

Rockville Town Council
August 15, 2012
Rockville Community Center

1. **CALL TO ORDER – ROLL CALL** – Mayor Allen Brown called the meeting to order at 6:00 p.m. The following members of the Rockville Town Council were present: Pam Leach, Jeff Ballard, Megan Honer-Orton, and Dan McGuire. See attached list for others present. Town Clerk Elaine Harris recorded the meeting.
2. **PLEDGE OF ALLEGIANCE** – Mayor Brown led the Pledge of Allegiance.
3. **SPECIAL PRESENTATION** – Dan McGuire presented Craig Hirschi with the Mega Watt award for his significant contributions to Rockville's radar sign project. Mayor Brown reported that the funds required to purchase and install the sign have been raised and the sign will be installed soon.
4. **DECLARATION OF CONFLICT OF INTEREST WITH AN AGENDA ITEM** – No conflicts were declared.
5. **PUBLIC COMMENT** – Mayor Brown read a letter from Rockville resident Barry Sochat regarding the wash on Bridge Road. A copy of the letter is attached to and part of these minutes.
6. **REPORT AND ACTION, IF NECESSARY, ON RECOMMENDATIONS OF THE PLANNING COMMISSION – PLANNING COMMISSION CHAIR SHARON HATFIELD** –
 - a. **Discussion and possible approval of Public Hearing proposed revisions to Section 1.20 of the Land Use Code – Nuisance and Abatement**

Chair Hatfield provided the Council Members with copies of the proposed revisions to Section 1.20. She reported that the Planning Commission had incorporated some of the public comments it received at the public hearing on the matter. She also noted that the Fire Marshal is unable to determine whether a property presents a fire hazard for purposes of the Weed Abatement Ordinance, so the Planning Commission changed the language to allow the Town to make that determination. Chair Hatfield also pointed out that the Planning Commission moved the Weed Abatement Ordinance into the Nuisance and Abatement Section of the Code (Section 1.20) because it fits in better there. The revisions will be presented to the Council in September for approval.

Mayor Brown asked for an outline of the process used to identify, inform, remind, enforce, and prosecute violators of the ordinance. Chair Hatfield noted that the ordinance is designed to provide the Town with a tool if it determines overgrown weeds on a property present a fire hazard. The Town will use its usual process for handling violations. Mayor Brown asked for a written procedure to assure residents that the Town does not intend to move immediately to prosecution.

7. **ACTION ON A RESOLUTION ADOPTING THE FIVE COUNTY ASSOCIATION OF GOVERNMENT'S NATURAL HAZARD MITIGATION PLAN FIVE YEAR PLAN UPDATE** – Mayor Brown stated that the updated Plan includes the geologic hazard report prepared by the Utah Geologic Survey. He expressed his appreciation for Gary Zabriskie, who incorporated the details into the Plan. Mayor Brown encouraged Council members to look for ways Rockville can implement the Plan's suggestions for mitigating hazards.

Rob Snyder suggested incorporating the Geologic Survey's map of hazardous areas. Mayor Brown outlined areas identified as hazardous.

Dan McGuire **MOVED** to approve *A Resolution Adopting the Fire County Association of Government's Natural Hazard Mitigation Plan Five Year Plan Update*. Pam Leach **SECONDED** the motion. A roll call vote indicated all those present **VOTED** in favor of the motion.

8. **APPROVAL OF THE PROPOSED ENGAGEMENT LETTER FROM HINTON BURDICK, PLLC, FOR THE REVIEW OR REVIEWED FINANCIAL STATEMENT FOR THE YEAR ENDING JUNE 30, 2012** – Pam asked about the fees. Clerk Harris explained that the fee is based on the amount of the Town's budget. The budget is near the cut off between the lower fee and the higher fee, so Clerk Harris included a range.

Megan stated that the financial reports are required by the State, the Town has no option. The firm does not accept any responsibility for Rockville's accounting.

Megan Honer-Orton **MOVED** to approve the proposed engagement letter from Hinton Burdick, PLLC. Jeff Ballard **SECONDED** the motion. A roll call vote indicated all those present **VOTED** in favor of the motion.

