

**Rockville Planning Commission Regular
Meeting Minutes
December 9, 2025
6:00 pm**

1. **CALL TO ORDER – ROLL CALL.** Chair Rybkiewicz called the Rockville Planning Commission meeting to order at 6:00 pm. Planning Commission members in attendance were Andy Efstratis, Tim Arnold, Linda Brinkley, Jane Brennan, and Chair Rybkiewicz along with alternate member Layne DeLange. Town Clerk Shelley D. Cox was recording the meeting. Angie Frabasiloi was excused.

PLEDGE OF ALLEGIANCE: Chair Rybkiewicz led the audience in the Pledge of Allegiance.

DECLARATION OF CONFLICT OF INTEREST WITH AN AGENDA ITEM. No conflicts were declared.

Tim Arnold then **MOVED** to remove item number four from tonight's agenda on the grounds that this Commission has already reviewed and voted on this matter, the Planning Commission has completed its action, and revisiting an item that has already received a final decision is improper and outside our procedural authority. Therefore, I am moving to strike item number four from the agenda for this meeting. Linda Brinkley **SECONDED** the motion. Jane Brennan asked for a discussion on this issue before a vote is taken. Tim Arnold asked for the Town Attorney Matt Ekins to explain his legal opinion on the subject. Matt Ekins said the Planning Commission is the body that makes ultimate decisions on applications and conditions. They are also the ultimate decision makers as to whether conditions are being satisfied moving forward. And he believes that's why the Town Council felt like they evaluated the condition and sent the information back for the application to be reviewed and be processed by this body. Now, whether it's the action item under item four, consideration and action on the building permit, as to the conditions that have been addressed by the approval or ongoing administration of the building permit itself, the application is under the authority of this body. So in his opinion, whether the agenda item is taken on or off, is voted on or not, this body has the responsibility to make sure the building permit is administered. Tim Arnold said which was based on the original vote and approval two years ago. He said this permit has been waiting too long, as they waited because there was a septic study and moratorium on septic tanks until the study was completed and then they waited for a decision from the Ombudsman and all those things. He said he thinks it's unfair of us to push it off anymore. He said he understood procedurally what could have happened, and his is not saying this is what was planned, but if we then vote on it again, then that gives the Town Council another opportunity to repeal it. And he thinks that's completely wrong. He said the Town Council and the Ombudsman didn't agree with the roadway issue of frontage not being provided. Jane Brennan said she was told that tonight's issue is not voting on this plan again by any means. She was told that tonight's issue is whether this application is complete or not. Tim Arnold said his understanding is they already voted that the application was complete. Except for the things that are not- the four things. Historically in the past, we have those things, as long as they get filled out and turned into the Office, once all those things are met, a permit is issued. It does not come back to the Planning Commission and he does not remember any time it has. And so that's why he is saying it's improper for us to do it again. Those four things need to be fulfilled. He said as far as he can tell from the Ombudsman's ruling, three of them have been completed. The fourth one is the approval of the Fire Marshal. If that does or does not happen, that's between the builder (clients) and the Fire Marshal, not us. Linda Brinkley said our Mayor sent us a message just a few hours ago, saying in that note and she quoted the attorney saying that we are not here to go through this application again, that it was already done as that was already decided. And so she guessed that we don't know what we're deciding here. Matt Ekins asked if she was asking a question? Linda Brinkley said yes. She said the two things that were mentioned, according to the Mayor, one of them was already done, and that was the application. And the other one was on the right of way on the road. And that was the Town Council's decision. Matt Ekins said as far as his understanding, the application has been approved with conditions. It's this body to evaluate the conditions. Have they been satisfied and can the application move forward? If they can't be satisfied, then does the status of the application change? Jane Brennan said she doesn't think the status of the application changes because the application is going to stay open until those conditions are met. Matt Ekins said there is a time frame once an application is approved to complete the conditions put on the application. He knows it has been a long time since the original application was passed with conditional approval. He said it's not an indefinite or open-ended application. Jane Brennan asked what does that mean? Matt Ekins said he thinks the time frame for the application to fill the conditions and proceed with the permit is actually 12 months, but the Town Code needs to be reviewed to ensure that time frame is correct. Jane Brennan said this application is unique in that

some of those delays are due to the Town asking for the Ombudsman opinion. Tim Arnold agreed certainly they are. That's why he is stating he doesn't want to address the application again. He said a motion was made and seconded tonight and a vote still needs a vote. We can decide as a Commission whether this agenda item is removed or not. Jane Brennan stated above all we want to be consistent, she thinks that we should be able to follow the same format as anything that we approve of under conditions, which we try to do when an application is almost complete. We should do it the same way we normally do and not deal with this. Linda Brinkley said she agreed that's why she seconded the motion saying we're done. Jane Brennan agreed a vote should be taken. She asked Matt Ekins, is there anything else that you need to say? Matt Ekins said he didn't have anything else to add. Jane Brennan asked Matt Ekins if he could foresee that we are opening ourselves up for any sort of vulnerability by not saying yes or no on those conditions being met in this forum? Matt Ekins answered ultimately the applicant and the Town have to track those conditions along with all other code requirements for the building process. He thinks as far as this Planning Commission needs to understand, if it's not going to be voting on the issue tonight, what are the next steps to move forward and ensure that the application and the plans are meeting the requirements that apply to both the Town and the landowner, who is applying for the building permit. Clerk Cox stated previously in other applications that the applicant would submit the requested paperwork showing the conditions have been met and then a Planning Commission member is requested to come into the Office to review the documents before a Building Permit is issued. Jane Brennan suggested a couple of Commissioners review the requested paperwork for the conditions when they are all met, Fire Marshall included, and that they agree all of the conditions are fulfilled.

