

Sterling Town Council
Minutes Tuesday February 21, 2023
7:00 PM

1. Pledge of allegiance

Council and community present stand and recite the pledge of allegiance.

2. Roll call: Yvonne Larsen, present; Heather Myers; present; Tami Privett, present; Mayor Pearson; present, Justin Alder, present.

Staff Present: Kristina Winkel

Community Present: Scott Johanson, Loretta Denton, Rae Reid, Gedeon Jarvis, Kendal Voorhees, Nick Lyon, Lance Burton, Shayne Burton

Meeting called to order at 7:15 PM

Mayor Pearson asks if any of the community present have anything they would like to go over. None replied. Mayor starts with the report of officers.

Mayor goes over training and paperwork requirements for council and staff and to complete the OPMA Training and to get your employee paperwork to Kristina. Also all council members have training that is due every four years. Tami will send out the link.

Shayne Burton brings up the hole as you turn onto their street. Justin states that they do have the road base to patch the holes and plan to when Winter/Spring dries up.

Justin brings up the follow up that Mayor Pearson was going to due from the last meeting regarding the CPAs take on Pelorus and if they are certified to answer accounting questions. Mayor apologizes for not looking into that and he will for the next Meeting.

Mayor brings up what he learned at a meeting recently where it was stressed that each council member has their own town email address separate from their personal email. This helps if there is ever a GRAMA request, keeping your personal email separate from the town. In the future we will be able to do this through our town website but we are not there yet. We are also supposed to post meetings for the entire year.

3. Reading of Minutes from Previous Meeting 01/17/202

4. Approval of Minutes from Previous Meeting 01/17/2023

Tami makes a motion to approve minutes and presented. Justin seconds the motion. All those in favor. Justin, eye; Heather, eye; Yvonne, eye; Tami, eye. Motion passes.

5. Discussion regarding property bordering Ryan Fowles property and if it is owned by the Town of Sterling and possible purchase of said property by Ryan Fowles.

Mayor explains that a real estate agency would need to mediate the potential sale of any town property to distance the town from the purchasers as not to show favoritism. Yvonne states that Ryan is concerned about his home when others are shooting on the property in question. The property is located behind his house down in Snow's Canyon near the old dump site. It is about 8.2 acres. Nick explains that selling that, would give up our right of way on the road. Council states that if it is going to be sold, it would go up for sale and the purchase would be open to anyone. Tami asks if we can post a sign that says, "no shooting." Council agrees that if they were considering selling any property, it would have to go up for sale and be open to anyone who wants to purchase it. Council agrees that they have no interest in selling this property at this time.

6. Discussion on fee for exhumation of caskets.

Yvonne states that there are cemetery rates but nothing specifically referring to exhumation. Loretta asks why not just charge the same as digging a grave. Mayor states that it's more difficult to dig up a grave than to dig for the initial grave, you have to be very careful to not damage surrounding graves or headstones. Tami shares that Kurt Ludvigson called the Mortuary and they discourage exhumations due to the time and risk of damage. He obtained amounts that other towns charge for exhumation; Circleville charges \$1,000; Joseph charges \$1,500 and Salina charges \$3,000. Tami clarifies that the town or city does the digging and the mortuary does the rest. Justin suggests charging an hourly rate for the digging. Heather asks for more time to investigate where the client is buried and if it's feasible to do this without damaging other graves.

7. Review and Discuss the Budget and set a date for opening and amending the Budget.

Council will discuss the budget at the next meeting. Tami explains that to make it easier we can use the same numbers as last year and then adjust them later. This would avoid having two meetings in June instead one.

Shane asks if there is a way to look at the budget prior to the review meeting. Mayor states we will post the budget prior to the meeting so the community can look at it at least 10 days prior. He explains the budget is the people's budget.

Tami makes a motion to table the review and discussion of the budget and setting a date for opening and amending the budget until the next council meeting. Justin seconds the motion. All those in favor; Justin, eye; Heather, eye; Yvonne, eye; Tami, eye. Motion passes.

8. Discussion on water Master and town maintenance worker.

Justin suggests we open up the job as soon as possible. Mayor asks Scott if his certification is still good and Scott states that it is good through the end of the year. Scott shared that he is not interested in furthering his certification and once someone is hired, you have 12 months to get the new employee certified.

Council discussed having a part time person during the summer to do grunt work at a lesser rate and another person to be the maintenance and Water Master at a higher rate

Scott brings up another option to hire a certified water operator from one of the other towns part time to just oversee the water system.

Council discusses posting the job opening until filled and qualifications, duties and training required. Yvonne will forward the council the job description when it's ready.

