

MINUTES
MEETING OF THE TOWN COUNCIL,
TOWN OF CASTLE VALLEY
WEDNESDAY, SEPTEMBER 15, 2010 – 6:30 P.M.
CASTLE VALLEY COMMUNITY CENTER
2 CASTLE VALLEY DRIVE

Town Council Members Present: Dave Erley, Valli Smouse, Tory Hill, Brooke Williams. **Absent:** Aaron Davies.

Others Present: Dave Evans, Ron Mengel, Greg Halliday, Ron Drake, Mary Beth Fitzburgh, Leta Vaughn, Brian Murray, Cris Coffey, Erik Secrist.

1. Call to Order: 6:32 P.M.
2. Open Public Comment.

Ron Mengel said that the Commissioners for the Castle Valley Fire Department had a meeting and discussed recent floods and washouts in Castle Valley. They would like to extend any help or expertise needed with regard to grants or funding.

3. Approval of Minutes: August 18, 2010 Regular Town Council Meeting.

Tory motioned to approve as presented. Valli seconded the Motion. Dave, Tory and Valli all approved the Motion. Brooke abstained. The Motion passed with three in favor, one abstained.

4. Reports:

. Roads (Greg Halliday – Joan Sangree not present)

Greg submitted a Road Report for September, 2010 for the Red Books detailing the status of all ongoing projects and answered questions related to this.

. PLUC (Mary Beth Fitzburgh)

Mary Beth submitted a report for the Red Books. Tory asked about the draft of the latest amendments to Ordinance 85-3 and the specifications with regard to animal gender (i.e., female versus male goats; roosters versus chickens). Mary Beth responded that male goats emit an offensive odor where the females do not. Also, roosters are much louder than chickens.

. Treasurer's Report (Tory Hill)

Tory submitted a report for the Red Books and offered to answer any questions on it. There were no questions.

Dave commented that any extra funds in the budget, unless otherwise allocated, go into the Castle Valley Drive fund for future resurfacing needs. Greg said that the cost of resurfacing Castle Valley Drive last fall was \$90,000.

New Business:

5. Discussion and Possible Action re: Town of Castle Valley Water Rights Affirmation Process (Ron Mengel).

Ron stated that:

- A. Group 1 (83 lot owners) have returned their paperwork and it is correct; and
- B. Group 2 (60 potential water users) have not returned any paperwork.

Dave and the Town Council thanked Ron for all of his hard work.

Brooke motioned to accept the letters as written and send them out by the stated date. Tory seconded the Motion. Dave, Valli, Tory and Brooke all approved the Motion. The Motion passed unanimously.

6. Discussion and Possible Action re: State Division of Water Rights Stream Alteration Permit Process.

Dave said that the Division of Water Rights' typical Stream Alteration Permit is \$500 and that it allowed five years in total for maintenance. Dave is hoping to combine both of the Placer Creek Crossings on one permit but this may not be possible.

Dave said that an agreement with the property owners prior to getting a Stream Alteration Permit that had Gerry Kinghorn 's approval would be needed. He thinks this is a necessary investment of Gerry's time because the Town can use this type of agreement as a blueprint for other drainage projects and, now in this particular instance at the upper Placer Creek crossing.

Greg has already had experience getting a Stream Channel Maintenance Agreement, as he handled this with SITLA last year.

Tory thinks we should first talk with the affected parties.

Valli motioned to proceed with contacting the property owners concerned in the Upper 80 and work with the Roads Committee on an Agreement to pass along to Gerry Kinghorn. Then we can proceed on the Stream Alteration Permit. Tory seconded the Motion. Dave, Valli, Tory and Brooke all approved the Motion. The Motion passed unanimously.

Valli commented that the Roads Committee is in full support of this.

Ron Mengel commented that the NRCS study said that the Upper 80 improvements would negatively impact properties downstream.

7. Discussion and Possible Action re: Request for Funds for Food at the Castle Valley Gourd Festival (Cris Coffey).

Cris submitted a letter for the Red Books requesting that the Town donate funds for food at the Gourd Festival.

Tory motioned that the Town Council donate \$250.00 toward food at the potluck, the same amount that has been donated in the past. Valli seconded the Motion. Valli, Tory and Brooke all approved the Motion. Dave abstained. The Motion passed with three in favor, one abstained.

