

MINUTES  
REGULAR MEETING OF THE TOWN COUNCIL,  
TOWN OF CASTLE VALLEY  
WEDNESDAY, APRIL 20, 2011 AT 6:30 P.M.  
CASTLE VALLEY COMMUNITY CENTER  
2 CASTLE VALLEY DRIVE

1. Call to Order: 6:33 P.M.
2. Open Public Comment.
  - A. Jim Lindheim presented a paper entitled “Legal Framework for Solar Panels (and Windmills?)” to the Town Council (see Attachment 2A). He requested that the Town Council direct these issues to the PLUC.
  - B. Lynn Henry reported an incident regarding a dog that was dumped in Castle Valley last week. She said that this is a common occurrence that she and Tom have witnessed several times in the past. In this instance, they were able to write down the license plate number, and the make, model and color of the vehicle. However, the Sheriff’s Office refused to pursue this. Lynn then called the animal shelter and was told that neither the City nor the County has an agreement with Castle Valley.
  - C. Beth Joseph (our School Board Representative) and Robert Farnsworth (the School Board’s Business Administrator) gave a short presentation to bring us up-to-date on the situation with the School District.
3. Approval of Minutes:
  - February 28, 2011 Special Town Council Meeting.

Tory motioned to approve the Minutes as presented. Brooke seconded the Motion. Tory, Dave and Aaron approved the Motion. Brooke abstained. The Motion passed with three in favor, one abstained.
  - March 16, 2011 Regular Town Council Meeting.

Brooke motioned to approve the Minutes as presented. Tory seconded the Motion. The Motion was voted down unanimously.

Tory motioned to approve the Minutes as amended. Brooke seconded the Motion. Dave, Tory and Brooke approved the Motion. Aaron opposed. The Motion passed with three in favor, one opposed.

- April 4, 2011 Special Town Council Meeting.

Approval of these Minutes was postponed pending further Council review.

4. Reports:

- Roads (Greg Halliday and Joan Sangree)

Aaron asked for clarification on the purchase of the new speed limit signs. Greg responded that the reflectivity on the old signs had broken down and the signs needed to be replaced.

Joan asked for information on building permit fees and what they cover. Dave recommended asking the PLUC to discuss this as one of their next meeting Agenda items, as the Town is incurring greater expense on the roads as a result of construction traffic. Also, the administrative time to do inspections is costing more.

Joan commented that when Greg is working on the grader he is unaware of vehicles behind him. Greg asked if we could make people aware via the website and requested permission to put a sign on the back of the grader saying, "Driver Cannot See You – Honk Before Passing". The Town Council approved putting the sign on the back of the grader and commented that the sign represents due diligence to warn of the problem.

- PLUC

Mary Beth Fitzburgh was not present for the meeting, but had provided a document for insertion in the Red Books. There were no comments on the document.

**New Business:**

5. Discussion and Possible Action re: Approval of Resolution 2011-1 Repealing Resolution 96-3.

Brooke moved to adopt Resolution 2011-1 as presented. Tory seconded the Motion. Dave, Aaron, Tory and Brooke all approved the Motion. The Motion passed unanimously.

6. Discussion and Possible Action re: Resolution 2011-2 Authorizing the Mayor and the Town Clerk to Sign the Water User Agreement on Behalf of the Town of Castle Valley.

Brooke moved to adopt Resolution 2011-2 as amended. Tory seconded the Motion. Dave, Tory, Aaron and Brooke all approved the Motion. The Motion passed unanimously.

7. Discussion and Possible Action re: Changing the Date of the May Regular Town Council Meeting from May 18 to May 16, 2011.

Tory motioned to move the Regular Town Council Meeting of May 18 to May 16. Brooke seconded the Motion. Dave, Aaron, Brooke and Tory approved the Motion. The Motion passed unanimously.

8. Discussion and Possible Action re: Scope of Database Work.

On Monday, April 25, 2011, John Groo will be at the Town building to meet with Ron and Dave to assess the Town's needs for the new database, as well as Ron, Faylene, Greg and Denise individually to understand each employees needs for the database. After these meetings, John will have a better understanding of our needs and will come back to us with a scope of work and estimate. Included in the cost will be hardware and software upgrades.

