

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

**Town Council Members Present:** Mayor Erley, Council Members Hill, Davies, and Henry.

**Absent:** Council Member Williams.

**Others Present:** Greg Halliday, Joan Sangree, Leta Vaughn, Mary Beth Fitzburgh, Laura Cameron, Ron Drake, Ron Mengel, John Groo.

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

Joan commented that sprinklers on the Town lot are on in the morning, and that the water is used to best advantage at night. Greg responded that the sprinkler cycle begins at 10:00 P.M. and ends at 9:00 A.M. the following morning.

3. Approval of Minutes:

- May 16, 2011 MBA Meeting, Public Hearings and Regular Town Council Meeting.

The Town Council suggested some amendments. After some discussion it was decided to wait until the August 17, 2011 meeting to pass these Minutes.

- June 22, 2011 Public Hearings and Regular Town Council Meeting.

Council Member Hill motioned to approve the Minutes as presented. Council Member Henry seconded the Motion. Mayor Erley and Council Members Hill and Henry all approved the Motion. Council Member Davies voted nay. The Motion passed with three in favor, one opposed.

4. Roads (Roads Manager and the Roads Committee Chairperson).

- The Roads Manager submitted a Roads Report that was included in the Red Books. There were no questions on the Report.

The Mayor asked the Roads Manager to find out how many tons of gravel and how much oil per ton was used in the last repaving of Castle Valley Drive. This will give us an idea of the future cost of materials when it comes time to repave Castle Valley Drive.

Planning and Land Use Commission (PLUC Chairperson).

- The PLUC Chairperson submitted a PLUC Report that was included in the Red Books.

The Town Council expressed their thanks for looking into the issue of solar panels, which was included in the Report.

Also included in the Report was a summary of the PLUC Chairperson's conversation with one of the previous Mayors of Castle Valley, who is very conversant with solar technology. In previous talks with Rocky Mountain Power (RMP), he said that RMP expects the cost of power to double over the next ten years. He foresees a lot of new technology on the horizon (e.g., solar windows, solar roofing material, etc.) that we cannot address in any of our current regulations. He also thought that Town ordinances should accommodate systems that tie into the grid.

#### **New Business:**

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

The Mayor said he received a proposal from Rocky Mountain Power that the Road Shed and Fire department be served by one line that would be split into two meters with a dedicated line from the meter to each structure.

The Mayor commented that, while we did receive approval for a 2 ½ percent loan from the CIB, the interest over the term of the loan puts us over our public hearing \$200,000 maximum debt ceiling. He thinks that we should go back to the CIB at their October meeting and request a zero interest loan and have support documents showing how we would use the interest savings to fund a Capital Account for equipment purchases.

Treasurer Hill and Council Member Henry agreed with the Mayor. Treasurer Hill will run the numbers to bolster our position. Mayor Erley and Treasurer Hill both feel that the numbers will support why we need a zero interest loan.

Council Member Davies motioned to table the item. Council Member Hill seconded the Motion. Mayor Erley and Council Members Hill, Davies and Henry all approved the Motion. The Motion passed unanimously.

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

To date, there have been no letters of interest regarding the scholarship. At the Mayor's request, the Town Clerk contacted the donor and asked how she would like to handle this if by the August 17, 2011 Regular Town Council Meeting we still have no applications. The donor replied that she would like the Town to keep the donation and apply it to next year's scholarship.

No action was taken.

7. Discussion and Possible Action re: November, 2011 Election.

There was a general discussion about the fact that no candidates applied by the July 15, 2011 cut-off date to fill the two seats that will be open on the Town Council on January 1, 2012. The Town will accept write-in candidates until Monday, September 26, 2011, at 5:00 P.M. If we still have no candidates as of that date, we must cancel the election by resolution. This is in accordance with a new State law that went into effect earlier this year with regard to small town elections.

Council Member Hill motioned to change the order of business to Item 11. Council Member Henry seconded the Motion. Mayor Erley and Council Members Hill, Davies and Henry all approved the Motion. The Motion passed unanimously.

**Change in Order of Business:**

**Old Business:**

11. Discussion and Possible Action re: Database.

Mike Baird provided cost estimates for the server project for the Red Books. He suggested a server that can use a wall mount rack, but cautioned that this rack mount server does not have redundant power or the ability to hot swap hard drives. He further stated that none of the servers that offer redundant power as an option will fit on a wall mount rack, and asked for feedback on whether or not the Town would prefer a normal size rack and server case.