Chair Rybkiewicz said he understood the applicant was in attendance at this meeting. He said he personally understood the applicant's frustration with the extended time frame and the applicant had expressed that a final decision was requested from the Town Council when he was on their agenda last time. Chair Rybkiewicz said it's his understanding that the Town Council was not able to provide that clarity nor give an official decision, because we are the ultimate Land Use Authority. Jane Brennan interjected we're the advising authority. Linda Brinkley said the Town Council did make the decision that the roadway is public in September and it's done. Matt Ekins said one thing to keep in mind, if this is really a vote to say yes, the application is complete, the conditions have been met, let's continue to proceed, perhaps it would be appropriate to do that on the agenda and simply reaffirm that at this point, this body is the Land Use Authority, has no concern or reason to say the permit should be denied or hasn't been satisfied as far as the conditions or the Town Code. But if you take it off the agenda entirely, and I don't know how the applicant would feel without the opportunity to address this and move it along, but if it's not on the agenda, perhaps there would be uncertainty as to, okay, what is the status of the application, its conditions, and moving forward to satisfy the Town Code. So if you want to affirm what's the process and move it forward, if you leave it on the agenda, there could be a motion to go ahead and pass it and approve it and continue on to the next steps. Jane Brennan said she understood that the motion would be as of now, all of the conditions are not met for this to proceed. Tim Arnold said no, he would say, all but one. Jane Brennan said she would say all of them have not yet been met. Tim Arnold no, he disagrees with Jane Brennan. Linda Brinkley said Tim Arnold's made the motion, and she seconded it. Tim Arnold said from the original motion directly, one, two, and three have been met, number four has not. Jane Brennan said that's the Ombudsman's opinion of it. Ken Rybkiewicz agreed that was the Ombudsman's opinion as well. Tim Arnold asked is that not the governing authority. Jane Brennan said it's not. Tim Arnold asked then who was. Ken Rybkiewicz said the Ombudsmen is an advisor to the Town. Tim Arnold said so what you're saying is then by delaying this, we are, or by not accepting their decisions, we are opening the Town to legal action? Jane Brennan said the Town is always open to legal action, whether we say anything, the Town is open to legal action, that's their right. She thinks that in the thought of being consistent with other applications, she thinks that we shouldn't do this here. Whether it's complete, all of them, or all but one, or all but seven, whatever, it's not complete right now. That's all that we can say. However, consistently, we don't do this here, we do it across the desk. Linda Brinkley said in all the years she has been on the Commission; we've never had this happen before. So there is nothing to look at and say, this is how we handle it. Jane Brennan said this is back here because the Town Council asked us to review this. Tim Arnold said that was inappropriate. Jane Brennan said that's just over and above what we normally do. Tim Arnold asked to take a vote. Tim Arnold said it had passed this Commission. The Town Council did not reject it. We'll have to work out the determination of these four things is his understanding, two of them for sure. 1. it was substandard sized lot. That was agreed by this Commission in the original meeting, which the Ombudsmen agreed with, and the building meets the non-conforming law procedure. Tim Arnold said it was his understanding, frontage roads or the road needed to be defined. And the legal authority that we reached out to said, yes, it does complete that. So he doesn't know how we define that condition has not been met. If the person, the Legal Land Authority for the State of Utah has given us that counsel. Jane Brennan said you say that this is not our business, however you are telling us the way we should be thinking. Tim Arnold replied no, he is not saying that he is using the legal background provided by the Ombudsmen. Jane Brennan said but if this is not our business to do this, then it's not our business to do this, whether they've met things or not. It's not our business to do it here is

different than it's not our business. Tim Arnold replied once again, "You're saying it's not our business to do it here, then why is it on the agenda? He is just saying let's send it back to the Office to handle as other applications have been handled. When those things are all shown, then they can have the permit in a reasonable time. Jane Brennan said she would like to change the motion as it is not being specific on how many conditions are met. Tim Arnold said he doesn't want to change the motion and will stick with his original motion. Jane Brennan said then unfortunately she doesn't feel that's an appropriate motion for what we're trying to do. Tim Arnold said it's his motion. He asked so do you need me to repeat it? Linda Brinkley asked him to repeat the motion.

Tim Arnold **MOVED** that we remove item number four from tonight's agenda on the grounds that this Commission has already reviewed and voted on this matter, the Planning Commission has completed its action, and revisiting an item that has already received a final decision is improper and outside our procedural authority. Therefore, he moved to strike item number four from the agenda for this meeting. Linda Brinkley said she had **SECONDED** the motion and will still second it again. Chair Rybkiewicz called for a roll call vote.

VOTE on Motion:

Andy Efstratis – Aye
Tim Arnold – Aye
Linda Brinkley- Aye
Jane Brennan- Aye
Chair Rybkiewicz-No

MOTION PASSED

PUBLIC COMMENT: Chair Rybkiewicz then asked for public comment.

