

**MINUTES**  
**TOWN COUNCIL REGULAR MEETING**  
**WEDNESDAY, APRIL 17, 2013 - 6:30 P.M.**  
CASTLE VALLEY COMMUNITY CENTER  
2 CASTLE VALLEY DRIVE

**Council Members Present:** Mayor Erley, Council Members Drogin, Duncan, Hill

**Council Members Absent:** Council Member Williams

**Others Present:** Ron Drake, Greg Halliday, MaryBeth Fitzburgh, Leta Vaughn, Faylene Roth, John Groo, Jack Campbell, Lt. Mike Williams, Dani Prickett, Chrissie Applegate and Family, Cris Coffey,

**Recorder:** Alison Fuller

**CALL TO ORDER**

Mayor Erley called the meeting to order at 6:30pm.

1. Open Public Comment
2. Approval of Minutes

\* Regular Town Council Meeting February 20, 2013 [Tabled]

*Council Member Hill moved to untable the Feb. 20, 2013 minutes, Council Member Duncan seconded, the Motion passed unanimously.*

*Council Member Drogin moved to approve the Feb. 20, 2013 minutes, Council Member Hill seconded, the Motion passed unanimously.*

\* Regular Town Council Meeting March 20, 2013

Council Member Drogin pointed out on page 2 under "others present" Mrs. Freeman should be Ann McLanahan instead.

*Council Member Hill moved to approve the minutes for March 20, 2013 with the amendments from Council Member Drogin, Council Member Duncan seconded, the Motion passed unanimously.*

3. Executive Reports

\* Road Committee

Roads Manager Halliday stated that the Town needed to make a plan for the old dump truck.

The Council discussed what the best option would be for the old dump truck and will look into getting it removed for free.

Roads Manager Halliday stated that in the past the grading was done differently and the water will not penetrate the roads with the current severe drought conditions. He stated that multiple light waterings have been beneficial in creating the right moisture for the soil to be worked.

Mayor Erley stated that the extension agent stated that the best time to grade the roads is when the ground is evenly moist and Roads Manager Halliday has been able to properly replicate the ideal conditions.

\* PLUC

Council Member Duncan inquired about the ordinance the Town has in place limiting the amount of non-related people that can live in a house to 4 or less.

PLUC Chair Fitzburgh stated that she believes that state law sets that number based on how Castle Valley is zoned and whether or not it has a university within its boundary.

Council Member Duncan stated that a family household can be much larger than 4 people and it seems odd to limit the number of children a family could foster.

Council Member Hill also stated that it seems unfair for the Town to limit the amount of people that a family could foster and it would be difficult for the Town to define what a family is.

PLUC Chair Fitzburgh stated that she thought that the limit in the ordinance may have come from issues that arose in the past surrounding large group homes of un-related people.

Jack Campbell stated that the zoning would limit possible problems in the future. He stated that there were several proposed homes in the past as well as a juvenile delinquents group home that contributed to the number of un-related people allowed per household in the ordinance.

PLUC Chair Fitzburgh stated that the PLUC wanted to look over the list of things that are allowed as conditional uses and clean up the list as well as set clearer standards for each potential conditional use. She also stated that the PLUC would welcome the Town Council's opinion about how the General Plan survey report should read and be presented.

Mayor Erley thanked the PLUC for all of their hard work on the survey.

\* Treasurer's Quarterly Report

Council Member Hill stated that the proposed budget would look a lot like the amended budget. She stated the only thing she has added to the amended budget is a line item for the Database due to continual costs. She asked if there was anything else to add or address in the budget to contact her in the next week or so.

Mayor Erley inquired about putting more money towards Castle Valley Drive.

Council Member Hill stated that she was able to find about 20,000 to put into the budget for CV Drive which is a little under the 30,000 they were able to allocate last year.

4. Correspondence

Mayor Erley read a letter from an individual regarding the radio frequency meters that Rocky Mountain Power will be installing in the near future unless you would like to pay extra monthly fees and special service fees for your old meter. The individual stated his disdain for the new meters and his plans to reject the new meter installation. The individual encouraged folks to have a back-up plan that would create energy self-sufficiency, and hoped to that the council would support his point of view.

