

**TOWN OF CASTLE VALLEY  
REGULAR COUNCIL MEETINGS MINUTES  
JANUARY 13, 2005**

**COUNCIL MEMBERS PRESENT:** Bruce Keeler, Mayor, Jerry Bidinger, Bob Lippman, Robert Ryan and Darr Hatch

**AUDIENCE:** Jennifer Mengel, Clerk— Pam Hackley, Ron Drake, Barbara Zavada, Ron Mengel, Jack Campbell

**MEETING CALLED TO ORDER AT 6:34 PM**

**MINUTES OF MEETINGS of 12-9-2004 and 12-15-2004 approved as presented.**

**COMMITTEE REPORTS:**

**TOWN LOT:** Jennifer Mengel presented a quote by Mike Steele to install two timers for the outside walkway and parking lot lights. **The quoted price was \$250. Bruce Keeler approved the expenditure.** Jennifer was instructed to contact Mike Steele and arrange for the work to be done.

**UPDATE FROM WATER AGENT:** Catherine Howells' report was presented by Bruce Keeler. The report provided update information regarding the NODP grant, the 319 grant, Cemetery District water issues and Town water applications. In addition Catherine requested authorization to attend two water related conferences; the Utah On-site Wastewater Association and a Water Users Workshop. The Council agreed that further information was necessary in order to determine which conference would best serve the Town's needs.

**ROAD DEPARTMENT:** Damian Bollermann stated the he feels the roads are holding up quite well. The Council discussed the drainage problems at the base of the Community Center parking lot. Damian said that Grand County has indicated a willingness to install a culvert across Castle Valley Drive if the Town will purchase the unit. There was a consensus that other options should be explored before anything is done to change the paved road.

**PLANNING COMMISSION:** Jennifer Mengel described the events which lead to the canceling of the January 12, 2005, meeting of the Commission. The Council discussed various methods of concluding Planning and Zoning business if the Commission is unable to have a meeting. **This issue was directed to be put on the February 10, 2005, Town Council Agenda.**

Ron Mengel outlined the possible need for a Board of Adjustments to address the requirements of the owner of Lot 238. Ron stated that he began asking about the status of the Board of Adjustment in the summer of 2004. Since the Planning and Zoning Commission did not meet in December and January and he has received no information about the Board, no guidance has been available to complete the building permit requirements for the owner of Lot 238. Bruce Keeler stated that the seated members of the last Board of Adjustments remain on the committee until they resign or are replaced. Ron recommends that the Council approve the option favored by the owner, his neighbors and Utah Power. That option would require moving one power pole and

burying all remaining electrical lines. Bruce said he would speak with Gerry Kinghorn, Town Attorney, to determine if it is an appropriate issue for the Board. If the issue does not require a Board of Adjustment, then Ron will be authorized to approve the favored option.

Ron also provided the Council with a year-end report of building permit activity and recommendations. Included in this review was the new "permit application and fees" form to be given to all citizens requesting a building permit.

**FIREWISE ISSUES:** Ron Mengel described the Firewise information which has been posted on the Town notice boards. The information tells Castle Valley citizens that controlled burning will take place in January, 2005, when conditions permit.

**UPDATE FROM POA BOARD:** No report.

**UNSUBDIVIDED LANDS:** No report.

**GRAND COUNTY RECREATIONAL SERVICES BOARD:** No report.

#### **OLD BUSINESS:**

1. Interlocal agreement with Grand County – Tabled.

2. **Robert Ryan moved to take item 3, Community Center Policies, off of the table. Jerry Bidinger seconded the motion and it passed unanimously.** Bruce Keeler discussed the Community Center Use Agreement draft which he had prepared. Bruce stated that he believes that the Center should be made available for citizen use and recommends that the Council approve the agreement. The Council reviewed the document and incorporated changes suggested by Jerry Bidinger and Bob Lippman. **Robert Ryan moved to approve the agreement as amended. Bob Lippman seconded the motion and it passed unanimously.** Bruce stated that he would manage the entry and exit requirements for users until the Town establishes regular business hours.

3. Castle Valley youth activities – Tabled.

#### **NEW BUSINESS:**

4. **The public hearing to receive input on the Annexation Policy was opened at 7:52 PM.**

**Pam Hackley** – Pam spoke of several confusing sections of the proposed Plan. She questioned whether the Town had received input from "affected parties" prior to considering the adoption of the Plan. She also questioned whether the steps established to approve changes in annexation petitions were consistent with the requirements of Planning and Zoning and Town Council decision processes. The need for a definitions clause, language specifying compliance with any other requirements of 10-2-403 and several instances of needed editorial corrections were also described.

