

MINUTES
PUBLIC HEARING ON THE PROPOSED BUDGET FOR FY 2020 & THE REGULAR
TOWN COUNCIL MEETING

WEDNESDAY, JUNE 19th, 2019 AT 6:30 P.M.
CASTLE VALLEY COMMUNITY CENTER - 2 CASTLE VALLEY DRIVE

Council Members Present: Council Members: Drogin, O'Brien and Holland. CM Hill chaired the meeting. M Duncan attended electronically using the Town Building, 2 Castle Valley Drive as the anchor site.

Absent: None

Others Present: Ron Drake, Colleen Thompson, Tom Wood, Donna Kramer, Faylene Roth, Pam Hackley, Jack Campbell, Darr Hatch, Norman Llewellyn, Kaaron Jorgen, Russ Cooper Stephanie Hambrosky.

Clerk: Jocelyn Buck

REGULAR TOWN COUNCIL MEETING

Call to order

CM Hill called to order the Meeting at 6:30 PM

PUBLIC HEARING

Public Hearing on the Proposed Budget for FY2020

Faylene Roth asked if there were any areas in the Budget that had significance increases from the 2019 Budget.

CM Hill explained there was very little difference. There was an increase for salaries and leased equipment. Our tax rate increased because our tax base has grown. In addition, there will be \$5000 for road base to be ear marked for trouble areas. Any excess from that at year end would go back into the Roads Capital Projects Fund.

Russ Cooper asked if there was anyway the County could increase the 16% taxes Castle Valley gets.

CM Hill explained that percentage will always remain the same unless Castle Valley increases property taxes.

Close of Public Hearing-6:36PM

1. Regular Town Meeting

Open Public Comment

Tom Wood asked if a tabled Agenda item could be un-tabled for discussion even if the Applicant for Item 12 was not present and that Item not remain tabled for another whole month.

Darr Hatch asked if the public would be able to be involved in the tabulating the General Survey results. His concern was that some of the answers were up to interpretation or bias and if it is a closed meeting he would like to be involved.

CM O'Brien explained there will be meeting/training from 9AM-1PM tomorrow for the group of volunteers that will be involved in coding the surveys. O'Brien added that all long answer comments will be recorded verbatim. He also invited Hatch to join the group of volunteers.

Thompson added that all the comments from prior General Surveys are available verbatim on the Town website.

Roth stated that the Survey Results and Summary will be presented at a Town meeting as well as specific results will be discussed at Planning Commission meetings. It will take some time for the results to be coded, tabulated and summarized.

2. Approval of Minutes:

* Public Hearing and Regular Town Council Meeting May 15, 2019.

CM Drogin motioned to approve the Minutes with CM Hill's correction, CM Holland seconded, motion passed unanimously.

3. Executive Reports:

- * EMS District- Ed Weeks – not present
- * Roads Committee - Ming Gritts -no meeting held in June.
- * Planning & Land Use Commission-Colleen Thompson-Meeting Minutes included, no questions.
- * Housing Task Force- M Duncan-Meeting Minutes included, no questions.
- * Water Agent Report - John Groo- nothing to report.
- * Fire District-M Duncan

M Duncan reported the Fire District is getting close to finalizing their Community Wildfire Protection Plan and the Council will get that Plan after the District adopts it after their Public Hearing next week. M Duncan continued that a lot of Communities have their Council also adopt that Plan.

*Landscaping Report- CM Drogin- Eileen is working as much as she can. CM Drogin reported that Palisade Insectary offers biological controls for noxious plants. Contact the Colorado Department of Agriculture. www.colorado.gov/pacific/agconservation/biocontrol

*Solid Waste District- Pam Hackley

Hackley reported that the District will no longer take cardboard at the Moab landfill; rather it needs to be taken to the Recycle Center.

The Council thanked Hackley for her years of Service.

4. Correspondence: Lieutenant Governor Spencer Cox Campaign visit Tuesday June 25th 10:45 at the Town Building

5. Administrative Matters & Procedures:

CM Drogin's report on the Grand County Council Meeting regarding low flying sightseeing flights.

