

**MINUTES OF THE REGULAR MEETING OF THE RUSH VALLEY TOWN COUNCIL
HELD ON MAY 24, 2023 AT THE RUSH VALLEY TOWN HALL
52 SOUTH PARK STREET, RUSH VALLEY, UTAH
THE MEETING BEGAN AT 7:00 P.M.**

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

Appointed Officers and Employees Present: Attorney Rob Clegg and Clerk/Recorder Patty Rowe

1. Pledge of Allegiance/Roll Call

2. Sheriff's Report. The sheriff's department reported that last month there were seven details including a potential burglary, animal attacks, and internet sex offenses. There were also six citations issued.

3. Approval of Meeting Minutes for 04-26-2023 and 05-08-2023. Councilmember Dana Gardner made a motion to approve the meeting minutes from 04-26-2023 and 05-08-2023. Councilmember Jeremiah Harding seconded the motion. All present voted in favor and the motion carried.

4. Consideration of Tooele County Fire Agreement/Contract – Bucky Whitehouse. Bucky Whitehouse was not at the meeting, but Dan Walton came in his place. Clerk/Recorder Patty Rowe said that the agreement was not received until right before the meeting, so the council had not reviewed it. Dan said that each town currently has two separate agreements with the county, one for special operations and one for wildland fire response. This agreement consolidates them into a compact automatic aid agreement for Rush Valley, Vernon and Stockton and includes a considerable increase in compensation for their services to the county.

The new agreement offers the town \$44,000 per year which could increase based on calls. Base funding for the department is \$30,000 with \$9,000 for calls (based on last year's numbers) and \$5,000 for special operations such as ice rescue. There is also a potential for more funding for medical calls once our department is ready to respond to those. Dan also said there is \$25,000 worth of grant money available annually that will be spread through the three departments. Dan said that the administrative work for the fire department will increase, and the county will be providing software for them to use for tracking apparatus, training, etc. Language was added for a termination clause with 60 days written notice. Councilmember Lacey Burrows asked how this contract is different than what is already being done by the fire department. Fire Chief Jason Bolinder said the contract spells everything out.

Dan said that the town must continue to provide the same funding to the fire department that was provided in 2022. Mayor Johnson said that in the last few years the budget has been higher because the department has generated more revenue than ever before. He would like some discussion with the county regarding how much the town will be providing to the department. For the last ten years, the town has paid \$15,000 for the fire truck in addition to

more funding to the department. Until recently, the department has not been self-sufficient. Mayor Johnson would like the contract to specifically state the dollar amount that is required by the town. Councilmember Lacey Burrows said that she would like some time to review the contract before approval. Councilmember Dana Gardner made a motion to table consideration of the agreement until the next meeting. Councilmember Jeremiah Harding seconded the motion. All present voted in favor and the motion carried.

5. **Consideration of an Ordinance Adopting Chapter 7A – Accessory Dwelling Units (ADUs) in the Land Use Management and Development Code.** Mayor Johnson made a motion to table consideration of the ADU ordinance until the next meeting when more councilmembers are present. Councilmember Dana Gardner seconded the motion. All present voted in favor and the motion carried.
6. **Consideration to Adopt Tentative 2023-2024 Budget.** Mayor Johnson said that in Revenues there is not much that needs to be changed other than fire department income which will now be \$44,000 if we agree to the contract with the county. Mayor Johnson asked if we will be getting any fire department grants in the coming year and Fire Chief Jason Bolinder said the only one will be the \$25,000 from the county agreement and that is not a sure thing, so we will amend the budget if we get any of it. Jason mentioned that he would like to start paying firefighters for wildland fires they respond to and is working on a presentation for the council. Mayor Johnson said he would like to see that happen for the purpose of recruitment and retention. Revenues for Cemeteries will be \$2,500. The Clover Church Restoration was broken into two separate line items, one for donations and one for grants with \$17,500 in each of them.

Mayor Johnson said there were not a lot of changes to the Expenditures budget. He bumped up engineering services and utilities. Regarding the fire department, the new budget is \$59,000 with \$44,000 from the county and \$15,000 from the town. A new line was added for Local Emergency Recovery which would be any expenditures for potential flooding, including sand and bags. This will start the process of proving to FEMA that we have been making efforts in this area. Sanitation was bumped up a bit and cemeteries was changed from \$6,000 to \$8,000. Councilmember Lacey Burrows made a motion to adopt the tentative 2023-2024 budget. Councilmember Jeremiah Harding seconded the motion. All present voted in favor and the motion carried.

Councilmember Dana Gardner made a motion to add to the agenda setting a date for the June meeting to accommodate the tax and budget deadline. The meeting will be held Wednesday, June 21, 2023. Councilmember Burrows seconded the motion. All present voted in favor and the motion carried.

