

MINUTES
SPECIAL MEETING - WORKSHOP
CASTLE VALLEY TOWN COUNCIL
Tuesday, November 28, 2006
#2 Castle Valley Drive, Castle Valley, UT.

[An audio-recording of this meeting is available to the public.]

Call to Order: Meeting called to order at 5:02 PM

Members Present: Damian Bollermann, Ranna Bieschke, Alice Drogin, Jim Lindheim, Valli Smouse.

Others present: Jim Tharp, David Erley, Jack Campbell, Mark Webster.

Town Clerk: Rebecca Martin.

[This special work meeting was called to allow the Town Council to address policy issues.]

1. Administrative Processes

The Town Council agreed on the following:

Re: Make meetings shorter

- Public comment is important, high public involvement is good, and people should be heard
- Public Comment at beginning of meeting limited to issues not already on agenda
- limit total Public Comment at beginning of meeting to 20 min
- limit individual comments to 1-2 min
- Ranna will track time spent on each topic
- TC members may call for a return to topic or a wrap-up if they see fit
- Council members can interject to suggest moving on or bringing things back to the agenda.
- Citizens should be encouraged to address the Council with their comments at meetings rather than dialog amongst themselves.
- Too much switching of agenda order is undesirable for the public and for the TC.
- Encouraging people to bring things up between meetings is desirable.
- The Chair will announce how public comment will work, i.e., for people to try to limit their comments to one or two minutes and for everyone to try to limit the public comment period to 20 minutes total.
- Agenda item comments will be heard under the listed agenda item and time will be made available for to public* for this.
- *The Council will begin discussion of agenda items, then the Chair will invite the public to comment, then the TC will finish the discussion and make any decisions.
- There will not yet be time limits on agenda sections

Re: Letters to TC

- all letters deserve a response, but unless specifically requested, a letter does not need to be read at meetings

- letters will be put in the appropriate section of the red book; at the meeting, there will be an opportunity to address the letter as part of the topical discussion. A decision will be reached regarding the letter and who will respond to it - all TC members will share this job.
- **?Responses will be circulated via email to other Council Members for approval.?**
- **Town Clerk will keep records of letters received and responses back.**
- **The TC will share the responsibility of responding to letters from the public.**

Re: Treasurer's Report

- Financial reports will be distributed monthly via email to all Council Members.
- Financial reports will appear quarterly in the red books and the Treasurer will report.

Re: Room Set Up

Tables will be positioned in less of a linear pattern for TC meetings.

Re: Records Management, Classifying Records as Protected, and Retention Schedule

- Town can adopt State's policy or draw up its own
- TC wants to move forward on adopting a policy
- Jim Lindheim will get copies of State GRAMA policy and distribute to TC members for discussion at a future meeting
- Emails between all TC members will be Cced to the Town Clerk; these are public docs. Emails between 2 TC members will be considered a private conversation and a private doc.

[Ranna went home at 6:00 PM due to illness.]

~~Ranna said meetings need to be a little more cohesive and not so drawn out. She suggested that Public comment be reserved for things that are not on the agenda, and that all discussion of things that are on the agenda should come under those agenda items. Alice commented that public involvement in meetings is one of the valuable things about living in Castle Valley. Damian agreed that it is his job as Chair to keep things orderly and that he intends to support open government and to allow comments. Valli felt progress was being made in having the public respect the TC agenda. Jim felt the elected officials should govern, not the public, and a New England style town meeting should be avoided. (changed to: Jim said that CV was organized where the Council was the governing body, unlike a New England Town Meeting where all the people at the meeting were the governing body.) Damian suggested encouraging people to call Council Members about issues. Jim noted it keeps things brief to avoid getting into a dialog with those who comment (changed to: Jim noted that he has learned it saves time to simply accept public comments rather than create dialogues.)~~

~~—There was general agreement on the following:~~

- ~~Public comment is important, high public involvement is good, and people should be heard.~~
- ~~Council members can interject to suggest moving on or bringing things back to the agenda.~~
- ~~Citizens should be encouraged to address the Council with their comments at meetings rather than dialog amongst themselves.~~
- ~~It is desirable to try to keep to a discussion that could lead to a decision by the Council.~~
- ~~Too much switching of agenda order is undesirable for the public and for the TC.~~
- ~~Encouraging people to bring things up between meetings is desirable.~~

