

**Minutes
Regular Meeting
Planning & Land Use Commission
August 2, 2006, 7:00 pm
at Castle Valley Community Center**

Commissioners Present: Michael Peck, Gilbert Gonzales, Marie Hawkins, Vickie Kress

Absent: None

Others Present: None

Temporary Clerk: H.L. Weber

Michael called the meeting to order at 7:04 pm.

Public Hearing

1. Hearing Open Public Comment on the re-adoption of Zoning Ordinance 85-3.

Michael suggested that since no public were present yet, to go on to other matters for ten minutes and hear the public if anyone appears to speak. No objections.

2. Approval of Minutes: Regular Meeting Minutes of July 12, 2006.

Commissioners took some time to look at minutes. Michael asked if any problems were noted, and Marie said that in the paragraph about hiring a separate clerk, line 2, 3rd sentence states “reasons sited” which should be “reasons cited.” Vickie moved to adopt minutes with the change Vickie noted. Marie seconds the motion, which is approved with all ayes.

3. Communications from the Public.

No members from the public were present.

Reports

4. Building Permit Update.

Michael noted Leda was not present to give a report.

5. Town Council Information and Requests

Michael noted Valli was not present to give a report.

Old Business

6. Discussion and possible action re: Proposed Ordinance Establishing a Complaint Resolution Board and Uniform Enforcement Process.

Vickie moved to un-table item 6, Gil seconded the motion and it was approved with all ayes. Vickie reported she made an outline of yesterday's discussion of a possible complaint resolution board and process. She said that everyone in PLUC, the Town Council and a couple of citizens-at-large were going to be involved in process. After an inquiry from Gil, Michael explained that this is the preliminary part of the complaint resolution process, before matters go to courts, when it is determined whether ordinance is broke, etc. Marie objected to the proposal that complainants would have to make a \$20 deposit to accompany a complaint. Michael replied that there will be more discussion of details of the process, that this is just the beginning of discussions, and that eventually law enforcement may be involved in the process.

Gil expressed concern about the town being involved, whereas others had concerns law enforcement was involved. Michael explained so far, the process is that somebody comes in with a complaint, fills out a form, and reads the ordinances to verify there is possible violation of an ordinance. Someone would then volunteer to call the person being complained about and see if a resolution can be found. If at that point, no resolution is reached, then two people go out to investigate whether a complaint has be violated. If it seems one has, the two would turn in report. If no resolution is reached at that stage, the process moves into nuisance ordinance and a law enforcement officer would be called to visit the person being complained about, explain that an ordinance is being violated, describe measures taken so far, and state that if no resolution is reached a punishment will be issued (usually a fine).

Gil moved to remove the discussion from the agenda, Vickie seconded and the motion was approved with all ayes.

7. Discussion & possible action re: Reviewing the Castle Valley General Plan.

Commissioners agreed to keep the item tabled.

8. Discussion & possible action re: Re-Adoption of Zoning Ordinance 85-3 to correct a past omission.

Vickie moved to un-table item 8, Gil seconded and the motion was approved with all ayes.

Vickie noted some changes needed in Section II. Enforcement. III.1 Punishment and Fines. Under A, she said what class of misdemeanor violation should be defined. After some group discussion, it was agreed that "Class B" should be inserted before the word "misdemeanor."

The group also agreed that "/or" should be inserted before the "a term of imprisonment."

In B, Vicki noted that the first mention of Mayor was not capitalized.

Vicky moves to forward the Zoning Ordinance to the Town Council, with the three changes agreed upon in Section II. III.1 Punishment and Fines. Gil seconded the motion which was approved with all ayes.

9. Discussion and possible action re: Update of Aquifer Protection Ordinance/Fuel Storage Ordinance (tabled).

Item remained tabled.

10. Discussion & possible action re: Update of Deer Fencing Ordinance (tabled).

Item remained tabled.

11. Discussion and possible action re: Town Council request to review all Town's Ordinances and Resolutions for consistency and effectiveness of all enforcement and penalty provisions (tabled).

Marie moved to keep item 11 tabled. Gil seconded and the motion was approved with all ayes.

New Business

Vickie said the commission ought to have a representative at Town Council meetings. She reported she attended the last meeting, but didn't take notes. She added that she would volunteer to do it, but she wasn't always available to attend. The group agreed that the reporting on Town Council meetings to PLUC shouldn't fall to Rebecca because she has too much already to do. Gil suggested PLUC assign that role at each PLUC meeting who will attend the next Town Council meeting.

The group clarified there is another special meeting on August 15th to review the General Plan, and that the Town Council is the third Wednesday of each month, in August, the 16th at 6:30 pm.

Michael adjourned the meeting at 7:42 pm.

ATTEST:

H.L. WEBER, TEMPORARY CLERK