

Sterling Town Council Meeting Minutes
Wednesday, October 15, 2008
7:00 P.M.

ATTENDING: Mayor Garry Bringhurst; Council members Devin Blood, Amber Jarvis; Peta Devries, Treasurer

Absent: Tim Denton and Randall Cox, Council Members

Others in Attendance: Kathleen Hinckley, Jennifer Northrop, Mark Otten, Jeremy Williams, Valerie Ooulos, Kathleen Clayton, Joshua Williams, Chief Henry Clayton, Merna Peterson, Sheila Bringhurst, W. Gary Peterson, Jason Green, Ernie Martinez, John Mogle, Jeff Rasmussen

Meeting brought to order at approximately 7:00 p.m.

Amber Jarvis made a motion to approve the minutes from 09/17/08. Devin Blood seconded the Motion. All in favor. Motion approved.

Henry Clayton reported to the Council about their water situation and read a statement to the Council. Mr. Clayton received a certified letter from the Town of Sterling outlining the expectations of the Town regarding their violation of the Town Water Ordinance; extending the deadline for them to show tangible proof of progress in resolving their violation; and providing them with the name, address, phone number and email address of the Regional Engineer for the Utah Division of Water Resources who can answer their questions on how to obtain and transfer water in this region. Mr. Clayton reported that the land in question has been transferred by Warranty Deed to the Peaceful Valley Trust. They felt the letter did not provide him with the information he requested at the Council meeting on September 17, 2008. Mr. Clayton asserts that they are not in violation of the Town Water Ordinance. Mr. Clayton agrees to purchase two additional water hook-ups, excluding the water meters; \$2000 each, for a total of \$4000, to be revokable in the future. Mr. Clayton indicates that they are not willing to do is buy water rights and transfer them to the City as it represents more water than they would use and makes them an agent of the Town. Mr. Clayton asserts that no one else in the Town is being required to do this. Mr. Clayton wants the option to be able to pay the Town and have the Town purchase the water, which the Council indicated would be fine.

Mark Otten reported that he was under the impression that his sister Natalie Christiansen did not have to provide water to the Town for her water hook-up, but he spoke with her and verified that she did have to provide 1 acre foot of water which she purchased from the Yardley's for \$7,000. for the 1 acre foot. The Christiansen's had to provide 1 acre foot of water because they do not have irrigation water. Mr. Otten named several other incidences in the Town where more than one family were living where there is only one hook-up. It was asked about Tim Denton's cabin. The Council was unaware that the cabin had a water. But indicated that Tim pays for two hook-ups, in addition to his stock water.

Mr. Otten and John Mogle explained about the differences between well permits, irrigation water and culinary water.

Mr. Otten asked if it would be possible for the Clayton's to provide less than 1 acre foot of water since the Clayton's have irrigation water and the State Engineer requires on 1/2 acre foot per household. The Mayor indicated that if the Clayton's dedicated their irrigation water to their land, that the Town would likely accept them to provide 1/2 acre share of water to the Town per hookup (so one full acre foot would buy them two additional hookups).

The Mayor asked that Mr. Clayton write up his proposal for the above that can be presented to the Council, Kay McIff, and the State Engineer for approval.

#1 - Peaceful Valley Trust will obtain 1 acre share of water (from Yardley's) to the gallons that are required by Kirk Forbush (Utah Div. Of Water Regional Engineer) to cover what their needs are;

#2 - Peaceful Valley Trust will dedicate their irrigation water to their property.

Mr. Otten recommended to the Council that they clarify in the Water Ordinance regarding the acquisition of water shares (1/2 acre foot as required by the State Engineer and/or 1 acre foot) and dedicating irrigation water to the property.

Jeff Rasmussen, Chairman for the Sterling P&Z Committee came before the Council and recommended that the Council approve the Preliminary Plat, Phase 1, of Lake View Estates. Mr. Mogle has met all the requirements and the Town's Engineer's requirements. The Council reviewed the Plat. Devin Blood made the Motion to accept and approve the preliminary plat, and the Motion seconded by Amber Jarvis. All in favor. Motion approved.

