

MINUTES
TOWN COUNCIL REGULAR MEETING
WEDNESDAY, NOVEMBER 14, 2012 – 6:30 P.M.
CASTLE VALLEY COMMUNITY CENTER
2 CASTLE VALLEY DRIVE

Council Members Present: Mayor Erley, Council Members Hill, Duncan, Williams

Council Members Absent: Council Member Drogin

Others Present: Ron Drake, Greg Halliday, MaryBeth Fitzburgh, Leta Vaughn, Jeff Johnston, Rebecca Martin, Bruce Keeler

Recorder: Alison Fuller

CALL TO ORDER

Mayor Erley called the regular town council meeting to order at 6:32pm.

1. Open Public Comment
2. Approval of Minutes

* Regular Town Council Meeting October 17, 2012

Council Member Hill had the following amendment to the minutes she added “...for crack and seal equipment.” in Executive Roads Committee report on page 1. She also changed “would” to “could” near the top of page 2 in the PLUC report section. In the motion for Item 9 she added “if applicable have one set up” after “Election Day”. She also changed her comment in Item 11, Payment of the Bills to “...confirmed with Roads Manager Halliday that he had an excess.”

Council Member Williams moved to approve the minutes as amended, Council Member Hill seconded, the Motion passed unanimously.

3. Executive Reports
- * Road Committee

Council Member Hill asked where the new light post was for the new road shed?

Roads Manager Halliday reported that it was not a new light post, but one that had to be taken down for the construction of the Road Shed.

Council Member Hill asked what was done with deceased deer that are found in the valley.

Council Member Duncan reported that the sheriff can be called do deal with that issue.

* PLUC

Council Member Hill asked how manure is measured by PLUC.

PLUC Chair Fitzburgh stated that the animal units in 85-3 uses a measurement for manure that she could look into.

Mayor Erley recommended talking to Mike Johnson from USU for more information.

PLUC Chair Fitzburgh reported that 180 surveys had been returned out of the 369 that were sent out.

Discussion surrounding particulars of the Condition Use Permit report.

* Energy Information Officer

Bruce Keeler reported that there is a huge increase in solar subsidies through Rocky Mountain Power and a Solar Incentive Program is now available. Recently there were studies conducted to show solar power through net metering is clean energy an economically

beneficial for Rocky Mountain Power. He reported that for every dollar put into alternative energy is worth a \$1.83 for every Rocky Mountain Power client.

Keeler stated that this is a huge step forward in clean energy in Utah with Rocky Mountain Power in support of it and Utah will become much more of a green energy state.

Mayor Erley asked where to find the application for the Solar Incentive Program.

Keeler said it is on the Rocky Mountain Power website under alternative energy but it is not obvious. He also stated that it is a lottery based program but it is a lot less competitive than before. Keeler also stated that if the study proves to be accurate it will force Rocky Mountain Power to turn to solar power.

4. Correspondence

Mayor Erley read a letter of resignation from the Town's Water Agent.

Mayor Erley thanked the Town's Water Agent and commended him for his work that he has done for the town in the last 3 years.

Mayor Erley reported the results of the Exit Poll regarding adopting a resolution for abolishing corporate personhood. He stated there was a total of 92 votes, 3 non residents voted yes, 75 residents voted yes, 13 voted no, and 1 abstention. That is a rough 86% of the voters inside town limits, and 100% of county voters in support of a resolution.

Council Member Duncan asked what the percent was of the voters that voted in the Poll.

Mayor Erley reported approximately half with about 189 voters on Election Day.

Mayor Erley read a letter from a citizen regarding the Exit Poll that was held during Election Day. The letter voiced a number of concerns surrounding the Exit Poll and also suggested that a better approach would be similar to Colorado's Ballot Initiative.

Council Member Duncan asked if that was on a state ballot.

Mayor Erley replied that it was.

Mayor Erley read a letter of interest from Mary Beth Fitzburgh for the PLUC position opening up in the future.

Council Member Williams thanked Mary Beth Fitzburgh for all her work.

NEW BUSINESS

5. Discussion and Possible Action re: Town Council Meeting Schedule for 2013.
- Council Member Hill suggested that payroll be paid on the 15th of August in 2013 due to a 36 day billing cycle otherwise.
- Council Member Hill motioned to hold Town Council Meetings every 3rd Wednesday of each month for 2013, Council Member Williams seconded, the Motion passed unanimously.*
6. Discussion and Possible Action re: A specific name for the Town's "Capitol Funds Account".
- Mayor Erley reported that the Town's auditor recently made clear that the name for the Capitol Funds account needs to have a specific name for its use.
- Mayor Erley stated the cleanest way to name the fund is the Chip Seal Fund for Castle Valley Drive, because that is a continuous expenditure.
- Council Member Hill clarified that the Town had a Capitol Roads account that they have been depositing funds in for capitol roads projects. She continued to say what is being proposed is all of the Town's General Account be turned into a roads capitol account and she does not want to see all of the town's General fund be put into roads.