9. Discussion on the building of a new Fire Station.

Nick states that over the last while there has been a lot of discussion pursuing a CIB grant for the Fire Station. This will probably not be a 100% grant. Do we want a Fire Station that bad if the grant is only covering 30-50%? In addition to that, we need to find a piece of land. Randal sold the land that I wanted to put the fire station on, North of Lilies. I'm willing to put in whatever work we need to, but the cost is a significant issue. Mayor asks if it's still around \$2 million and Nick replies probably more now. Perhaps there is a different grant application.

Justin asks if the land would have to be purchased prior to the CIB grant application. Nick shares some examples where that is not necessarily the case. Nick prefers to get a grant for 100% of the project. Mayor shares that there are opportunities to get a 50% loan but you have to show that you can pay it back in a reasonable amount of time. Nick explains how the Sterling Fire Department is servicing more people outside of the town limits than inside and the funding is not supporting this. Nick explains that the amount we get from the county is not sufficient.

Nick explains that the more large homes built outside the city limits require the local fire department to have more response time and more people. It's a complicated mathematical equation, but the bottom line is, the Town of Sterling is not receiving the funds to meet the needs of the people outside the town limits.

Justin asks what options we have. Nick replied we need to rezone the outer areas as agriculture with 5 acre lots to slow down the growth. Council discussed Buffer Zones.

Nick explained that there are two different types of districts; the Special Service District and the Special Assessment District. Sanpete currently has three Special Service Districts and district three deals with mineral lease money and district 2 is the fire district. Nick reviewed the area the Sterling Fire Station covers; from Broken Arrow Ranch, to Ken Larsens and the Palisades. Justin asks what we need to do about this and Nick replies we need to set up a Special Assessment District which will allow us to collect funds from the unincorporated areas.

Nick explains that the unincorporated areas are impacting our water and fire department and aggressive annexation may be a solution. Currently Ephraim is annexing a huge amount of land North of Walmart and Manti just annexed clear down to Guy Palmer's house and on the other side of Temple hill. It may look like these towns and Cities are pro growth, but they are really wanting to control the growth. The county can do what they want in the Buffer Zones. Justin states that Jones and DeMille suggested getting the plan done and then address buffer zones as soon as possible. Council further discussed buffer zones.

Mayor talked about projects that they want on the CIB grant and deadlines for filing which is at the end of the month.

Nick states that a new Fire Department may not be the right time.

Nick brings up the W2 for the firefighters and agrees to do whatever the council would like. He said it's mixed all over the county and he is okay with whatever the council decides. Tami states that the IRS code states that if they use our equipment, then they are considered employees. Mayor agrees with Heather to look more into it and bring it up at the next meeting.

10. Discussion on Utah Code in relation to the separation of duties.

Mayor asks if Yvoone would like to make any comments. Yvoone states that we should continue as we have in the past and as the auditors have understood

through our Fraud Risk Assessment and Self Evaluation Assessment. There have been no issues with the way things have been done.

Tami states there are jobs that have been taken over that were not initially on the treasurer's side. Mayor Pearson asks to review the code and asks Tami to read it.

2018 Utah Code Title 10-Utah Municipal Code Chapter 5–Uniform Fiscal procedures Act for Utah Towns

Section 125–Treasurer-Duties 10-5-125

- (1) The town treasurer is custodian of all money, bonds, or other securities of the town.
- (2) The town treasurer shall:
 - (a) Determine the cash requirements of the town and provide for the investment of all money by following the procedures and requirements of Title 51, Chapter 7, Statute Money Management Act;
 - (b) Receive all money payable to the town, within three business days after collection, including all taxes. Licenses, fines, and intergovernmental revenue;
 - (c) Keep an accurate detailed account of all money received under Subsection (2)(b) in the manner provided in this chapter and as directed by the town council by ordinance or resolution; and
 - (d) Collect all special taxes and assessments as provided by law and ordinance.

Section 126 Receipts for payments to town–filing copies 10-5-126

The town treasurer shall give or cause to be given to every person paying money to the town treasury, a receipt or other evidence of payment therefore, specifying, as appropriate, the date of payment and on which account the payment was made and shall file the duplicate of the receipt, a summary report, or other evidence of payment in the office of the clerk.

Section 127 Determination of Sufficiency of account 10-5-127

The town treasurer, or in his absence a deputy treasurer appointed by the council, shall sign all checks prepared by the town clerk. Prior to affixing the signature, the treasurer or deputy treasurer shall determine that a sufficient amount is on deposit in the appropriate bank account of the town to honor the check. The council may also designate any town officer to countersign checks.

Section 124 Warrants tendered for claims 10-5-124

If the town is without funds on deposit in one of its appropriate bank accounts with which to pay any lawfully approved claim, the town clerk may draw and sign a warrant on the treasurer of the town for payment of the claim, the warrant to be tendered to the

payee named thereon.

