

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND TOWN COUNCIL
CENTRAL VALLEY TOWN, SEVIER COUNTY, UTAH
MARCH 15, 2023**

A regular meeting of the mayor and town council of Central Valley Town was held on Wednesday, March 15, 2023, at the Central Valley Town Hall, 50 West Center Street, Central Valley, Utah at the hour of 7:30 pm after due and timely notice had been provided pursuant to Section 52-4-6, UCA, 1953 as amended.

MAYOR & COUNCIL MEMBERS PRESENT:

Mayor: Gary Barney

Councilmembers: David Nielson, Susan Outzen, Charles Evans, Kody Winkel

STAFF MEMBERS PRESENT:

Clerk: Sheyenne Tenney

Maintenance: Joey Luna

PUBLIC PRESENT:

Robyn Ames, Terri Sorenson, Marilyn Ross, Charles Billingsley

AGENDA:

1. Meeting called to order.

Mayor Barney welcomed those in attendance, took roll, led The Pledge of Allegiance, and gave the invocation.

2. Minutes of February 15, 2023: Reviewal & Approval.

The minutes from the February town council meeting were reviewed. Susan Outzen recommended changes on page 3 under Department Concerns and Council Members Reports; Planning and Zoning are working on the General Plan with Six County AOG and as it was read it sounded like they were working on the Short-Term Rental Ordinance with Six County AOG; as well as, on page 4 under Adjournment, the first sentence needs to be deleted. David Nielson stated on page 3, 2nd sentence from the top, the end of that sentence needs to be deleted or changed. It says, "he doesn't want to see them raised at any point". The clerk stated she will redact that part of the sentence and make the changes mentioned by Susan Outzen.

Susan Outzen made the motion to approve the minutes as amended. David Nielson second the motion. Voting: David Nielson voted aye; Susan Outzen voted aye; Kody Winkel voted aye; Charles Evans voted aye. Motion carried. February 15, 2023, Town Council Meeting Minutes were approved with noted amendments.

3. Monthly Expenditures: February 2023: Reviewal & Approval.

The finances for February 2023 were reviewed by the town council. Susan Outzen asked the clerk what the check to Utah Division of Finance for 30,000 dollars was for. She responded that the annual road loan payment typically due in September but was skipped and not paid at that time. Susan Outzen also commented saying the budget for the fiscal year, up to this point, is looking good for percentages of what was budgeted.

Susan Outzen made the motion to approve the finances for February 2023. Kody Winkel second the motion. Voting: David Nielson voted aye; Susan Outzen voted aye; Kody Winkel voted aye; Charles Evans voted aye. Motion carried. February 2023 finances were approved.

4. Open 2023 Canal Water Share Bids; Award Bids.

Mayor Barney opened each bid while the clerk wrote the name and amount under each water company the bid was for. The following bids were submitted:

Richfield Irrigation Canal Water:

Rick Porter at \$121 per share
Darrell Snedeger at \$137.50 per share
Levi Hendrickson at \$108 per share.

Sevier Valley Canal Water:

Dan Riddle at \$101 per share.
Rick Porter at \$121 per share.
Thad Troseth at \$43 per share.
Levi Hendrickson at \$62 per share.

Brooklyn Canal Water: Charles Evans at \$44.138 per share. He was the only bidder for Brooklyn Canal.

Water shares were awarded to the following:

Richfield Irrigation Canal Water: Darrell Snedeger

Sevier Valley Canal Water: Rick Porter

Brooklyn Canal Water: Charles Evans

5. Charles Billingsley: 91 W 100 S: Consider Approval for Further Action.

Mr. Billingsley reported to the council the business sign is still up for Central Detailing at 91 W 100 S. He was asking for a motion to contact the Sevier County Sheriff Department about finding out who lives there, who owns the property and who owns the business. He'd like them to be identified. There is confusion between who owns the home and who owns the business. There is a car detailing business being ran out of the shop in the back without a business license or a conditional use permit. Mr. Billingsley stated the violations with the business are classified as a Class B Misdemeanor with the County because they are advertising the business without proper licensing or permits. The county has the same codes as Central Valley. Mr. Billingsley contacted the owner via

typed letter about the light blinding the neighbors. They were made aware of the state code as a public nuisance. Pictures were sent of the violations being made. Today, March 15, is the due date of when they needed to respond by. The sign could be confiscated until the business license is taken care of if they don't respond positively. The council would have to discuss the light and declare it a public nuisance after Mr. Billingsley has contacted the owners of the property in person.

