

MINUTES
REGULAR MEETING OF THE TOWN COUNCIL,
TOWN OF CASTLE VALLEY
WEDNESDAY, APRIL 15, 2009 – 6:30 P.M.
CASTLE VALLEY COMMUNITY CENTER
2 CASTLE VALLEY DRIVE

Town Council Members Present: Damian Bollermann, Ranna Bieschke, Jim Lindheim, Aaron Davies. **Absent:** Valli Smouse

Others Present: Jack Campbell, Greg Halliday, Pam Hackley, Ron Drake, Joan Sangree, Mary Beth Fitzburgh, Leta Vaughan, Dan Erley, Jim Tharp.

1. Call to Order: 6:30 P.M.

2. Open Public Comment.

None.

Approval of Minutes:

3. Approval of Minutes: March 18, 2009 Regular Town Council Meeting.

Jim motioned to approve the Minutes. Aaron seconded the Motion. Damian, Jim, and Aaron all approved the Motion. Ranna abstained. The Motion passed with three in favor, one abstained.

4. Reports:

. Roads (Damian Bollermann, Joan, Greg)

Greg reported on road work done to date under his supervision as Road Manager. In addition to work shown in the Report, an extension of a culvert on Pace Lane has been installed. Council Members agreed that the Road Work Report, with suggested modifications, should be included on the Town website and updated monthly by Denise. The Council requested that the Road Committee review the work as it is done.

After a review of the Town's culvert policy, it was agreed that the Road Committee would draft an ordinance for Council approval. The final ordinance will be posted on the Town's website.

Greg confirmed that the exposed electrical conduit on lower Shafer and the exposed telephone line in the upper 80 have not been repaired. Rocky Mountain Power and Frontier Communications have been notified.

Joan reported that two people have applied for the open position on the Road Committee; she has talked with both applicants but no action has been taken.

. PLUC (Mary Beth Fitzburgh)

Mary Beth submitted the PLUC report and informed the Council that PLUC proposes to modify the definition of the term “basement” in Ordinance 85-3. A Public Hearing on the change is scheduled for the next PLUC meeting on May 6, 2009.

. Treasurer’s Report (Jim Lindheim)

Jim summarized the Balance Sheet and Year-to-Date Expenditures as of March 31, 2009. He reported an error in the Roads section, but affirmed that expenses are still within budget. The Council agreed that Ranna should work with the Road Department to have final grading work done around the basketball court, since there is money left over from the money allocated for the court.

New Business:

5. Discussion and Possible Action re: Water Rights (Damian Bollermann).

Jim and Damian met today with Rick Wild and Mark Stillson, representing the Price office of the Utah Division of Water Rights, regarding the current status of Castle Valley’s water rights. SITLA has registered a water rights protest regarding a well in the upper portion of Castle Valley which must be resolved before the water rights adjudication can be completed, but it appears to be a simple matter of a well location which was improperly mapped. Damian will ask Gerry Kinghorn to resolve the protest issue. The protest period is over so no other obstacles exist to interfere with completing the adjudication.

Three approaches to handling water rights are available to Castle Valley: 1) segregation which assigns specific quantities of water rights to specific lots; 2) issuance of water permit agreements from the town to individual landowners under our classification as a “public water supplier” with some form of administration not requiring segregations to be worked out with DWR; and 3) placing Castle Valley water rights in a municipal category. In the first two approaches, individual landowners are responsible for costs associated with proving their water rights. Under the third approach, no proving is required. The general consensus from the Council was to place Castle Valley water rights in the municipal category because it would give more flexibility in transferring and applying water rights to where they were needed.

The options available to issue water rights in the short run are: 1) the State issues start cards and the owner agrees to sign an agreement with the Town once the final water permit agreement is written; or 2) the State will continue to issue new start cards based on our State water rights until a new water permit agreement has been approved. Damian agreed to pursue the second option with Gerry Kinghorn and to set up a workshop with Kinghorn and Town Council members before the next Town Council meeting.

Old Business:

6. Discussion and Possible Action re: Status of NRCS Project.

Aaron provided a handout detailing the progress with obtaining easements for road improvements that are included in the NRCS Project. Aaron reported that some people do not want to sign the easement until they see the final NRCS design plan. NRCS agrees to move ahead with verbal agreements until the final design plan is available. Accommodations can then be discussed with landowners before they sign the easements.

According to Aaron, the rock source is still uncertain; however, a new source of rock that could be used for gabion baskets is now available from an old mine on BLM land near the Dewey Bridge. Discussion with the Forest Service regarding the use of the mountain rock on the LaSal Loop Road is at a standstill. Congressman Matheson's office has offered to set up a joint meeting with representatives from the Forest Service and Castle Valley in order to restart the discussion of use of the mountain rock, which could be used for riprap on the project. The Council directed Aaron to focus on procurement of rock from the BLM mine site that would be used for gabion baskets and to forego the pursuit of the mountain rock. Aaron will again approach property owners to seek easements based upon the use of gabion baskets.

Council members expect to decide at the next Town Council meeting whether the project will proceed. Other issues to decide include: road options for transporting material into the Town to the work sites and adjustments to the final cost of the project due to the change to gabion baskets, the cost of road repair, and in-kind work provided by the Town.

It is expected that most of the work will be done on roads, with very little work done on private property. The Town might be responsible for maintenance on the gabion baskets.

7. Discussion and Possible Action re: Summary of Recommended Changes by the PLUC to Ordinance 85 – 3 (tabled).

Jim motioned to take this item off the table. Ranna seconded the Motion. Damian, Jim, Ranna, and Aaron all approved the Motion. The Motion passed unanimously.

Council members reviewed changes made in Ordinance 85 - 3, dated March 9, 2009, and made minor corrections. Mary Beth reported that further amendments to Ordinance 85 - 3 are still to come.

Jim motioned to pass Ordinance 85 - 3 with changes made today marked March 9. Ranna seconded the Motion. Damian, Jim, Ranna, and Aaron all approved the Motion. The Motion passed unanimously.

8. Payment of Bills.

Jim motioned to pay the bills as presented as long as we make sure there are no duplicates. Ranna seconded the Motion. Damian, Jim, Ranna, and Aaron all approved the Motion. The Motion passed unanimously.

9. Executive Session (if needed).

None required.

Ranna motioned to adjourn the meeting. Aaron seconded the Motion. Damian, Jim, Ranna, and Aaron all approved the Motion. The Motion passed unanimously.

Adjournment: 8:46 P.M.

APPROVED:

ATTESTED:

Damian Bollermann, Mayor

Denise Lucas, Town Clerk