Tami states the clerks responsibilities are very inclusive. She reads from the clerks handbook which is associated with Utah Code.

The clerk/recorder in Utah code, the clerk is used in towns and the recorder in Cities; however in some instances in Utah code the term clerk is used to mean both clerk and city recorder. In addition the city recorder/town clerk is used as the city/town election officer, election official, local clerk and filing officer. Tami goes on to explain that the clerk takes care of the budget and uploads the guidance to the auditor's office, works with the auditors office, keeps minutes. They keep track of any ordinances or resolutions that have to be written and retained, they are the document retention officer. So along with the compliance and elections, the clerk/recorder is responsible for any codes that get worked through the county related to incorporation and annexation. The Town Clerk certifies ordinances or resolutions, attends council meetings and keeps records of the proceedings. The Town Clerk countersigns all contracts and maintains intex records of all contracts. The Town Clerk maintains general books and records for each fund including a list of all outstanding bond. The town clerk is the accounts payable and pre audits claims against town, prepares checks and payments of claims and certifies on check that the claim is pre audited and approved by a council within a lawful debt limit and does not overspend on the department budget. The Town Clerk may draw and sign a warranty or treasury for payment for claim if no funds are on deposit in an appropriate account. The Town Clerk prepares all checks and presents quarterly financial reports, does payroll, does the tentative budget and schedules, certifies ordinances. The Town Clerk sends a levy to the county auditor every year before June 15th of each year, and maintains a copy of the budget for the town/city in the clerk's office.

Tami states there is lots more, but this gives the gist of what the clerks responsibilities are.

11. Vote to close the Council Meeting to executive session for discussion on office professional competence.

Mayor states that 67% of the council needs to agree to close the meeting (4 out of the 5 council members).

Justin asks if the closing of the meeting is related to the separation of duties.

Mayor Pearson asks if anyone has any questions about duties. None asked. He states that he would like to clear some things up.

Mayor reads from an official pamphlet that describes the certain subjects that can be discussed in a closed council meeting, *“Occasionally it is appropriate to close a portion of the board meeting to the public. This may be done only when the board needs to discuss the character, competence or health of an individual, the deployment of security personnel, devices or systems, collective bargaining issues pending or reasonably eminent, litigation, the purchase, exchange, lease or sale of real property including any form of water right or water shares, investigative proceedings regarding allegations of criminal misconduct or procurement deliberations to the extent legally authorized.”*

Justin makes a motion to close the council meeting to executive session for discussion on office professional competence. Tami seconds the motion. All those in favor; Tami, eye; Mayor Pearson, eye; Justin, eye; Heather, nay; Yvonne, nay. Motion fails.

Mayor states the meeting will not be closed to executive session, but the separation of duties will still be discussed. Mayor asks if anyone has questions about the separation of Duties.

Yvoone states that we just went through the Utah Code and we have gone through our responsibilities.

Mayor explains that in the Utah League of Cities & Councils book says that, knowing where your duties end and where someone else’s begins is where most conflicts originate. Mayor reads a section, *“If you are a Mayor or a council member you have a duty to understand the system of government you are operating in and live within the limitations. Disputes are created when elected officials begin to assume authority they do not have. There are many examples of this including Mayor’s who refuse to carry out policies in which they disagree, council members who try to direct employees in their day to day duties, Mayors trying to be the city manager and council members who try to act like they are Mayors. The solution to these types of conflicts is simple; learn your position and duties and accept them. If you want to be Mayor, run for Mayor. If you think your form of government is inefficient then take the appropriate steps to change it. Another source of conflict is when council members dont work and play well with others. A council member is a member of a committee he or she has a vote but only has ultimate power to make policy with part of a majority of a group. There will be times when a council member’s view prevails and times when the view does not prevail. It is frustrating to believe that you are right and not able to get your way. Personality conflicts can and will arise as council members work together over time. These do not need to become petty public fights. Council members must learn to win without gloating and lose with dignity. There is no excuse for being rude to each other in public meetings. There is no excuse for being rude to the public”* At the end it says that all public officials

“are worthy of respect, even the ones dumb enough to disagree with you. It is unfair to expect members of the public to know what you know or understand what you tell them. Your job description does not include the phrase, “Full Credit, No Blame.” Win graciously, accept your losses and move on. Enjoy correcting your own mistakes as much as you do others. Praise in public and reprimand in private. Do your own job first and always assume others are acting in good faith.”

