

Rockville Town Council
Regular Meeting
Rockville Community Center, Town Hall
July 13, 2022 – 6:00 pm

1. **ROLL CALL – CALL TO ORDER:** Mayor Pam Leach called the meeting to order at 6:00 p.m. The following members of the Town Council were present: Dan McGuire, M. Honer-Orton, Jeff Ballard and Mayor Leach. Town Clerk, Vicki S. Bell recorded the meeting.
2. **PLEDGE OF ALLEGIANCE:** Mayor Leach led the Pledge of Allegiance.
3. **APPROVAL OF THE AGENDA:** Jeff **MOVED** to approve the agenda. M. Honer-Orton **SECONDED** the motion.

VOTE on Motion:

Dan McGuire: Aye
M. Honer-Orton: Aye
Mayor Leach: Aye
Jeff Ballard: Aye

The motion **PASSED** unanimously.

4. **DECLARATION OF CONFLICT OF INTEREST WITH AN AGENDA ITEM:** No conflicts were disclosed.

PUBLIC COMMENTS: Mayor Leach asked if there were any public comments that the audience had that were not included in the agenda. **Barry Sochat:** Due to the recent demise of Carl Hammer the animals that he was feeding, foxes and coyotes, are now raising havoc in the Canyon. He asked that everyone with livestock be aware and protect their animals. He himself had experienced loss of chickens, noting that these wild animals are not afraid of humans. Mayor Leach committed to sending out an email from Clerk Bell to warn the residents.

In connection with the recent public hearing on the noise ordinance, Clerk Bell read a letter from Don Dennett (Springdale resident) who was called by Linda Behling recently, who asked for help with her husband Michael. Don went to their home and met Michael who was at his gate. Michael asked Don about what he could hear, coming from the Villa. Don thought the noise was normal with a couple of louder moments. Don stayed for 20-30 minutes, then left. Don was unaware that Michael planned to include Don's name in future communications with the city or media outlets. Michael did not have Don's permission to use Don's name. Don desired to maintain positive relationships with both the Behling's and the Town of Rockville. The letter is attached to these minutes.

DISCUSSION / INFORMATION / NON-ACTION ITEMS:

1. **REPORT ON ROCKVILLE / SPRINGDALE FIRE PROTECTION DISTRICT:** Mayor Leach read that Rockville had a total of 2 calls; 2 fire calls. Zion had a total of 4 calls: 3 medical transport and 1 fire call. Springdale had a total of 26 calls in June: 13 medical transports, 5 medical refusals, 3 CPTA and 5 fire calls. Mayor Leach continued to say that there were two lightning strikes on the mesa, one close to the Eagles Crag and one on the Smithsonian. Ken Rybkiewicz took part with the fire department providing water for two engines on Eagles Crag and the extra engine was sent over to the Smithsonian. All strikes were distinguished.
2. **REPORT ON RECOMMENDATIONS OF THE PLANNING COMMISSION:** Chair Brennan began with the public hearing and action on changing the Land Use Code (LUC) Section 1.20 and Section 8.19.5. Having worked on the changes for months, the Commission provided the Council with a copy of the recommended changes and updated verbiage. Mayor Leach stated that Clerk Bell could not find a pre-existing LUC or Ordinance regarding recreational use of firearms versus the need to dispatch livestock or varmints with a firearm. Chair Brennan identified that the updated LUC Chapter 12: Animal Control, specifies dispatching livestock and varmints. Jeff asked about the term 'illegal shooting' being changed to 'recreational shooting' and why that was changed. Chair Brennan stated that noise complaints had been received due to groups shooting for target practice on Grafton Road. Mayor Leach believed recreational shooting was a suitable term to encompass all but the necessity of dispatching livestock and varmints. Dan McGuire asked about page 4, 5f. and the necessity of the term 'illegal consumption' of drugs and alcohol as State and Local laws already govern those activities. M. Honer-Orton stated that section applies only to the Short-Term Rental Overlay Zone where those activities have been problematic. Chair Brennan confirmed that Section 8.19.5

applies to the Short Term Rental Overlay Zone and Section 1.20 covers the entire town. Dan shared concerns that these detailed sections may be unnecessary, and the groups making noise should be approached while the problem is occurring. Mayor Leach responded that numerous complaints have been received about excessive noise from all parts of the town, not just the Short Term Rental Overlay zone. M. Honer-Orton identified that the updated section allows Police to cite the offenders which did not exist previously.