Mr. Billingsley also stated, Casey Jewkes is the only county attorney Sevier County has currently and he is backlogged with cases. He knows that if it goes that direction, it will take a while to resolve.

Mayor Barney asked for a motion to enforce the business license by taking a Sheriff Deputy over to the home. Susan Outzen made a motion to send Charles Billingsley with a deputy over to 91 W. 100 S, Central Valley, UT. Kody Winkel second the motion. Voting: David Nielson voted no; Susan Outzen voted aye; Kody Winkel voted aye; Charles Evans voted aye. Motion passes 3 to 1. Mr. Billingsley will move forward with the complaint.

6. Amended Ordinance: Property Maintenance (Nuisance): Discuss, Approve & Enact.

Public Hearing for this ordinance was held on March 8, 2023. planning and zoning approved to send it to town council with recommendation for approval with one amendment. The amendment was notated during the public hearing about Section 5: Filing a Complaint. Last month during town council, while the ordinance was being reviewed before the public hearing, David Nielson stated he didn't like how part F of section 5 read; that the complaint would be brought back to the clerk for the purpose of review by the mayor for further action. He would prefer it state, "for the purpose of review by the mayor *and town council* for further action."

Robyn Ames, resident of Central Valley, asked to make comments and Mayor Barney allowed it. Mrs. Ames stated, there are things in this Ordinance that contradict current ordinances already in place; a few people at the public hearing asked for a copy of the ordinance and weren't given one; copies of the ordinance should have been mailed to every resident. Susan Outzen responded to Mrs. Ames stating ordinances were provided at the town office. Mayor Barney stated if they wanted one, they could pick one up at the office any time before the public hearing and that the town isn't required to mail one out to every resident. Mrs. Ames argued that wasn't correct.

David Neilson made a motion to approve the amended Property Maintenance (Nuisance) Ordinance. Charles Evans Second the motion. Motion carried. Voting: David Nielson voted aye; Susan Outzen voted aye; Kody Winkel voted aye; Charles Evans voted aye.

7. Culinary Water System Ordinance 2014-001: Section 5 other water system requirements: Discussion for Possible Amendments & Approval for Public Hearing.

David Nielson asked if this agenda item is related to the Masterson property at 165 N Main St. and wondered if that is why it was being brought up; the answer was

affirmative. He stated this is a special case and doesn't happen often but there is one other property on South Main St. with the same situation. Charles Evans stated the property on South Main St. was given the option to pay a non-use fee annually and it was being paid originally but no longer is. The water department removed the meter at the property when there was a problem with leaking at the trailer. A similar thing with the property at 165 N Main happened, the meter froze, and the water wasn't being used so it was disconnected, and the meter was removed. They also stopped paying that fee to maintain it. David Nielson doesn't believe the new owners should pay \$5,000 dollars for a hookup because that was always considered part of the Central Valley Town Water System.

Susan Outzen stated she is on the opposite side of David Nielson's opinion.

Kody Winkel asked when the last time any money was paid to the town for water. Susan Outzen & David Nielson stated it has been 15-20 years. Kody Winkel continued by saying, it was before the town was even an official town and nothing has been done since.

David Nielson suggested adding something to the ordinance. Susan Outzen gave an example about the telephones years ago and when you went on vacation, you'd get a reduced price on your service for it not being used; she believes something similar should be added to the current Section 5 of the Culinary Water Ordinance.

Charles Evans believes whatever is decided should be reduced if there is evidence of water equipment already there.

Mayor Barney stated he believes both should be considered as far as impact and hook up fee which are both five thousand, totaling ten thousand.

Susan Outzen brought up the point that the current meter yolk was Central Water Works Company; now it's Central Valley Town Water System which is a whole separate company.