CM Drogin reported that at the Meeting Robert Greenburg told her there was a County Ordinance 3.2.2 that addresses where aircraft can land and take off, exception being for emergencies and filming. Drogin could not access that Ordinance on the Grand County website and has asked Greg Halliday to look in to this for us.

Emery Franchise Agreement

Buck asked Council whether they wanted legal review on the Agreement prior to signing.

Council unanimously agreed to send the Agreement to the Town Attorney.

CM Holland and Hill asked if we have received the proposal and maps for Emery's fiber optic project.

Buck had not received anything yet and that this document was the first step to getting legal access to our road easements.

NEW BUSINESS

6. Discussion and Possible Action re: Adopting the Amended Subdivision Plat for Lots 373 and 389.

CM Drogin motioned to approve the Amended Subdivision Plat for Lots 373 and 389, CM O'Brien seconded, motion passed unanimously.

7. Discussion and Possible Action re: Announcing the selection for the Castle Valley Scholarship.

CM Hill really enjoyed the Applicant: Hannah Pearl Owen's Scholarship letter.

CM O'Brien motioned to give the 2019 Castle Valley Scholarship to Hannah Pearl Owen, CM Drogin seconded, motion passed unanimously.

8. Discussion and Possible Action re: Nomination and Appointment of Stephanie Hambrosky as the Town's representative on the Solid Waste Special Service District Board.

Stephanie addressed the Council and provided some background on her experience working with the Solid Waste District through her positions with Moonflower's Community Outreach program and being on the Resiliency Hub Board. She agreed she will need to learn more about her role in the District's finances from the Board.

Hackley clarified that there is no requirement that a Board member have any prior fiscal knowledge. It is the Boards responsibility to educate and she will be working with Stephanie on that aspect.

Thompson stated that the PLUC had to work within the Ordinance and State code to develop the CUP conditions.

Donna Kramer commented that she has been previously threatened, harassed and denied her right to speak. This process has been a hardship and has impacted her life for almost one year with the continuing delays when the Applicant chooses not to show up. She asked that this process not just be left up to the Applicant when he gets around to a plan or to attend a meeting.

Thompson verified the Applicants are required to attend the meetings.

Wood objected to Condition #1 that gives the Applicant 4 weeks to remove a manure pile, he suggested that time be shortened with the option the Applicant could request an extension. Wood asked if the second half of the corral on Lot 54 is also non-conforming corral. If it is not then Holling could put 6 cows in the front and 3 more in the back. Wood continued there are so many unanswered questions that it is hard to pin the Applicant down on.

Campbell commented that the process of the Applicant replacing the non-conforming corral was not legal.

CM Hill stated that we had legal review of that non-conforming corral and we have to follow that legal opinion.

Campbell continued frequently people in Castle Valley can do higher quality thinking than Attorneys. He thought the legal opinion on the commercial agricultural use from Sloan was shabby and deceptive. He is concerned that these issues are being passed over too quickly and are not conforming to Town zoning. Thompson reiterated that in Conditions 2 and 5 the word "mitigate" should be replaced with "to prevent".

CM O'Brien motioned to re-table, CM Drogin seconded, motion passed unanimously

13. Discussion and Possible Action re: Town comments on the BLM Fire Mitigation Project. (tabled)

CM Drogin motioned to un-table, CM O'Brien seconded, motion passed unanimously.

CM Holland presented the Town's Fire Mitigation Project NEPA comments. Discussion continued on the additional comments.

CM O'Brien motioned to approve the Town's NEPA comment with minor changes, CM Drogin, motion passed unanimously. CM Holland will upload the Comments to the BLM.

14. Closed Meeting (If necessary).

15. Payment of the bills.

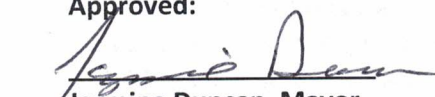
CM Drogin motioned to pay the bills, CM O'Brien seconded, motion passed unanimously.

