

**MINUTES OF THE REGULAR MEETING OF THE RUSH VALLEY TOWN COUNCIL
HELD ON AUGUST 23, 2023 AT THE RUSH VALLEY TOWN HALL
52 SOUTH PARK STREET, RUSH VALLEY, UTAH
THE MEETING BEGAN AT 7:00 P.M.**

Mayor and Council Members Present: Pete Albrecht, Lacey Burrows, Dana Gardner and Jeremiah Harding.

Appointed Officers and Employees Present: Attorney Rob Clegg, Clerk/Recorder Patty Rowe, Engineer Doug Kinsman and Fire Chief Jason Bolinder

- 1. Pledge of Allegiance/Roll Call**
- 2. Approval of Meeting Minutes for 06-21-2023.** Councilmember Dana Gardner made a motion to approve the meeting minutes from 06-21-2023. Councilmember Pete Albrecht seconded the motion. All present voted in favor and the motion carried.
- 3. Sheriff's Report.** No representative from the sheriff's department was present.
- 4. Public Hearing on Request from Blaine Russell to Vacate His Interest in Charles Hill Street and Cedar Street.** Mayor Johnson stated that there will not be a public hearing because the petition from Mr. Russell is incomplete. Attorney Clegg will work with him to be prepared for the next meeting.
- 5. Consideration of an Ordinance for Blaine Russell to Vacate His Interest in Charles Hill Street and Cedar Street.** Mayor Johnson stated that this will need to be tabled. Councilmember Pete Albrecht made a motion to table the agenda item. Councilmember Dana Gardner seconded the motion. All present voted in favor and the motion carried.
- 6. Consideration of an Ordinance Adopting Chapter 7A – Accessory Dwelling Units (ADUs) in the Land Use Management and Development Code.** Councilmember Dana Gardner had a question on section 7A.4 Permitted Use. He asked if an ADU can be placed on a non-conforming lot and Attorney Clegg said that the answer is no, non-conforming lots have restrictions on them. Councilmember Gardner also asked what multi-family districts are and he was told they are condominiums and townhouses. Currently, the town does not allow multi-family districts.

Councilmember Pete Albrecht asked on 7A.8 Resident Limit, does the ADU have to be occupied by part of the family that owns the property. Attorney Clegg said no, it does not have to be the owner's family, it just cannot be multiple families. Mayor Johnson read the definition of "family" from the town's code. Councilmember Albrecht also asked if a camp trailer or RV can be considered an ADU and was told no, it must be a structure and there are size restrictions.

Councilmember Dana Gardner asked if the ADU must be attached to the existing home's sewer, water and all other utilities and was told yes, that is correct. Attorney Clegg said if the septic system is not sufficient for the home and the ADU, it will have to be upgraded. The ADU can be denied if the owner does not have the water rights for it. The state engineer will be one of the first people to review the ADU request. The power meter will also be shared. During the permitting process, the issues of placement of the ADU, setbacks, sewer and water hookups will be addressed.

Mayor Johnson discussed the size allowances and said that you can basically add on to your existing home, but it will not be the size of another house. The ordinance will not allow an additional large home to be placed on the same property. Councilmember Pete Albrecht made a motion to adopt Chapter 7A – Accessory Dwelling Units (ADUs) in the Land Use Management and Development Code. Councilmember Lacey Burrows seconded the motion. All present voted in favor and the motion carried. All councilmembers voted aye, there were no nays.