Charles Evans stated the situation would be different if they had been paying a maintenance fee all these years. They need to be flushed 1-2 times a year to clear out stagnant water and should be maintained for a fee because of that plus any other unforeseen problems that may occur.

Discussion between Charlie and the Mayor was had previously about the properties in question and Charlie believes a discount on what there is already in the ground would be fair. Take \$300 off for equipment already in the ground, charge five thousand (\$5,000) for the Impact Fee and four thousand seven hundred (\$4,700) for the Hookup Fee.

Kody Winkel stated he is good about letting that happen for both properties in question.

A motion was made by Susan Outzen to charge Impact at \$5,000 and Hookup for the reduced price of \$4,700. Kody Winkel second the motion. Voting: David Nielson, no; Susan Outzen, aye; Kody Winkel, aye; Charles Evans, aye. Motion passed 3 to 1.

Section 5 will be amended with the changes talked about and be reviewed again at the next town council meeting.

8. Central Valley Observed Holidays 2023: Discuss, Amend & Approve.

Mayor Barney explained, the reason this is coming up right now, as opposed to the beginning of the year, is because, on all the holidays the government observes, the clerk isn't left with much to do. USPS, all banks and/or credit unions, and the accounting software company, Pelorus, the town uses aren't open on government holidays. She worked the past couple holidays in February, and nobody came into the office either. Kody Winkel made a point stating Joey, Maintenance and Water Operator could benefit from holidays off during the winter because naturally it's slower for working outside.

After further debate as to which holidays were necessary to have off and which weren't, Kody Winkel made a motion to approve the changes made to the Central Valley Town Observed Holiday Schedule. To summarize, all town employees will have all government holidays off, including the Utah State Holiday, Pioneer Day (July 24th); three (3) holidays were made an exception. The following will not be allowed to be taken off: Juneteenth, Independence Day and a holiday of the employees choosing. Susan Outzen second the motion. Voting: David Nielson voted aye; Susan Outzen voted aye; Kody Winkel voted aye; Charles Evans voted aye. Motion carried.

This approval amends the current holiday schedule set by the town council in December 2022 for the 2023 year. The new Central Valley Town Observed Holiday Schedule will be posted at the office.

9. Central Valley Town Employee Handbook: Review & Discuss.

The town clerk, Sheyenne Tenney, explained to the council the reason for this employee handbook is to essentially combine all current policies that are employee related into this one handbook, as well as, add onto it to include employee expectations, annual leave, sick leave, and other types of leave. As well as fine tuning the travel policy and other things the town administration is finding that need to be addressed. Comments were made by David Nielson about supervisors. Kody Winkel asked about the rate of which annual leave is accrued. Mayor Barney suggested this be reviewed more over the next month and tabled for the April 19, 2023, Town Council Meeting where further discussion will be had, and any changes made.

10. Compensation Step Plan for Central Valley Town: Review & Discuss

Clerk Tenney told the council last month's step plan, that was presented to the council, had been wiped clean and she started over. She tried to find a middle ground with the requested changes. She also told them she left the bottom table blank for the council to

play with and come up with their own figures. David Nielson questioned how the clerk came up with the figures. She explained the bottom line shows the calculation of adding .25 -.75 cents and multiplying that number by 3% each step. David Nielson then stated that he took the amount over the 12-year period and divided it by 12 to get an average of about 4% a year raise. He believes that wasn't out of the question and was reasonable.

Mayor Barney suggested this be reviewed further and advised the council to be ready to discuss and move forward with the step plan next month. Clerk Tenney mentioned it needs to be ready for approval come June, along with the new budget; finalizing it in April would be best so calculations for the budget can be made and a draft of the budget be presented to the council in the May meeting. This item was tabled for the April 19, 2023, Town Council Meeting.

11. Department Concerns and Council Member Reports.

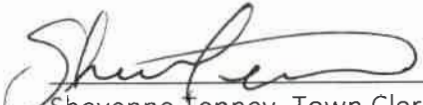
David Nielson reported for the Roads Department; blue truck is fixed, just needs new tires.