Julia Mary read the following letter: Chair Ken, she formally requests that Commissioner Jane Brennan be required to recuse herself from voting on agenda now item five concerning Jacob Anderson, due to predetermination, demonstrated bias and unequal treatment that violate Utah land use due process requirements and deprived the applicant of a fair hearing. Commissioner Brennan has previously participated in and voted on the same matter, taking the position that the lots were illegal in opposing the application. While prior participation alone does not automatically require recusal, recusal is required when a decision maker's conduct demonstrates a fixed position or hostility such that impartial reconsideration is not reasonably possible. During the prior hearing, Commissioner Brennan disrupted the proceedings and used profane language over the microphone toward a member of the audience conduct that undermines the neutrality and decorum required of a quasi-judicial decision maker. In addition, Commissioner Brennan has applied development standards inconsistently by advising a similarly situated land owner that development was permitted if Town Code was followed, later apposing Mr. Andersen's building permit and a related grading permit as illegal, and subsequently assisting another Planning Commissioner in obtaining a retroactive grading permit on the same mesa, while denying Mr. Andersen the same treatment. Taken together, this establishes predetermination bias such that a reasonable person would question Commissioner Brennan's ability to fairly and impartially participate in this rehearing I respectfully request that the Chair rule on this recusal request before any deliberation or vote is taken and that the request and the basis for the ruling be entered into the public record. okay thank you next then thank you I ask that my objection be noted in the record during the prior hearing or in the record, including the facts supporting the recuse request and the denial of the same request, as this affects due process rights. Chair Rybkiewicz stated he had just read the rules and was not in a position at this time to give the investigation a fair shot and these allegations and accusations to be either confirmed or denied. These allegations were not submitted in time for them to be on the record. However you just read them into the record. Julia Mary said for clarity, Chair, the conduct she is referencing occurred on the record during the prior hearing on April 9th, 2024, and is only connected in the meeting, recording, and minutes. Chair Rybkiewicz thanked Ms. Mary for her comments.

Nathan Trotter asked to have Julia Mary read his letter to the Commission. He is formally requesting that Commissioner Jane Brennan be required to recuse herself from voting on agenda items four and five, concerning Jacob Anderson due to demonstrated bias, unequal treatment, and conflict that violates Utah's Land Use due process requirements and deprive the applicant of a fair hearing. Commissioner Brennan has previously advised a similarly situated lot owner in the same area that development was permitted if Town Code was followed yet later

opposed and fought against his grading permit and voted against Jacob Anderson's building permit on the basis that the lots were illegal. Subsequently, Commissioner Brennan assisted another Planning Commissioner in obtaining a retroactive grading permit on the same mesa, stating that the grading is often approved after the fact, while denying us the same grading and building rights under similar circumstances. This desperate treatment, coupled with Commissioner Brennan's prior involvement in statements regarding these properties, demonstrates bias and predetermined such that a reasonable person would question her ability to be fair and impartial in this matter. He is requesting that the Chair rule on this recused request before any deliberation or vote is taken and that the request and the basis for ruling be entered into the public record. He feels like her behavior today only supports what he has said today and what you say that you don't appreciate the way you conduct yourself in the meetings? Chair Rybkiewicz thanked Mr. Trotter for his comments. Chair Rybkiewicz asked if Jane Brennan wanted to recuse herself. Jane Brennan said she did not. She asked to get Matt Ekin's opinion on this matter. She asked if there anything that they said that would require a recusal? Matt Ekins replied once we're done with the public comment period, he can respond to that. If there's still other public comments, we can surely address that after.

Jacob Andersen approached the Commission stating he would like to clear the air on something that has been bothering him for a long time. When he moved to the Town, there were three strikes against him. One, he was new, and not part of the regular club. Two, he was Tydon Oler's brother-in-law, who had already been deemed as an enemy of the Town for whatever reason. And three, he ran for Mayor in an inopportune time against Pam Leach. And during that campaign, there were a lot of crazy allegations of Jacob being this big developer that's going to turn the Town into Disneyland and is here for the money. And they were, he thinks, in Robin Smith's place were signs, dollar signs with Jacob Anderson and here for the money, he doesn't remember what it said. So there was a calling tree that kind of spread that message, and that message is propagated. The reality is, he moved from Idaho, from a farm in Idaho. He moved to a property with 14 acres in one acre zoning. It already had a lot of lots pre-sold, but when he bought the place, he completely turned it into a farm, leaving it as a farm. He bought a property on Main Street that was run over by eight-foot weeds and the buildings were terrible. He cleaned it up, it looked great, and he donated the use of it for a school for local kids. He bought what's now the vineyard property, and it was weeds and plastic everywhere. And it's cleaned up, and he thinks it's a beautiful vineyard now. In his entire life, he, the great developer, has built one home to sell. Literally one home, and that's on the vineyard. He thinks it's unfair to label him as an enemy on someone who honestly wants Rockville to be a farming community as much or more than anybody. And yet this narrative of the developer wanting to come and change everything keeps going around and it's unfair. He is before the Planning and Zoning Commission a lot. And the narrative is, look at how Jacob is always here, and you hate seeing him again. He doesn't want to be here. There's nothing he wants less. But the building permit is a good example of how for roughly two (2) years, and again, he has tried to do things right. He came before the Town to the Planning Commission before, when he had the permit ready for the South Mesa, knowing it would be controversial, and was asked, "Can you wait and meet with the Planning and Zoning Commission before submitting the permit? And then two weeks later, a moratorium occurred. He heard through the grapevine watch, Jacob's going to submit his permit as soon as that moratorium lifted. And he did, because that's what he told everyone he was going to do. He waited until the Town had lifted the moratorium and then he submitted the plans. Meanwhile, with the Vineyard lots, he came to the Planning and Zoning, asking, "Can he redraw those lot lines to make the lots more conforming in size?" Instead of big and little lot as they are currently and everything, He was told if he touched those lots they would be forever non-buildable. And yet, in the same time period over the past year, someone connected to the Town redoes their lots in a non-conforming way with no permission from the Town. He gets a septic permit and an excavation permit beforehand, and somehow that's controversial. But someone connected to the Town bulldozes a roadway with no permit, puts in a septic system, and is praised before the Town Council afterwards, saying sometimes people don't know they need a permit. He guesses he doesn't know why he is always at odds with everybody. He can see directly 180° differently from several people in the Town, yet we're good friends. Anyway, he said that to say, he doesn't think we need to be like enemies. And he thinks perhaps he just wants to clear who he is and get rid of this crazy narrative that he thinks is unfair.