7. **Approval to Purchase a Hose Bed Divider for Engine 91.** Fire Chief Jason Bolinder would like to purchase a divider with three bins to stack hoses. The total price will be \$900. Mayor Johnson said that the fire department will not be spending any more money until we receive the Tooele County funds. Councilmember Dana Gardner made a motion to approve the purchase of the hose bed divider. The purchase can be made once funds are received from Tooele County. Councilmember Pete Albrecht seconded the motion. All present voted in favor and the motion carried.
8. **Approval to Purchase Accountability Boards for Fire Department.** Fire Chief Jason Bolinder would like to purchase accountability boards for the fire department. The boards will look the same throughout the county. One board with four tags per person and tags for apparatus will cost \$650. Councilmember Pete Albrecht made a motion to approve the purchase of the accountability board. The purchase can be made once funds are received from Tooele County. Councilmember Jeremiah Harding seconded the motion. All present voted in favor and the motion carried.
9. **Consideration to Pay Fire Department Personnel a Stipend.** Fire Chief Jason Bolinder said that the law states that a volunteer firefighter cannot be paid an hourly salary but can receive a stipend. If the stipend is over \$50 per month, it will be taxable income. It will likely be capped at \$600 per year to avoid them being taxed. Volunteer firefighters can be paid per diem. There will need to be a lot more discussion on this matter. Councilmember Pete Albrecht made a motion to table the agenda item. Councilmember Dana Gardner seconded the motion. All present voted in favor and the motion carried.
10. **Approval to Purchase 250 Tons of Rotomill for Roads.** Councilmember Jeremiah Harding said that we need to purchase rotomills for Charles Hill and the end of Johnson Lane. The deal is to purchase 250 tons and receive 500 tons and the price will be \$2,400. The paving will be done later this year. If we do not get the paving done, we need to file an extension

to hold the funding. Councilmember Harding got a bid on asphalt for 1.5 miles for \$218,000, which will complete Charles Hill with the leftover being placed on Johnson Lane. Councilmember Pete Albrecht made a motion to approve the purchase of 250 tons of rotomill for \$2,400. The motion also includes approval to spend \$200,000 of approved county funding (3rd quarter sales tax) for 2-inch-deep asphalt on Johnson Lane and 3-inch-deep asphalt on Charles Hill. Councilmember Dana Gardner seconded the motion. All present voted in favor and the motion carried.

11. Fire Department Report. Fire Chief Jason Bolinder reported that the department is now licensed with the state to run medicals at the emergency responder level. There is a MOU in place with Mountain West Ambulance and if our department uses medical supplies on a victim, Mountain West will replace the supplies. The fire department cannot transport only respond. The brush truck has an AED and medical bag on it now and four department members are licensed. Jason is currently working on SOGs and policies. There is an issue with the new software that the county is requiring the department to use. Since the June meeting there have been 21 calls, five traffic accidents, one rescue call, one electrical hazard and eight fire calls. Three of the calls were within town limits and 18 of the calls were outside. Councilmember Pete Albrecht thanked Jason and the department for all the work that they are doing for the town. He also mentioned the heavy rain that has been coming and asked for residents to be prepared.

12. Council Reports. Roads – Councilmember Jeremiah Harding did not have anything else to report.

Cemeteries – Councilmember Lacey Burrows had nothing to report.

Parks – Councilmember Dana Gardner reported that he has been working on the sprinkler system. He is having a plumber replace a leaking toilet in the men's bathroom. He has also been working with the Rush Valley Days committee for the event on September 15 and 16.

Mayor Johnson said has been working on the Clover Church restoration. Rocky Mountain Power needs to re-set a pole and drop a line underground to the building. The doors will be installed soon. He has also been working with Councilmember Harding on the road projects.

13. Safety Topic. Councilmember Dana Gardner presented the safety topic on hearing protection.

14. Ratifying of July 2023 Bills. Councilmember Dana Gardner made a motion to ratify the July 2023 bills. Councilmember Lacey Burrows seconded the motion. All present voted in favor and the motion carried.

15. Payment of Bills. Councilmember Dana Gardner made a motion to accept the bills as written. Councilmember Jeremiah Harding seconded the motion. All present voted in favor and the motion carried.

- 16. Public Comments.** Blaine Russell, a resident of Rush Valley and a member of the Planning & Zoning Commission said that there has not been a permit issued on a solar system that was installed for Jerrod Pierce. Our town code requires a permit on all solar panels. Mayor Johnson said that Attorney Clegg will draft a letter giving the resident an opportunity to get into compliance. Blaine Russell also inquired if a certificate of occupancy has been issued on the Royal Creek Ranch because they are holding a wedding on September 1st. Engineer Doug Kinsman stated that the building will likely not be completed by the date of the event. Mayor Johnson said that a certificate of occupancy will be required before the event is held.
- 17. Adjourn.** Councilmember Pete Albrecht made a motion to adjourn. Councilmember Lacey Burrows seconded the motion. All present voted in favor and the motion carried. The meeting ended at 8:23 p.m.