ADMINISTRATIVE ACTION ITEMS

1. **INTRODUCTION AND INTERVIEW OF PROSPECTIVE CANDIDATES FOR THE APPOINTMENT OF COUNCIL MEMBER**: Mayor Leach shared that there were three letters of interest received, Mr. Fasselin withdrew, Ms. McGovern was not present, and Michael Evenson was present in the audience. She asked him to share with the Council why he would like to take part on the Council. Michael said that he has lived in Rockville for 30 years and he loves the community being small, agricultural and quiet and that he would like to continue in that vein and maintain its current character. Mayor Leach asked if he has the time to meet once per month and review all communications as well as participate on other boards if necessary. Michael said he will be able to fit that into his retirement lifestyle, yes.

Mayor Leach **MOVED** to appoint Michael Evenson to fill the empty seat vacated by Dave Firmage. Dan McGuire was proud to **SECOND** the motion.

Vote on Motion:

Dan McGuire - Aye
M. Honer-Orton - Aye
Mayor Pam Leach - Aye
Jeff Ballard - Aye

The motion passed unanimously.

2. **DISCUSSION AND ACTION ON A RESOLUTION NO. 22-0713-02 PROVIDING FOR APPOINTMENT OF A COUNCIL MEMBER TO FILL THE REMAINDER OF DAVE FIRMAGE'S TERM**: Dave Firmage was elected to his position for the 4-year term ending December 31, 2025 and had given his resignation to be effective June 3, 2022. Utah State Code 20a-1-5102(a) states if a vacancy occurs in the office of Municipal executive or member of a Municipal legislative body, the body shall appoint a registered voter in the Municipality who meets the qualifications for office described in Section 103301 to fill the unexpired term of the vacated office. Be it therefore resolved by the Rockville Town Council that upon being administered the oath of office, Michael Evenson be appointed as Council Member for the Town of Rockville for the remainder of the term ending December 31, 2025. This resolution shall become effective immediately. Jeff **MOVED** to approve the Resolution No. 22-0713-02. M. Honer-Orton **SECONDED** the motion.

Vote on Motion:

Michael Evenson - Aye
Dan McGuire - Aye
M. Honer-Orton - Aye
Mayor Pam Leach - Aye
Jeff Ballard - Aye

The motion passed unanimously.

3. **SWEARING IN OF THE NEWLY APPOINTED COUNCIL MEMBER**: Clerk Bell swore Michael Evenson into the office of the Rockville Town Council.
4. **DISCUSSION AND ACTION OF RESOLUTION 22-0713-03 APPOINTMENT OF A MAYOR PRO TEMPORE FOR THE TOWN OF ROCKVILLE**: Mayor Leach shared that Dave Firmage had been the Mayor Pro Tempore and she had asked if Jeff Ballard would be willing to act as the new Mayor Pro Tempore and Jeff was willing. Dan **MOVED** to appoint Jeff Ballard the Mayor Pro Tempore with Resolution 22-0713-03. Michael **SECONDED** the motion.

Vote on Motion:

Michael Evenson - Aye
Dan McGuire - Aye
M. Honer-Orton - Aye
Mayor Pam Leach - Aye

Jeff Ballard – Aye

The motion passed unanimously.

5. **DISCUSSION AND ACTION OF RESOLUTION 22-0713-04 TO DESIGNATE AUTHORITY TO SIGN PAYMENT VOUCHERS FOR THE TOWN OF ROCKVILLE:** Mayor Leach stated that there were traditionally four Council Members with authority, with herself, M. Honer-Orton, Jeff Ballard and previously Dave Firmage. With Dave's resignation she asked to hear a motion to add a fourth member to the list. Dan **MOVED** that Michael Evenson be added to the list. Jeff **SECONDED** the motion.

Vote on Motion:

**Michael Evenson - Aye
Dan McGuire - Aye
M. Honer-Orton - Aye
Mayor Pam Leach - Aye
Jeff Ballard – Aye**

The motion passed unanimously.

6. ***DISCUSSION AND ACTION OF RESOLUTION 22-0713-05 APPOINTMENT OF A ROCKVILLE TOWN REPRESENTATIVE TO THE HURRICANE VALLEY FIRE SPECIAL SERVICE DISTRICT BOARD:** Mayor Leach was approached by the County asking if Dan McGuire was willing to serve for a second time on the Hurricane Valley Fire Special Service District Board. Dan agreed that he was willing to participate. Jeff **MOVED** to appoint Dan McGuire to the Hurricane Valley Fire Special Service District Board. Michael **SECONDED** the motion.

