

**REGULAR TOWN COUNCIL MEETING MINUTES**  
**WEDNESDAY, SEPTEMBER 18<sup>th</sup>, 2024, AT 6:30 P.M.**  
**CASTLE VALLEY TOWN BUILDING - 2 CASTLE VALLEY DRIVE**

**\*\*This meeting was a hybrid meeting held electronically by Zoom and also in person at the anchor site of the Town Building.**

Council Members Present: Mayor Duncan, Council Members Gibson, Holland, Hill and O'Brien at the anchor site.

Absent: None

Others Present at Anchor Site: Dorje Honer, Colleen Thompson, Ron Drake, Egmont Honer, Bob Lippman, Faylene Roth and Trish Hedin.

Others present on Zoom: Chris and Robin Steinman, Laurie Simonson, John Groo, Pam Hackley, Tom Wood, Donna Kramer, Jacob Hansen.

**Regular Town Meeting**

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

1. Open Public Comment: Bob Lippman stated his concerns about the improper and unfair valuation of property values raising taxes from 108-300% in Castle Valley compared to all other areas in the County where in some place taxes have gone down. He asked the Council to be involved with the County Commission, County Attorney, Assessor, and the State Tax Commission so we can get some justice and accountability.

Chris Steinman agreed with Lippman's sentiments and added he hoped the Council would address the County Commission regarding the increase in property taxes. He also wanted to discuss Cain Hollow creek flood mitigations with the Roads Department.

Donna Kramer explained that there are individual parcel constrictions that need to be taken into account when valuing land i.e. we cannot subdivide 5-acre, one residence per parcel, no short term rentals and some parcels cannot get utilities. She asked that the Council cite those variables in their letter to the County.

Approval of Minutes: Pending not available.

**3. Executive Reports:**

\* Grand County Commission -Trish Hedin reported she was not prepared to talk about what the County spends the General Fund on or the budget. She was to talk about taxes in general; she provided statements from Bill Hulse (County Building Dept.) and Bill Jackson (County Roads Dept.). And suggested next time Gabe Woytek (County Clerk) could come out and explain more about the budget. Debbie Swasey (County Assessor) could not come out or send a representative, she sent a report that Hedin read (attached.) Grand County has one of the lowest tax rates in the State. Hedin read an email from Josh Neilson (State Tax Commission) he has been notified of the property tax complaints by the County Commission and a CV Resident. Neilson has sent a letter to Debbie Swasey to address some procedural concern to focus on in 2025 and the State is prepared to help them so they can use the PUMA system properly. This may or may not affect current taxes. Hedin added she has been getting a lot of letters from residents and has forwarded them to the County Assessor. The County Attorney and the other Commissioners have also been notified. Hedin continued that one of the common complaints in the letters was that CV residents don't get the services the rest of the County gets. She heard from Sherriff Jamison, and he is trying to get Officers out here more often. Bill Jackson (County Roads) added that we have an Interlocal Agreement with them. And he has reached out to the CV Roads Department after floods to see if we need any help. They also delivered the Town's new backhoe and grader out from Moab. In conclusion Hedin added that by State statute the County should be doing property assessments every year. Appeals can be made to the County Board of Equalization (which is the County Commission) and they may further refer them to the State Tax Commission.

Questions/Comments

CM Hill commented that the lots out here have variable value and should not all be valued the same. Bob Lippman stated the County Attorney is responsible to uphold the State statutes and protect the County from litigation. There is a case going on right now about property values/taxes in Wasatch County. He also complained that the Assessor shut out residents' ability to request an appeal hearing by an accelerated deadline, so we have lost due process.

Discussion continued that the Council will write the letter to the County Commission / BOE listing and explaining the zoning restrictions, parcel characteristic variations and limitations to access to some of Castle Valley. Thompson added that the land values have exploded in the Valley because of the COVID bubble. She knows of two unbuildable lots where taxes went up 4000% and 1700 %. CM Holland asked why the County did not do yearly assessment. Hedin did not know but the State will be working with the County Assessor. Tom Wood added that in State statute if the County does not do assessments for 2 years in a row the County can be penalized by losing that property tax. Land values in Spanish Valley are stale and dated and have not changed since 2021 and that the County Assessor is making excuses for not followed State statute.

M Duncan thanked Hedin for attending

\* Hansen Planning Group - Jacob Hansen gave a short power point of the Subdivision Draft Ordinance. The State is requiring changes in order to move the subdividing from a political process to an administrative process. The Town Council can't be the Land Use Authority on subdivision applications. The Council can set the Ordinances and zoning, but they cannot approve or deny the application. If the application is compliant and complete it is processed and approved by the Planning and Land Use Commission. Hansen added there may need to be updates to the Master Development Plan Ordinance and the Land Use Authority table in 85-3 to mesh with the changes to the Subdivision Ordinance. Discussion continued on the timeline to get the Ordinance to the PLUC and back and adopted before the end of the year.

CM Hill moved to change the order of business and take Item 6.

**6. Discussion and Possible Action re: For the Subdivision Ordinance**

Hansen will send the updated draft tonight and the Council will review it and at a Special Meeting 9.30.2024 they will make their comments and refer the draft Ordinance to the Planning and Land Use Commission.

