

MINUTES
THE REGULAR TOWN COUNCIL MEETING

WEDNESDAY, NOVEMBER 18th, 2020 AT 6:30 P.M.
CASTLE VALLEY COMMUNITY CENTER - 2 CASTLE VALLEY DRIVE

Council Members Present: Mayor Duncan and Council Members: Gibson, Hill, Holland and O'Brien.

Absent: None

Others Present: Ron Drake, Colleen Thompson, John and Lesa Smith, Stephen and Susan Curtis, Jack Campbell Ryan Anderson and John Groo

Clerk: Jocelyn Buck

Regular Town Meeting

M Duncan called the Meeting to order at 6:30 PM

M Duncan delivered the Electronic Meeting Determination

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. § 54-2-207(4), Jazmine Duncan, Mayor of the Town of Castle Valley issues this Determination supporting the decision to convene electronic a meeting of the Council via Conference Call without a physical anchor location. Due to the COVID-19 pandemic Meetings at the anchor site may present substantial risk to public health and safety. Taking into consideration public health orders limiting in-person gatherings, the average "at risk" age of Town residents and the limited space in the Town Building, the Town of Castle Valley will continue to hold meetings by electronic means. This determination expires 30 days after the day on which the Mayor has made the determination. The public can join the Conference Call Meetings or submit comments through emails.

Roll Call

1. Open Public Comment

Colleen Thompson was happy that the Council was going to work on improving the Complaint Resolution process and checklist. She also was in support of the email Sue Devall sent regarding a trail along CV Drive where Emery had cleared and laid down conduit. However Thompson was concerned if the trail was not properly maintained it would quickly become over grown.

Lesla Smith reported another situation of a low flying aircraft and she had a phone number she would share were we could call to put in a complaint.

Susan Curtis brought up some more situations of low flying aircraft above the Town and around the Mesas.

2. Approval of Minutes: 10.21.2020 Regular Town Council Meeting.

CM O'Brien motioned to approve the Minutes, CM Holland seconded, motion passed unanimously.

3. Executive Reports:

***Roads Committee-** M Duncan-Minutes provided. M Duncan stated the Committee did not meet yesterday. We are waiting to hear back from Emery on how they plan to repair the road damage from installing the fiber conduit. And CM Gibson wanted an update on when there were plans to repair the cracking and crumbled shoulders of Castle Valley Drive. This problem has not been caused solely by Emery work there has been an increase in heavy vehicle traffic with all the building going on in the Valley. M Duncan and CM Holland discussed goat head removal.

***Planning & Land Use Commission-Colleen Thompson-** Minutes provided. The PLUC is working on amending 85-3 regarding the permitted number s of pigs. Thompson asked that the Council attend some

of the PLUC meetings so they are involved and have a better idea of the PLUC research and discussions behind the amendments when they are sent on to the Council.

*Community Renewable Energy Act.-CM Gibson updated there is a website Utah100Communities.org that lets Communities know what is going on. There is also a resource guide that explains the proposal, cost sharing information and the potential for some provisions for payments and/or deferral for adopter's payments. Some of the big participants may front the funds to get the ball rolling. CM Gibson clarified Orem has not withdrawn but wants to be removed from consideration in the cost allocations. CM Holland questioned some of the RMP's actions when they slash credit rates for individual roof top solar but want participation and money from Communities to do this project. The program is primarily for large renewable energy projects and does not seem to support individual solar. Those big industrial projects have the potential to have a large impact on the ecosystem. CM Holland asked what we could do as a participating Community to ask RMP to include household solar in their overall plan. CM Gibson explained that the purpose of the Renewable Energy Act is unrelated to the recent rate case decision requested by RMP. The Act only enables the participating communities to work with RMP to obtain large enough renewable resources to completely replace fossil fuel sources of energy by 2030. The Act gives the participating Communities a voice in Utah's future energy resource decisions.

*Solid Waste District- nothing to report.

*Water Agent and Water Committee Report – John Groo reported he had responded to a protest letter submitted to the State Division of Water Rights. This was just to clarify the amount of water used from the well on Lot 13 and the Fire Department, Road Department and the Emery subcontractor all documents their water use.

*Hazard Mitigation Committee- M Duncan reported the State has approved our Plan and is has been sent on to FEMA .Once we receive it back the Council will have another final Resolution to adopt the Official Plan.

*EMS District- Ed Weeks- not present.

*Fire District-M Duncan /Chief Drake- Drake explained that recently when the phones went out the Frontier battery backup had run down because of the RMP outage. Frontier needs to be notified when there is a power outage so they can bring out a generator. The Burn Window opened November 15 and will remain open until December 31 as long as CV is at "moderate" or lower fire risk. Residents still need to go on the State Air Quality website to get their permit. Buck will send an email out to the Town explaining the Burn permitting process. Drake will update the Burn permit sign up by the mailboxes.

*Housing Task Force- M Duncan- no minutes.

4. Correspondence: Several Council members were interested in participating in the Bluff Strategic Planning meeting. CV Drive Trail email, CM Hill agreed a trail was a good idea but questioned if there could be a nice level trail while trying to keep the drainage ditches open. She also questioned the costs to the Town to maintain a proper trail. CM O'Brien reported on the letter the Town sent last month supporting the Forest Service purchasing private land within our watershed. The decision was made not to purchase those parcels. Pending still is the parcel of SITLA land at the top of Professor Valley.