ADJOURNMENT

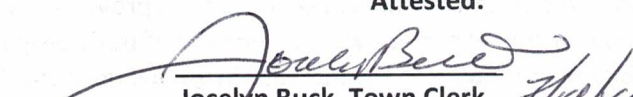
CM O'Brien motioned to adjourn, CM Drogin seconded, motion passed unanimously.

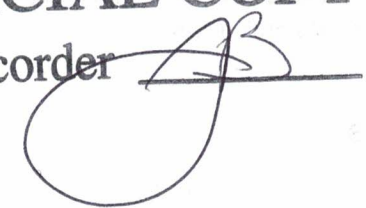
CM Hill adjourned the Meeting at 8:12 PM

Approved:


Jazmine Duncan, Mayor
Date: 7/19/2019

Attested:


Jocelyn Buck, Town Clerk
Date: 7/19/19

OFFICIAL COPY
CV Recorder 

CM Holland motioned to appoint Stephanie Hambrosky as the Town's representative on the Solid Waste Special Service District Board. CM O'Brien seconded, motion passed unanimously.

9. Discussion and Possible Action re: Resolution 2019-3 Adopting the Final Budget for FY 2020.

M Duncan asked if the Budget had included any money for the potential of an agreement with Moab City for Animal Control.

CM Hill agreed to move \$1000 from Leased Equipment to Professional Services for Animal Control.

CM O'Brien motioned to approve Resolution 2019-3 the Final Budget for FY 2020 with CM Hill's changes.

CM Holland seconded, motion passed unanimously.

10. Discussion and Possible Action re: Resolution 2019-4 Adopting the Final Tax Rate.

CM Holland motioned to approve Resolution 2019-4 the 2019 Final Tax rate, CM O'Brien seconded, motion passed unanimously

11. Discussion and Possible Action re: Amended Hunting Ordinance.

CM Hill thanked CMs Holland and Drogin for all their work on this Project.

CM Holland updated the Council on the April meeting M Duncan and himself had with people from the BLM and the DWR that included Chris Wood. This meeting resulted in the idea to come up with a couple scenarios and to let Chris Wood give us his feedback and/ or support on each before we potentially continue on to the RAC. CM Holland continued we had presented areas/buffers of "No Hunting" of which Wood clearly stated was not going to be an option. A compromise could be "Archery Only" in the areas currently designated "Primitive Weapons only". Holland stated the DWR probably would not support that much area "Archery Only". The second proposal could be for buffer zones of "Archery Only" along the east Town / BLM boundaries and around the Upper Eighty properties.

Discussion continued on the difficulties regulating the different designated areas with appropriate signage.

The plan was to have a Public Hearing on the amended Hunting Ordinance at the July meeting with legal review afterward. It was decided to send the options and maps to Chris Wood soon so we could have his input on the best case option and then use that option for the Amended Ordinance Public Hearing. Holland will contact Wood and see if he can attend the Hearing in July.

Item dropped

UNFINISHED BUSINESS

12. Discussion and Possible Action re: Planning and Land Use Commission recommendation to Town Council to approve the non-permanent conditional use permit applications for livestock exceeding the permitted animal units on Lots 54, 55, and 429 with the conditions approved at the May 8, 2019, PLUC Meeting. (tabled)

CM O'Brien motioned to un-table, CM Holland seconded, and motion passed 4 to 1 with M Duncan voting nay.

Jack Campbell commented if some of the conditions are approved by the Council and the permit granted several people including himself will be deprived of basic property rights. He commented again on the smell and his concern that with the increase in animal units the Applicant could have up to 90 hogs. He asked that a condition be that the increased animal units be for cattle and not hogs.

Thompson clarified that the Applicant can have no more than 18 animal units total on all three lots and no more than 9 on any lots with the exception on Lot 429 of no more than 6 animal units.

M Duncan asked if the barn met the setbacks and if it didn't and was a preexisting/ nonconforming use then it would not be allowed to have the increased animal units CUP.

Darr Hatch suggested waiting until the results of the animal units questions on the General Plan survey before approving this CUP.

M Duncan and CM Hill explained that we have to apply the Ordinance that is in effect at the time of a CUP application.