

Rockville Planning Commission
Regular Meeting
Rockville Town Hall
April 11, 2023 – 6:00 pm

1. **CALL TO ORDER – ROLL CALL:** Commission Chair Tim Arnold called the meeting to order at 6:00 p.m. Present were Vice-Chair Jane Brennan, and Linda Brinkley. Ken Rybkiewicz and Garth Tyler were both excused.
2. **DECLARATION OF CONFLICT OF INTEREST WITH AN AGENDA ITEM:** No conflicts were disclosed.
3. **PUBLIC COMMENT:** Michael Behling came to the microphone and began by saying "My comments were late to your Code Enforcement decision that is coming up. I got a lot of buddies that are in Code Enforcement, so I asked them about it. I asked them what the requirements and qualifications are of the job and what their duties and responsibilities are. Some of them are middle-sized towns and things like that. As far as the requirements they said you have to have at least a minimum of a high school or G.E.D. and you had to have some kind of background in your schooling relating to construction technology or building inspections, an engineering discipline; that would be the minimum qualifications. The best qualifications would have a B.S. in these disciplines; construction technology, building inspections and engineering types.

Secondly, they noted that you had to have knowledge of local, State and Federal laws and regulations and you have all of those in your Ordinance I noticed. Number 3 is knowledge in Municipal Codes and Ordinances, to be able to interpret and apply Codes and Ordinances. Number 5 is excellent communication and interpersonal skills. And that is a challenge for these guys 'cause a lot of times they get yelled at, they may get a gun pointed at 'em, a knife stuck in their face, they got to know how to handle that kind of situation, so they have to have a demeanor that can handle that. Not everybody can be one of these code enforcers, it's not, not everyone has that disposition to do it. Number 6 has strong analytical and problem-solving skills. Number 7 is proficient in the use of computer programs and applications. And then have some kind of transportation and a drivers license.

On the duties and the responsibilities they noted to investigate and inspect building structures or premises to detect code violations. Two, to respond to complaints and investigate code violations. Number 3 is enforce building, fire, health and environment and zoning code Ordinances. You do have an environmental code in your something to know about too. Number 4 is prepare reports of violations and issue citations and we're not all a bunch of farmers here. Some people will play hard ball and that means if you issue citations, you may have to have a, it's called a prima facia case, in other words, if you have to go to court. So these guys have to be up to that kind of quality documentation. Number 5 is provide Code information and assistance to the public or contractors. That's what Vicki does such a good job at. Six, research and analyze properties to ensure compliance with said regulations that I've already mentioned. And number 7, develop and implement compliance enforcement plans. And when I look at your Regulations you have an extensive [inaudible] regulations and your Ordinances, probably more or better than many I've seen, especially for small towns. So that will take an individual that can look at all of that and see how to deal with that.

And if I had the time, I'd go over some of these things. I don't know how much time you're giving today." Chair Arnold identified that Michael had spoken for 5 minutes and offered 3 more minutes. Michael continued "Let's give you some examples of how that would work. Over time I've noticed a few buildings have been demo'd in Rockville. Well an inspector as such, would have to know a little bit about asbestos and they're seeing demolitions, to address issues like asbestos and lead or other kinds of materials in the debris and ask a few questions. We're not expecting them to be asbestos inspectors, but some of these codes and they need to make referrals. So they may need to make a referral to the State Air Quality who administers the asbestos program for example. We have many codes, like I said you have a general code again that talks about ensuring compliance with local, State and Federal regulations. There's over a million of these regulations out there, you can't expect any one individual, even a prodigy, to know all of those regulations. But what we can expect the code enforcers to know is how to make referrals. In other words, let's say for example you got somebody that wants to drill a new well in town and they would at least go up to the driller and ask if they have the appropriate permits and things like that. And if they don't, you know a referral goes to water rights. Same way, in our town, we have lots of food trucks, they could ask, you know serving food services, they could ask questions like you know, do you have a permit, you know and if they don't then they contact the Health Department. It goes on and on and on. They have to have the ability to assess some of these things and know how to deal with them. So that's kind of a very important end to it. Like I say, it's not an easy job. I'd say this is one of the harder jobs and I don't know if most people would think that, but it is. You have to be a jack-of-all-trades. One thing I didn't mention at all kind of cut that, since you're out there in

