

Sterling Town Council Meeting
Aug 16, 2022
7:00 p.m.

Board Members Present: Mayor Keenan Pearson; Council Members: Tami Privett, Yvonne Larsen, Heather Myers; Tami Privett, Deputy Town Clerk/Recorder,

Community Present: Judy Wadley, Kris Winkel, Jane & Kendal Voorhees, Dale Jarvis, Jason & Jamie Fowles, Robert Finn, Scott Johnson, Laurie Allen, Karen Winkel, Zeb Wignall

Roll Call: Tami Privett, here; Justin Alder, here; Heather Myers, here; Yvonne Larsen, here; Mayor Keenan Pearson, here;

Meeting is called to order at 7:09 pm.

Sterling Town Council and audience stand and recite the Pledge of Allegiance.

Reading and Approval of Previous Minutes

Motion is made by Yvonne to approve minutes as amended, seconded by Heather, all in favor, motion passes. Tami, aye; Yvonne, aye; Heather, aye; Mayor Pearson, aye; Justin, aye

Roll Call

Appointment and Vote of Kristina Winkel as Town Clerk/Recorder:

Tami, aye; Yvonne, aye; Heather, aye; Mayor Pearson, aye; Justin, aye. Kris is hired as Town Clerk/Recorder

Discussion and Vote on approval for Dale & Amber Jarvis build as approved by Planning Zoning.

Heather makes a motion to approve Dale & Amber Jarvis build/addition, Yvonne seconds the motion, all in favor, motion passes. Yvonne, aye; Heather, aye; Tami, aye; Mayor Pearson, aye; Justin, aye. Mayor provides paperwork for Dale and Amber to fill out.

Reading Of Minutes From Previous Meeting

Approval Of Minutes From Previous Meeting

Motion is made by Heather to approve minutes as amended, seconded by Yvonne, all in favor, motion passes. Tami, aye; Yvonne, aye; Heather, aye; Mayor Pearson, aye; Justin, aye

Discussion and Vote on change of pay period ending 15th to ending 5th or 10th of the month.

Currently our pay period goes from the 16th of the month to the 15th of the next month. This causes a time crunch because the payroll ends on the 15th and has to be paid on the 15th.

Typically, payrolls have 5-10 days from the end of the pay period to the actual pay day allowing time to process the payroll.

Motion is made by Yvonne to change the pay period end date to be the last day of each month. Seconded by Heather, all in favor, motion passes. Tami, aye; Yvonne, aye; Heather, aye; Mayor Pearson, aye; Justin, aye

Discussion & Vote of repairs to Pressure Reduction valve in culinary water system up lake road.

Justin discusses the water leak and where it is and states a vote is not required but we should discuss it. The leak has been a challenge to locate, it's about 3.5 gallons per a minute and first noticed 2 months ago. The pressure reducer pump has been pumped out several times to locate the leak and continues to fill up with no luck in locating the site of the leak. The hope is, when digging takes place beneath the pump, the leak will be found. Justin and Mayor Pearson state they have had serious struggles trying to find someone willing to dig up the leak. The digging and repair have to be done by those who are licensed for the work, if something happened, there could be a liability. Justin explains that we usually run about 8 hours of overflow a day and the leak is taking our overflow, so we have been doing okay water wise, but we do need to find the leak and fix it. There is also a chance we will be replacing the valves in the reducing station during the repair due to rusting. A vote is not required for the repair. All agree that it needs to be done.

There was a leak reported over by the housekeepers which was not located. It's believed to be irrigation water that settles after they water.

Appointment and Vote of Tami Privett for "Mayor pro tempore" in case of Mayor's absence.

Mayor states he wants to have a mayor pro tempore in case he is unable to attend a meeting due to the upcoming birth of his baby.

Justin states concern that it could be a conflict of interest to have Tami be the mayor pro tempore since she has been operating as the clerk since the previous clerk left. We don't want to put anyone in a position where they could make and sign checks.

Tami clarifies that the clerk does not sign checks and the mayor pro tempore would just be sitting in at the meetings and conducting the meetings.

Heather reads code 10-3b-402 Mayor in a five-member council form of government.