9. **DISCUSSION REGARDING THE OWNERSHIP AND MAINTENANCE OF THE IRRIGATION RETURN DITCH ON SOUTH CENTER STREET** – Mayor Brown expressed his appreciation for the citizens who cleaned out the two main washes. He also thanked Jeff Ballard for his help during recent flooding. Mayor Brown indicated that there is some confusion as to who owns and is responsible for maintaining the irrigation return ditch on South Center Street. He noted that the Town benefits from the ditch, and suggested dividing the maintenance costs with the ditch company. The division of costs may not be 50/50 as it is utilized all the time by the Ditch Company for irrigation runoff.

Mayor Brown has contracted, basically for the town, the cleaning of the second half of the ditch from his pipe that goes across his entry way (half way down Center Street) all the way to the river. The contractor has regularly done the cleaning in the past. For the last six years, the Mayor has done the best he could to clean it out.

There needs to be a determination of who is officially responsible for the maintenance. In talking with Allen Lee, Allen thought his previous contracts had been with the Ditch Company, not with the Town.

Megan suggested developing a proposal to submit to the ditch company. Dan noted that he will be unable to attend the upcoming ditch company board meeting, but he can arrange for the issue to be put on the agenda for discussion. Mayor Brown suggested that Jeff may be able to represent the Town at the meeting.

Jeff discussed use and maintenance of the ditch, but he is unsure who owns it. Mayor Brown stated that Allen Lee feels it belongs to the ditch company because he has been paid by them in the past. Mayor Brown explained the recent problems arising from irrigation and storm water in the ditch. He would like the ditch dug out to lower the water level. Mayor Brown also pointed out that a telephone cable crosses the ditch, so Blue Stakes must be contacted. The Council members discussed Blue Stakes' requirements.

Pam stated the discussion needs to be about the purpose of the ditch as an irrigation return ditch. So, for now, if we are talking about making it larger to handle potential flood, we would be changing,

what she felt, was the purpose of the ditch. Dan believes the ditch was originally intended to be a drainage ditch, not necessarily an irrigation return ditch.

Given the chance of additional rainfall causing more flooding, Megan suggested cleaning out the ditch, then deciding who will pay for it. Jeff clarified that all but twenty feet of the ditch has already been cleaned out. Dan suggested sandbagging the last section to guard against additional flooding. Mayor Brown indicated that volunteers may be willing to put the sandbags in or he could hire someone to do it. Clerk Harris reminded him that only licensed contractors may be hired.

Sharon Hatfield asked about another local flood area. Jeff explained that a culvert in a wash was obstructed by debris, causing the flooding. It was not caused by a problem with a drainage ditch.

Mayor Brown asked Dan to contact the ditch company to add the maintenance issue to its agenda. He also asked Clerk Harris to contact Blue Stakes.

10. **APPROVAL OF EXPENDITURES FOR THE MONTH OF JULY 2012 – TOWN CLERK –**
Dan asked about the costs associated with the Town's website. Clerk Harris explained that the amount is the final amount due for website development, and a monthly hosting fee.

Megan Honer-Orton **MOVED** to approve the expenditures for the month of July 2012. Pam Leach **SECONDED** the motion. A roll call vote indicated all those present **VOTED** in favor of the motion.

11. **APPROVAL OF THE MINUTES OF THE JULY 11, 2012 TOWN COUNCIL REGULAR MEETING** - Pam Leach **MOVED** to approve the minutes of the July 11, 2012 Town Council Regular Meeting, as written. Dan McGuire **SECONDED** the motion. A roll call vote indicated all those present **VOTED** in favor of the motion.

12. **MAYOR AND TOWN COUNCIL MEMBER REPORTS AND COMMENTS**

Megan Honer-Orton had nothing to report.

Jeff Ballard reported that he cleaned out culverts and cleared several roads, including the road leading to the television tower, the road to Big Pine, and the Grafton Road.