the trenches you have to be able to protect yourself, that means you have to know about safety protocols for yourself, you know, are you being exposed to a hazard, are you handling live electrical, would you be electrocuted, things like that. So they have to... the Town would have to implement a Health and Safety program for this individual and provide them the necessary training in a whole bunch of different points. So that they can adequately protect themselves from safety and health hazards as they do their job. You don't want them walking into an asbestos nightmare or some other kind of a problem, you know, where they could be injured. Also, there are a lot of different instruments involved in this type of job, so they need to be trained in the use of all these different instruments. Each one of these disciplines requires instrumentation and so if they don't know how to use the instruments properly, again you have that issue of developing a prima facie case, so they need to have proper inspection procedure, documentative procedures, you know and collection procedures. And if they don't, then a good lawyer would just tear you apart and throw your citation out, so kind of an all-important thing. And that's all I've got to say." Chair Arnold thanked Mr. Behling.

Laney DeLange approached the mic "On behalf of the Bridge Road residents, I wanted to thank the Council and the Planning Commission for taking the lights, fixing the new lights, the overhead lights, because it's so much better with less wattage. And I just wanted to say thanks to whoever made that happen." Clerk Bell stated that was Vice Chair Brennan. Vice-Chair Brennan stated that she was glad that Laney was happy with that.

4. **CONSIDERATION AND ACTION ON AN APPLICATION FOR A HOME OCCUPATION PERMIT FOR MAMA BEARS NATURALS LLC LOCATED AT 75 EAST MAIN STREET IN ROCKVILLE – ANGELINA JIMENEZ**: Chair Arnold invited Angelina to the mic. She explained that she did not intend to start a business, her friend suffered from eczema and that friend did not have health insurance and when she saw her friend's hands cracked and bleeding, she researched what could help relieve eczema. Angelina made an eczema salve and made some other things for co-workers and friends, one being a licensed esthetician who encouraged Angelina to sell her new products. After further research, she decided to give it a try. Chair Arnold asked to clarify that the products will be made at 75 E. Main but will not be sold from that location. She confirmed that was correct. He asked about employees, and she said there will not be any employees at this time. He asked about signage and displaying the goods, she confirmed no signs or displays would be at her home. Clerk Bell asked about what she had brought with her. Angelina brought a homemade bath bomb, a facial serum and a roller ball. She elaborated that all of her products are natural and good for the skin, even sensitive skin. Chair Arnold asked if she would like to sell the products on-line and she said 'absolutely'. Vice-Chair Brennan asked if any of the substances would cause an extra burden to the sewer system or to the leach field if on septic. Angelina responded no.

Chair Arnold began: Whereas, the application for a Home Occupation Permit, submitted by Angelina Jimenez for an internet and farmer's market sales business located at 75 East Main Street, Rockville Utah is complete and, whereas the following have been addressed and accepted by the Planning Commissioners, whereas, no items will be sold on site location, no employees that do not reside at 75 East Main Street and no signage or display of goods. Whereas, the Home Occupation Permit is complete, and this sales business remains incidental to the residential nature of the home, the use is consistent with and does not compromise the Rockville General Plan (specifically Chapter 4.1), and complies with all requirements of the Code, Chair Arnold **MOVED** the commission approve this application. Vice Chair Brennan **SECONDED** the motion.

Vote on Motion:

Jane Brennan - Aye
Linda Brinkley – Aye
Tim Arnold – Aye

The motion passed unanimously.

5. **CONSIDERATION AND ACTION ON AN APPLICATION FOR A BUSINESS SIGN LOCATED AT 800 E. MAIN STREET IN ROCKVILLE - DASH HOWELL, CANYON PAWS PET CARETAKERS**: Chair Arnold stated that he appreciated the improvements that are being made to the property. He asked Dash to share why they want to change the existing sign. Dash explained that they have a temporary sign currently. Chair Arnold asked for the dimensions of the new, permanent sign as the size was not on the application. Dash said 3x6. Chair Arnold clarified that it is 3 feet tall from the base to the top of the dog head. Dash confirmed yes, to the top of the dog head. The 6-foot measurement is just the metal part, excluding the post. Clerk Bell asked about the height of the posts. Dash said each post is six feet. Chair Arnold clarified that that from the ground to the top of the sign will be 6 feet total. Dash confirmed yes. Chair Arnold asked about the lighting, as there is currently lighting on the ground and asked if they will use the same lights for the new sign. Dash

explained that they plan to run power to the sign and there will be a low-voltage light that shines only on the sign. Clerk Bell asked if it will be double-sided. Dash confirmed yes, and there will be a light on both sides. Vice-Chair Brennan asked about the sign dimensions excluding the dog-head. Dash responded [inaudible]. Chair Arnold clarified that the dimensions are estimations, and the rectangular area with the Canyon Paws Pet Caretakers wording was 2 foot by 6 foot. Vice-Chair Brennan asked that Dash understand there is a fifteen square foot limitation at this time. She also asked that the application be granted on the condition that exact measurements be provided. She continued that the lighting needed to be carefully considered as the light must hit only the sign itself and not extend beyond and may need to be lit from the top, downwards, as the lights on either side must be completely obscured from both sides.