~~—Decisions were made as follows:~~

- ~~•The public comment period will be reserved for items not on the agenda.~~
- ~~•Agenda item comments will be heard under the listed agenda item and time will be made available for to public* for this.~~
- ~~•The Chair will announce how public comment will work, both non-agenda and agenda-attached.~~
- ~~•The Chair will request for people to try to limit their comments to one or two minutes and for everyone to try to limit the public comment period to 20 minutes total.~~
- ~~•Ranna will time people and also track the time taken on each agenda item.~~
- ~~•*The Council will begin discussion of agenda items, then the Chair will invite the public to comment, then the TC will finish the discussion and make any decisions.~~
- ~~•There will not yet be time limits on agenda sections~~
- ~~•Agenda items will not yet be “time certain”, i.e., not yet scheduled to a specific time.~~

— Ranna felt there was randomness to what is read out loud and suggested standardized (changed to: standardizing) this. Damian said that traditionally, anybody who sent a letter could have it read aloud as a communication to the Town. Jim felt there was no policy (added: as to what gets read) and that reading communications to the Council aloud is a huge waste of (added: meeting) time. He gave an example of a letter asking for reconsideration of a full-sized basketball court saying if Council Members have read it apart from the meeting, and the Council Members don't feel it affects their opinions, there is no point to reading it aloud. Ranna suggested asking at the communications section if anyone on the Council wants to respond to a letter, and if not to move on without further reference.

— Decisions were made as follows:

- ~~•Every citizen who writes a letter to the Town will receive a response.~~
- ~~•If a citizen requests for their letter to be read aloud, it will be read during the public comment period.~~
- ~~•All letters to the Council will be distributed to all Council members as red book items.~~
- ~~•Records will be kept of letters received and the responses back.~~
- ~~•Decisions about how to respond to letters, and who will respond, may be made at Council meetings.~~
- ~~•Responses will be circulated via email to other Council Members for approval.~~
- ~~•The responsibility to respond to letters from the public will rotate.~~

— Valli suggested that the treasurer's report not be included every month in the red books (changed to: meetings).

— The following decisions were made:

- ~~•Financial reports will be distributed monthly via email to all Council Members.~~
- ~~•Financial reports will appear quarterly in the red books.~~

— There was agreement that setting up the tables in less of a linear pattern is desirable.

— Ranna suggested determining which documents would be public documents and which would not. Jim reported that towns are encouraged to adopt their own policies or to adopt the GRAMA legislation as written. Jim has examples of resolutions to officially adopt the State's plan. State Archives informed him that under the State plan, minutes are retained forever and drafts are protected documents until they are discussed by the Council (changed to: in a Council meeting).

~~—Discussion ensued about classifying records as protected at various levels. Everyone will receive information on GRAMA and read up on it for the next TC meeting (added: in order to discuss whether we want to adopt it).~~

~~[Ranna went home at 6:00 PM due to illness.]~~

Re: Roads Committee

Valli suggested re-forming the Roads Committee with three members total. **Valli will chair the Roads Committee and will get two other members.**

It was determined that committee members should be appointed, and committees should be advisory. There was discussion of whether minutes must be kept for appointed committees; ~~Jim didn't think the Town Clerk would have to take minutes at committee meetings. He expressed hope that committees would work in accordance with the budget.~~

Re: Water Working Group:

~~—There was discussion of re-forming the Water Working Group to keep tabs on what is happening with water issues. Damian, Jim and Scott have been working on water rights and the adjudication. The WWG had a broader scope of issues.~~

Damian ~~brought up a planned~~ mentioned an upcoming conference ~~to be held with between the TC and~~ the Town Attorney ~~soon~~ to discuss adjudication issues and ~~get a scope allow questions~~ on water issues. The Council agreed that Damian should arrange this.

~~—Alice brought up the need to re-work the watershed protection ordinance and said she envisioned having an advisory group for this.~~

Jim suggested putting in place something like the County model where County Council Members take responsibility for specific agenda items and their names appear on the agenda in connection with these. Further discussion will occur with the full TC to determine who wished to take the lead in which ~~departments~~ areas.