5. Administrative Matters & Procedures: Town letters- CM Holland proposed 2 letters to the BLM thanking them for the new replaced signage on the closed roads up by Round Mountain and to Jason for the BLM's support for the Fire Mitigation projects. Buck will speak with the owner of Lot 392 to remove the manure pile near the water test well. Fall Clean-up wrap up, Council questioned the end cost as the containers were not completely full. Buck will look into it, but the proposal was really just the flat fee for hauling and dumping the containers. Buck reported that she is working on the Resolution to exempt the Big Tree from the Easement Encroachment Ordinance. She has nominated the tree for Heritage Tree status but the Committee that decides wants more history on the tree, it is not enough that it is the biggest tree in Utah. Meanwhile next month we may want to discuss some maintenance for the Big tree when Johnny with Atlas is planning a trip down in January.

NEW BUSINESS

6. Discussion and Possible Action re: Overflights

CM O'Brien reported a concern a resident had on the potential harmful effects of over flights on the tower. They had cited the studies on "breathing towers" that might be affected by overflight vibrations. Apparently the BLM has stopped overflights near some sensitive areas. CM O'Brien thought the FAA and the Military probably would not do anything but we could approach the BLM and see if they can help. He would also like to know what we have tried to do and if there are any other options.

CM Gibson added twice recently she has seen a helicopter eject some flying squirrel suits and then land on the ridge between Parriot and the Tower. She wondered if the BLM permitted that and if not we need to try to get this stopped. She stated in order to report it we need to get video and the numbers off the helicopters. M Duncan did report that incident but had not heard back from the BLM. CM Holland suggested sending an email out to the Town on what is required to have residents report overflight complaints to the Town. Discussion continued on the Town's Ordinance 2004-4 that needs to be amended or rescinded as it is not enforceable and refers to areas not even in the Town jurisdiction. Buck recommended amending it because the section on landing and taking off in Town limits are valid and enforceable. CM Hill asked to have the BLM notify us of permitted activity. Buck will send out Overflight reporting protocol to residents. CM O'Brien thought that there are overflight regulations down at Natural Bridges because of the sensitive landmarks. Council will get more information on FAA and BLM landing and flight regulations. And the Council will work on amending Ordinance 2004-4 in January. Item dropped.

7. Discussion and Possible Action re: Approval of 2021 Town Council Meeting dates

CM Hill motioned to approve the 2021 Town Council Meeting dates; CM Gibson seconded motion passed unanimously.

8. Discussion and Possible Action re: Approval of letter of support for Fire Department Grant.

CM Gibson motioned to approve the letter for the Fire District, CM Hill seconded, motion passed unanimously.

9 Discussion and Possible Action re: Approval of letter in opposition to Bookcliffs Highway.

Item dropped until January meeting

10. Discussion and Possible Action re: Complaint Resolution process.

CM O'Brien had done some edits. M Duncan added that she thought "private citizens" should not be included on the Complaint Resolution Board (CRB) pool and Council was in agreement. And Road Committee members should be added to increase the CRB pool. Discussion continued that the Town should be able to initiate the process where blatant violations occur apart from this resident driven process. That could make it hard to have an even handed approach unless the Town had a specific code enforcement process and Officer. Anonymous resident's complaints might only be acted upon when there is a blatant violation. Council discussed shortening some sections of the checklist time line and how to "draw" names for the CRB team. CM Hill motioned to table Item 10; CM Holland seconded motion passed unanimously.

UNFINISHED BUSINESS-None

CM Hill motioned to change the order of business and take Item 12 Payment of Bills before Item 11 Closed session; CM O'Brien seconded motion passed unanimously.

12. Payment of the bills.

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

11. At 8:25 PM Council entered a Closed Meeting for Utah Code 52-4-205 (c) strategy session to discuss pending or reasonably imminent litigation.

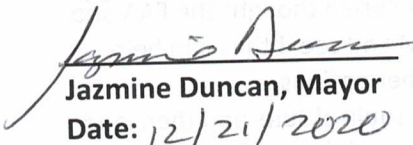
ADJOURNMENT

At 8:53 PM Council came out of the Closed session and CM O'Brien motioned to adjourn, CM Holland seconded, motion passed unanimously.

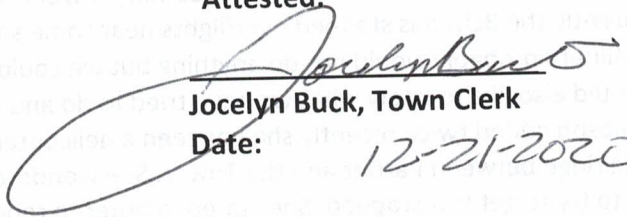
M Duncan adjourned the Meeting at 8:53PM

Approved:

Attested:


Jazmine Duncan, Mayor

Date: 12/21/2020


Jocelyn Buck, Town Clerk

Date:

12-21-2020

OFFICIAL COPY

CV Recorder