- (1) The mayor in a municipality operating under a five-member council form of municipal government:
 - a. Is a regular and voting member of the council;
 - b. Is the chair of the council and presides at all council meetings;
 - c. Exercises ceremonial functions for the municipality;
 - d. May not veto any ordinance, tax levy, or appropriation passed by the council; and
 - e. Except as modified by ordinance under Subsection 10-3b-403 (2), has the powers and duties described in Section 10-3b-104
- (2) (a) If the mayor is absent or unable or refuses to act, the council may elect a member of the council as mayor pro tempore, to:
 - (i) Preside at a council meeting; and
 - (ii) Perform, during the mayor's absence, disability, or refusal to act, the duties and functions of mayor.

- (b) the municipal clerk or recorder shall enter in the minutes of the council meeting the election of a council member as mayor pro tempore under Subsection (2) (a).

Tami clarifies that she is the deputy clerk and does not have access to any monies (cannot sign checks). She has been mainly filling in the basic clerk duties and working towards getting ready for the annual audit. She also clarifies that the mayor pro tempore is a temporary thing and if it were more long term, the council would have to vote on a solution according to code.

Justin asks for clarification on who can complete a check; who can print the check and who can sign the check. Justin states there is a conflict of interest if one can print and sign the check.

Mayor and Tami answer that the clerk prints the checks and each check must be signed by the mayor and the treasurer.

Yvonne suggests we change all passwords after Kris is trained.

Mayor explains that to conduct meetings in his absence, typically would go to the most senior council member by default unless they decline. He will check on that.

Justin states the most senior member is Yvonne, but since she has the ability to sign checks there still may be a conflict of interest. Justin makes it clear that he does not want to be the mayor pro tempore but is concerned about creating a conflict of interest.

No motion is made. Motion fails.

Discussion made that with Tami helping with Deputy Clerk.

Mayor states that Tami has done an awesome job filling in as the deputy clerk. She had been offered payment and declined. We really appreciate everything she has done. Justin also agrees she should receive payment.

Appointment and Vote of Heather for Deputy Fire Clerk.

Motion is made by Yvonne to hire Heather for the Deputy Fire Clerk, seconded by Justin, all in favor, motion passes. Tami, aye; Yvonne, aye; Heather, aye; Mayor Pearson, aye; Justin, aye

**General discussion about Water with emphasis on Water Conservation.
Stock Water issue**

Jason Fowles asks for clarification if North 6 mile has culinary water for stock use and, Zeb says no, that is irrigation water from North 6 mile.

Tami asks if we are going to discuss and change base usage

Justin states at some point we will have to discuss change in rates. We just need to watch how much water we use as we grow and get more connections, we will need to be careful. We do currently have excess water, but there will be a time in the future where we don't and we need to address our minimum amount of usage and what we pay for it.

Scott states that Justin has outlined the water issues well and agrees the water leak needs to be repaired. Scott asks the status on the grant to replace the pressure reduction station. Tomorrow at 10Am is the Sanitary Survey which is a big deal and happens every three years. It will take between 3-4 hours. Myself and Jim will go to the springs and every part of our whole system. The state looks at and makes sure that we are in compliance with all sanitary qualifications (21 pages of items to be inspected). Scott credits Jim for the good work he is doing.

Mayor Pearson gives an update on the CIB grant. First the day before the CIB grant was due to be put in, they said they needed a list of town assets and value, which was missed and as a result we will be reopening this in Oct...unless we can get it through the division of drinking water which according to Curt there should be no issues. Second with the CIB grant and the division of drinking water, neither will consider approving the grant unless we have a master water plan in place which we are in the process of doing.

Justin explains there has been quite a series of agreements over the years about stock water use. Some of the stock water users use quite a bit. They are on meters and pay for the water they use, but we need to be careful to ensure the water is not wasted. The agreement is that the water values would have float valves so water would not be wasted.

Justin brings up a leak on the upper spring that takes 1.25 gallons/min that needs to be fixed. It will require some engineering, excavation and another junction box to tie it back into the system. This is not an easy fix, but we do need to plan for it.

Justin states that Jim Dain has intent to connect to overflow and has the agreement and rights to do so. Just wanted us to be aware. Owns the flow rights.

Jones & DeMill is ready for a review of the GCI system they did. We need to set up a date hopefully before the next meeting. Anyone on the council can be trained if they are interested.

Justin has reviewed it with Scott, and they had a few things to fix, and are getting it done. First of next meeting is a good idea. It's suggested that the first of the next meeting would be good.

Tami states that there is a 2-billion-dollar grant that has been submitted to the state of Utah and is open for water conservation and that water leaks do qualify. She will get more information on this and share it with Justin.