Mayor Pearson states that he truly believes everyone on the council currently and those who have previously served care about the town and have done so at a personal sacrifice. In the interest of having the next part be as orderly as possible, with the board's permission, I am going to limit each person to 5 minutes to make their point and 5 minutes for a response. I do not want this to evolve into an arguing match. None objected to this format.

Yvonne talked about the email in which the clerk and treasurer duties were listed and some of the clerk's duties are not listed on the Utah code duties. Yvonne states that because we are a small town, we don't have a lot of this other stuff. The Treasurer is to receive the money and get it deposited and this and that and this is what we are doing. Yvonne reads some of the duties of the clerk and treasurer and states that this is how they are currently doing it. Yvonne states that some of the clerks duties in the code such as; transparency, the ordinances, audits and stuff like that don't really fall under the clerks duties in her opinion. Where it's a small town, we have done our self evaluation and fraud risk accordingly. Our biggest responsibility as elected officials and appointed officials should be doing what is best for the town and that is not quarreling over who is going to do what, when and how. We are responsible to lead the town in a dignified way. The way things are happening, it is not that way. I think we had it outlined as I said before in our self-evaluation and fraud risk assessment and the auditors know that is what we are doing. We have never had a problem before, so why fix something that is not broken.

Mayor responds by asking what specific duties of the clerk or treasurer that she would like to discuss. Yvonne declined to respond at this time.

Tami replies stating that there is no organization. There has been a rush to do this or that and it feels that most of the time we are putting out fires. Things are being done last minute, there is not a schedule set. There are responsibilities of the clerk that has been taken on by Yvonne, the treasurer after Stacey left and one of them is the bank reconciliation. Tami talks about the problems with the reconciliation and a refund. Tami states that the clerk is the record retention officer. There is no reason why we shouldn't have responsibilities listed; this is the treasurer's responsibility and this is the clerk's

responsibility, this is your lane etc. The back and forth of meeting together. The way it has been doing is unorganized and unprofessional. Messages are not being delivered, I found a message that was saved on the answering machine three weeks later that was for me directly. When we have a message that comes in, it should be shared. We don't get to pick and choose what job we want. There have been several times where things have disappeared, I don't know where they went. Tami states that Yvonne has claimed that she is the records retention officer but the last one who was registered until this last week was Stacey. Tami states that in any other town or city, it is the clerk that is the records retention officer. You can't pick and choose what jobs you want and then in a month or so claim that it's not your job. This has happened.

Yvonne asks what has happened?

Tami responds, when you are secretive when you call Pelorus asking for help, going into the system instead of communicating with us. This was unethical. You claimed Pelorus did it but Pelorus can't make any changes without a phone call. You went and made changes on the budget and you had them delete that \$9,000 entry that was an offset. If you feel it was your responsibility to do these things before the auditors came, why not communicate, why be so secretive? Tami brings up the IRS check and states the secrecy and lack of communication, the disrespect and claims that she is not workable. Tami states that Yvonne leaves her off of emails and texts and talks to everyone around but her. The professional code of conduct is not happening. We need to have a set schedule and not meet just when it's convenient for Yvonne.

Yvonne chuckles and states that she did not call Pelorus and have them change that \$9,000 entry. I called them for something else, it was not for that. I don't know who changed that. Yvonne asks if Tami has any evidence of who changed it.

Tami replies that Pelorus would not change it without a phone call.

Yvonne states that she was reconciling the bank statement and if Tami was more congenial, then maybe she would be willing to talk to her. Yvonne states that Pelorus did not delete anything, they were putting it in "suspense" and Pelorus is there to help you.

Tami states that those were two different events.

Justin states that it has been embarrassing how we have run the last while. The clicks of communication between Keenen, Tami and Kris. Yvonne calls me and probably talks to Heather. It needs to stop. We need to be able to communicate. I

will be honest Tami, you need to shape up a little bit.

Tami, tell me where, because I have proof that it is not me.

Justin states, correct, but if we get bills from our lawyer that you want to investigate Yvonne without anyone else knowing that is wrong. I know that you have suggested to Keenen that you want Yvonne investigated because you think she is fraudulent and stealing money.

Tami states she never said Yvonne was stealing money.

Justin states that Yvonne feels the same way about you. What it all boils down to in my opinion, we all need to just calm down and work together. Tami, your last five minutes were calling Yvonne's baby, ugly! Yvonne has spent a lot of time and service in this town and you just spent five minutes saying to Yvonne that everything she has done in this town is unorganized. It is bull crap! And that is RUDE! Just be nicer about it. A better approach would be to recognize that things haven't been done perfectly in the past, but you want to improve it. And Kris, my advice to you is don't let Tami shadow off on you. In our last meeting, you bit back at Yvonne about a check that she just enquired on. It was inappropriate and you should have just said, "I didn't understand what you said" and been more professional about talking to Yvonne. I just think that we all need to calm down. Everyone is walking on eggshells in this meeting and this includes the texts and emails. It is embarrassing and it needs to stop. If we have a problem and we need to mitigate, the call goes to Keenen, not to anyone else. The communication needs to be clear and we need to get the elephant out of the room. I'm sick of coming to these meetings and seeing people be embarrassed and criticized. I apologize that I am out of control, but I am sick of this.

