

MINUTES
PUBLIC HEARING ON THE AMENDED FY 2024 BUDGET
AND THE REGULAR TOWN COUNCIL MEETING
WEDNESDAY, JULY 19, 2023, AT 6:30 P.M.

CASTLE VALLEY COMMUNITY CENTER - 2 CASTLE VALLEY DRIVE

****Due to concerns regarding the potential spread of COVID-19 this meeting was a hybrid meeting held electronically by Zoom and also in person at the anchor site the Town Building.**

Council Members Present: Mayor Duncan, Council Members O' Brien and Gibson, Town Clerk Buck, at the anchor site, Council Member Holland on Zoom.

Absent: CM Hill

Others Present at Anchor Site: Dorje Honer, Colleen Thompson and Faylene Roth

Others present on Zoom: John Groo, Ron Drake, Laurie Simonson, and Judy Malveron.

Duncan called the Meeting to Order at 6:30 PM, Buck called role.

PUBLIC HEARING

Public Hearing on the Amended Budget for FY 2024

Public Comment: None

Regular Town Meeting 6:32PM

1. Open Public Comment:

Roth spoke of the overwhelming support from the Town residents for the Dark Sky Ordinance and in the Town pursuing the International Dark Sky Designation. Working on the amendments to the Ordinance it became necessary to address the need for adequate parking lot lighting at the Town Building. The 5000-lumen limit on residential lots was not going to be enough for the Town parking lot. Added to the Ordinance were a new Section V Town and Public Building Standards and Conditions to allow for more lumens for parking lots. Roth added that the Ordinance compliance timeline (sunset period) should be extended.

2. Approval of Minutes: Public Hearing and Regular Town Council Meeting June 21st, 2023.

CM Gibson motioned to approve the Minutes as presented, CM O'Brien seconded, motion passed unanimously.

3. Executive Reports:

*Water Agent and Water Committee Report - John Groo/ CM O'Brien- No Water Advisory meeting to report on this month.

*Road Department Report- Dorje Honer reported the Upper 80 Placer Creek crossings were fixed this week. Honer is in the process of modifying the various road reports.

*Planning & Land Use Commission- Colleen Thompson- Meeting Minutes provided.

*Community Renewable Energy Act-CM Gibson reported the Utility Agreement has been received back from RMP and has been approved by the C-REP Board. The Final agreement will be sent out to participating Communities in August and should be on our Agenda for August. RMP will send out the first of the two "Opt out Notices" by mail to all customers. Those customers that have opted to have their bills sent out electronically will receive their second notice by email so that will save the Town money

*Fire District-Chief Drake reported there were no fires in Castle Valley over the Fourth of July, 7 occurred in Moab.

4. Correspondence: Rocky Mountain Power letter regarding elevated wildfire risks safety precautions.

Dianne Ackerman letter asking the Town to add sustainably practices to the Town Lot rental agreement.

5. Administrative Matters & Procedures: Town letters- CM Holland volunteered to write a letter of comment to the BLM / Dept. of the Interior regarding the unintended consequences of the Bears Ears BLM/ SILTA land swap down along the Colorado between Ida Gulch and Sorrel River. The problem being

the BLM is trading Federal public land to the State- SITLA to sell off and make money without any public input or transparency. Holland's Letter to be approved at the August meeting.

NEW BUSINESS

6. Discussion and Possible Action re: Voiding Resolution 2023-5 Adopting the Certified Tax Rate and Resolution 2023-4 Adopting the Proposed FY20224 Budget.

M Duncan explained that we had a mistake on the Certified Tax that affected the Budget, so these Resolutions are to be voided.

CM Gibson motioned to void Resolution 2023-5 Adopting the Certified Tax Rate and Resolution 2023-4 Adopting the Proposed FY20224 Budget, CM O'Brien seconded, motion passed unanimously.

7. Discussion and Possible Action re: Resolution 2023-6 Adopting the Certified Tax Rate.

M Duncan stated this is the corrected tax rate which will change the tax revenue in the Budget.

CM O'Brien motioned to approve Resolution 2023-6 Adopting the Certified Tax Rate, CM Gibson seconded motion passed unanimously.