Discussion on positive signs for Sterling

Yvonne is working on getting positive signs for Sterling. They are positive affirmation signs to help increase suicide awareness and promote kindness. The signs are like the ones you see at schools with different sponsor's names. If we want a bigger one, it could hang on a post or between two posts, or on a fence or a box, it can be changed intermittently. There will be different signs for different times of the year. Some towns are thinking of doing a frame and we can consider that, but they are adaptable and can be hung on a post. We will need to decide on a location for the sign and there will be no cost to the town unless we decide to build a frame. Two locations Yvonne suggested are on the Hwy or on the fence near the town hall. Will discuss further at the next meeting

Discussion on Budget

Mayor states the Jones and DeMill (Rural Community Development) bill was not added on the budget when we put it together. It amounts to 13,000 and that is a big deal for a town of this size.

Yvonne will get clarification on if the invoice amount comes out of the budget when the invoice is received or the budget for when the invoice is paid.

Mayor discusses the update planning with DeMill. They really want us to take our time to get the planning right.

Justin asks how the July 24th celebration went.

Mayor states it was his first time and he was told by several people who were upset that they had to pay for the dinner. We did charge less for it than it actually cost. We charged \$5 a plate and the cost were \$7 without all the sides and drinks. Dolan Miller charged us for the meat. The cost was advertised on the water bill.

Mayor addresses the overtime hours for Jim Butcher. It is not in the budget to pay him full time let alone overtime. Mayor will be included in any and all hours Jim works and meet with Jim to better prioritize his hours and to stay within budget. The town is appreciative of Jim's amazing work. If we want to use him more, we will have to first address this in the budget. Mayor states that he has talked with Jim and he is aware we are discussing this.

Tami states that he has consistently gone over 27 hours a week. Statute states that if an employee works 27 hours or more, they are considered full time but, in a municipality, he goes by what our ordinances are and we don't have one for employees. A full-time employee can ask for benefits which can amount to an extra \$40,000 a year.

We need to review and look to raise taxes and revenue to hire a full-time person or a part time person who understands their hours will be minimal during the winter. Some of the work Jim has done can be hired out to a younger person and we can use Jim for the more important jobs.

Yvonne and Heather voice concern about hiring a young individual who may not care and could possibly damage headstones at the cemetery while mowing.

Discussion on water usage and need to change rates and maybe taxes.

Justin states that we currently have additional water to use. If we continue with our 7,000 gallon usage and charge for overages and we get to a point where we are pumping our well and we are barely keeping up with the springs on the well, you adjust how much the water costs. Its supply and demand. Unless we put a moratorium on building because of water issues which we don't have, we can't control the growth. We can buy more water rights so we can pump more water out of the well or we can charge more for water so that less is used per a household. Natural resources are finite.

Tami urges the council consider the people who moved here to be in an agricultural residential area.

Discussion on subdivisions and water

Zeb states if Lyle Young builds a subdivision, it's in the subdivision ordinances that he has to bring culinary water (culinary water shares). This is why John Casey had to bring water because it was a subdivision. Yvonne states this is why Lyles is on hold. Justin asks for clarification if Lyle can develop the land without it being a subdivision. He was answered by Jeb that he might be able to if he sells a single lot here and there and Tami states he can if he has access to the land. He has already sold one lot, Yvonne states there is already a meter on that lot, so no impact fee can be charged, only a connection fee.

Ephraim City Police Message

“There are about 3 individuals going door to door claiming that they were from USDA Avian Flu Task Force. We have checked with the USDA and city and no one has contacted the USDA or obtained a business license to be going door to door. If you see these individuals or they come to your door please contact Sanpete County Dispatch with description of the people and vehicles, direction of travel, location and/or getting a license plate number will help us locate them a lot faster.” UPDATE: “We made contact with the individuals; they are in fact with the USDA. We informed them of the proper procedures necessary before going door to door. Thank you for all your help.”

There has been a reported case of Avian flu in Sanpete County.

Report Of Officers - Boards – Committees

Maryo/Zeb—zoning. Troy Manwill wants us to know that the container building on the Hwy at the old Lily's store is temporary storage for only a year. He gave a letter to Sanpete County zoning and Sterling Town that it will be moved within a year. The county wanted a firm date as to when it will be gone, Troy told Zeb that it will be sooner than a year. Justin suggests we have an ordinance in our code that states no shipping containers allowed on main street. Kris added, none in the front yard either. Jeb warns there will be push back when it comes to shipping containers.