9. Discussion and Possible Action re: Weed Czar Duties and Funding.

Mary Rees has expressed an interest in this position. Dave met with Pam Hackley, Tamsin McCormick and Mary Rees to discuss the parameters of the job.

Dave said that Plateau Restoration is no longer receiving grants to eradicate knapweed in Castle Valley. They feel that it is time for the Town to take on this responsibility. We would need a person to locate the knapweed and then get a volunteer group to do the weeding. We have \$500 in the budget from last year and are allocating \$1,000 for this FY2011.

Most of the knapweed is outside the Town limits. Aaron expressed his concern with establishing a position within the Town structure to deal with something that is not in the Town. Dave responded that the knapweed is in our watershed. Aaron suggested that we contract with someone rather than employ someone to handle this.

Dave will come back to the Town Council with a recommendation at the May 16, 2011 meeting after talking with Mary Rees.

10. Discussion and Possible Action re: Construction of a Town Road Shed.

Dave talked with the CIB and found out that we can use a cost estimate instead of actual bids to apply for a CIB grant/loan for the construction of a Town Road Shed.

Dave said that we will need to be bonded for this project if we receive a loan instead of a grant.

Joan mentioned that Tory needs to be part of the CIB application process. Dave will email Tory the application and will meet with her to complete this.

Joan said that Jim and Valli Smouse will do the plot plan.

11. Discussion and Possible Action re: Pre-Disaster Mitigation Plan (Per the Disaster Mitigation Act of 2000).

The comment was made that if we don't sign up for this Plan and then we need help, they will remember that we didn't sign up. This Plan mostly deals with fires and floods.

Brooke will try to attend the next meeting, as Aaron and Dave have scheduling conflicts. Brooke will find out what we need to do and come back to the Town Council with a report. The Council decided to sign up.

12. Discussion and Possible Action re: Castle Valley Scholarship.

The Town has received the funding check for the Scholarship early this year. The Town Council authorized posting the Castle Valley Scholarship Notice immediately.

13. Discussion and Possible Action re: Ordinance 2011-1, An Ordinance Adopting the 2009 International Building Code (Plus Appendix J), 2009 International Residential Code, 2009 International Mechanical Code, 2008 National Electrical Code, 2009 International Plumbing Code (Plus Appendix C), 2009 International Fuel Gas Code, 2009 International Energy Conservation Code, 2009 International Fire Code, and A117.1-2003.

Brooke motioned to adopt Ordinance 2011-1 as amended. Tory seconded the Motion. Dave, Tory, Brooke and Aaron all approved the Motion. The Motion passed unanimously.

14. Discussion and Possible Action re: Appointment of Dave Erley to the Roads Committee.

Aaron motioned to appoint Dave to the Roads Committee for a term of four months. Brooke seconded the Motion. Brooke, Tory and Aaron all approved the Motion. Dave abstained. The Motion passed with three in favor, one abstained.

15. Discussion and Possible Action re: Appointment of a New Town Council Member to Fill the Seat of Valli Smouse for the Remainder of her Term (i.e., December 31, 2011).

Dave went on record as saying that Valli had selflessly served the Town of Castle Valley as Mayor and Council Member for a very long time, thanked her for these years of service and

wished her well in her future endeavors.

The Town Council approved posting this position immediately.

**Old Business:**

16. 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.

17. Payment of Bills.

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

18. Closed Meeting (if needed).

None required.

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

Adjournment: 9:26 P.M.

APPROVED:

ATTESTED:

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David D. Erley, Mayor

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Denise Lucas, Town Clerk

Legal Framework for Solar Panels (and Windmills?)

Height

For on-ground installation

For roof installation (relationship to building height limits)

Visibility

Ordinance 92-1 says "all new electrical utility services should be installed underground"

Ordinance 85-3 says gas tanks shall be either buried below the surface of the ground or screened from public view by fencing or shrubbery

Setback from lot lines?

Nuisance issues:

Glare from panels into others' homes  
Noise from windmills

Safety requirements/ standards

What if someone wants to create a solar farm/wind farm as a business -just another conditional use?