

MINUTES  
REGULAR MEETING OF THE TOWN COUNCIL,  
TOWN OF CASTLE VALLEY  
WEDNESDAY, NOVEMBER 17, 2010 – 6:30 P.M.  
CASTLE VALLEY COMMUNITY CENTER  
2 CASTLE VALLEY DRIVE

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

**Others Present:** Greg Halliday, Joan Sangree, Leta Vaughn, Marybeth Fitzburgh, Ron Drake, Bruce Keeler.

1. Call to Order : 6:30 P.M.
2. Open Public Comment.  
None
3. Approval of Minutes:
  - \* October 20, 2010, Regular Town Council Meeting:  
Valli motioned to adopt the Minutes as revised by Tory. Tory seconded the Motion. Dave, Tory, and Valli approved the Motion. Aaron voted nay. Brooke abstained. The Motion passed with three in favor, one against, and one abstained.
  - \* November 10, 2010, Special Town Council Meeting:  
Valli motioned to approve the Minutes with revisions from Tory and Aaron. Tory seconded the Motion. Aaron, Dave, Tory, and Valli approved the Motion. Brooke abstained. The Motion passed with four in favor and one abstained.
4. Reports:
  - \* Roads (Greg Halliday and Road Committee).  
Greg provided a detailed Roads Report for the Red Books and asked if there were any questions.  
Tory asked for clarification of the terms drainage ditch and arroyo as used in #9 of the Report. Greg explained that an arroyo is a natural condition and a drainage ditch is

created. He also reported that 250 yards of material had been removed from lower Pace Lane, which had also been cleaned out two years ago.

Dave noted that the school bus driver has been satisfied with the arrangements for getting the bus started each morning. He also reported that he has talked with Jerry

Green said that Dave Evans is working on getting things organized for the work that needs to be done there (upper Valley).

\* PLUC (Mary Beth Fitzburgh).

Mary Beth provided a detailed report for the Red Books. She asked who would approve the Minutes from the Workshop (November 3, 2010). Dave suggested that both the Town Council and the PLUC approve the Minutes.

Mary Beth confirmed that the PLUC vacancy created by Lou Taggart's resignation has been posted. The position held by Laura Cameron will be posted, but it was noted that she is willing to serve another term.

### **New Business:**

5. Discussion and Possible Action re: Setting the Town Council Meeting Schedule for 2011.

Under the proposed Meeting Schedule, Town Council Meetings will continue to be held at 6:30 P.M. on the third Wednesday of each month, with the exception of the December Meeting which will be held on the second Wednesday of that month.

Brooke motioned to accept the Meeting Schedule as presented. Tory seconded the Motion. Aaron, Dave, Tory, Valli, and Brooke all approved the Motion. The Motion passed unanimously.

6. Discussion and Possible Action re: Castle Valley Gourd Festival Committee Returned \$70.55 in Unused Funds to the Town.

Tory has deposited the returned funds.

7. Discussion and Possible Action re: Revisions to Ordinance 85-3.

After discussion, Brooke motioned that the Town Council have two workshops—Monday, November 29, 2010, and Monday, December 6, 2010, both at 6:30 P.M.—to discuss changes in Ordinance 85-3 and to table this item until the next regularly scheduled Town Council Meeting. Valli seconded the Motion. Aaron, Dave, Tory, Valli, and Brooke all approved the Motion. The Motion passed unanimously.

8. Discussion and Possible Action re: Refund of Original TAD Deposit, Plus Interest, on Lot 177.

Dave reported that the PLUC confirmed that the TAD was removed from the property. There is a letter on file from Steve Heinrich requesting that the deposit be returned to Nick Schmidt. Tory motioned to refund the money and interest. Valli seconded the Motion. Aaron, Dave, Tory, Valli, and Brooke all approved the Motion. The Motion passed unanimously.

9. Discussion and Possible Action re: Disposal of Wood from the Tree Trimming in the Castle Valley Drive Road Easement Project.

After discussion, it was agreed that Greg will transport the wood to the Town Property and cut it into manageable lengths. It will then be made available to Castle Valley residents on a first-come, first-serve basis. Greg will work with Ron Drake and others to see that notice of the availability of the wood is posted with information on when and how to pick it up.

10. Discussion and Possible Action re: Scheduling an Administrative Meeting for the Town Council.

Valli suggested holding some administrative meetings to discuss policies and procedures for administering the Town so that the Town Council could provide a Policies and Procedures Manual to the next Town Council. There was general agreement to address this in February or March of 2011.

Aaron suggested using these meetings, or holding a retreat, for team building activities. It was agreed that Aaron will get information about the Powers and Duties training put on by the Utah League of Cities and Towns.

### **Old Business:**

11. Discussion and Possible Action re: Status on Solar Power Installation.

Dave reported that he expects to receive the revised contract from Kevin Hansen of American Solar by the end of this week. He suggested that Council members look it over, then he plans to send the contract to the Utah Geological Survey for their review. He hopes to have the contract signed soon so that panels can be purchased while prices are still favorable. It is assumed that Kevin will store the panels. Dave also reported that he attended a meeting in Salt Lake City last month so that he will be clear on the Town's responsibilities in administering the contract.

12. Discussion and Possible Action re: Maintenance of Large Tree on Lot 417.

Greg is managing the event. Dave reported that he will also be present. Dave and Greg confirmed that the contractor is covered by his own insurance.

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

Valli motioned to take this item off the table. Aaron seconded the Motion. Aaron, Dave, Tory, Valli, and Brooke all approved the Motion. The Motion passed unanimously.

After discussing a letter from Gerry Kinghorn about the Town's liability issues related to flooding, winter maintenance, and erosion, the Council agreed to move ahead with its plan to post areas for "No Winter Maintenance." After initial comments and some discussion of making Kinghorn's letter a public document, Tory recused herself from further discussion because of possible conflict of interest. Council members decided against releasing the document.

Aaron motioned that the Town create a map of roads that will not have winter maintenance and to place signs on those roads at the point of no winter maintenance. Brooke seconded the Motion.

In further discussion, Aaron suggested that the issue of a person's responsibility to pay for damages that might result if they choose to plow the road themselves be included in the Motion. Dave will consult Kinghorn about notification to all landowners that are affected by the posting.

Aaron, Dave, Valli, and Brooke all approved the Motion. Tory abstained. The Motion passed with four in favor and one abstained.

14. Discussion and Possible Action re: Partnering Agreement with the Southeast Utah Tamarisk Partnership (SEUTP) (tabled).

Left tabled.

15. Payment of Bills

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

16. Closed Meeting (if needed).

None.

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

Adjournment: 7:56 P.M.

**APPROVED:**

**ATTESTED:**

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**David D. Erley, Mayor**

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**Denise Lucas, Town Clerk**