Tami tells Justin, I have tried several times to talk with Yvonne and work with organizing and different things with the schedule and it fell on deaf ears. When Cindy was here and I was supposed to train her, Yvonne would go behind and try to meet with Cindy and change anything that I trained Cindy to do.

Yvonne states that she didn't even talk to Cindy.

Tami explains Yvonne has tried to do the same thing with Kris. Yvonne has tried to lock me out of the state tax commission for filing the sales tax by telling Kris that there was going to be a code coming along. She has tried to change the password for the state auditor's office, there are transparency reports that we have to upload.

Justin agrees with Tami but not with her approach. If something like that happens, call Keenen then calls Yvonne in and brings the two folks together and sees what is going on and we work it out. Letting it fester for months and months is a mistake.

Tami agrees with Justin.

Justin states that it affects our meetings, we waste so much time in our meetings emotionally affected by what is going on. If Yvonne does something that bothers you, which she does, I agree and I don't agree with everything Yvonne does, you don't have to perpetuate it. It can end very easily by getting a mediator involved and that is the Mayor. Yvonne my suggestion to you is go to Keenen. I'm sorry for being rude. Keenen my suggestion to you is don't email so much, call them. If it is something that everyone needs to know, then email is good communication.

Kris apologized for being unprofessional. She states she didn't mean to be and explained there have been two occasions where Yvonne called her out during a meeting about something that was not pertinent. Kris wishes she handled that differently. Kris apologized to Yvonne, and stated to Justin that she didn't deserve that intensity. Kris shares that she almost hates this job, everyone is always at odds.

Justin replies that being emotional like he has been the last five minutes is not justified. He feels that we should be professional about how we talk to each other and if there is a misunderstanding, let's work it out. Let's not talk about it to all of our friends during the week behind everyone's back. It's not serving the town.

Mayor states that Kris did get frustrated with Yvonne at the last meeting. I have texts from Cindy with the same frustrations and she was convinced that Yvonne was trying to make her look incompetent. I am not saying that is the case, but it is not Kris' perspective alone. Justin, what you said about the email may not have been a bad idea. It did cross my mind to talk to Yvonne about it. I will give you the reason why I didn't. We went over the standards, we went over the separation of duties in detail over three council meetings. Every one of those things that I had on there was covered when we went over the separation of duties. I have been trying to take care of this for months. Our contact point with the Lieutenant Governor's Office is Yvonne's Po Box. This is the type of thing that has been brought up. I really think we should be discussing this in a closed meeting.

Yvonne states that she thinks we better close this meeting.

Mayor replies no, reminding Yvonne she voted to not close the meeting. He continues explaining that we went through this meeting by meeting and things still didn't change.

What it says to me is Yvonne was not interested in the separation of duties because if she was, she would have addressed it then. We went through this in detail, why would you have an issue with it at this point when I started enforcing it if it was only, I don't care, I'm going to continue doing it this way. We went through this meeting by meeting, you all were here. Three meetings before we got suspended as a town trying to get it addressed. Mayor talks about texts between himself and Cindy and how frustrated Cindy was dealing with Yvonne. Yvonne would tell Cindy one thing and turn around and say the opposite. The reason this has not been brought up for a year is because I've been trying to be professional about it. I have talked with Yvonne many times about separation of duties and upon her request I talked to other Mayors to see if it was out of line for the treasurer to train the clerk. All of the mayors agreed with me that the treasurer should not train the clerk. Mayor verbalizes frustration in how much the separation of duties has been reviewed and not followed. Yvonne has told me that this is how Mayfield does things and I have specifically talked to the Mayfield clerk and it is not how they do things. At the last meeting we reviewed the escalation policy, that was specifically done so that I would not have to call anyone out. Mayor talks about how passionate Tami can be and some can find her hard to work with, but she has discovered a lot of things and he doesn't know what else to do but bring it to the council. These things are not new, this has been going on for a long time. I don't see a path forward because I don't think Tami is wrong to see that things line up. She has a lot of evidence

Justin asks Tami if she has been investigating Yvonne?

Tami replies that she discovers things that don't add up. Tami verbalizes some of the discoveries. Tami states that she can't talk to Yvonne because she does things in secret.

Justin again asks Tami if she is investigating Yvonne for fraud?