Vote on Motion:

**Michael Evenson - Aye
Dan McGuire - Aye
M. Honer-Orton - Aye
Mayor Pam Leach - Aye
Jeff Ballard – Aye**

The motion passed unanimously.

7. **DISCUSSION AND ACTION OF RESOLUTION 22-0713-01 TO ADOPT THE 2022 FIVE COUNTY ASSOCIATION OF GOVERNMENTS MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN:** Mayor Leach identified that this occurs every five years and that Rockville had done it in the past and this would be a renewal. Dan asked if this involves biohazards and if it will be an expense to the Town. Clerk Bell shared that the costs would consist of things that the Town had previously designated, but most incidents would be taken care of by other resources. Michael **MOVED** to approve Resolution 22-0713-01. M. Honer-Orton **SECONDED** the motion.

Vote on Motion:

**Michael Evenson - Aye
Dan McGuire - Aye
M. Honer-Orton - Aye
Mayor Pam Leach - Aye
Jeff Ballard – Aye**

The motion passed unanimously.

8. **APPROVAL OF THE MINUTES OF THE JUNE 15, 2022, PUBLIC HEARING AND REGULAR MEETING:** Dan **MOVED** to approve the minutes from Rockville Town Council Public Hearing and Regular Meeting of June 15, 2022. Jeff **SECONDED** the motion.

Vote on Motion:

**Michael Evenson - Aye
Dan McGuire - Aye
M. Honer-Orton - Aye
Mayor Pam Leach - Aye
Jeff Ballard – Aye**

The motion passed unanimously.

9. **APPROVAL OF EXPENDITURES FOR THE MONTH OF JUNE 2022:** Dan asked about the Cemetery Project and what that entailed. Clerk Bell stated that Rockville applied for and received grants from the State of Utah to make a new map of the cemetery and a GIS Program to plot all gravesites. This will provide clarity for the office in selling future sites and will be made available to the public.

Jeff **MOVED** to approve the expenditures of June 2022. M. Honer-Orton **SECONDED** the motion.

Vote on Motion:

Michael Evenson - Aye
Dan McGuire - Aye
M. Honer-Orton - Aye
Mayor Pam Leach - Aye
Jeff Ballard - Aye

The motion passed unanimously.

10. **APPROVAL OF THE JUNE 2022 FINANCIAL STATEMENTS:** Dan asked about the utility expenses which seemed high for air conditioning. Mayor Leach clarified that the Rocky Mountain Power bill from the last month was \$268. and included the bridge electrical service, streetlights and radar speed sign as well as the Community Center. M. Honer-Orton **MOVED** to approve the June 2022 Financial Statements. Jeff **SECONDED** the motion.

Vote on Motion:

Michael Evenson - Aye
Dan McGuire - Aye
M. Honer-Orton - Aye
Mayor Pam Leach - Aye
Jeff Ballard - Aye

The motion passed unanimously.

LEGISLATIVE ACTION ITEMS

1. **DISCUSSION AND ACTION ON ORDINANCE NO. 22-0713-01 AN ORDINANCE ADOPTING AN AMENDMENT TO CHAPTER 1, SECTION 20, NUISANCE AND ABATEMENT TO ROCKVILLE'S LAND USE CODE:** M. Honer-Orton **MOVED** to approve the amendment to Chapter 1, Section 20 of Ordinance No. 22-0713-01 to Rockville's LUC. Michael **SECONDED** the motion.

Vote on Motion:

Michael Evenson - Aye
Dan McGuire - Abstained
M. Honer-Orton - Aye
Mayor Pam Leach - Aye
Jeff Ballard - Aye

The motion passed with 4 ayes and one abstention.

2. **DISCUSSION AND ACTION ON ORDINANCE NO. 22-0713-02 AN ORDINANCE ADOPTING AN AMENDMENT TO CHAPTER 8, SECTION 8.19.5, PREVENTION OF NOISE, NUISANCE OR TRESPASS TO ROCKVILLE'S LAND USE CODE:** M. Honer-Orton **MOVED** to approve the amendment of Ordinance No. 22-0713-02, Chapter 8, Section 8.19.5. Jeff Ballard **SECONDED** the motion.

Vote on Motion:

Michael Evenson - Aye
Dan McGuire - Abstained
M. Honer-Orton - Aye
Mayor Pam Leach - Aye
Jeff Ballard - Aye

The motion passed with 4 ayes and one abstention.