Justin would like to put a road base at the base of the subdivision for the school buses, waste removal and utility vehicles for ease in turning around in snow and mud. By Utah State law, the school bus is supposed to come up to the house to drop off kindergarteners. I have contacted the school district and they will not do this because there is no place to turn around. This is a safety concern as well. Keenan asks if we have a budget with UDOT that we can use to fix this? Justin states there is money in the town budget for road maintenance. Yvonne states we have money for fixing roads in the PTIF fund from the state we can use. Justin is ok with getting quotes for the road base and Zeb will lay it out. Zeb states that UDOT does sell pothole fix and it actually works well.

Justin—water. No further concerns with water that has not been discussed tonight. Scott Johnson states there are a couple of valves where the new line was put in above Zeb's place that need to be replaced. They get run over and we should put some gravel or a bit of road base or a fence to protect the valves.

Yvonne—Treasury/Building. The 24th of July went pretty well for a rush deal and I want to thank all for their help. Next year we should start in January to organize. Candy can be used next year for the parade. Mayor thanked Yvonne for her planning and the fireworks were great.

Heather—Cemetery/Parks/Fire Dept. The cemetery committee hasn't met this summer due to the heat, but will start up as things are cooling off. The Fire Dept is doing good. Fireman's challenge is on the 24th at the Fair. Please come and support our fire dept. Yvonne states we should get busy on some grants for cemetery and parks, Heather agrees.

Tami—Budget. We should allocate Jim's hours worked according to what he records on his timesheet. Currently his payroll is set up and a percentage is automatically calculated for parks/cemetery and public safety. It should accurately reflect the time he works in each instead of an automatic calculation and parks and cemetery should be separate in payroll. Yvonne and Heather agree. Yvonne voices surprise that parks and cemetery are not separate. Tami states we can add a new one. We can add a 211 and break that out in the budget so that they come out in the budget as separate. Mayor thanks Tami for being the deputy clerk and everything she did to keep things going. Special thanks to her for doing this and she declined to be paid.

Reading Of Minutes From Previous Meeting

Heather states the part where it says, "Yvonne cannot be the treasurer" should read, "Yvonne cannot be the clerk."

Approval Of Minutes From Previous Meeting

Yvonne makes a motion to approve the minutes as corrected with Yvonne's name changed from clerk to Treasurer. Heather seconds the motion, all in favor, motion passes. Tami, aye; Yvonne, aye; Heather, aye; Mayor Pearson, aye; Justin, abstains.

Approve Payment of Bills

Kris reads the bills to be paid.

- Badger Meter, \$76.54 for water and equipment.
- Chemtech Ford, \$25.000 for water analysis.
- Dominion Energy, \$25.80 for utilities
- Environmental Systems Research. \$500.00 for ARC GIS online annual subscription
- Gunnison Implement, \$39.66 misc. supplies
- Gunnison Market, \$150 candy for the 24th celebration.
- Hermanson's Co, \$23.40 light bulbs.
- Eye4 Media LLC, \$44.50 24th celebration
- IFA, \$51.20 24th celebration
- IRS, \$611.68 social security tax
- Manti Telephone, \$108.15 Aug Phone bill
- Tami Privett, \$9.20 certified postage
- Rasmussen ACE, \$10.58 24th celebration dry eraser
- Rocky Mtn Power, \$903.03 street lights
- Sanpete County Fire District #2, \$451.00 2022 July fees.

- Sanpete Sanitation Landfill \$399.60 July landfill fees
- Sterling Country Store, \$102.12 fuel/parks cemetery.
- Triple SSS Agriculture, \$52.90 gopher probe bait.
- USTC, \$101.10 State Income Tax
- Utah League of Cities & Towns, \$500.00 2022-2023 annual membership fee.
- Utah local Govt Trust, \$11564.03 Annual Property Insurance.
- Total Payroll Earnings, \$3138.45

Heather makes a motion to pass bills as read. Justin seconds, all in favor, motion passes. Tami, aye; Yvonne absent; Heather, aye; Mayor Pearson, aye; Justin, aye.

Adjournment.

Heather makes a motion to pass bills as read. Justin seconds, all in favor, motion passes. Tami, aye; Yvonne absent; Heather, aye; Mayor Pearson, aye; Justin, aye.

Town council adjourned at 9:30: PM