Tami replies, no, I'm finding things that are done.

Mayor states that he wants to make it clear that when things are discovered, it is not to build a case against Yvonne.

Justin explains that the mindset that Yvonne feels is that you are building a case against her.

Tami replies, then Yvonne can talk to me.

Yvonne replies, I can't talk to you.

Justin explains that Yvonne feels the same way as you and that is causing a rift between you guys and everyone else on the council including Kris. This is what I'm saying needs to stop. I'm not saying Yvonne has done things perfectly, she has probably made mistakes knowingly and unknowingly, but I do believe she has tried her best and I think she needs recognition. Maybe things haven't been done right, but that's okay, let's do them right and move forward. Keenen, I think you have done the right thing by putting a control on Pelorus and whatever other controls we can do to separate the duties so that each person knows what they need to do.

Tami explains that she is looking in the accounts and finds something that was done and it's like wait a minute, how did that get done.

Yvonne replies that is what she would like to know, What is done? I have reconciled bank statements for 10 years.

Tami replied, no you haven't. Stacey did it.

Yvonne stated she is going downstairs.

Justin stresses that type of communication right there is what breaks it down. You immediately said, no you haven't. Maybe be a little more courteous. It's about the Approach.

Tami agrees that it might be about the approach, but the approach she has been trying to do is be nice. Yvonne is constantly always working behind the scenes. She is always trying to get with Cindy and Kris and change things.

Justin replies that it's because he does not want to work with you, your mean.

Tami states that she is not mean, but matter of fact.

Back and forth rebuttal continued...

Tami explains how the water bills have been done in the past and suggests a better way of doing them.

Yvonne disagrees.

Kris interrupts and apologizes that this may all be her fault. She explains to Yvonne that during the fall when they did the water bills together, she didn't understand what they were doing, that it was not explained to her. So she went to Tami and the Mayor (her immediate supervisors) and asked for clarification. What is Yvonne supposed to do and what am I supposed to do? So I apologize, I really do like all of you people, but this contention is not me.

Yvonne states that she resents the implication that she does not communicate or that she doesn't try to be here where everyone else can. I'm the one that bends to whenever everyone else can be there, I always have, my schedule allows this. I resent those accusations.

Kris shares that she took this job to help and be more a part of the community. What the clerk is supposed to do is a really big deal and I feel like I caused some of this. If you find someone that can do all of it, I will gladly step down.

Council members share that these problems have been going on before Kris and it is not her fault.

Tami talks more about how she feels Yvonne has tried to exclude her from things and that the things she has uncovered and found through auditing, is not to build a case against Yvonne, it's simply things she has found. She has been doing this kind of accounting work for 40 years. Tami suggests a more clear definition of job duties.

Justin agrees with Tami that a list of job duties needs to be made and the list should be developed by all of you and Keenen should have final say on what he wants done and who does it and I will support Keenen on it. Justin stresses the importance of working together and being respectful to each other. Justin states that Keenen has done a good job and there may be talk in the community that he hasn't but he has put more hours in learning what to do than most past mayors. Yvonne chuckles and Justin calls her on it and states that it takes 2 people to fight. Justin states that Yvonne and Tami need to stop accusing each other, be patient and work together.

Scott Johnson asks if he can draw in on a little experience. When he first moved to Sterling he was appointed to be on the Town Council and since then he has been on it twice. The first time he was on the City Council was the worst experience. He was young and didn't know better and thought he would never again do politics. It took 20 years to get tough enough skin. He states that he can't fix this, but he can tell you there is an easy way to be on the Town Council and that is when everyone gets along and works together. It can be pure hell the other way. This town has a history of being pure

hell over the water issues, irrigation and different things. There have been some fights that have carried on for generations. I watched it evolve over the years and I don't think things are really that bad right now, but I can see there is a rift. I think Justin is right, you just have got to get past the little rift. Kris I can tell you, that you are doing an excellent job, this started way before you. Keenan I know you have stumbled being the mayor. You have so much to learn about the town. Everyone is trying to do a good job but I agree, Tami and Yvonne, you guys need to knock it off. You both have your dander up. I'm glad you didn't have an executive session because it's a little more real having a few people out here. You guys are going to have to work it out, it's not going to be easy, but you two need to work it out. 90% of this is coming from you two. Work it out and see things from the other person's perspective. Keenan, I have to agree with Justin that you are doing a good job. Tami I respect what you are doing and I respect Yvonne, I have worked with her for years. Work it out. When I was with Randal Cox, things ran smoothly, it wasn't because he was a better Mayor, but he understood how it worked with people and he always thanked people. Keenan you do that as well. Some of you may not like each other but you can find a way to work together. You can dig your heels in but I guarantee it won't get better.