**NEW BUSINESS**

5. Discussion and Possible Action re: Joining community forces with Utah Army National Guard.

Lt. Williams introduced himself and the program Community Covenant that he represents. He stated that Community Covenant is a grass roots movement to officially support US veterans and their families through adopting resolutions to pledge their support to veterans. He listed the goals to become a Community Covenant program: 1 – Vote and decide to support this effort, 2 – adopt a resolution, 3- assign a military liaison to work with veterans and correspond, and 4 – pencil in the signing date of the resolution.

Council Member Hill asked what that would look like for a small community like Castle Valley.

Lt. Williams stated that fees and utilities could be waived, support through parades, and recognition of the veterans. He felt that in the past there was not enough welcome and support to veterans that came back from Vietnam. He stated that US has come up with plans to help mitigate impacts on the veterans and that each community has different ways of showing support and being aware of the services available to support veterans is very important by itself.

Council Member Duncan stated that when she read this she felt that this could be a program that would work well with local church groups to help raise awareness and support for veterans.

Mayor Erley stated that the Town should have something in place so the town knows how to reach resources for veterans and this also prompted the need to install the flagpole at the Town Hall.

Council Member Duncan stated that there are a lot of veterans that have served in the past even though Castle Valley does not have many serving currently.

Council Member Drogin stated that she would like a little more time to look things over as well as what resources would be available to the veterans.

Lt. Williams stated that the closest Family Assistant Center is in Blanding and they would have a list of resources available for veterans and their family.

Council Member Drogin inquired about the Military Liaison and if they needed to be a part of the military?

Lt. Williams responded that they did not, and often the Town Clerk or someone else who is involved with the community would be the military liaison.

Council Member Duncan inquired about a registry of the people who are serving or have served.

Lt. Williams stated that they did have a registry of the people who have served and are serving. He also stated that they did not want to cost the town any money and would print and frame the resolution, and have an official signing.

*Council Member Hill moved to Table Item 5, Council Member Drogin seconded, the Motion passed unanimously.*

6. Discussion and Possible Action re: Possible playground equipment grant.

Mayor Erley stated that there was funding from a grant that the Recreation District was looking into that would be large enough to fund several different playgrounds in the County that Castle Valley could be a part of.

Council Member Drogin questioned who would be in charge of maintaining the equipment?

Mayor Erley stated that the Town would most likely be in charge of maintenance.

PLUC Chair Fitzburgh stated that in the General Plan Survey there were quite a few comments questioning whether or not playground equipment would raise the Town's insurance, and that it was not one of the highest ranking wants on the survey.

Council Member Duncan stated that this was for grant money and it would not be the Town's money.

Danny Prickett stated that it would be good to have padding underneath the playground systems.

Chrissie Applegate stated that she liked the plastic playground sets that they seemed like they might be safer and would require less maintenance.

There was discussion surrounding the best type of playground for maintenance and safety.

Council Member Drogin asked about how many youngsters were in the valley.

Faylene Roth stated that there were as many as 11 kids that would come to Story Time at the Library.

Applegate stated that if the Town had a playground it would help people feel like Castle Valley is a "kid friendly" community.

Mayor Erley stated that Kristin Millis was looking into some rather large grants.

Roth question if the grant was a matching grant or not?

Mayor Erley stated that he did not think so.

Applegate inquired about looking at different catalogs for equipment and if they needed to look at specific brands or companies for the grant.

*Council Member Hill moved to do everything possible to get a playground equipment grant, Council Member Duncan seconded, the Motion passed unanimously.*

7. Discussion and Possible Action re: Planning a joint workshop with the Fire District.

Mayor Erley stated that it seemed like everything was going to work out with the road easement, and that we would know soon. He stated that the joint work shop would be good to discuss implementing lot 194 and the building of the road as well as a chance for both parties to discuss how they would like to see the easements play out. He stated resolution 1997-3 was found that specified the Shafer lane extension would be used as emergency access only and there had also been an easement found that had not been recorded. He stated that the Town may want to take a look at the resolution and open it back up and refine the details. He stated that he had been in touch with Scott Bartlett and it sounded like an easement from the loop road to the Fire Station would be possible as well.

Council Member Duncan stated that the purpose of the joint workshops with the Fire District would be good to get in place now to insure clear communication and keep an open dialogue with the Fire District.

There was discussion surrounding how often workshops should be held with the Fire District.

Campbell recommended having a portion of a Town Council meeting be devoted to a workshop to help streamline efforts.