Chair Rybkiewicz closed the public comment. Jane Brennan asked is there anything to talk about? Does she need to recuse myself under Matt Ekin's judgments? Matt Ekins replied so are we done with the public comment period correct. Chair Rybkiewicz said yes. Matt Ekins said as far as the public comment addressing the bias or grounds to have Jane recuse herself, that can be done, as far as the grounds, bias is a grounds for an official that is voting on any action, they can recuse themselves similar to disclosure of the conflict of interest at the beginning of the

meeting. That recusal could be voluntary. If there are grounds, it would have to be by motion, and this Commission would have to say that there's sufficient grounds to have that person recused from a particular role. So procedurally, it's out there, bias would be the legal grounds, but this body would have to make the motion if there wasn't any voluntary recusal by Jane in the situation. He said he doesn't have any opinion as far as strength or whether it's appropriate in the circumstance. He is just saying the process or the function, if there is an issue of bias and how that would be addressed by the Commission. Jane Brennan asked if they are obligated to take a vote on the recusal? Matt Ekins said no. Jane Brennan said it is up to you (to Matt Ekins). Linda Brinkley commented that she did not understand what Matt had just said. Matt Ekins explained in the public comment there was an issue of bias, believed by the statement, with the Planning Commission member Jane Brennan. Just because it's raised in a statement does not require recusal happen. It can be done voluntarily by Jane to avoid the issue of bias, or a Council or Commission member and make a motion and then that could be debated and voted on. Or nothing can happen and the agenda item moves on if there's no motion. Chair Rybkiewicz stated he personally doesn't feel as though there's a need for a motion. However, it's up to you all (asking the Commission). They all agreed they felt there was no need for action at this time. Jane Brennan thanked the Commission for their confidence. Chair Rybkiewicz said we will not be voting on a motion as there is no motion for Jane to recuse herself, unless she would like to recuse herself. Jane Brennan said she would not like to recuse herself as she feels that she can be unbiased and follow the Land Use Code.

4. CONSIDERATION AND ACTION ON A BUILDING PERMIT FOR JACOB ANDERSON FOR SOUTH MESA-RETURNED FROM TOWN COUNCIL-JACOB ANDERSON. This application was removed from the agenda in the motion made before the public comment.

5. **CONSIDERATION AND ACTION ON A GRADING/EXCAVATION PERMIT-SEPTIC TANK-R-1308-1 JACOB ANDERSEN.** Chair Rybkiewicz asked Jacob Andersen to explain this application. Jacob Andersen said he is requesting an excavation permit. He stated this permit is a mere copy of the permit, more or less, of my adjacent neighbor, as far as neighbors go in that area, on the South Mesa. He said almost a year ago, the neighbor put in a septic tank. They didn't tell the Town, which they're not required to. In secret, they put a brand-new access roadway to this septic area and excavated for a septic system, neither of which had a permit. Once discovered by neighbors, it was reported to the Town. Chair Rybkiewicz said to Mr. Andersen "We're aware of the situation and that permit. The issue at hand is your permit, we need to discuss, not your charging neighbors". Jacob Andersen said unlike with the neighbor, there really is no controversy. The difference is his permit is a total clone of the neighbor with the only difference is his permit was submitted beforehand. In last month's meeting, it was told to that person, these lots may not be legal. And the response was, it doesn't matter. We're not looking at anything other than the excavation of a hole. Chair Rybkiewicz said once again, "We're well aware of all this. If you'd like to present your application for your permit, he would appreciate not comparing your student. Jacob Andersen said okay so before you is his application for an excavation permit. Southwest Health Department has approved the septic system. And he is asking for a permit to dig a hole solely on his property. All the details are there on the permit for you to review. He asked if there were any questions. Andy Efstratis stated he had reviewed this application and in regard to this permit, one of the things that he has been talking about to the Planning Commissioners is when people submit plans it's very hard to interpret the plans sometimes. He said he just wanted to tell you (Jacob Andersen), he was asked to review the plans and just wanted to tell you of his appreciation of how thorough you were, how detailed you were, and how easy it was to find all the check marks and be able to check all the boxes in finding the information referenced on the application. His question would be, there was some discrepancy, some talk that maybe that road that's supposedly 60 feet wide, maybe it was 66 feet wide. And if it turns out that it's 66 feet wide, then where you're excavating is actually in the road. He asked if the tank should be moved back three feet more to be sure of the roadway location? Jacob Andersen said the roadway is 60 feet, but as far as his drawing goes, the offset is from the property line either way. And the property line is noted on the page. Jane Brennan asked which line was the property line. Jacob Andersen said the line is in the gray box in the middle on the map titled permit items two, three, four. The property line is at the bottom with the offset shown below, however he does not know how to address Commissioner Efstratis's question regarding the roadway issue. He hopes that helps. There would be no excavation anywhere on the roadway. Andy Efstratis said the excavation would be from that offset from the property line. Tim Arnold asked about the drainage slope percentage. Jacob Andersen said it is a flat parcel. Layne DeLange asked what type of septic system is being installed? Is it the basic septic system. Jacob Andersen said it is the regular septic tank system. The other types are nice systems, but a lot more expensive. Linda Brinkley asked if the septic system is installed he is not planning on using it

