

MINUTES  
REGULAR MEETING OF THE TOWN COUNCIL,  
TOWN OF CASTLE VALLEY  
WEDNESDAY, AUGUST 17, 2011 AT 6:30 P.M.  
CASTLE VALLEY COMMUNITY CENTER  
2 CASTLE VALLEY DRIVE

**Town Council Members Present:** Mayor Dave Erley, Council Members Tory Hill and Brooke Williams.

**Absent:** Council Member Lynne Henry.

**Others Present:** Bob O'Brien, Greg Halliday, Mary Beth Fitzburgh, Lete Vaughn, Ron Drake, John Groo.

1. Call to Order: 6:35 P.M.

2. Open Public Comment.

Ron Drake mentioned that he had seen some activity at the intersection of Routes 191 and 128 with regard to the recently installed stop lights and the painting of lanes.

3. Approval of Minutes:

Approval of Minutes: May 16, 2011 MBA Meeting, Public Hearings and Regular Town Council Meeting.

Council Member Williams motioned to approve as presented. Council Member Hill seconded the Motion. Mayor Erley and Council Members Hill and Williams all approved the Motion. The Motion passed unanimously.

Approval of Minutes: July 20, 2011 Regular Town Council Meeting.

Council Member Hill motioned to table passing these Minutes until next month's meeting. Council Member Williams seconded the Motion. Mayor Erley and Council Members Hill and Williams all approved the Motion. The Motion passed unanimously.

4. Reports:

- Roads (Roads Manager).

The Roads Manager provided a Roads Report for the Red Books. There were no questions on the Report.

The Roads Manager mentioned that the Town may have extra dirt available as the result of cleaning out ditches along Castle Valley Drive. Mayor Erley mentioned that the Town Clerk will be taking names of parties interested in this dirt, and they will be contacted on a first come, first serve basis. He also mentioned that contractors may only charge for the dirt transport, and cannot charge for the dirt itself which was supplied to them free of charge.

Leta Vaughn asked how to be included on this list. The Town Clerk said that she would put her on the list.

- PLUC (PLUC Chairperson).

The PLUC Chairperson provided a PLUC August 3, 2011 Meeting Report for the Red Books, giving summaries and dispositions of the issues covered in that meeting. Included in this Report was information obtained by the PLUC Chairperson regarding solar panels and windmills.

Mayor Erley had a few questions on the solar portion of the Report, which the PLUC Chairperson answered.

#### **New Business:**

5. Discussion and Possible Action re: Updated Job Description for the Town Clerk's Position.

Mayor Erley stated that we are in the process of updating our database, which is 20 to 25 years old. Our standing as a Municipal Water Rights Provider requires that we administer our water rights prudently. Our current database is out-of-date and our Water Rights Agent cannot query and pull the reports he requires off of our current database. Therefore, we must include database skills in the job description for our Town Clerk.

An updated Job Description for the Town Clerk's position was included in the Red Books. Council Member Hill motioned to accept the updated Job Description for the Castle Valley Town Clerk's position and to have this position posted by the September 21, 2011 Regular Town Council Meeting. Council Member Williams seconded the Motion. Mayor Erley and Council Members Hill and Williams all approved the Motion. The Motion passed unanimously.

#### **Change in Order of Business:**

6. Discussion and Possible Action re: Town of Castle Valley Clerk's Position.

Council Member Hill requested a change in the order of business to address this item in a Closed Meeting at the end of the Regular Town Council Meeting. Council Member Williams seconded

the Motion. Mayor Erley and Council Members Hill and Williams all approved the Motion. The Motion passed unanimously.

**Resumption in Normal Order of Business:**

7. Discussion and Possible Action re: Grand County General Plan Revision.

Mayor Erley commented that Mary Beth Fitzburgh was appointed to represent the Town in the working group for the Grand County General Plan Revision Project which began meeting in August, 2010. He said that both Mary Beth and Pam Hackley have represented us admirably at the abovementioned meetings.

Mayor Erley explained that the Town of Castle Valley is not eligible for source water protection zones because, according to State code, you must have municipal wells in order to qualify.

Mayor Erley said that the Town has been very vocal about our concern for our watershed, and the proposed changes to the Grand County General Plan have done little to allay our concerns. Krissie Killoy, the Grand County Planner, and Mary Hofhine, of the Planner's Office, both suggested that the Town send them a letter representing our position on this issue and outlining the Town of Castle Valley's unique water situation. Council Member Williams motioned to approve the submission of the amended letter of August 18, 2011 to Grand County Planner, Krissie Killoy, and the Grand County Planning and Zoning Commission. Council Member Hill seconded the Motion. Mayor Erley and Council Members Williams and Hill all approved the Motion. The Motion passed unanimously.

8. Discussion and Possible Action re: Appointment of a New Town Council Member to Fill the Seat of Aaron Davies for the Remainder of His Term (i.e., December 31, 2011).

Mayor Erley thanked Council Member Davies for his three and one-half years of service to the community, and asked the Town Clerk to post this position tomorrow. The last day for submission for letters of interest will be Wednesday, September 14, 2011 at 5:00 P.M. An appointment to the vacant seat from the interested parties will be at the Regular Meeting of the Town Council on Wednesday, September 21, 2011.