8. Discussion and Possible Action re: Approval of CUP for Lot 280.

When asked about how he is dealing with the issues of smell from the goats, Erik replied that he rotates his pastures frequently.

Brooke motioned to approve the CUP for the Castle Valley Creamery with the conditions set by the PLUC in Erik's application. Tory seconded the Motion. Dave, Tory and Brooke all approved the Motion. Valli opposed. The Motion passed with three in favor, one opposed.

9. Discussion and Possible Action re: Parking School Bus on Town Lot and Creating a Turnaround at Castle Valley Drive and Keogh Lane.

Dave has spoken with the School District Administrator with regard to this issue, and has stated that the School District must bear responsibility for any damage done to the vehicle(s) while on Town property. (The vehicles are: the school bus overnight and on weekends, and a car driven by the bus driver to and from Moab on a daily basis that is parked in the Town lot during the day.) Dave has told the Administrator that our insurance company has advised us to secure an agreement with the School District stating that the Town is not liable for anything that happens with the bus unless done directly by the Town.

Brooke motioned to incorporate a place for the school bus into the planning for the road shed. Valli seconded the Motion. Dave, Valli, Tory and Brooke all approved the Motion. The Motion passed unanimously.

10. Discussion and Possible Action re: Prioritization of CIB List.

Dave said that our 2011 priority is the road shed, which will cost approximately \$100,000. The priority for 2012 will be for drainage structure upgrades and associated engineering. The priority for 2013 will be for funds to update a drainage study.

We will work with the Fire Department to find other sources so that we could match CIB funding.

Brooke motioned to accept the priority list for 2011 for the road shed, for 2012 for the CIB proposal to do drainage structure upgrades and associated engineering, and 2013 apply for money to update a drainage study. Valli seconded the Motion. Dave, Valli, Tory and Brooke all approved the Motion. The Motion passed unanimously.

Old Business:

11. Discussion and Possible Action re: Organization a 10/10/10 Event Such as a Tree Planting or a Community Trash Clean-Up (Brooke).

No action taken.

12. Discussion and Possible Action re: Award of Solar Bid.

Tory motioned to give the project to the bidder who scored the highest in overall points, American Solar Power. Brooke seconded the Motion. Dave, Valli, Tory and Brooke all approved the Motion. The Motion passed unanimously.

13. Discussion and Possible Action re: Prioritization of CIB List.

Skipped – repeat of previous item.

14. Discussion and Possible Action re: Purchase of 1998 Dump Truck for \$11,000 and the Purchase of a New 1,000 Gallon Plastic Tank for up to \$1,000 to Retrofit the Present Dump Truck as a Water Truck. The Roads Committee Recommends Sending the Old Water Truck to Salvage.

Brooke motioned to purchase the 1998 dump truck for \$11,000 and to allocate \$1,000 to purchase a new 1,000 gallon plastic tank to retrofit the present dump truck as a water truck. Valli seconded the Motion. Dave, Valli, Tory and Brooke all approved the Motion. The Motion passed unanimously.

15. Discussion and Possible Action re: Resolution on Roads Committee Recommendations of Areas for “No Winter Maintenance” (tabled).

Valli motioned to untable the item. Brooke seconded the Motion. Dave, Valli, Tory and Brooke all approved the Motion. The Motion passed unanimously.

Dave commented that if we do not provide winter maintenance on these roads, we would have to allow snowmobiles.

Brooke motioned to retable the item. Tory seconded the Motion. Dave, Valli, Tory and Brooke all approved the Motion. The Motion passed unanimously.

16. Payment of Bills.

Brooke motioned to pay the bills as presented. Tory seconded the Motion. Dave, Valli, Tory and Brooke all approved the Motion. The Motion passed unanimously.

17. Closed meeting (if needed).

None required.

Brooke motioned to adjourn the meeting. Tory seconded the Motion. Dave, Valli, Tory and Brooke all approved the Motion. The Motion passed unanimously.

Adjournment: 8:28 P.M.

APPROVED:

ATTESTED:

Dave Erley, Mayor

Denise Lucas, Town Clerk