Re: Building/Landscaping Committee

There was discussion of creating oversight for Greg in the maintenance position. ~~Jim~~ It was noted that whatever is not specifically designated, falls to the Mayor or the Town Clerk.

Re: Conflict Resolution Board

Town Council and PLUC members are part of this newly formed Board. **Valli suggested for each person to call one other person to add to this committee. Each Town Council member will submit one name for the CRB pool.** ~~One complaint is on the table.~~

~~There was discussion of possibly resolving some complaints before they even get to the CRB process by involving people who can talk to the parties, etc. Damian feels stongly about resolving some complaints before they get to the CRB process by talking to people. It was determined that complaint resolution should be documented even if it ~~doesn't~~ is resolved before it goes to the CRB process.~~

2. Prioritizing Projects

Town Council priorities are:

- Land Trade
- Roads
- Water
- Enforcement including Conflict Resolution
- Representing citizens, i.e., rallying for causes with agencies to protect the Valley
- Health and Safety, including herbicide spraying in the watershed

Re:Advisory Committees

- Valli will chair 3 member Roads Advisory Committee. They will take their own minutes and report to the TC
- Alice will chair the Water Advisory Committee to rework the Watershed Protection Ordinance. A Water Resources library will be established in the Community Bldg; Alice will get back to the Council with a proposal on expenses.
- need someone to chair a Building Committee

~~—Damian said the Land Trade is a high priority.~~

~~—Jim said three top priorities are Roads, Water, and Enforcement including conflict resolution. Damian thought the Town had not done well with enforcement, emphasizing enforcement only on land use issues, and suggested education/outreach and good modeling as a priority. Jim disagreed saying he has heard people complain about ordinances that are not enforced.~~

~~—Damian said representing citizens is a priority. He noted the Town has done well with rallying for causes and using clout with agencies to protect the Valley.~~

~~—Damian felt environmental protection was something people expect the town to work on, e.g., working to avoid the county spraying herbicides in our watershed. Jim said these were unenforceable issues (changed to: Jim said environmental protection required enforcement. It was generally agreed that health and safety issues are high priorities.~~

~~—Alice suggested, in light of the new complaint process, that letting people know how complaints and enforcement will now work is a priority. She suggested that enforcement is important, but as a last resort.~~

~~Alice said the creation of a (added: Water)Resource Center in the Community Building for new people and those who want to learn about appropriate technologies is a priority. Ideas discussed included re-doing the “Welcome to Castle Valley” booklet, putting up a poster of guidelines, putting things on the website, getting out information on not changing drainages, providing easy access to Town documents, books, maps, and resources. The county library is not spearheading this although they have created a list of resource books. Shelves, a desk, picture rails/gallery strips and other needs were discussed. **Alice will work to bring a list of proposed expenses to the next TC meeting.**~~

Re: General Plan

~~—The General Plan survey/Questionnaire was discussed as a prioritizing tool; this is where the TC gets its mandates. Michael Peck had sent an email with the current status indicating they would send their list to the planner, Bell. Valli suggested the PLUC effort needs some attention and volunteered to try to work with the PLUC on this. **She**~~

- The PLUC questionnaire will provide property owners’ priorities

- PLUC has a rough draft of the survey ready for comment; TC members will look this over and submit input. The old survey is also available for comparison.
- **Valli will attend the next PLUC meeting and ~~to~~ suggest they go over the last survey and answers to possibly use some of it again with some added questions using a similar format.**
Priorities speculated to come out of the survey were fire protection, water, and environmental issues. The need to complete policies continue to arise, e.g., electronic meetings policy, ~~any proposed restriction of records~~ records management and retention, the need to send all records to the Clerk, etc.

3. General Discussion of Overall Concerns of the Town.

Re: Open and Public Meetings Act

Damian will ask Kinghorn ~~will be asked to~~ whether he can do the Open and Public Meetings Act training. Gene ~~Moser~~ Moshur, of Utah Local Governments Trust, will provide some training on December 6, 2006. Another opportunity for Meetings training has been advertised and is in people's boxes.