anytime in the near future, right? Jacob Andersen that is correct until one day in the future if something else happens. Jane Brennan also thanked Mr. Andersen for the style he submitted the application into the Office. You made it very easy for us, which is awesome. She asked about the State approval which is not included in the packets. Clerk Cox stated the Southwest Health Department approval had been submitted and provided to the Office. She is sorry it was not included in the packet. Jane Brennan asked where you are getting the water for the septic system on this lot, as the permit from the Health Department does not address this? Jacob Andersen said they actually do address the water as part of that permitting process. He had to create a shared well agreement, and he had to show them how the water would go to the lot. So all of the water questions, which are pretty rigorous, even the testing of the well, any of that goes through the Southwest Health Department, along with all the approvals around how does the water get there? They do address the question of how do you have access to get the water there? They also asked is it sufficient as to bacteria-wise?" All of that's required by Southwest Health Department to get their permit. This permit request is just for the excavation permit regarding the septic tank. Jane Brennan said to clarify this is for parcel R1308-1 where the septic system is going to be installed. Jacob Andersen said that's correct. Jane Brennan asked where is the well that is being used for this parcel. Jacob Andersen said the well is on R 1308-D. The line on that same page in blue, shows the water line coming from the well to this parcel. But that is not part of the excavation permit request. Jane Brennan asked Mr. Andersen to indicate on the map where the lot is that the well is on. Jacob Andersen did point it out on the map. Jane Brennan said so you're going to have to take a water line in order for your septic system to work across this little road. Jacob Andersen said all of those questions had to be worked through with the Southwest Health Department. But yes the water is supplied from the parcel #R-1308-D. Jane Brennan asked if Jacob Andersen had an easement for that piping across, for the digging across that road? Jacob Andersen said he did have the permit from Southwest Health Department for the water there. He said he was not asking for anything as far as the water to get there he is just asking for is the ability to excavate for the tank that will eventually use that water. Jane Brennan said right, and what we're basically asked to do is to allow you trench across somebody else's property. Jacob Andersen said he is not asking for the Town to allow me to do any trench or anything. He is simply asking permission to dig the hole for the septic tank within Rockville. Jane Brennan said there is no connection yet. Jacob Andersen said all I'm saying is this septic tank permit has already been approved by the Health Department, and this permit request is just for the excavation permit to excavate two holes. Jane Brennan clarified the hole will be only on parcel #R-1308-1. Jacob Andersen said that's correct. Jane Brennan clarified okay, so you're not connecting it up yet. Jacob Andersen said as far as hooking it up to water, he hasn't actually begun installing anything but as far as this permit goes, he knows one of the steps requires permission to dig the hole for the septic tank. Jane Brennan said okay, but have you attempted to get an easement? Jacob Andersen answered no. Jane Brennan said an easement would make things a lot simpler for later when he tried to connect this. Chair Rybkiewicz asked how he will fill the tank for your final septic tank inspection? Jacob Andersen said again, nothing on the permit asks me any of those questions. The permit that I'm asking for here is just to dig the hole for the septic tank. Chair Rybkiewicz said he was confused because you showed on your drawing a pipe going to the property across other's property. Jacob Andersen said yes it does, but it also shows a driveway, solar panels and trees. This drawing is if this were to come one day if a home would be built. he needs you to know the location of all of that so that he would know what the offset of the other things should be. Chair Rybkiewicz said but on the maps we were all just asked to look at, which is the water pipe. Jacob Andersen said yes it does, in the same way that it shows 12 trees that he won't be planting, solar panels that he won't be placing there to a home that has not been permitted or applied for. This map shows a plan for the future. He said what he is asking for with this permit is simply, a permit to dig the hole for this septic tank? Jane Brennan would say, "I would say yes. That makes sense to me that we isolate the excavation permit to only your property and not a trench on somebody else's property. Is that what you're thinking of? Jacob Andersen said that's correct. The excavation permit would just be for the septic tank and the leach field. He said anything that would be done outside of that would be below any minimum if something were to occur for pipes that would require an excavation permit. Jane Brennan said, "I'm sorry, below any minimum?" Jacob Andersen replied to minimum like putting a pipe in the ground, usually, water pipe, irrigation pipe, or even other water lines. Chair Rybkiewicz said that main doesn't typically require any excavation. Jane Brennan said she now understands. Right. It's not enough dirt to need an excavation permit. Chair Rybkiewicz said he is concerned about it being someone else's property. Jane Brennan asked Mr. Andersen to please get an easement before trenching across someone else's property or buy that property. Jacob Andersen said and if there was a time when he builds a home or