\*Water Agent and Water Committee Report - CM O'Brien reported news from Janae Wallace that our Water Study Report will be coming soon.

\*Road Department Report- Honer- reports provided no questions

\*Planning & Land Use Commission-Faylene Roth-minutes provided no questions

\*Utah Renewable Communities (URC)-CM Gibson reported the updated Utility Agreement is ready for the Town to re-sign. The Agency is trying to work with RMP to use their same resource solicitation model to meet URC goal of 100% renewables by 2030. Rocky Mountain Power parent company is having financial problems that will affect RMP rates and programs.

\*Fire District-Chief Drake reported the Burn window may open November 1<sup>st</sup> depending on conditions.

**4. Correspondence:** Emails from Kramer and Lippman regarding property taxes.

**5. Administrative Matters & Procedures:** Pre Hazard-Mitigation Workshop 10.9.2024 at 6PM this will be a joint meeting with the Council. This meeting will start the planning for the Hazard Mitigation Plan Update work that will start in January. Janet Gregory has resigned from the position of Janitor; she has worked for the Town for 15 years. M Duncan thanked her for her service to the Town. Town letters- CM Holland will write a letter to the Grand County Commission regarding the property tax increases citing the statute requirements, zoning restrictions and property characteristics variations. The letter will be approved unanimously via email.

### **NEW BUSINESS**

**7. Discussion and Possible Action re: Laurie Simonson Attorney fees \$2126.**

CM Hill thanked Laurie for her help and asked for some kind of tracking method for Laurie's work. M

Duncan and Simonson agreed that her contract should be updated to include the Town covering her annual out of pocket expenses.

CM Hill moved to approve the Town paying Simonson's Attorney fees for \$2126, CM O'Brien seconded

**8. Discussion and Possible Action re: NRCS application letter for flood assistance.**

M Duncan reported on a field trip Honer and two NRCS representatives went on around the Valley to look at all the major flood disturbances. They asked us to submit this initial template letter asking for NRCS funding. Honer explained NRCS could help funding for engineering and armoring the culverts they do require a 25% match. The Castle Valley Drive culvert replacement would be our priority, the Town would still have to buy the actual culverts but that and Town road crew work and project administration could be part of the match.

CM O'Brien moved to approve the NRCS letter requesting assistance, CM Hill seconded the motion passed unanimously.

**9. Discussion and Possible Action re: Right of ways for BLM and Private Castle Creek and Placer Creek Drainages**

M Duncan explained that in order for the Town to do any repair work on berms on Castle Creek BLM drainages we need to get a right of way which means we take on the liability and responsibility for maintenance. We have asked the BLM to do the work but have not heard back from them. The ownership of any easements and right of ways increases Town costs/budgets. Honer added that there are also sections of Placer creek on BLM all the way up to the Upper 80 that need work. We are currently working on private properties with waivers and stream alteration permits that do not transfer responsibility to the Town. Ongoing ownership of right of ways we will require budget considerations. Council asked what responsibility BLM has to maintain their drainages. M Duncan stated we have limited funds and a road staff of three that can only do so much. We have been doing so much with so little for so long and now we are going to attempt the impossible with nothing. To take on more we would have to increase the roads budget probably by increasing taxes. Discussion continued that the BLM will not help unless it is an emergency situation like the Castle Creek culvert goes out. Honer asked Council if the Town should pursue more right of ways. M Duncan suggested that the Town get annual waivers from private properties in areas we need to have access to after storms instead of right of ways. Honer added if we are doing routine work on private properties, we should be charging for it to offset Town costs. Discussion continued that it may be time to raise taxes next year; it has been 8 years since a Town tax increase. The Town will be working with NRCS to see if they can help with engineering and funding. M Duncan stated the Town's position is that we will go in after a flood and re-open the roads, we help people in emergencies, but residents have to do some stuff like sandbags.

Item dropped.

**10. Discussion and Possible Action re: Building Maintenance and Groundskeeper technician job description.**

M Duncan explained with Janet leaving we are recombining these two job descriptions in the hopes that with more hours we will find someone. It was decided to leave the salary amount as "depending on experience". Position will be posted ASAP.

**11. Discussion and Possible Action re: Payment of CIB Road Shed Loan \$7900.00.**

CM Hill moved to approve payment of CIB Road Shed Loan \$7900.00; CM Brien seconded motion passed unanimously.

**UNFINISHED BUSINESS -none**

**12. Closed Meeting (If necessary)**

13. Payment of the bills.

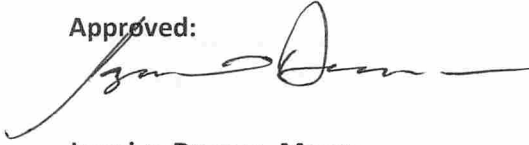
CM Gibson moved to pay the bills, CM O'Brien seconded, motion passed unanimously.

**ADJOURNMENT**

CM Hill moved to adjourn, CM O'Brien seconded, motion passed unanimously.

M Duncan adjourned the Meeting at 8:44 PM

Approved:



Jazmine Duncan, Mayor

Attested:



Jocelyn Buck, Town Clerk