Shane Burton replies, I know most of you, I think Heather is the only one I don't know. I try to come to the council meetings and when I come there are things I like and some things that I don't like. I see a lot of contention but I also think there is a lot of good that you each bring to the table. Maybe we could glean each other's strengths, and not fight, this could be great. Work towards each other's strength and work together. Kris, don't blame yourself, you're doing a great job. You all are trying to bring something good to the table.

Mayor Pearson offers the opportunity for anyone else to add anything. Mayor agrees with Justin that Yvonne has given more time and effort to the town and this is something I have told to Tami as well. If it came across as attacking Yvonne, I'm sorry, I was venting my frustrations. I do agree with Tami that the books need to be right. Everybody here has done their jobs for the betterment of the town. Tami getting the books all in order for the town is the perspective she has. I told Yvonne, I would stick to Utah Code even if it hurt the town. Because the Founding Fathers developed the constitution to hinder the government and not the people. Short term, we can act without public oversight and get things done and it's much easier, but long term it can be bad. Tami and I agree in looking at Utah Code this way and I honestly think that Yvonne looks at what is best for the town. We are all here to help the town and we have different perspectives on it. I think you all know there have been times like when we missed that water deal, I will stick to Utah Code even if it hurts the town, we lost the sale on that. Maybe I'm wrong in that, it is my perspective and to bring it out in the open. The

Founding Fathers set up the government in a way so anyone can throw a wrench in it because it should not be easy. Maybe I'm wrong in that and maybe that's where part of this is coming from. Tami and I are sticklers for the rules and it does happen at the sacrifice of efficiency. I really believe that everyone here on the council is here for the town and with personal sacrifice.

12. Committee Business

JUSTIN-WATER-ROADS—Justin and the Council thank Scott Johanson for stepping in to replace Jim until a permanent replacement can be found. Jim unexpectedly passed away. Scott has been hired at the same rate as Jim with the same reimbursement for travel. Justin states that as far as water goes, everything looks good. There are no current water leaks, the leak that was in Dave Green's house has been resolved. Scott gives an update on water. He states the water and well looks fine. He has noticed some rust and a high chlorine smell in the chlorinator building that may be a chlorine leak, but he is not sure exactly where it is. He states that Jim was concerned about it as well, it is dangerous and I will try to get to the bottom of that. Scott has some questions about the process of payroll and Kris answered his questions.

ROADS—There has been some pot hole filler purchased by Jim and once things dry out, we can fill those holes. Yvonne states she saw the pot hole filler near the side-by-side.

YVONNE-TREASURY/BUILDING—Yvonne states the planning committee for the 24th of July Celebration meets regularly. She talked about having multiple and varied food truck vendors instead of the town cooking the meal and using the kitchen. It has been a challenge to get enough help in the kitchen. Mayor Pearson brings up that Food Truck Vendors don't like it when there are the same type of food vendors at the same location. We will have relay races, fishing pond and other activities. Mayor reminds Yvonne he will be out of town and can help in any way she needs prior to the event.

HEATHER-CEMETERY/PARKS/FIRE—Heather states due to winter, not much has been going on as far as the parks and cemetery go.

The Fire department will need to purchase a lock box for the cab trucks to secure gear and equipment when out of town. Gedeon explains the importance for the purchase and provides handouts to the council with specifics and cost. Council agrees the funds are in the Fire Budget for the purchase.

Mayor asks Tami to report on the insurance investigation in relation to when groups rent the town facilities. Tami talked with the attorneys and they said the waivers do not protect us from liability because the town is the property owner and if someone gets hurt the town is liable even if they sign a waiver. Instead the groups that rent the facilities will need to purchase a TULIP (Tenant Users Liability Insurance Policy) for the day or the

days of the event. It is a low-cost insurance policy that protects both the “Tenant User” and the local government. A Tenant User” is any outside party using local government facilities. The policy applies to bodily injury, or property damage arising out of the use of the local government’s premises by Tenant Users. The Tenant User would purchase the policy and provide us with a certificate of rental listing the Town of Sterling as an “additional insured.” Tami investigated through the Utah governor’s office and also contacted the City of Ephraim. There is a link that she will provide to refer potential renters so they can purchase the event insurance.

We can require the renters purchase a TULIP. Yvonne agrees we need to get formatted to do this. Tami explains the attorney highly suggested charging more than \$20 and that you need to charge enough to repair the wear and tear, which is not included in the TULIP, the TULIP only covers damage, not wear and tear. Tami also talked with Ephraim City and they charge \$600 a day and they take off \$100 if they do a service project. Yvonne states that Manti charges per hour. Tami suggests we should charge \$350 a day and even rent porta potties if needed.