Also, in light of the resignation of Assistant Treasurer and Council Member Davies, Treasurer and Council Member Hill motioned to appoint Council Member Williams as our new Assistant Treasurer. Council Member Williams seconded the Motion. Mayor Erley and Council Members Hill and Williams all approved the Motion. The Motion passed unanimously.

9. Discussion and Possible Action re: New Fee Sheet for the Town of Castle Valley (approved by the PLUC on August 3, 2011).

Council Member Williams motioned to approve the new Town of Castle Valley Permit Applications and Fees Sheet as presented. Council Member Hill seconded the Motion. Mayor Erley and Council Members Hill and Williams approved the Motion. The Motion passed unanimously.

**Old Business:**

10. Discussion and Possible Action re: Next Steps for the Community Impact Board Road Shed Grant/Loan (tabled).

Council Member Hill motioned to untable the item. Council Member Williams seconded the Motion. Mayor Erley and Council Members Hill and Williams all approved the Motion. The Motion passed unanimously.

The Roads Committee recommended that the Town accept the 30 year, 2 ½ percent loan offered by the CIB and budget to pay this off in 20 years.

Council Member Williams motioned to accept the CIB offer as presented. Council Member Hill seconded the Motion. Mayor Erley and Council Members Hill and Williams all approved the Motion. The Motion passed unanimously.

11. Discussion and Possible Action re: Awarding the Castle Valley Scholarship.

There was only one application for the Scholarship, and this was sent via email after the closing date for submissions.

The Town Clerk, at the Mayor's request, talked with the donor. At the time, there were no submissions for the Scholarship and the donor directed that the Town roll the \$2,000 scholarship over until 2012 to cover next year's Scholarship.

After some discussion, Council Member Williams motioned that the Town Council not accept the late submission and roll the Scholarship donation over until next year. Council Member Hill seconded the Motion. Mayor Erley and Council Members Hill and Williams all approved the Motion. The Motion passed unanimously.

**Change in Order of Business:**

Council Member Hill motioned to change the order of business by discussing item 13 before item 12. Council Member Williams seconded the Motion. Mayor Erley and Council Members Williams and Hill approved the Motion. The Motion passed unanimously.

13. Discussion and Possible Action re: Moab Area Watershed Partnership (MAWP).

The Mayor commented that the SITLA document (item 13 in the Red Books) does not affect the Town of Castle Valley.

Council Member Hill asked for clarification of our status on the Partnership Agreement. The Mayor replied that at the July 20, 2011 Regular Town Council Meeting, a motion was made and carried to send the Partnership Agreement back with no changes. At present, we have joined as a "Member in Concept"; however, we now have the opportunity to sign on to the original Partnership Agreement drafted on March 10, 2011.

Council Member Williams motioned to sign on to the MAWP Partnership Agreement. Council Member Hill seconded the Motion. The Mayor and Council Members Williams and Hill all approved the Motion. The Motion passed unanimously.

12. Discussion and Possible Action re: Database (tabled).

Council Member Hill motioned to untable the discussion about the database. Council Member Williams seconded the Motion. Mayor Erley and Council Members Hill and Williams all approved the Motion. The Motion passed unanimously.

Mayor Erley said that we need to put the new computer equipment, software and labor out to bid.

After an open discussion with John Groo on the types of hardware needed, Mayor Erley said that he will ask Ron Mengel to look over the equipment list before we post our Invitation to Bid.

Council Member Williams motioned that we put this system out to bid. Council Member Hill seconded the Motion. Mayor Erley and Council Members Hill and Williams all approved the Motion. The Motion passed unanimously.

**Resumption of Normal Order of Business:**

Council Member Hill motioned to resume the normal order of business. Council Member Williams seconded the Motion. Mayor Erley and Council Members Hill and Williams all approved the Motion. The Motion passed unanimously.

14. Discussion and Possible Action re: Ordinance 2004-4, An Ordinance Prohibiting the Take-Off, Landing and Flight of Powered Ultralights and Other Aircraft in Castle Valley, Utah (tabled).

Left tabled.

15. Payment of Bills.

Council Member Hill motioned to pay the bills as presented. Council Member Williams seconded the Motion. Mayor Erley and Council Members Hill and Williams all approved the Motion. The Motion passed unanimously.

16. Closed Meeting (if needed).

The Town Council temporarily adjourned from the Regular Town Council Meeting to a Closed Meeting to discuss the competence or physical or mental health of an individual (see Item 6 for the Motion).

The Town Council went into closed meeting at 7:58 P.M.

The Town Council returned from the Closed Meeting 8:23 P.M.

Council Member Williams motioned to adjourn the Regular Town Council Meeting. Council Member Hill seconded the Motion. Mayor Erley and Council Members Williams and Hill all approved the Motion. The Motion passed unanimously.

Adjournment: 8:24 P.M.

**APPROVED:**

**ATTESTED:**

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**David D. Erley, Mayor**

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**Denise Lucas, Town Clerk**