

**Minutes
Special Meeting and Workshop
Town Council of the Town of Castle Valley
#2 Castle Valley Drive
March 28, 2006**

Meeting called to order at 6:30 PM. Mayor Bollermann presiding.

Council Members Present: Damian Bollermann, Jerry Bidinger, Bob Lippman, Ranna Bieschke, Jim Lindheim.

Others Present: Marie Hawkins, Pam Hackley,

Clerk/Recorder: Rebecca Martin

1. Adoption of Minutes and Transcript of the March 2, 2006 Town Council Special Meeting re: Water Issues.

Jim moved, and Jerry seconded, to adopt the transcript of the March 2, 2006 meeting. Motion passed unanimously. [Clerk's note – This transcription serves also as the minutes for the March 2, '06 Special Meeting of the Town Council.]

2. Discussion and possible action regarding requesting Planning and Land Use Commission to review ordinance enforcement procedures, and a proposal for a Complaint Resolution Board, for drafting and recommendation to the Council.

Bob introduced the effort to create a Complaint Resolution Process to fill a vacuum, save attorney fees, and for use in the Town's enforcement procedures.

Bob moved to forward this information and task assignment* to the P&Z, Jim seconded. (*task assignment included) Four documents were included and passed on to the P&Z: the proposal, a written task assignment, section III of Zoning Ordinance 85-3, existing Ordinance 96-3 re: Enforcement, an interpretation briefing from Town Attorney, Gerald Kinghorn, some Utah Statutes re: mandates on enforcement. (documents included)

Jerry suggested that separate ordinances shouldn't have separate enforcement procedures, but rather that all should refer to "the enforcement procedure". Jim noted that the Town does not have a lot available on the process of enforcement. Pam noted that there may something in the statutes about whether there is a need for an enforcement procedure for land use issues, and possibly another for other issues.

Comments were made that this is a terrific proposal in general and that it is very close to what Sydney Foncesbeck, of the ULCT, outlined.

Motion passed unanimously.

3. Discussion and possible action on water rights matters, tasks and timelines.

March 19 is a deadline (for filing objections to large water right requests). Two Residents in CV have filed for very large water applications, since the engineer's visit, that are inconsistent with the 6.73 acre feet allotment. The two fixed time applications are for 17.5 acre feet, and 30 acre feet, respectively.

If there is no objection listed, the State Engineer may have an obligation to pass these. **It was decided that the Town must object to all large water applications and not be selective about which ones to object to.** The Town sees no choice but to offer protests since certain things about water rights and the aquifer are unknown, the longer range goal being to have water work out for everyone without conflict.

Safe yields have yet to be determined for CV. Large fixed time applications could affect the groundwater recharge rate.

It was determined to add Damian's name in typed form to the objection letter under his signature.

The first objection letter can go out March 29, 2006, to be faxed to Price and SLC, and a cover letter included with a hard copy sent via USPS.

4. Executive Session.

Jim moved, and Jerry seconded, that the Town Council would move to executive session to discuss water rights adjudication and related issues, to be held at the CV Community Center, immediately following the TC Special meeting, as per State Statute 52-4-5 (1) (iii), regarding purposes of closed meetings. Jerry noted that John Groo has been invited to attend this executive session to present information to the Council re: his dealings with the State Division of Water Rights, and that John may serve as a witness on behalf of the Town relevant to pending litigation. Motion passed unanimously.

Adjournment to Executive Session at 7:05 PM.

ADJOURNMENT.

Jerry moved, and Jim seconded the motion, to close the Special Meeting of the TC. Meeting closed at 9:34 PM.

Attest:

Clerk/Recorder

Date