Mayor Erley asked if Council Member Duncan would be willing to go back to the Fire District and express the Town's support in a joint workshop. He also stated that it would be good to dove tail with the Fire District for Castle Valley's emergency mitigation plan.

There was discussion surrounding a good time for the Fire District and Town Council to meet.

8. Discussion and Possible Action re: The spring clean-up.

Mayor Erley reported that he and Roads Manager Halliday attended the Solid Waste District meeting last week and relayed that they had challenges from last year's clean-up due to going over budget from cleaning up more debris than usual. He stressed that the Clean-up will be ruined if people bring their household garbage. He reported that the District felt that removing more waste was a sign of success. He discussed possibly using a chipper for clean branches alongside the clean-up.

Drake reported that the chipper would be out in the valley in May.

Council Member Drogin questioned if yard waste was acceptable.

Mayor Erley replied that they would rather not take yard waste.

Mayor Erley stated that a question of equity throughout the county came up since the rest of the county just gets one voucher to dump. There could possibly be a \$6 charge for dump loads after the first one.

There was discussion surrounding whether or not the town should organize something for chipping branches, and decided to keep the chipping and yard waste separate.

9. Discussion and Possible Action re: The Castle Valley Inn Bed & Breakfast contract details.

Mayor Erley stated that the Bed & Breakfast wanted to build a house next to the B&B and it caused the Town to take a closer look at the contract and other issues came up that the Council should consider. He stated that there were some obvious things in the contract that had not been implemented that should be such as fire inspection, septic inspection etc.

Council Member Hill asked if Graham was seeking clarity in the contract?

Jason Graham stated that there was some clarity that could be achieved in the contract regarding always having a manager or owner living on the property and what the details would be for a timeframe for a manager to be replaced in the instance that a manager quit. He felt that the B&B would always need an owner &/or manager there for the business to be successful.

Council Member Duncan stated that it doesn't matter if their house is next door or across the valley and the Town would just need to be sure that the owner or manager is living on site.

Mayor Erley stated that there are unanswered questions in the contract and perhaps a memorandum of understanding would be created to open up and change parts of the contract through notarized and certified documents.

PLUC Chair Fitzburgh stated that for future administrations it would help a lot to clarify the contract as well as updating and adding current floor plans.

Council Member Drogin also stated that the other parts of the contract that have not been upheld could also be clarified.

Mayor Erley stated that Item 9 was added before the building permit for the adjacent lot was issued, and he did not feel that there any action to take tonight but wanted to have the discussion surrounding the M.O.U. and the contract.

Council Member Duncan pointed out paragraph 7 in the contract concerning an annual inspection from the Fire Chief or Town regarding fire danger.

PLUC Chair Fitzburgh stated that to amend the contract would demand a public hearing and a recommendation to the Town Council from the PLUC.

10. Discussion and Possible Action re: General Plan Survey results.

Mayor Erley stated that the survey results draft is in, as well as a draft report. He stated that the raw data is on the homepage on the Town website, and the final report will be ready in a couple months.

PLUC Chair Fitzburgh stated that the report will be very lengthy and it is available on the website with a few copies in the library available for viewing as well. She also asked for input and recommendations from the Council.

11. Discussion and Possible Action re: Amending the Water User Agreement process by lengthening the time between Affirmations from one to three years.

Mayor Erley stated that he and Ron Mengel implemented an annual affirmation to show the state that the Town was being responsible and taking their water rights seriously. He stated that once a year is too cumbersome and does not leave a large impression on the citizens. He stated that he and Mengel were discussing a 3 year period for affirmations and felt it important for each Mayor to handle this issue personally.

John Groo stated that the affirmations are a very important element and give the Town credibility with the Division of Water Rights and they need to be taken seriously. He reported that in 2012, 156 affirmations went out and 4 came back incomplete, 112 that were returned and 38 that were not returned. He stated that for the seriousness to be recognized he recommended another letter be sent out to remind and notify residents that did not return their affirmations and if a 3<sup>rd</sup> letter needs to be sent out that it should state that they are going to lose their water rights if they do not return their affirmations.

Council Member Duncan asked if Groo could just go ahead and send a second letter explaining the need and importance of returning the WUA and that their rights could be lost if they do not return the WUA.

Groo stated that he would be absolutely ok with doing that. He also stated that only Town water rights require affirmations through the Town.

There was discussion surrounding the difference between the resident's water rights through the state and the water rights residents have through the Town.