asks for a building permit, that would certainly be questions you'd have to ask on how do you get water to your home and how do you service that, which that would then have to be answered. Jane Brennan said she agreed. Tim Arnold said he does not see a drawing that shows any line across the property line to somebody else's house. Jane Brennan said, "What she was thinking of is this drawing here, Tim, can you see that?(she pointed to it on the map) Because his well is on the big lot and his septic system will be on the lot directly across from that and so he's got to cross somebody else's property to make this system functional. Tim Arnold said that's what we assume that he has to cross that property, but as of right now water is not the issue it's just can he dig a hole? Jane Brennan agreed stating absolutely. She said just please don't dig across somebody else's road until you get permission to do so and the easement and all that kind of stuff. No other questions were asked.

Chair Rybkiewicz then **MOVED** that the Planning Commission approve the grading excavation permit for the purpose of installing a septic system on property R-1308-1 submitted by the applicant, Jacob Anderson. All requirements under the Town of Rockville's application process have been met and I therefore move to approve the application as presented with the understanding that he will not be excavating outside of that property. Linda Brinkley **SECONED** the motion. Clerk Cox asked if the motion would be clarified as with other permits have stated this approval does not mean it's the start of a building permit, so the Planning Commission is consistent. Chair Rybkiewicz said certainly and reread the motion. Linda Brinkley seconded the motion again.

VOTE on Motion:

Andy Efstratis – Aye
Tim Arnold – Aye
Linda Brinkley- Aye
Jane Brennan- Aye
Chair Rybkiewicz-Aye

MOTION PASSED

Jacob Andersen said he had a quick question. Does this mean on the earlier item, should he be starting to work with the Fire Marshal to proceed with the permit? He said he was just kind of curious what his next step is. Chair Rybkiewicz said yes, that would be the case.

6. CONSIDERATION AND ACTION FOR A HOME OCCUPATION-BUSINESS LICENSE-268 GRAFTON ROAD-EASTON GORMICAN.

Chair Rybkiewicz asked Easton Gormican to explain his application. Easton Gormican said he operates an online business called 512 Marketing LLC. It's going to operate as a marketing consulting company for startup e-commerce businesses. The computer will be located at this address, and the customers will be from all over the Country. He will also own other e-commerce brands underneath this business that will also only operate online. All business being done from my laptop. Chair Rybkiewicz stated that they are all in line and straightforward with the home occupation licenses as they are intended. He asked if there were any questions. Andy Efstratis said that explanation is pretty thorough, but just to clarify, this is a business he can basically operate with the laptop, he can do it from the coffee shop, or he can do it from home. There will be no clients coming in, no deliveries made, no additional employees. Easton Gormican answered no, the goal is for me to operate it solely online and he can travel and do it from anywhere and get it all automated, so I really he will not require anything other than his laptop. Linda Brinkley asked how long he had been doing this. Easton Gormican said just a few months, and he is still getting it going, building the foundation, and it'll be a hard launch in 2026, so getting all his licenses and everything set up. Jane Brennan asked if Easton Gormican understands there's no signage, no business signs allowed to be put up in Rockville. Easton Gormican said he does understand that. Jane Brennan asked if he was living in Jim Toomey's property. Easton Gormican said that is correct and Mr. Toomey is not currently living in the home. Jane Brennan asked if he was renting from Mr. Toomey or does he own that property? Easton Gormican answered he's a relative of the family. Jane Brennan asked the Commission how they would consider this as he does not own the home and usually requires a permission/acknowledgement letter from the property owner making sure they are aware of the request and approve it. Easton Gormican said if a letter was required he could provide the property owner submit a letter. Jane Brennan asked if he was a close relative of the property owner? Easton Gormican said he is. The Commission felt they could support the application without a letter from the property owner.

Andy Efstratis stated he had reviewed the application for a home occupation permit submitted by Easton Gormican for a marketing and consulting business for e-commerce brands located at 268 West Grafton Road in Rockville, Utah and had found that it is complete and whereas following has been addressed and accepted by the Planning Commission, no item will be sold on site. There will be no employees and there will be no signage or display of goods. And whereas the home occupation permit is complete, and the sales of this business remain incidental to the residential nature of the home, the use is consistent with and does not compromise the Rockville General Plan, specifically Chapter 4.1, and complies with all the requirements of the Code. Therefore, he **MOVED** the Planning Commission to approve the application. Tim Arnold **SECONDED** the motion.