Report of the Officers:

Devin reported on the situation with the Cemetery. He was able to obtain two copies of the Cemetery Plot map from Curtis Ludvigson. Curtis reports that he is not in possession of the Original [oil skin] plot map; and he refused to release the new original that he made, saying that it belongs to him since he created it. He did turn over the two copies of the made that the Town paid Kopy Katz printing for in August 2008. The Council discussed the situation with the corrections the Ludvigson's have asserted to their ownership of plots that had been passed from Lilly Thomas to Dorothea Ludvigson and that the Town was unable to take any action because they did not have the

map. After reviewing the map and the corrections to the map provided by Curtis Ludvigson, Mayor Bringham and Devin Blood were comfortable with the changes as presented. Amber Jarvis asked for more time to review this matter before a vote was taken, in addition Tim Denton and Randall Cox are not present to vote. So this matter will be tabled to the next meeting.

Amber reported that she has ordered the 4 boxes of Peanuts and 2 boxes of Christmas Mix Candy through Diane Denton. The Council decided that they will need 4 Peanut Clusters, 4 Christmas Mix, and 4 boxes of Peanuts.

Devin Needs some work on the Chlorination building and needs approval to get repairs done.
3rd Quarter water usage is 1,294,000 Gallons for last month.

Devin has a proposed Town Vehicle Usage Policy that he will provide for each Council member to review for next meeting. This included usage of the vehicles/equipment, seat belts, safety, etc.

Devin also discussed the Construction Debris Ordinance that he is working on and he will have it available for the next meeting.

Mayor Bringham read a letter received from Manti City regarding a Youth Service Project and requested input from the Council and Town members to provide ideas for service projects for the Town. The Mayor has asked for Town members to provide their ideas in writing to Amber Jarvis.

New Business:

Mr. Martinez asked if the Town of Sterling has an ATV ordinance, which the Mayor reported no the Town does not. Mr. Martinez reported that as of October 1, 2008, Municipalities that do not have an ATV ordinance are subject to the State Law on ATV's. Mayor Bringham asked if Ernie would spearhead an ATV ordinance for Sterling. Mr. Martinez agreed that he would do some research on the subject.

Bills:

Rural Development \$241.00
Harmons's - \$51.39
Chemtech Ford - \$167.50
Questar - \$102.00
Hermansen's Equipment - \$24.99
North Sanpete Disposal - \$27.60
Manti Telephone - \$65.33
Denton Oil - \$87.50
Scholzen Products - \$996.13
Peterson Plumbing - \$6,672.86
Michelle Rasmussen, wages - \$205.02
I.R.S. - \$387.55
Rocky Mtn Power - \$485.93
Questar - \$154.00
Devin Blood, wages - \$75.96
Sheila Bringham, reimbursement - \$119.28
Peta Devries, wages - \$293.43
Ludlow Engineering - \$240.00
EcoLife - \$85.00
Garry Bringham, reimbursement - \$20.00

Amber made a motion to pay the bills. Devin Blood seconded the Motion. All in Favor. Motion approved.

Merna Peterson asked about Sterling's ISO rating for her home owners insurance. She indicated that she left 2 weeks of messages trying to contact Sterling Fire Chief Kevin Conover to get the ISO rating and Mr. Conover finally returned her call last Thursday and said that he gave all that information to the Town Council and she could get it from the Council. Unfortunately the Town Council has never been given the information. The Council recommended that she contact Nick Lyon, Asst. Fire Chief for help. Mrs. Peterson was also given several other avenues to check in order to obtain the information.

Mr. Martinez asked about Devin's assignment of providing an ordinance for the usage of Town Equipment. Devin reiterated that information he provided earlier in the meeting regarding this.

Randall made a Motion to adjourn the meeting. Seconded by Devin. All in favor. Motion approved.

Meeting adjourned at 8:40 p.m.