8. Discussion and Possible Action re: Resolution 2023-7 Adopting the Amended FY 2024 Budget.

Buck explained that with the correct Tax rate we will have \$1790 more in the FY 2023 Budget. \$790 is to be used for the Vault Toilet maintenance/ expenses and the remaining \$1000 was added into the legal line item.

CM Gibson motioned to approve Resolution 2023-7 Adopting the Amended FY 2024 Budget, CM O'Brien seconded motion passed unanimously.

9. Discussion and Possible Action re: Adopting Amendments to Ordinance 2021-5 Dark Sky Lighting Ordinance.

M Duncan the Planning Commission held a Public Hearing on the amendments and then forwarded their approval of the amendments to the Council. Roth reiterated that a new Section V was created to address standards for adequate lighting for Public Parking areas. Lighting Engineers of America recommend 2 foot-candles per acre Roth calculated the Town lot parking lot lights are approx. 1 foot-candle per acre. The Town lights also comply with aftermarket shielding and the bulbs are 2700Kelvin.

Discussion continued that the residential parking light poles were at 6 feet the PLUC agreed to change that to 10 feet so vehicles/trailers could pass under it. CM Gibson wanted to discourage pole lights entirely added a ten-foot pole light would only increase light trespass. Thompson added that any residential parking area pole lights would still have to meet other Ordinance requirements i.e., shielding, lumen limit and kelvin. Buck asked Simonson if the 2-year sunset clause starts over with the Amended Ordinance. Simonson clarified that the 2-year period starts from the effective date of the Amended Ordinance, so July 19, 2023.

After discussion it was agreed to:

Add to Section VIII C- prohibiting residential pole mounted lights except in parking areas.

Sections IV G 3a leave residential pole lights at 6'.

Clarify the 2-year sunset clause begins upon the effective date of this Amended Ordinance.

CM Gibson motioned to approve the Amendments to Ordinance 2021-5 Dark Sky Lighting Ordinance as presented with the above listed changes and several minor small typos/numbering changes. CM O'Brien seconded motion passed unanimously.

10. Discussion and Possible Action re: Adopting Amendments to Ordinance 85-3 Definitions: Combined square footage.

M Duncan explained that this language defined useable space that should be counted in the overall square footage. Discussion continued space below a cantilever cannot be counted as it cannot be measured support to support as defined in Ordinance 85-3. Useable space was to be defined as an area with a height of seven feet or more and having an average "finished "grade of 6% or less. This was supported by Jeff Whitney on the PLUC referencing current standard building code.

CM O'Brien motioned to approve the amended definition to combined square footage in Ordinance 85-3 with the addition of "finished "grade CM Holland seconded motion passed unanimously.

11. Discussion and Possible Action re: Recommendation from the PLUC on the interpretation of setbacks on the Town boundary.

M Duncan explained that this was discussed previously by the Council but first the PLUC is required to make a recommendation to the Council as this is a land use issue.

The PLUC recommendation is "The setback listed in 85-3 Ch. 5.2 B for all listed structures the setback should be 30 feet from all other property lines of a lot".

Thompson added clarification was needed because there is some ambiguity in the Ordinance definitions of a set back and a lot. Council agreed to the recommendation, setbacks should not only be from contiguous Town lots but from all property lines of all lots within the Town and along Town Boundaries.

CM Gibson motioned to accept the recommendation from the PLUC on the interpretation of setbacks on the Town boundary providing that the setback listed in 85-3 Ch. 5.2 B for all listed structures the setback should be 30 feet from all other property lines of a lot. CM O'Brien seconded motion passed unanimously.

The Council sends this recommendation back to the PLUC to clarify the language in Ordinance 85-3.

12. Discussion and Possible Action re: Approval of the Amended Plat subdivision of Lots 389/390 back to 5 and 7 acre lots respectively.

CM Gibson approved the amended plat for Lots 389/390, CM O'Brien seconded motion passed unanimously.

UNFINISHED BUSINESS - none

13 Closed Meeting (If necessary)

14. Payment of the bills.

CM Gibson motioned to pay the bills to include the Rocky Mountain Power bill \$30.82, CM O'Brien seconded, motion passed unanimously.

ADJOURNMENT

CM Gibson motioned to adjourn, CM O'Brien seconded, motion passed unanimously.

M Duncan adjourned the Meeting at 8:10 PM

Approved: 

Jazmine Duncan, Mayor

Attested: 

Jocelyn Buck, Town Clerk