Mayor Erley stated that some residents may lose their rights, and that in the future those residents could re-apply for water rights through the Town, and new owners would also be eligible to apply for Town water rights.

Council Member Drogin stated that she liked the "3 strikes you're out" mode of action.

Groo stated that the WUA's have supporting language inside them.

Mayor Erley stated that the Town is proving through the Water User Agreements the amount of water the Town is using. He also stated that the WUA are going to be updated to Tri-annually.

Council Member Drogin questioned if Tri-annually is the appropriate term?

Groo stated that if the WUA's are amended the updates should be sent out to make residents aware. He also stated that there are a lot of WUA's that were signed and rejected by the county recorder due to minor spelling issues in names.

*Council Member Duncan moved to table Item 11, Council Member Hill seconded, the Motion passed unanimously.*

## **UNFINISHED BUSINESS**

12. Discussion and Possible Action re: Town employee pay raise policy. [Tabled]

*Council Member Hill moved to untable Item 12, Council Member Drogin seconded, the Motion passed unanimously.*

Council Member Hill thanked Faylene Roth for the letter she wrote regarding this issue and felt that she made a lot of good points.

Mayor Erley stated that the council needs to look at the employee history to insure that all the employees are treated equally and would like to treat everyone fairly.

There was discussion surrounding the number of raises given to the current employees thus far.

Council Member Duncan asked if a list of employees, number of years, their positions, and wages be put together to decide what to do.

Council Member Hill asked if it would be possible to get enough information together to start working it into the budget for next year.

Council Member Duncan stated with our small government it would seem fair to do an annual raise opportunity.

Council Member Hill stated that if the Town has annual raises it wouldn't be long until the Town can't afford their employees.

Council Member Duncan stated that it seemed like the Council needs to find out how much there is in the budget for pay increases. She stated that the Town's employees already make a good wage comparatively.

PLUC Chair Fitzburgh stated that because the Town cannot provide full-time work the pay needs to be worthwhile to afford employees the time for the job.

There was discussion around merit raises, cost of living and longevity raises and the possibility of a 2% annual raise.

Mayor Erley inquired about the wage for the Mayor and what the Council would do regarding that wage.

There was discussion surrounding what would be affordable for the Town and the pay increases.

Mayor Erley stated that it seems like the road department is past due for a raise and perhaps a 2% raise would be good for the other employees.

Roth stated that she works with the County and they offer the longevity raise one year and a merit raise the next year. She stated that she really likes the evaluations for the opportunity to communicate well with her supervisors. She stated that goals that are set for the merit raise need to be worked upon for two years. She stated that there are 4 reviews a year and that she likes the idea of having more than one a year for better communication, clear expectations, and they also help employees get and stay on track.

PLUC Chair Fitzburgh stated that perhaps just a review for the annual evaluations would be beneficial.

Council Member Hill stated that she thinks regardless there should be a 2% raise budgeted in.

*Council Member Drogin moved to Table Item 12, Council Member Hill seconded, the Motion passed unanimously.*

13. Discussion and Possible Action re: The 2012 Exit Poll results. [Tabled]

*Council Member Hill moved to untable Item 13, Council Member Duncan seconded, the Motion passed unanimously.*

Council Member Hill stated that there does not seem like there is anything else that could be done regarding this issue and that it should be dropped.

Mayor Erley stated that the State will not let the Town do anything on this.

Council Member Drogin stated that she felt the State let the Town down.

PLUC Chair Fitzburgh stated that according to registered voters there were more in favor of the Town taking a stand on larger issues. 44 in favor and 42 against with 14 neutral.

Council Member Duncan stated that the Town definitely learned more about the process for next time.

14. Payment of Bills

Council Member Hill pointed out that the quarterlies appeared on the bills for this month.

Council Member Drogin inquired about the Honnen account bill.

Town Clerk Fuller replied that it was the tar and seal equipment.

*Council Member Drogin moved to pay the bills, Council Member Duncan second, the Motion passed unanimously.*

*Council Member Hill moved to adjourn, Council Member Drogin second, the Motion passed unanimously.*

#### **ADJOURNMENT**

Mayor Erley adjourned the meeting at 8:40pm.

**Approved:** \_\_\_\_\_  
David Erley, Mayor

**Attested:** \_\_\_\_\_  
Alison Fuller, Town Clerk