Pam Leach reported that the Sesquicentennial Committee will meet on the 16th. She noted that the Town won the Sweepstakes award for its display at the Washington County Fair. She also stated that Jeff Ballard, Dan McGuire, and Aleen McGuire all won awards. Pam reported that a caterer has been engaged for the Sesquicentennial dinner and the musicians have confirmed that they will be available for the new date. She anticipates getting the t-shirts within a few weeks.

Dan McGuire reported that he has received two bids for the radar sign. The lower bid is from a Utah company and, if the timing is right, the Town may be able to pick the sign up when the Committee takes the fair display to the State Fair and save shipping costs. Accordingly, Dan recommended purchasing the sign from the Utah company. Other Council members agreed. A UDOT traffic engineer is evaluating the distances required. The power company will hook up power once the sign is installed. Dan is unsure whether there will be permit fees associated with either UDOT or the power company. He explained the location and height of the sign.

Dan will be unable to attend the August meeting of the Rockville/Springdale Fire Protection District as he will be out of town. He reported that the Department of Natural Resources has approved the Rockville Town Ditch Company's application for a loan to pay for ditch improvements. A shareholder meeting will be held to obtain their approval.

Dan also reported that the Town's fair display will be transported to the Utah State Fair in early September. He also indicated that Springdale is charging the wagon train fees to travel to Rockville for the Sesquicentennial Celebration. Dan asked for help getting the fees waived. Mayor Brown indicated that he contacted Springdale and the waiver issue will be discussed at an upcoming staff meeting.

Dan suggested establishing a process for obtaining and advising contractors who work for the Town. He pointed out that it is sometimes difficult to get licensed, bonded contractors to travel to Rockville to work. Mayor Brown noted that unlicensed contractors may present problems with respect to worker's compensation and liability. Clerk Harris explained the process and her reporting requirements. She clarified when a licensed contractor must be used rather than a volunteer. Mayor Brown asked her to research whether a previously licensed experienced contractor may do volunteer work for the Town. Pam asked whether volunteers or unlicensed contractors may perform work on building permits issued by the Town. Clerk Harris is unsure, as she relies on the Building Inspector to notify her if a permit is required.

Mayor Brown reported that he met with Mr. Rick Torgerson, a bridge specialist with UDOT. Following the meeting, UDOT notified Mayor Brown that it will be providing a load rating for the bridge. The load rating may be reduced from 25 tons to 12 tons. If so, the bridge would not be able to support trucks loaded with building materials such as gravel, sand, or lumber. Mayor Brown will contact Mr. Torgerson to explain the economic impact a reduced load rating would have on the Town and to request that the load rating be deferred until a complete load rating study can be done. The Council members agreed. Mayor Brown also suggested notifying local construction companies about the load limit, the structural rating, and the speed limit. Jeff thinks the Town should also notify the garbage company.

- 13. TOWN BUSINESS** – Clerk Harris reported that the Utah Local Governments Trust has requested photographs of Utah for its 2013 calendar. She also announced that approximately 2,000 runners will run through Rockville during the Red Rock Relay in September. The race organizers have again requested resident participation.

Mayor Brown stated that the BLM is working on an alternative camping area, but he does not know where it is. He is concerned about sanitation and fire issues in Horse Valley Wash. He again noted that local towns are going to have to address the lack of RV parking, as the national park does not have sufficient space to handle the tourists.

Sharon Hatfield pointed out that tent campers present a larger problem, since they do not have access to sanitation.

Megan indicated that the State has requested additional information regarding the EECBG grant. She is working to provide the details requested.

Sharon also expressed the Planning Commission's appreciation for Tom Dansie from Springdale and Lee Ballard from Virgin, who have done a lot of work for the Town. She suggested presenting

them with a Mega Watt award. The Council members agreed. Sharon also expressed her husband's appreciation for the Town Council members and the work they do for the Town.

Mayor Brown discussed possible upcoming changes to the Council.

14. **ADJOURN**– Pam Leach **MOVED** to adjourn. Jeff Ballard **SECONDED** the motion. A roll call vote indicated all those present **VOTED** in favor of the motion.

The meeting adjourned at 7:30 p.m.

Minutes prepared by:
Teri Forbes, Owner
T Forbes Group

APPROVED:



Mayor Allen Brown (ACTING) DAN MCGUIRE