Re: Moving along with the workload

~~Valli suggested holding meetings earlier, perhaps~~ An earlier meeting time was suggested, especially in the winter months. **The meeting schedule for 2007 will be settled at the December TC meeting.**

~~It was agreed that agendas are quite long, and that work should move forward between meetings.~~
(Use Alice's words)

Re: Discussion about Putting the Town Clerk on Salary

Jim moved to hold an executive session to discuss the character, professional competence or physical or mental health of an individual. ~~Rebecca referred to public noticing requirements but Jim said this is not an obstacle to holding an executive session at a special meeting (added: that had been properly notified). Damian said he would have to sign a sworn statement attesting to the sole purpose falling within the statute on closed meetings so he must insure that this is what occurs. Alice felt the statutory purpose did not match her understanding of what was to be discussed. There was no second to the motion~~ because it was felt that the purpose of the intended discussion was not covered by this discription. Intended discussion involved salaried or hourly wage scale for the Town Clerk, and it was decided that the Clerk should be included in this discussion.

~~— Jim said the alternative would be to hold a series of private conversations. Rebecca suggested having open conversations. Jim hoped to have conversations about Rebecca with Council Members and then have the Council talk to Rebecca (changed to: Jim said he wanted the Council to discuss the issues regarding the Town Clerk first, and then have the Council talk to the Clerk).~~

~~— A meeting is already planned to discuss the Town Clerk job description.~~ **Damian suggested that Valli, Damian and Rebecca could meet. Valli expressed willingness to step in. Damian, Valli and Rebecca agreed to meet later to discuss the Town Clerk job description.**

General discussion included some specifics of the Town Clerk job description, its scope, who gives assignments to the Clerk, the practicality of all assignments coming through the Mayor, the Clerk being answerable to the Mayor, the Council serving as legislative body, the Mayor and Clerk serving as administrative body.

The Clerk's relation to the PLUC the amount of PLUC work was discussed. Jim noted that the budget included the possibility for PLUC to hire a separate Clerk. Rebecca mentioned the possibility of bringing in office help and/or hiring help to do minutes, as another alternative.

~~—Alice noted that this workload describes a full-time position. Rebecca said she is working full-time and has been for a while.~~

Jim said he believed that a full-time position ~~must?~~ would be better as /?/ should be ? be a salaried position, and that compensatory time would be given for overtime whether a position is salaried or hourly. He explained that ~~an hourly wage~~ a salary, in his opinion, provides an perverse incentive to the employee to work more efficiently and for fewer hours if possible. Additionally, a salary gives the Town an assurance of fixed costs. more hours/to “take the long way around”, and pays people based on the hours they put in rather than the (added: value of the) work they do. ~~He said a salary gives the Town an assurance of costs and gives someone an incentive to work less.~~

Rebecca explained when she was hired, she was told this would not be a salaried position, that salaries, in her opinion, require people to do more work for less pay, that she is already motivated to do high quality work and to work fewer hours, ~~and she feels her hourly wage must address both the time she spends and the work she does.~~ She noted that ~~the premise Jim describes the salary argument~~ assumes the employee is in control of the workload, but a Town Clerk is not and the workload shifts due to factors beyond internal control. ~~She explained that it is already difficult to get attention paid to the workload, and if everyone falsely perceived this to be the Clerk's sole responsibility it would spiral into a high turnover position.~~

~~—Damian expressed concern about whether Jim's model fits in Castle Valley, i.e., that a certain service level and responsiveness to peoples needs are part of what makes the Town work. (Added: It was noted that the Road Supervisor job had been salaried.)~~

Discussion touched on whether assessments of job performance would be affected by a salary vs. hourly decision, ~~the fact that Jim's (removed: Jim's) previous suggestions had been for the salary pay level to go down, and~~ There was some agreement that the possible fixed budget aspect of a salaried position may be an advantage.

~~—Alice asked if there is some way to re-define the Town Clerk job description as a way to begin to resolve this. Rebecca said it may be possible.~~

It was decided the meeting about the Town Clerk job description would be the next step.

Damian asked again if there would be a second for the motion to hold an executive session. There was none.

Adjournment: Jim moved to adjourn. Alice seconded. Motion passed unanimously. Meeting adjourned at 7:52 PM.