VOTE on Motion:

Andy Efstratis – Aye
Tim Arnold – Aye
Linda Brinkley- Aye
Jane Brennan- Aye
Chair Rybkiewicz-Aye

MOTION PASSED

7. CONSIDERATION AND ACTION FOR A SPECIAL EVENT PERMIT FOR VACATION RACES-

RICHARD JESSUP-SR 9 FROM VIRGIN TO ZION NATIONAL PARK: Chair Rybkiewicz said Richard Jessup, the representative for this application, is on zoom. Chair Rybkiewicz explained this is the annual race along SR9 from Virgin to Zion National Park. Richard Jessup said he also has his colleague Matt Clipper, who's the race director, on zoom with him. Chair Rybkiewicz said the Commission is aware that you've been before us in the past, but can you give us some information for those that might not have heard about your race? Richard Jessup said he had not been the presenter to the Planning Commission for other years, but this has been an annual race for many years. The race will begin in Virgin and end in the Town of Springdale. So it will pass through the Town. He said in Rockville they will place two gate stations(aid stations) and then they control an intersection in Rockville so our runners can keep it moving forward. This Company has a series of races that run through National Parks or close to National Parks throughout the Country. He said he is here to answer any questions the Commission may have. Jane Brennan asked if they had obtained permission from the private property owners for the aid stations. She said there is an aid station #3 at mile 7 and an aid station #4 at mile 9. Jane Brennan asked Jacob Andersen for his input on the aid station at his driveway as it looks like the property is his where the school is. She asked if he was okay with them putting an aid station right there(pointing to his property)? Jacob Andersen said he did not have any issue with that and is okay with the location. Jane Brennan said the other one looks like it's in the middle of nowhere. Chair Rybkiewicz asked if the UDOT permit has been given yet as the Town will need a copy of the UDOT permit and proof of insurance. Richard Jessup said they are still waiting for the UDOT permit and the insurance will only be issued after that permit so the insurance company can review any issues, but he can provide all that information to the Office once it is obtained. He said it will be the same insurance as last year's race. Clerk Cox asked if the Commission wanted to require the information be submitted by a specific date for the race to proceed? Linda Brinkley also questioned whether the actual Rockville Permit form had not been included. Jane Brennan asked if another copy of the actual permit application could be submitted immediately. She said all the information is listed on the maps, but the actual form is not in the packet. Richard Jessup said he will submit the application form tomorrow and he thought it had been attached. Linda Brinkley asked about last year's approval. Richard Jessup said he did not submit an application last year as he thought it was just permission they needed. And so we ended up just getting permission informally. So this year, the Director wanted to do it right. Clerk Cox said last year the company did provide the insurance and the UDOT permit before the event. Jane Brennan asked if there were any significant road closures that would affect our neighborhoods? Richard Jessup said there are no significant closures. Jane Brennan said most people run on the shoulder of the road or the sidewalk through our Town is that correct? Richard Jessup said that is correct. Jane Brennan asked if UDOT will require no parking on that side of the street being used for this race? Richard Jessup said in years past UDOT has not required that. Clerk Cox said UDOT has asked us to notify our residents not to park along SR 9 that day. It's probably not posted, but each

year they have asked us to send out a notice to our residents. Tim Arnold said so it is voluntary. Jane Brennan asked how many participants will be involved this year? Richard Jessup said last year, he believes they had 1268, this year they are hoping to have closer to 2000, but that's being pretty optimistic. So probably closer to 1600. Andy Efstratis said but as of right now, we have to look for the least, actually. He said he wanted to the Company kudos as the race is cup free for water and supplies handed out. That's awesome that the company is doing that with no cups. The cups can be a huge problem. Richard Jessup stated the company is looking to create a zero-risk event. Jane Brennan asked if there are any differences between this year and last year's race? Richard Jessup said not as far as operationally part of the race goes. He said the course will be the same, but the expo location will be different this year, but that's a Friday event.

Linda Brinkley **MOVED** due to our long history with this group and how successful it's been every year that we go ahead and vote to accept their application for the race contingent on turning in a formal special event application form immediately and the certificate of insurance and the UDOT permit being submitted at a later date. With those other two things, preferably since the race is on February 28th, it would be nice to have those three things by the beginning of February if not sooner. Clerk Cox asked and if they did not, what do you want done? Linda Brinkley said these requirements would be turned in by February the 15th. Tim Arnold clarified the first goal February 1st, but not later than February 15th. Chair Rybkiewicz **SECONDED** the motion that we accept the vacation race application as it stands with the condition that they provide insurance, the UDOT permit, and certificate of insurance, and our application form being within this week, the two other additional items by February 1st, and the second deadline would be February 15th.

VOTE on Motion:

Andy Efstratis – Aye
Tim Arnold – Aye
Linda Brinkley- Aye
Jane Brennan- Aye
Chair Rybkiewicz-Aye