Chair Arnold began, whereas, the application for a Business Sign Permit for a sign located at 800 East Main Street, Rockville Utah and submitted by Dash Howell is complete, and, whereas, the following has been addressed and accepted by the Planning Commissioners, that number 1, lighting complies with Section 11 of the Rockville LUC, number 2, no easements are being violated and this approval is conditional upon the receipt of the exact dimensions of the sign to the Rockville Town Office and the Planning Commission. Whereas, this Business Sign Permit complies with the LUC specifically Chapter 9.2 and does not conflict with the Rockville General Plan and does not conflict with the nature of the community, Chair Arnold **MOVED** the commission approve this application. Linda **SECONDED** the motion.

Vote on Motion:

Jane Brennan - Aye
Linda Brinkley – Aye
Tim Arnold – Aye

The motion passed unanimously.

6. **APPROVAL OF THE MINUTES FOR THE FEBRUARY 13, 2023, REGULAR MEETING:** Linda **MOVED** to approve the minutes for the February 13, 2023 Regular Meeting. Vice-Chair Brennan **SECONDED** the motion.

Vote on Motion:

Jane Brennan - Aye
Linda Brinkley – Aye
Tim Arnold – Aye

The motion passed unanimously.

7. **APPROVAL OF THE MINUTES FOR THE FEBRUARY 13, 2023, WORK MEETING:** Vice-Chair Brennan **MOVED** to approve the minutes for the February 13, 2023 Work Meeting. Chair Arnold **SECONDED** the motion.

Vote on Motion:

Jane Brennan - Aye
Linda Brinkley – Aye
Tim Arnold – Aye

The motion passed unanimously.

8. **APPROVAL OF THE MINUTES FOR THE MARCH 14, 2023, WORK MEETING:** Linda **MOVED** to approve the minutes for March 14, 2023 Work Meeting. Vice-Chair Brennan **SECONDED** the motion.

Vote on Motion:

Jane Brennan - Aye
Linda Brinkley – Aye
Tim Arnold – Aye

The motion passed unanimously.

INFORMATION / DISCUSSION / NON-ACTION ITEMS

Chair Arnold shared that as Planning Commissioners, they are required to complete the Town of Rockville Disclosure Statement annually and that it needed to be signed and notarized prior to submitting the form this month.

explained that they plan to run power to the sign and there will be a low-voltage light that shines only on the sign. Clerk Bell asked if it will be double-sided. Dash confirmed yes, and there will be a light on both sides. Vice-Chair Brennan asked about the sign dimensions excluding the dog-head. Dash responded [inaudible]. Chair Arnold clarified that the dimensions are estimations, and the rectangular area with the Canyon Paws Pet Caretakers wording was 2 foot by 6 foot. Vice-Chair Brennan asked that Dash understand there is a fifteen square foot limitation at this time. She also asked that the application be granted on the condition that exact measurements be provided. She continued that the lighting needed to be carefully considered as the light must hit only the sign itself and not extend beyond and may need to be lit from the top, downwards, as the lights on either side must be completely obscured from both sides.

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Vote on Motion:

Jane Brennan - Aye
Linda Brinkley – Aye
Tim Arnold – Aye

The motion passed unanimously.

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Vote on Motion:

Jane Brennan - Aye
Linda Brinkley – Aye
Tim Arnold – Aye

The motion passed unanimously.

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Vote on Motion:

Jane Brennan - Aye
Linda Brinkley – Aye
Tim Arnold – Aye

The motion passed unanimously.

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Vote on Motion:

Jane Brennan - Aye
Linda Brinkley – Aye
Tim Arnold – Aye

The motion passed unanimously.

INFORMATION / DISCUSSION / NON-ACTION ITEMS

Chair Arnold shared that as Planning Commissioners, they are required to complete the Town of Rockville Disclosure Statement annually and that it needed to be signed and notarized prior to submitting the form this month.

