

MINUTES
SPECIAL TOWN COUNCIL MEETING
WEDNESDAY, MAY 4TH, 2016 AT 6:00 P.M.
CASTLE VALLEY COMMUNITY CENTER - 2 CASTLE VALLEY DRIVE

SPECIAL TOWN COUNCIL MEETING

Present: Mayor Erley, Council Members (CM): Duncan, Hill, Drogin, & O'Brien

Absent: None

Others Present: Leta Vaughn, Mary Beth Fitzburgh

Recorder: Faylene Roth

CALL TO ORDER

Mayor Erley called the Meeting to Order at 6:00 P.M.

I. Discussion and Possible Action Re: Appointing an Acting Town Clerk.

CM Duncan moved to appoint Faylene Roth as Acting Town Clerk, CM Drogin seconded, The Motion passed unanimously.

II. Discussion and Possible Action Re: Purchasing a perpetual right to draw water for fire protection and road maintenance on Lot 13.

CM Hill reported there is money in the Roads Budget at this time to purchase this for the Roads Department. She said the money could come from Leased Equipment and other extra funds. CM Hill said she is currently in the process of amending the budget and this amount will be included in the amended in the Water section. According to Hill, it will not come out of capital funds.

Duncan noted that the water will be available to the Fire District as well as the Roads Department. Mayor Erley reported that he and John Groo had talked with the Town's water attorneys at the Clyde Snow law firm and were told they should create an MOU with the Fire Department for perpetual use for fire protection and training rather than issue water rights to the Fire Department. According to Erley, the water attorneys have suggested consolidating all four of the Town water rights into one municipal water right that would be available for municipal uses: fire, irrigation, roads, etc.

CM Hill asked if that would affect the seniority of the Town's current water rights. Mayor Erley said that all the rights come from a similar date, but that establishing a senior date for all the water rights would be part of the discussion.

CM Duncan moved to approve the purchase of the perpetual water right.

Before continuing, CM Hill recommended they include the maintenance of the well in perpetuity. CM O'Brien asked if they should include the price of the purchase. Council Members agreed. Mayor Erley asked for a second and a vote for the first motion.

CM Drogin seconded the Motion; CM Drogin voted ^{nay}aye; Duncan, Erley, Hill, & O'Brien voted nay; the Motion failed to pass.

CM Duncan moved to approve the perpetual right to draw water for fire protection and road maintenance on Lot 13 purchase for the amount of ten thousand dollars (\$10,000.00) and that will include the perpetual use, maintenance, and easement CM Drogin seconded the Motion.


In further discussion, Mayor Erley reported that there is a clause in the agreement that states that once the property owners use more than five (5) acre feet, they will share all the expenses. If their use is under five (5) acre feet, the Town assumes responsibility for all expenses.

The Motion passed unanimously.

CM Duncan moved to adjourn, CM O'Brien seconded, the Motion passed unanimously.
Mayor Erley adjourned the Meeting at 6:10 P.M.

ADJOURNMENT

Approved:




Dave Erley, Mayor

Date:

5/18/16

Attested:



Acting Town Clerk

Acting Town Clerk

5-18-16

Date: