

**MINUTES**  
**THE REGULAR TOWN COUNCIL MEETING**

**WEDNESDAY, SEPTEMBER 15, 2021 AT 6:30 P.M.**

Council Members Present: Mayor Duncan and Council Members: Gibson, Hill, Holland and O'Brien.

Absent: None

Others Present: Ron Drake, Colleen Thompson, John Groo, Ryan Anderson, Marie Hawkins, Julie Baird, Laurie Simonson, Jessica Maw, Linda Skogrand and Mary Wakely

Clerk: Jocelyn Buck

**Regular Town Meeting**

M Duncan called the Meeting Order at 6:30 PM and delivered the Electronic Meeting Determination

Buck did roll call

**1. Open Public Comment:**

Jessica Maw (PLUC Clerk) commented the PLUC has put a lot of thought and deliberation into the Internal Accessory Dwelling Unit (IADU) language for 85-3 to comply with House Bill 82. The PLUC made changes that were in support of the historical direction of the Town. As a new member of the Community Maw supports the spirit of HB 82 when there is a housing crisis in Moab, Utah and across the United States, people are just trying escape circumstance beyond their control. However Castle Valley is special she hopes that at some point we can take a deeper look at HB82 and its potential impacts on the environment in the Valley.

**2. Approval of Minutes: Regular Town Council Meeting August 18, 2021.**

CM Hill motioned to approve the Minutes from August 18, 2021 CM Holland seconded motion passed unanimously

**3. Executive Reports:**

\*Water Agent and Water Committee Report - John Groo will have report next month. CM O'Brien verified that the State ARPA grant application for the monitoring well has been submitted. Pam Hackley will be looking into possible amendments to the Town's current watering Ordinance. The Committee had also discussed the potential impacts of IADUs on septic systems and that there are newer septic tanks that do purify water better. Utah State University- Moab might be interested in doing the Water Study peer review; M Duncan asked if we would need more than one peer review. She added that we would want to make sure the USU's peer review would be acceptable to the State Division of Water Rights. CM O'Brien agreed and stated the Marc Stilson had thought a peer review by either the Utah Geologic Survey or USU would be acceptable. CM O'Brien clarified the State ARPA grant would be for a new monitoring well out at the end of Shafer Lane it would give us more information on the volume of water entering the Town's region of the aquifer.

\*Roads Committee- M Duncan-Minutes, Database Reports and a Manager's report provided. The Road Manager and/or Equipment Operator II position(s) are still open.

\*Planning & Land Use Commission-Colleen Thompson. The PLUC has been busy working on language for IADU amendments to 85-3 see Item 6.

\* Community Renewable Energy Program CM Gibson reported C-REP board meeting will be changed to the first Monday at 1PM. We will be billed \$106.74 for phased one; Council pre-approved paying this by the end of the month. CM Gibson added a C-REP Communication Committee and Low Income Plan Committee have been formed and she has joined the later.

\*Solid Waste District- Diana Ackerman- not present, will report next month.

\*EMS District- Ed Weeks- emailed update. EMS has responded to 187 calls 56 % of which were for locals. M Duncan added that the Town currently has nobody that has EMT certification and an EMR cannot work unless an EMT is present. So the non transport ambulance service is grounded until further notice. Meanwhile our local EMT is in the process of re-certifying.

\*Fire District-Chief Drake not present.

\*Housing Task Force- M Duncan- minutes provided. M Duncan added that real estate prices in Castle Valley have increased dramatically which will add to difficulties for locals trying to find affordable housing. Council agreed that the inflated real estate prices affect the ability to fill positions County wide.

\*County Economic Advisory Board-M Duncan reported the Board will meet next month.

\* Dark Sky Team – Buck reported they received some feedback from IDA on our Draft Lighting Ordinance, so Faylene Roth, Colleen Thompson and herself met and made some minor changes to the Ordinance and it is now ready for the PLUC.

**4. Correspondence:** M Duncan read an update email from Jared Anderson (Emery)

As of this week Emery has done 30 complete installs, 54 drops to residences and there are 47 orders that need drops installed. Emery has 4 construction technicians working in the Valley every day and hopes to have all existing orders completed by the end of October. And it was his understanding that VmCo has moved out that they had their final inspection last Friday and everything looked good. M Duncan was not aware of the final inspection and has let Emery know we are not happy with how some roads have been left. They are aware Cliff view as well as some other areas still need road base and/or work. Linda Skogrand added that the Emery install crew has been really great to work with. Maw had run into some discrepancy between the Emery office and the installation crew with her installation dates.

**5. Administrative Matters & Procedures:** Town letters-Manti Lasal Forest Service comment period deadline 10.25.2021. CM Holland stated that the alternative management plan includes consideration of the effects of drought the regular Forest Service plan does not. CM Holland and CM O'Brien will be working on comments for next month's meeting .CM Holland will circulate the Alternative Plan. Buck reported we have submitted two State ARPA Matching Grant applications, one for the Community lot Vault toilet and the other for the Monitoring well. We will know if we got the grants at the end October. There was further discussion on when to put the Vault toilet out to bid and this will be decided next month. There will be memorial for Cris Coffey at the Town Pavilion at 4PM on 10.9.2021. Chipper Day is 10.18 and 19. Friends of Castle Valley Fire District email list, Buck asked if she can use the Town email list for Linda Skogrand to send out a fund raising letter for the Fire District. After some discussion it was decided this was an important cause for the Community and Council agreed to it as long as the letter came from a separate Mailchimp account, not from the Town's official account.

## **NEW BUSINESS**

**6. Discussion and Possible Action re: Approval of Amendments to Ordinance 85-3 Ch. 5.2 and 5.7 Re: Shipping Containers and the addition of Definitions and Ch. 5.10 Re: Interior Accessory Dwelling Units.** M Duncan and the Council thanked the PLUC for all their work and professionalism on these amendments. The amendments have also received legal review. CM Hill asked if we could limit the square footage of IADUs. Thompson responded we cannot limit size by square footage or percentage of main dwelling. CM Holland asked why the definition of "family" had been removed. Thompson responded we are not allowed by the State to limit occupants or define how occupants are related in an Ordinance. Council agreed this language has been problematic. Another question was why "dwelling" had been replaced for structure or building. Thompson and Maw explained to keep consistent a "dwelling unit "would be a dwelling within the main dwelling. Accessory Structure was a new definition to replace accessory building consistent throughout Ordinance. CM Holland had questions about some grammatical error throughout the Ordinance; Maw agreed grammar should be cleared up administratively. M Duncan added that those changes could be made but the meaning of the Ordinance cannot be altered.

CM Hill motioned to adopt draft dated 9.21.2021 Amendments to Ordinance 85-3 Ch. 5.2 and 5.7 Re: Shipping Containers and the addition of Definitions and Ch. 5.10 Re: Interior Accessory Dwelling Units as presented, CM Gibson seconded, motion passed unanimously.

The Council unanimously thanked the PLUC for their work.

**7. Discussion and Possible Action re: Resolution 2021-9 Canceling the November 2021 Municipal Election.**

M Duncan explained that we had the same number of declared candidates as open positions.

CM O'Brien motioned to adopt Resolution 2021-9 Canceling the November 2021 Municipal Election. CM Holland seconded, motion passed unanimously.

**8.** Discussion and Possible Action re: with Utah Geologic Survey.

CM Hill motioned to approve Water Monitoring Memorandum of Understanding; CM O'Brien seconded motion passed unanimously.

**9.** Discussion and Possible Action re: Approval of Legal Services Agreement.

CM Hill verified that all documents Simonson would work on are owned by the Town and she holds her own liability insurance. Council thanked Simonson for her generous offer.

CM Gibson motioned to approve the Legal Services Agreement; CM Holland seconded motion passed unanimously.

**10.** Discussion and Possible Action re: Recommendations to hire Road Manager and Equipment Operator 2 Position(s).

M Duncan had a recommendation from the Road Committee, but the applicant(s) are still undecided on whether to take the position(s). CM Gibson asked for clarification on what positions the Mayor go ahead and hire for and which positions need Council approval. It was decided we need to work on defined hiring protocol.

**UNFINISHED BUSINESS-** None

**11.** Closed Meeting (If necessary)

**12.** Payment of the bills.

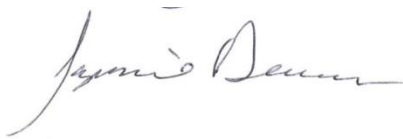
CM Gibson motioned to pay the bills to include \$106.74 Invoice for C-REP dues, CM O'Brien seconded, motion passed unanimously.

**ADJOURNMENT**

CM Hill motioned to adjourn, CM Holland seconded, motion passed unanimously.

M Duncan adjourned the Meeting at 7:50 PM

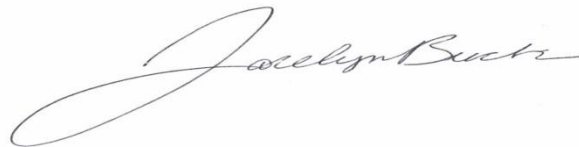
**Approved:**



**Jazmine Duncan, Mayor**

**Date: 10.21.2021**

**Attested:**



**Jocelyn Buck, Town Clerk**

**Date: 10.21.2021**