Scott Johnson asks if the local church who works with the Town to do the annual Fall Social at the Park, would the church need to purchase a TULIP. Mayor explains that this is not the same case. If the Town is sponsoring the event or a co-sponsor, the local the church would not need to purchase a TULIP.

Justin states that there should be an application and all this information should be in the application.

Mayor clarifies that at this point we are collecting information. We don’t want our community to be discouraged from using the facilities. We are looking to charge more and insure liability for outside groups.

Gedoen asks if the park can get new basketball hoops, they need replacing. Yvonne will look into the costs and let the council know.

TAMI–STEERING COMMITTEE/BUDGET/DEPUTY CLERK–Tami asks for clarification in regards to late fees and shut off notices. It is my understanding that if they don’t make a payment during the month, then they get charged a \$5 late fee and if they have an outstanding balance for 60 days, they get a shut off fee and notice. Tami states that there appears to be some inconsistency or “back and forth” in this policy. Yvonne states that the “back and forth” Tami is referring to is when they don’t make a payment, they get charged a late fee. Tami explains that there were a couple clients that Yvonne noted to not charge a late fee, but there wasn’t a payment for the month and this is what I was

referring to. Yvonne explained the process that agrees with Tami’s understanding.

The Mayor states that the Steering Committee is the go between the public and the Jones and DeMille Plan and the Planning and Zoning looks over all the proposed planning and Zoning changes in that plan and then makes a proposal to the Town Council. Then after a public hearing, the Town Council is the final authority.

Rae Reid states that she is on the Steering Committee and has not received any new information. She asks why Tami is in charge of the Steering Committee when she is also a Council member. The Mayor explains that it is a Town Council Assignment. Rae verbalized understanding stating that the emails she had received were from Jones and DeMille. Mayor explains that we can pay them to conduct our meetings and initially they were, but not so much now due to the cost.

Mayor explains that not a lot has been done with the Steering Committee. We have been busy and Tami is the Deputy Clerk and has been training Kris

MAYOR PEARSON–PLANNING & ZONING–I was not present at the last P&Z meeting and there were 2 commission members present. We have not been able to convene with 3 or more to really review the Jones and Demille plan. We have been reassured to take our time and we need to really review it and make notes/changes where we have questions or suggestions. We need to get the community more involved.

13. Approve Payment of Bills

Bills paid month of March, 2023

Apparatus Equipment & Services	\$25,619.03	Turnout Project. Structural fire fighting Equip. Expires every 10 years.
Badger Meter	\$73.87	Water Meter Service
Jim Butcher	\$98.00	Travel Reimbursement
Central Electric Supply	\$438.85	Fire Station entry light, Adm Build repairs
CUPHD	\$20.00	Water Sample
Dominion Energy	\$582.17	Utilities
Hermansen’s Company	\$14.99	Rope
Jensen Excavating	\$400.00	Bradley and Olsen Graves

Jones & Demille Engineering	\$3,360.00	December Invoice for hours they forgot to bill for.
Manti Telephone	\$109.48	Fire utilities
N. Sanpete Disposal	\$73.81	Fuel/Dumpster
Rocky Mount Power	\$1512.17	Street lights/Adm utilities
Sanpete Sanitary Landfill	\$484.98	February charges Landfill Fee
Office of Lieutenant Gov	\$25.00	Annual Registry Fee
Ut League of Cities and Towns	\$500.00	Annual Membership Fee
Zions Bank Visa	\$972.73	Gas/Lodging Fire Dept

Payroll February 1-February 28, 2023 pain on March 10, 2023

James Butcher	\$687.97
Yvonne Larsen	\$105.98
Heather Myers	\$96.97
Tamara Privett	\$138.52
Kristina Winkel	\$197.40

Justin asks for clarification on what Turnouts are. Nick explains that turnouts are the equipment that the firefighters wear and they expire every 10 years.

Yvonne asks for clarification on the Jones & DeMille (Rural Community Consultants) invoice. Tami explains that these were from hours they didn't bill us for and they reached out asking if we had received the invoice. Tami did ask for more clarification and they said they were hours they didn't bill but should have. Kris states that the invoice was not specific and all it referenced was the month of Dec. Council asks to look at the invoice.

Justin Makes a motion to pay bills as presented. Heather seconds the motion. All those in favor. Justin, eye; Tami, eye; Heather, eye; Yvonne, eye. Motion passes.

14. Adjournment.

Heather makes a motion to close the meeting. Yvonne's seconds the motion. All those in favor; Justin, eye, Yvonne, eye, Heather eye, Tami, eye. Motion passes.

Meeting Adjourns at 10:15 PM