John Groo said that a server with hot swap ability is not necessary for Castle Valley.

After looking at the room being considered to house the server, Ron Mengel suggested we install a thermostat for the fan on the room ventilation system. Ron also suggested asking for a breakdown on the charge for labor in Mike's estimate (i.e., Labor: 12 hours at \$70.00 per hour).

John Groo also suggested that we get clarification on what 12 hours of labor will cover, and pointed out that the cost estimate provided by Mike does not include his (i.e., John's) fees. He said that his timeline is to have everything completed within 2 months of the start date.

Council Member Davies made a motion to have a closed meeting at the end of the Agenda to discuss the character, professional competence, or physical or mental health of an individual (staff). Council Member Hill seconded the Motion. Mayor Erley and Council Members Hill, Davies and Henry all approved the Motion. The Motion passed unanimously. Mayor Erley suggested that the Town Council have a closed meeting tonight and have a vote at the August meeting.

The PLUC Chairperson asked John if the new system would allow immediate processing of normal tasks. John said that, more than likely, it would require an orientation process.

Council Member Davies motioned to table Item 11 until the August 17, 2011 Regular Town Council Meeting. Council Member Hill seconded the Motion. Mayor Erley, Council Members Hill, Davies and Henry all approved the Motion. The Motion passed unanimously.

#### **Resumption of Normal Order of Business:**

##### **Old Business:**

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

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

Mayor Erley asked for comments. Councilmember Hill said that she believes the MAWP will become more important over time and believes we should join.

Councilmember Davies said that Mayor Erley being employed by the Grand Canyon Trust and being the Town of Castle Valley representative to the MAWP could be seen as a conflict of interest.

Mayor Erley replied that he will declare to the MAWP that he works for the Grand Canyon Trust.

Council Member Davies motioned to communicate to the MAWP that we have no changes to make to the Partnership Agreement. Council Member Hill seconded the Motion. Mayor Erley and Council Members Hill, Davies and Henry all approved the Motion. The Motion passed unanimously.

9. Discussion and Possible Action re: Possible Dissolution of the Castle Valley River Ranchos Property Owners' Association (POA).

After some discussion, Council Member Hill motioned that the Town Council should allow the POA to place a button linking to the POA's documents on the Town website using the disclaimer language from the Town attorney. Council Member Davies seconded the Motion. Mayor Erley and Council Members Hill, Davies and Henry all approved the Motion. The Motion passed unanimously.

10. Discussion and Possible Action re: Castle Valley Noxious Weeds Investigator Duties and Funding.

Mayor Erley commented that we will have to wait until next year to address this issue, as we have missed the window of opportunity for this year. When questioned about the time window on this, the Mayor replied that the window is from June to August.

11. See after 7. above.

12. 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).

Council Member Davies motioned to un-table the item. Council Member Hill seconded the Motion. Mayor Erley and Council Members Hill, Davies and Henry all approved the Motion. The Motion passed unanimously.

Mayor Erley recommended that we bring this Ordinance into line with the Federal Aviation Administration (FAA). Currently, we have no jurisdiction unless a plane actually lands in Castle Valley, then we can confiscate the airplane but will be liable for damage to the aircraft.

Council Member Henry volunteered to do some follow-up research on this.

Council Member Hill motioned to table the item. Council Member Davies seconded the Motion. Mayor Erley and Council Members Hill, Davies and Henry all approved the Motion. The Motion passed unanimously.

13. Payment of Bills.

Council Member Davies motioned to pay the bills of July 19, 2011 as presented. Council Member Hill seconded the Motion. Mayor Erley and Council Members Hill, Davies and Henry all approved the Motion. The Motion passed unanimously.

14. Closed Meeting (if needed).

During discussion of Item 11. Council Member Davies motioned that the Town Council adjourn at the end of the Regular Town Council Meeting to a closed meeting to discuss the character, professional competence, or physical or mental health of an individual. Council Member Hill seconded the Motion. Mayor Erley and Council Members Hill, Davies and Henry all approved the Motion. The Motion passed unanimously.

The Town Council adjourned to the Conference Room for the Closed Meeting at 9:00 P.M.

The Town Council returned to the main meeting room from the Closed Meeting at 10:20 P.M.

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

Adjournment: 10:23 P.M.

**APPROVED:**

**ATTESTED:**

---

**David D. Erley, Mayor**

---

**Denise Lucas, Town Clerk**