

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD FEBRUARY 5, 2009
AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor W. Dean Howard

ROLL CALL: Councilmembers Martin L. Felix, Paul C. James, Thomas C. LaBau, Stephanie Miller, and Craig Rasmussen present.

CALL TO ORDER: There being five members present and five members representing a quorum, Mayor Howard called the meeting to order.

OTHERS PRESENT: City Administrator D. Brent Jensen, Zoning Administrator Ron Salvesen, City Librarian Ginny Tremayne and three citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Howard welcomed everyone in attendance.

PLEDGE OF ALLEGIANCE: Mayor Howard led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: Councilmember James

APPROVAL OF MINUTES:

The minutes of January 15, 2009 were amended as follows: Page 187, Paragraph 5, add Paragraph 6 "Councilmember Rasmussen recommended amending Councilmember James' motion to include that the extension was approved because there has not been any other significant development in that area nor substantive changes that would impact the previous approval. Councilmember James and LaBau accepted Councilmember Rasmussen's amendment to the motion and all five councilmembers voted aye."

ACTION Councilmember Miller made a motion to approve the minutes of January 15, 2009 with the above amendment. Councilmember LaBau seconded the motion and all five councilmembers present voted aye.

AGENDA ADOPTION: A copy of the notice and agenda for this meeting was faxed to The Herald Journal, mailed to each member of the governing body, and posted at the Civic Center more than forty-eight hours before meeting time.

ACTION Councilmember James made a motion to approve the agenda as written. Councilmember Felix seconded the motion and all five councilmembers present voted aye.

AGENDA

- 8. ADMINISTER OATH OF OFFICE
- 9. PUBLIC HEARING:
 - A. To receive public comment regarding the creation of a County Wide Library System.
- 10. SCHEDULED DELEGATIONS:
 - A. Curtis Dent - To request leasing Hyrum City's Cache Valley Ranch Water rights.
- 11. OTHER BUSINESS:
 - A. Cache Valley Ranch Water rights.
 - B. Mayor and City Council reports.
- 12. ADJOURNMENT

ADMINISTER OATH OF OFFICE:

Justice of the Peace Jack Stevens administered the Oath of Office to Youth Council Mayor Aaron Newhall.

PUBLIC HEARING:

TO RECEIVE PUBLIC COMMENT REGARDING THE CREATION OF A COUNTY WIDE LIBRARY SYSTEM.

ACTION Councilmember James made a motion at 6:35 p.m. to open the public hearing to discuss the creation of a County Wide Library System. Councilmember Felix seconded the motion and all five councilmembers present voted aye.

There being no public comment, Mayor Howard called for a motion to close the public hearing.

ACTION Councilmember LaBau made a motion at 6:36 p.m. to close the public hearing to discuss the creation of a County Wide Library System. Councilmember Miller seconded the motion and all five councilmembers present voted aye.

SCHEDULED DELEGATIONS:

CURTIS DENT - TO REQUEST LEASING HYRUM CITY'S CACHE VALLEY WATER RIGHTS.

Curtis Dent said he purchased the property in Richmond that was once owned by Cache Valley Ranch Associates. He wants to put the land back into productivity, but the property did not come with any water. He was hoping the City would be interested in leasing him the water it bought from Cache Valley Ranch Associates for at least 15 years. He needs a 15 year lease agreement in order for it to be profitable for him to purchase sprinkler system to water the property.

Mayor Howard said the City is not currently using the water it purchased from Cache Valley Ranch Associates; however, the state constitution prohibits the sale or lease of water rights or shares. Rather than leasing the water shares the City could sale the water (not the water rights) to him.

Councilmember Rasmussen said there is a bill before the State Legislature that would allow a City to lease water shares or rights to a private party.

Comment [SF1]:

Curtis Dent said he does not need the actual water this summer, but he wants to know if the City will lease him the water so that he can get crops planted for next year.

ACTION

Councilmember LaBau made a motion to have City Administrator D. Brent Jensen to monitor the bill before the State Legislature that will allow a City to lease water and inform the City Council and Curtis Dent if the bill passes or fails. Once the State Legislature has acted then the City Council will consider leasing water to Curtis Dent. Councilmember James seconded the motion and all five councilmembers present voted aye.

OTHER BUSINESS:

CACHE VALLEY RANCH WATER.

Mayor Howard said in 2003 Hyrum City entered into an agreement with Cache Valley Ranch Association to purchase water rights from it, on an annual as needed basis, for four years once the water was approved by the State Engineer's Office. The State Engineer's Office approved the water transfer in 2006. In 2006 Hyrum City purchased 369.265 acre feet of water from Cache Valley Ranch Association. In 2007 the City Council relinquished that year's offering of water rights back to Cache Valley Ranch Association. In 2008 the City Council purchased 123.088 acre feet of water from Cache Valley Ranch Association. This year Hyrum City has the option to purchase an additional 123.088 acre feet of water at \$2,000 per acre foot from Cache Valley Ranch Association.

City Administrator D. Brent Jensen said he spoke Bill White, a representative of the Cache Valley Ranch Association Water, regarding Hyrum City not being in a good cash position this year and that it may not be the right time for the City to purchase additional water shares. Bill told him that if Hyrum City wanted the water in the future that he would not increase the price of the water shares.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember James said he is working with the website developers to create a baseball registration form that can be submitted and paid on line. He attended the Hyrum Irrigation meeting last night with Councilmember Rasmussen.

Councilmember Rasmussen said the Hyrum Irrigation Board wants to establish a list of priority projects and is looking for an Apprentice Water Master that the current Water Master Gerald Swenson can train.

Councilmember Miller said the Youth Council attended Local Officials Day at the Legislature and met with Representative Kurt Webb. She is busy working on arrangement for this year's Star Spangled Celebration. Congressman Jim Matheson has agreed to be this years Patriotic Speaker.

Mayor Howard said he has been working with City Administrator D. Brent Jensen on projects the City could use money for if the stimulus program from the Federal Government is approved and the State allocates funding on a local level. If funding becomes available he wants the City to be in a position where it can take advantage of this opportunity. There are two projects that the stimulus money could help with the 2 million gallon reservoir tank and a new fire station. However, in order for the City to be ready the engineering work must be done ahead of time for the 2 million gallon reservoir tank.

ADJOURNMENT:

ACTION There being no further business before the Council, the Council Meeting adjourned at 7:10 p.m.

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: February 19, 2009
 As Written