**Bob Lippman** – Bob read the Utah Municipal code 10-2-403 which governs annexation policy. He questioned whether the proposed Plan addresses the requirements of the state code.

**Jerry Bidinger** – Jerry questioned whether the language as written in the proposed Plan addresses the requirements of “an estimate of the tax consequences of annexing.” Jerry feels that the Council must consult with the past Chair of the Planning & Zoning Commission to determine if the draft being considered by the Council represents the final version that was reviewed by the Town attorney.

**Valli Smouse** – Valli stated that it is her opinion that the specifics affecting the town can not be determined until a petition for annexation is filed.

**Bruce Keeler** – Bruce believes that the Plan is intended to function as a guideline for Town policy.

**Jack Campbell** – Jack questioned language and suggested editorial changes. He also questioned the basis for the annexation map. A discussion followed which confirmed that the map was not based upon the Castle Valley watershed.

**The public hearing was closed at 8:21 PM.**

5. Bruce Keeler described an email he had received from a local group of volunteers who work to clean-up and recycle areas that are neglected. Bruce suggested that the Town approve a partnering effort with Solutions to help clean-up the River Road. **Robert Ryan moved to partner with Solutions to work toward cleaning the River Road. Bob Lippman seconded the motion and it passed unanimously.**

6. **Jerry Bidinger moved to suspend the order of the Agenda to hear Items 10, 11 and 12. Jerry also proposed postponing the discussion of Item 6 until the Executive Session had been concluded. Robert Ryan seconded the motion and it passed unanimously.**

10. Barbara Zavada described vandalism which had occurred at her property on Shafer Lane. She was seriously affected by the theft of her fruit crop and damage to her irrigation system. Barbara spoke to the Council about the need for a part-time sheriff in Castle Valley. Robert Ryan also spoke of his frustration with resolving criminal damage to his property. Bob Lippman asked if there was a record of Castle Valley criminal activity. He thought that a history may serve to support the Town’s request for a Deputy. **Bruce Keeler stated that he would contact the Sheriff’s office to explore the possibility of a Deputy living in Castle Valley.** Darr Hatch suggested that a neighborhood watch effort often helps a community to monitor security. Ron Drake thought that having neighborhood watch signs at the start of each street would discourage vandals.

Jack Campbell thanked Pam Hackley for her work on the Annexation Policy draft review.

11. Jerry Bidinger reviewed the financial reports for the month of December. He reminded the Council about the changes in state law which will impact the Town property tax receipts. It is anticipated that the budget will have to be amended in approximately March, 2005. Thus far capital expenditures are over the amount budgeted. Money will be transferred between Town funds to cover the budget overages.

Jerry also reviewed the Fiscal 2004 Audit report draft submitted by Smuin, Rich and Marsing; Doug Rasmussen, CPA. The Town must provide the Management Discussion and Analysis section of the Fiscal 2004 audit. The Town's income sources are property tax revenue, Class "C" road funds and sales tax receipts. The Town's anticipated needs are to maintain the new building and improve and maintain the roads.

**12. Jerry Bidinger moved to approve the payment of the bills as corrected by the Clerk. Bob Lippman seconded the motion and it passed unanimously.**

**At 8:55 PM, Jerry Bidinger moved to convene in Executive session to discuss pending litigation. Robert Ryan seconded the motion and it passed unanimously.**

**Robert Ryan moved to leave the Executive session at 10:00 PM. Jerry Bidinger seconded the motion and it passed unanimously.**

**The public portion of the regular meeting reconvened at 10:01 PM.**

**Return to the order of the Agenda.**

6. Bob Lippman presented a draft of topics for the water working group meetings. Bruce Keeler reminded the Council that the group would function as an advisory group, not a policy board. The group is to be called upon to propose recommendations to the Town Council from which the Council will determine the policy to be adopted. **Jerry Bidinger moved to adopt the draft of topics for the water working group and that it be distributed to the Council and group members. Darr Hatch seconded the motion and it passed unanimously.** The date of the first meeting of the Water Working Group will be set in the near future.

**ADJOURNMENT: Jerry Bidinger moved to adjourn at 10:25 PM. Robert Ryan seconded the motion and it passed unanimously.**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Jennifer Mengel, Clerk