Council Member Hill clarified that the money put into Roads Class C and B accounts are also the budget for the roads and can only be spent in the Roads Department.

Council Member Hill stated that she would like some money put aside for improving the community and not have all the general account money put aside for only roads.

Mayor Erley suggested the name of the fund be Chip & Seal and Town Lot improvement Fund.

Discussion surrounding issues that could arise in the Roads Department that would use the funds due to the label on the account.

Roads Manager Halliday stated that a new road grader would be \$250,000, and a used one for around \$20,000.

Council Member Hill moved to name the Town's Capitol Funds account "Castle Valley Drive Chip and Seal and Town Lot Improvement Fund." Council Member Williams seconded, the Motion passed unanimously.

7. Discussion and Possible Action re: Smoking at public events.

Mayor Erley stated there should be no smoking with in 20 ft of the building by law and perhaps the Town would need to get a sign.

Council Member Hill made a motion to get a sign that says no smoking on the Town lot. Council Member Duncan seconded, the Motion passed unanimously.

8. Discussion and Possible Action re: Dogs at public events.

Council Member Hill stated that the dogs at the Gourd Fest were extremely disruptive.

Council Member Hill moved to allow no pets at public events, Council Member Duncan seconded, the Motion failed unanimously.

Council Member Hill moved to not allow any pets at the town lot, Council Member Duncan seconded, the Motion passed unanimously.

9. Discussion and Possible Action re: Amending Town Ordinance to allow for the collection of fees and/or penalties for violating Town ordinances.

Mayor Erley stated that in looking to enforce ordinances and collect fees there needs to be more work done to the Ordinances to allow for the collection of fees.

Mayor Erley stated that it would be needed so after a citizen is penalized they would be responsible for paying back the legal fees to the Town.

PLUC Chair Fitzburgh read the portion of 85-3 concerning the fees where the Town can collect from citizens who are out of compliance and be responsible for legal fees.

Mayor Erley stated that, the same language from 85-3 needs to be included in other parts of the Town's Resolutions and Ordinances.

Mayor Erley stated that it would be nice to move forward on this issue in February-March completely prepared with all of the language in good legal order.

10. Discussion and Possible Action re: Rebuilding a donated Fire District water truck for the Town's new water truck

Mayor Erley thanked Ron Drake the Fire Chief for donating the truck to the town.

Mayor Erley reported that the water truck is the least used equipment for the town and the new truck would need parts of it removed and replaced with the current water trucks water tank and pump. He stated that it would be nice to switch over to a diesel engine.

Roads Manager Halliday reported that the fire truck does not pump and drive at the same time so everything behind the batteries would need to be removed and replaced with the water tank from the current water truck. He also stated that the Town's Water Truck is a back up

tender for the Fire Department and the new Truck would become a back-up tender in it's place.

Council Member Hill asked if it would be \$5,000 to do the project.

Roads Manager Halliday reported that would be correct if the Town had to pay for all of the labor rather than working out a trade with a local citizen.

Council Member Hill made a Motion to allow up to \$5,000 to be spent on the upgrade to the new truck donated from the Fire District. Council Member Duncan seconded, the Motion passed unanimously.

11. Discussion and Possible Action re: Introducing an easement encroachment permit requirement for the Town.

Mayor Erley stated that the Roads department has been working on a solution for a number of different issues regarding the Town's Road Easement. The County has an encroachment permit application that seems like a good solution to handle the different issues the Roads department has been facing.

Mayor Erley stated that the Town deals with construction projects, personal belongings, culverts Etc., that interfere with the Town's road easements and prevents, plowing, grading and other road work that needs to be done.

Mayor Erley stated that the easements are the towns for maintaining drainages, insuring transportation, and for emergencies.

The roads department will revise the County's Encroachment Permit to fit their needs and bring it back to the Council for approval.

UNFINISHED BUSINESS

12. Discussion and Possible Action re: Castle Valley's Emergency Mitigation plan [Tabled]

13. Payment of Bills

Council Member Hill reported that the Town came over budget on the Road Shed by \$8,063.

She stated that, that money needs to come out of somewhere and it would be good to take it out of the Towns Class C Roads account.

Council Member Williams made a motion to take the \$8,063 out of the Class C roads account.

Council Member Hill seconded, the Motion passed unanimously.

Council Member Duncan inquired about the Moab Construction bill.

Council Member Hill stated that it was last invoice for the road shed.

Council Member Williams made a motion to pay the bills as presented, Council Member Duncan seconded, the Motion passed unanimously.

Council Member Williams moved to adjourn, Council Member Hill seconded, the Motion passed unanimously.

15. Closed Meeting- none

ADJOURNMENT

Mayor Erley adjourned the meeting at 7:54 p.m.

Approved: _____
Dave Erley, Mayor

Attested: _____
Alison Fuller, Town Clerk