7. **Approval to Pay McCormick and Sons Excavation for Paving of Triangles in St. John.** Councilmember Jeremiah Harding said the total amount due is \$4,973.50. The triangles are finished and ready for chip seal. Councilmember Dana Gardner made a motion to pay the

invoice of \$4,973.50 to McCormick and Sons Excavation. Councilmember Burrows seconded the motion. All present voted in favor and the motion carried.

- 8. Approval to Purchase Plow Truck.** Councilmember Jeremiah Harding received three bids and decided on a truck with the price of \$66,042. The truck is a brand-new Ford F550 Powerstroke. Jeremiah was able to get a discount by using a state contract. He will get a new plow and dump bed for the truck. Mayor Johnson said that he would like to look at terms for financing instead of paying cash. Councilmember Dana Gardner made a motion to approval the purchase of the plow truck and authorization to work on terms for payment. Councilmember Lacey Burrows seconded the motion. All present voted in favor and the motion carried.
- 9. Award Bid for Surplus Cemetery Shed.** Clerk/Recorder Patty Rowe said that the instructions were for the bids to be emailed to the town clerk. She received only one bid of \$200 for the shed from Lacey Burrows. Councilmember Dana Gardner made a motion to approve the bid of \$200 for the cemetery shed, submitted via email, to Lacey Burrows. Councilmember Jeremiah Harding seconded the motion. All present voted in favor and the motion carried.
- 10. Approval to Purchase Turnouts for Fire Department.** Mayor Johnson said that it was decided to spend remaining ARPA funds on concrete at the town hall and there was no ARPA money left for turnouts. He said that if the fire department has used their budget, it can be amended. Many of the turnouts in the department are over 20 years old and need to be replaced. Fire Chief Jason Bolinder would like to purchase two more sets at the price of \$5,187. The price for them has gone up \$843 since 2021 and there is a two month wait. Mayor Johnson made a motion to approve the purchase of turnouts for the fire department. Councilmember Dana Gardner seconded the motion. All present voted in favor and the motion carried.
- 11. Fire Department Report.** Fire Chief Jason Bolinder said the department recently completed Tinder Task Force training. Jason and Spencer Gardner also completed other training and received certifications.
- 12. Council Reports.** Roads – Councilmember Jeremiah Harding said that chip sealing will begin soon, and the material will be staged behind the fire station. Jeremiah is working on the re-build bid. Jeremiah said that there is only one supplier available to outfit the new plow truck and wondered if he could use them as a sole source supplier. He was told that he could use them as a sole source.

Cemeteries – Councilmember Lacey Burrows has been preparing the cemeteries for Memorial Day weekend. Several graves collapsed due to the extra water this year. The new shed has been installed and she purchased ramps from Steadman's.

Parks – Councilmember Dana Gardner has been working with contractors to get the concrete work done around the town hall. He had all the properties including the cemeteries sprayed by Affordable Lawn Care. Mayor Johnson mentioned that there is a leak in Josh Hall's arena, and he has Weston Jensen coming to fix it.

Mayor Johnson said work on the Clover Church is moving along and Broken Arrow will be replacing the electrical at no charge.

13. Safety Topic. Councilmember Jeremiah Harding presented the safety topic on weed control.

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

15. Public Comments. Janet Wyman inquired if Russell Ranch is within city limits because that is what the county told her. Janet asked if there is a city ordinance limiting how many dogs a person can have because someone in that area has 10-15 dogs locked up. Mayor Johnson said there is not a limit, but dogs at large are a problem. The town ordinance covers dogs at large, nuisance dogs, dogs attacking livestock, and dogs biting an individual. If reported, the sheriff's department will get involved. Mayor Johnson said that it has been agreed that there will be a verbal warning, a written warning, and then prosecution. The town does not have a dog catcher, so a citizen must catch the dog themselves and take it to the pound.

Della Frost asked for a status on repair on the access to her driveway that was messed up during road work. Mayor Johnson said that chip sealing that small patch will not hold up because the base is too hard. This winter was very hard on the roads. She also has a concern about the trench that was made along her property for flood control. There is now a pile of dirt which cannot be mowed. She said that she would like to determine if a culvert is needed there. If so, she will purchase a culvert and the town will install it. Mayor Johnson asked Councilmember Jeremiah Harding to meet with Della Frost and get these issues resolved.

16. Adjourn. Councilmember Dana Gardner made a motion to adjourn. Councilmember Lacey Burrows seconded the motion. All present voted in favor and the motion carried. The meeting ended at 8:38 p.m.