

**TOWN OF CASTLE VALLEY  
REGULAR COUNCIL MEETINGS MINUTES  
FEBRUARY 10, 2005**

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

**AUDIENCE:** Jennifer Mengel, Clerk, Gerald Kinghorn, Attorney, plus thirty-two members of the community. An attendance roster is attached to the minutes.

**MEETING CALLED TO ORDER AT 6:33 PM**

**Bob Lippman moved to suspend the order of the Agenda to hear New Business; item 3 and item 5. Robert Ryan seconded the motion and it passed unanimously.**

**NEW BUSINESS:**

**03.** Bob Lippman presented a resolution supporting the moving of the Atlas Mill Tailings away from the Colorado River. Castle Valley has been asked to join with Moab, Grand County, the Ute Indian Community and the State of Utah in supporting the action to move the tailings. Bob crafted the proposed resolution to emphasize Castle Valley's concern with air and water quality as well as the down stream impacts from possible contamination. He noted that much of the western United States relies upon Colorado River water for agricultural irrigation. **Jerry Bidinger moved to adopt Resolution 2005-1, ... Supporting the Relocation of the Atlas Uranium Mill Tailings Pile from the Banks of the Colorado River.** Further discussion concerned the speed at which the resolution had been crafted and brought before the Council. Darr voiced his opinion that alternative measures for addressing the tailings might better serve the community. Otis Willoughby stated that another approach might be to dredge the river, add a dike and cap the uranium tailings in place rather than creating all the dust that would occur from moving the pile. Karen Nelson agreed that the dust was an issue but felt that the tailings should still be moved from along the river. **The Mayor called for a vote on the resolution. The resolution passed with a vote of Bruce Keeler, Robert Ryan, Bob Lippman and Jerry Bidinger; for, and Darr Hatch; against.**

**05.** Bruce Keeler opened the public meeting concerning the Town's water rights and the ongoing water rights adjudication. He reminded the community that Castle Valley has moved into a period where water rights are being adjudicated. As a result, the Town must prepare a general statement documenting the beneficial use of water rights held by the Town. Gerald Kinghorn, Town Attorney, was present at the meeting to explain the adjudication process, describe the information the Town has gathered thus far and review some of the options that

are available to the Town to address the communities' water needs. **A transcription of Mr. Kinghorn's presentation is attached to the minutes.** Following the presentation there were questions from the audience. Most of the questions were directed toward better understanding Gerry's presentation. **A tape recording of the discussion is available.**

**After a 10 minute recess, the meeting was reconvened at 8:17 PM.**

**MINUTES OF MEETING of 1-13-2005 were approved as presented.**

#### **COMMITTEE REPORTS:**

**TOWN LOT:** Karen Nelson reported that she had contacted Craig Haren regarding a source for keys to the Town building. Karen had not yet received any information.

**UPDATE FROM WATER AGENT:** Catherine Howells described Castle Valley's Cemetery. The Cemetery is managed by a board and is not a perpetual care cemetery. Approximately once a year a Board representative evaluates what work is necessary for its upkeep. A Castle Valley citizen, John Boender, Lot 180, Shafer Lane, is willing to share his water via a small water supply line to help grow trees and other plants. In order for John to legally share his water with the Cemetery District, an easement from the point of diversion would have to be written and signed. **Bruce Keeler directed Catherine Howells to speak with G. Kinghorn to change the water right so that it can be shared between parties. It was estimated that this effort would cost approximately \$95.00.**

**ROAD DEPARTMENT:** Damian Bollermann indicated that he had completed work so that the Town building parking lot was now properly draining any rain runoff. He also reminded the Council about the previously approved expenditure to aid in the Knapweed control project. Both John Boender and Damian spoke about the growing hazard of the rock outcrop markings on Highway 128. **John has contacted various agencies involved with the section of land. He will prepare a written discussion of the issues for the March Town Council meeting.**

**PLANNING COMMISSION:** Richard Schwartz reported on the activities of the most recent Planning & Zoning meeting. **The revised 2003-3 Fence Ordinance has been forwarded to the Council with the requested changes for commercial agriculture.** The public hearing conducted by the Commission yielded editorial changes which Richard would like the Council to review. The fuel storage recommendations are still being developed by the Commission. The Council clarified questions which remained regarding the Annexation Policy Plan.

**FIREWISE ISSUES:** Ron Mengel and Floyd Stoughton, Castle Valley Fire Chief, are attending Utah State Fire Training to become certified in the training of volunteer fire fighters.

**WATER WORKING GROUP:** **The Council set the first meeting date for the group as Wednesday, March 2, 2005 at 7 PM.** The Clerk was instructed to notify members via phone about the meeting schedule. Bob Lippman discussed the advisability of sending a Town representative to the Water Conference in St. George, Utah. **The Council agreed that one person should attend the conference.**

**OLD BUSINESS:**

**01.** Interlocal agreement with Grand County – Tabled.

**02.** Castle Valley youth activities – Tabled.

**NEW BUSINESS:**

**04.** Karen Nelson presented the full landscape bid package to the Council for their approval prior to advertising the invitation in the newspaper. Jerry Bidinger questioned whether the package would be available to be bid on a partial basis as well as a full project bid. The Council discussed this approach and decided that the initial proposal should be bid based upon the entire project. The Council questioned whether the maintenance costs for the landscaping had been determined based upon the proposed development. Karen stated that she would gather information on possible maintenance costs. **The Council agreed that the landscape proposal should be advertised in the Times Independent for two weeks beginning on February 17, 2005.**

**06.** The Town Council commended the Clerk, Jennifer Mengel, for her work on behalf of the Town. Bob Lippman recommended that the historical “Welcome Book” created in 1994 be redone and made available to citizens. Karen Nelson said she would be willing to work on the booklet. Bruce Keeler reminded the Council that interest had already been shown in a local rotating artist exhibit in the Town Meeting room.

**07.** Executive session not required.

**08.** The Town received notification of a grant opportunity for a 2005 Arbor Day cost-share grant. The application must be received by March 4, 2005, at 5:00 PM. Karen Nelson said she would gather information on the cost of possible trees.

**09.** Bruce Keeler shared his response to the Blue Sky Program information request. Mike Carlyle spoke to the Council about his conversations with Verizon and a possible cell phone tower in Castle Valley. Bruce stated that the Town was not opposed to a cell tower. The first effort to locate and install a tower failed due to Grand County's refusal to permit the tower to be built on a section of county land.

**10.** Jerry Bidinger reported that the Fiscal Year 2004 audit report has been completed and is available for review. . **Robert Ryan moved to approve the payment of the bills as presented by the Clerk. Bob Lippman seconded the motion and it passed unanimously.**

**ADJOURNMENT: Robert Ryan moved to adjourn at 9:25 PM. Bob Lippman seconded the motion and it passed unanimously.**

Minutes drafted by Jennifer Mengel: February 16, 2005  
Approved: March 10, 2005

**ATTEST:**

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Bruce Keeler, Mayor