Susan Outzen reported for Planning and Zoning Commission; planning and zoning are still working on the General Plan and will begin final stages next month. Property Maintenance (Nuisance) Ordinance was passed tonight.

Kody Winkel reported for the Parks Department; two coaches called about the ballfield. Joey and Kody walked it a couple days prior to the meeting; once the rain stops, weeds can be burned. David Nielson asked Kody Winkel if the field needed to be rolled. Kody Winkel stated he thinks it could use it. David told Kody to talk to Justin Porter, who is upgrading Monroe's ballpark, and let him know we want to get ours rolled.

Charles Evans reported for the Water Department: no water samples back yet because we haven't done the monthly test; the Rural Water Association of Utah Water conference was good; there was a big water leak at 400 N & Main. Centra Com was boring under road and was 6 inches off. They hit the pipe right in the middle. The road will get asphalt once it warms up. Most of the damage was on the edge; a few blue stakes have come around a lot lately.

Charlie and Joey received thirty-one submissions in one day and twelve today. The Blue Stakes requests are from Centra Com marking for fiber optics. Blue Stakes marking cost \$10 for one can of paint that the town pays for; canal work going on up through Milkies property. Form pipe had to be done. We don't look after most of the irrigation lines, for example, through Chisholm or Kade Brown's properties. No wire was put through them since the town doesn't maintain them. Charlie told Blue Stakes to talk to owners about irrigation lines; a new water hookup at Ralph Brown's property but there won't be a discussion on it because we will receive the hookup and impact fees again because the money was returned from the first time they paid. The meter was taken out, but the meter box is still there.


Sheyenne Tenney, Town Clerk



Mayor Barney reported the Rural Water Association of Utah's Water Conference was good other than the chlorine class he went to. It wasn't beneficial for him but all other classes were; he met with the auditor about having one person in the office. Everything that is being done is being done correctly. Double checking finances with council members is a good way to stay clean for the audit; looking at possible loan/grant for restrooms, he needs to meet with Rakelle Syddall for possible help; as far as safety on roads, it doesn't matter what we are doing we need signs that state someone is working there. Need to notify the public. Another town was sued because a sign wasn't up about a job working. Cones aren't good enough. We need to order signs for that if we don't have any; talked to Sheriff Nate Curtis about Spring Run Off. We as a town will probably not have a problem except possibly on Landslide Road. We may be asked to Sandbag for other towns; since the last town council meeting David Nielson and the Mayor talked to people about backhoes and mini excavators. Wheelers will buy our backhoe anytime we want to get rid of it. In high demand. Wheelers has a 3-year lease and a guaranteed buyback. No exact price was given because the council would need to decide on a situation that would work for the town first. We could get more out of if we sold ourselves; Department of Natural Resources has put together a rebate program that we could help residents benefit from if we put it in our ordinances for the residents to do so; Bryan Brown asked Mayor Barney to read his resignation letter to the council. He is done with Planning and Zoning, and no one is sure why. Mayor reached out to Lance Peterson as a replacement for Planning and Zoning, but he can't at this time. Aaron Tenney was asked and is fine with doing it; asphalt is damaged in 290 N. cul-de-sac. He will wait and see what happens with it before it is repaired by the town. Unsure if it's the town's obligation as this point; the office hours will be changing opening 5 days a week and it will be open 9am-4pm Monday through Thursday and 9am-1pm on Friday; the office received a new phone system that has new features and should be more beneficial for residents to get calls back and to get ahold of the clerk. New features consist of call forwarding, caller ID and the option to have voicemails sent to an email address.

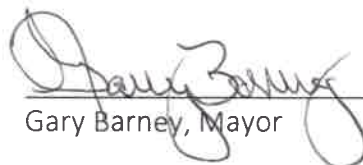
12. Adjournment

David Nielson made a motion to adjourn. Charles Evans second the motion. David Nielson voted aye; Susan Outzen voted aye; Kody Winkel voted aye; Charles Evans voted aye. Motion Carried. Meeting Adjourned.

The next town council meeting will be April 19, 2023 @ 7:30pm.

Minutes prepared by the Town Clerk, Sheyenne Tenney.

Approved: April 19, 2023.



Gary Barney, Mayor

Attest: