as the Apple Valley precinct state delegate. He urged the citizens to get involved. He said that Utah was beginning to fight to get the Federal lands back to the State.

13. Report from the Community Events Committee

    See above.

14. Report from the Fire Department

    Colby said that they were still working to get the larger trucks inspected. He said that they had one water tender in service and they were working on a second. He also said that the fire department had been out on a fire the day before.

15. Report and recommendation from the Code Enforcement Officer

    See attached.

16. Report and recommendation from the Citizen Corps Council

    See attached.

17. Roads Report and consideration of continuing improvements

    Trevor Black said that the roads crew had been out fixing signs, that the blade had been out, and that they had added road base to Mt. Zion Drive and Mt. Zion Circle.

18. Consent Calendar - Income and Expenses - Town Treasurer

    Motion made by Kevin Sair to accept the Income and Expense Consent Calendar. Trevor Black seconded the motion. Vote: Trevor Black-yes, Roger Ashmore –yes, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 5/0.

19. Consider approval of minutes:
    a. March 15, 2012 Regular Meeting Minutes
       Motion made by Trevor Black to accept the meeting minutes from March 15, 2012. Kevin Sair seconded the motion. Vote: Trevor Black-yes, Roger Ashmore –abstain, Dale Kingsley-yes, Kevin Sair-yes, and Mayor Moser-yes. The motion passed 4/0 with one abstention.

20. Request for an executive session
    None requested.

Mayor Moser said that before the election for the Town disincorporation they would be holding a Town meeting. He said that they would invite Mr. Groves to speak and give his reasons for wanting to disincorporate the Town and that they would also give time to Town residents that are in favor of keeping the Town. He said that he hoped that a lot of rumors would be put to rest. He said that there would likely be a story in the Salt Lake Tribune on the disincorporation efforts. He said that the Town Council is always trying to do their best to serve the community.

Bonnie Maddocks asked that if she was not able to attend the meeting if she could write a letter to be read publicly in the meeting.

Mayor Moser said that would be fine.

Joe Parker asked how much the election would cost.

Mayor Moser said that it would likely cost around $2,800.

Marcia Miner asked if it were possible for the private citizens could sue those individuals responsible for the election.

Mayor Moser said that the Town could not do so, but individuals could try if they wanted to. He said the in the event of a disincorporation, all assets would be turned over to the county and that all Town bodies would cease to exist.

April asked about the fire department.

Mayor Moser said that the county would create a service district again and appoint a board to oversee the fire department as was done before.

Kevin Sair said that Senator Casey Anderson was looking at revising the State law so that this disincorporation effort cannot be undertaken every two years at a cost to the municipal residents.

Marcia Miner said that there were a lot of residents that were grown up enough to not get involved in the petty issues that go on that that support the Town representatives.

21. Adjournment

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

Meeting adjourned at 6:52 PM.

Date approved: _____

ATTEST BY: _____   _____
                Nathan Bronemann   Richard Moser

April 5, 2012 CODE ENFORCER'S REPORT TO TOWN COUNCIL

Since March 15, 2012:

I'm working on code violations with the town attorneys.

I've answered complaints for dog problems, a leaking septic, burning without a permit, bright lights and sign violations.

Spring time is clean up time. Weeds are growing like crazy and thistles are coming up with vengeance. I appreciate people keeping on top of weeds so they don't become a fire hazard. We now have another burn pile, further back by the fire station for burnable yard debris or they can get a burn permit.

(Reminder all town officials, workers and firemen are required to take NIMS courses, 100 & 700. It is also recommended that town officials take ICS-G402. 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.)

Thank you.

April Ruesch
Code Enforcer
Town of Apple Valley

CITIZENS CORPS COUNCIL REPORT April 5, 2012

Nothing to report.

Thank you.
April Ruesch