ADMINISTRATIVE NON-ACTION ITEMS

1. **MAYOR AND COUNCIL MEMBER REPORTS:**

Mayor Pam Leach – Rockville Daze, the community fundraiser, will be held the first Saturday in October. A 'Country Store' will host whatever residents bring including baked goods, crafts, plants, all kinds of things for sale. There was usually live music and a hamburger/hot dog meal for \$5. as well as a raffle of donated items from Springdale Businesses. It's a great way for the community to get together. The funds raised will be directed towards a special project, which may be stage curtains in the Recreation Hall this year. The interior of the Rec Hall is scheduled be painted in preparation for hosting events again.

The Hurricane Peach Days Festival is scheduled for Labor Day weekend and will be hosting the Seed Display again this year. This year's theme is Peach Fantasies. Set up will be a few days before the event and the preliminary steps will be beginning soon and further steps will take place in Jeff and Shirley's garage. All interested parties can contact Vicki. Jeff has the board ready.

Regarding the noise amendment, a decibel meter is to be ordered providing accurate readings when calls and concerns are received.

Dan McGuire – Asked as to what other duties Terry Bell had fulfilled while on the Council. Clerk Bell responded that Terry had participated on the Solid Waste Board with meetings bi-monthly and the Mosquito Abatement Board which also met bi-monthly. Both positions were compensated for mileage and time at the meetings. Dan offered to pick up the position with the Solid Waste Board and Michael offered to participate on the Mosquito Abatement Board. Clerk Bell confirmed that she would have the resolutions ready at the next meeting. Dan mentioned the town clock controller may need to be replaced, as he and Pearl Meadows had both repaired the clock successfully in the past, but the current repair is beyond their skill set. He suggested a service call through the factory as they have a representative in St George.

M. Honer-Orton – Reminded everyone that the C.E.R.T. team still exists and currently only four active members participate. She requested anyone that would like to join the team, contact her and a training can be set up.

Jeff Ballard - Spoke with Brad Quinn about repairing the rock ditch at Dennett Lane and he provided a verbal bid of \$800 to repair the 35' piece in front of Wexler's. That value covers the cost of the rock and Brad will donate his time to the town. Jeff asked Brad to inspect the area towards Bridge Road as a lot of rocks are falling apart that need replacement. Brad said he would look at the area in question and provide a bid. Jeff suggested that the autumn would be the best time once the water is out of the ditch.

Michael Evenson - Nothing to report.

2. **STAFF REPORT AS NEEDED** - Clerk Bell reported that Jacob Arnold had an Eagle Scout project, and they refurbished the park benches. Jane and Crissy had donated all of the Trex materials to the Scouts for the benches. They now look and feel great. Plaques will be added before Rockville Daze. A new groundskeeper has been hired (Mark Solomon) and has been doing well so far. If any Council Members have projects, ideas or see that something else needs to be completed, to let Clerk Bell know.

ADJOURNMENT: Dan MOVED to adjourn the meeting. Michael SECONDED the motion.

Vote on Motion:

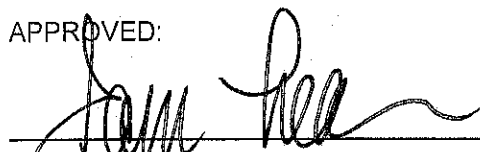
Michael Evenson - Aye
Dan McGuire - Aye
M. Honer-Orton - Aye
Mayor Pam Leach - Aye
Jeff Ballard - Aye

The motion passed unanimously.

The meeting adjourned at 6:59 p.m.

Minutes Prepared by
Pearl Meadows
Town of Rockville

APPROVED:



Pam Leach, Mayor

The foregoing minutes were posted in the cabinet of the Rockville Town Office by Dick S Bell
on 11 August, 2022, at approximately 9:00 ~~AM~~PM and on the Utah Public Network
and Rockville websites.

Dick S Bell



Rockville Town Council
Regular Meeting
July 13, 2022 6:00 p.m.
Rockville Community Center
43 E. Main Rockville, UT 84763

PLEASE SIGN YOUR NAME AND PLACE OF RESIDENCE FOR THE RECORD

NAME

ADDRESS

JANE BRENNAN

Rockville

Michael Evenson

Rockville

Kristine Evenson

Rockville, UT

Ken Rybickiewicz

Bridge Rd

Sherri Rybickiewicz

Rockville, UT

BARRY SOCHAT

Rockville, UT