MOTION PASSED

8. **CONSIDERATION AND ACTION ON A BUILDING PERMIT AT 196 WEST GRAFTON ROAD-CASEY JENNINGS-LEIF BJARNSON-CONTRACTOR** Chair Rybkiewicz asked Leif Bjarnson, the contractor for Jennings, to answer any questions the Commission may have. Leif Bjarnson said he was in attendance at the November Planning Commission, and the Commission requested additional information before approval was given. There were four items that were of concern that were needed. One was septic tank permit from Southwest Health Department which has been provided. Another request was proof of culinary water certificate which has also been turned in. The next was the Flood Plain permit. Clerk Cox stated the Flood Plain has been approved. The last was grading information on pre and post grade. Leif Bjarnson said he did submit the grading plan to the Office also noting the pre and post grade. Leif Bjarnson said this parcel was purchased from Vesco's and is directly adjacent to the East of Vesco's, 6.8 acres, three acres extending across the river. Jane Brennan reminded the Commission this is a continuation from a building permit application from last month. Jane Brennan said whereas we oftentimes continue, or oftentimes approve of something under conditions, these missing items were quite large. So we decided not to approve or deny but continue it until he could get these items. One important one was the floodplain permit, and Clerk Cox says that that has been approved. He also didn't have proof of water, and now we have a pipeline company certificate. He didn't have proof of a septic tank permit, and now we have a septic tank permit. Also on the plans there's a bit of excavation required because of the floodplain, and there wasn't a post excavation drawing, which is now shown on our new drawing here. Jane Brennan pointed out the post-excavation drawing. She said the only thing she was not quite positive about was Mr. Bjarnson, we discussed the square footage on those plans was incorrect. Are those corrected on the Office set of plans? Leif Bjarnson said no, but he can send in the corrected plan. Jane Brennan updated the rest of the Commission, on this issue, the map was a little wrong because they had changed plans but didn't change the map, so the new plans need to have the new square footage of the building. She said for now, it doesn't matter as much as it will be when the planned larger portion of this building is joined with it this building. Tim Arnold said originally in November, he had spoken with Leif Bjarnson concerning the 4,000 footprint and going from that small to the big building to make sure that they were aware of that limit in the Code. Leif Bjarnson said the property owner is very much aware of the square footage of each building. He said the large part of the house is actually going to be the addition which is in the future. But everything has to be planned on what's going on now and what's going to go on later. He said Jane pointed out that

the square footage was off a little bit. So that affects overall everything. So we had to modify that addition just slightly. Clerk Cox said last month the original motion did not ask about the height of the building and it was not designated on the plans either. Leif Bjarnson said he can also show that. Jane Brennan said they did talk about it and clearly this building does not exceed the 25' height limit right now. She said the building permit application is only for these smaller buildings and is not any consideration for the larger future home. She asked Mr. Bjarnson to go into the Office and put the height and corrected square footage on the plans for this building. Chair Rybkiewicz said he noticed dimensions on the elevations weren't noted on the set of plans. Leif Bjarnson asked if a new set of plans should be submitted. Jane Brennan said Mr. Bjarnson could just correct the big plans in the Office so that we have a record of the proper right numbers. Tim Arnold asked that an electronic copy also be submitted of the corrected plans. Clerk Cox stated Fire Marshall approval has been given along with the Building Inspector's review. No other questions were asked.

Chair Rybkiewicz **MOVED** that the Planning Commission approve the building permit at 196 West Grafton Road submitted by the Casey Jennings, represented by Leif Bjarnson with the condition upon receipt and verification of elevations, dimensions on the elevations, and the corrected square footage noted for these building. This can be in the form of a revision on the big plans in our office. However, a corrected electronic copy also needs to be submitted. Linda Brinkley **SECONDED** the motion.

VOTE on Motion:

Andy Efstratis – Aye
Tim Arnold – Aye
Linda Brinkley- Aye
Jane Brennan- Aye
Chair Rybkiewicz-Aye

MOTION PASSED

9. **CONSIDERATION AND ACTION ON A BUILDING PERMIT-59 EAST MAIN-PHIL & LYNN BARNIDGE:** Chair Rybkiewicz welcomed Mr. Barnidge to Rockville and asked him to explain his application. Phil Barnidge said he had just purchased the property next door to the Community Center at 59 East Main and since there is absolutely no storage, no closets, no carport, there's no place to put stuff they would like to build a garage/shed in the back. This property backs up to the Terry Bell property, who has a shed very close to the fence. He said he has a couple of motorcycles and bicycles and other things to store. Chair Rybkiewicz asked Jane Brennan to explain her findings as she had reviewed this application. Jane Brennan said there a couple things that Phil Barnidge will need. She said she had communicated with him by e-mail today. She had reviewed that the sale of the property had closed, which it had. She said an issue with this property is it is a substandard lot, and with that, you have to do some math to figure out how much of it is substandard, and then the setbacks are adjusted. After doing all that it does meet the substandard lot setbacks. There is one concern, however, and this is a Fire Marshal's concern, as they do want a 10-foot defensible space between buildings. However, this has been approved by the Fire Marshal because neither of the buildings are occupied that are near the residence. She said this garage is going to be a few feet from the Terry Bell's garage, because there is kind of an L lot, so they're going to be up against each other with not enough defensible space. She said she has learned that because neither one is occupied, the fire concern isn't as great. This garage is close to the fence, but it is within our setbacks, once they're calculated. She said this lot is a tenth of an acre in a half-acre zone. The setbacks for that zone would require 10 feet and since it's only a tenth of that, which is one foot. She said the plans show the setbacks as two feet. With the side setback of two feet. She said the front setback is not an issue. She said she had asked Phil Barnidge to come into the office to put these numbers on the plans that have been filed. She said the house measurements are there so it would basically be a few numbers on the site plan that were not already included. Phil Barnidge said he could do that. Jane Brennan said other than those few missing numbers, it complies with our building code for a garage. Andy Efstratis asked if there would be electricity in this building. Phil Barnidge said yes for lights, battery chargers, battery tenders for motorcycles, power tools and maybe a compressor. Tim Arnold asked as this is an accessory building, there's no water in this building as is his understanding. Phil Barnidge said no water is planned for the building. Jane Brennan asked if Mr. Barnidge would be building this himself. Phil Barnidge said Chance Wright will be the contractor, and who was supposed to be here, he is not sure where he is. Jane Brennan said she admired his creativity for this building to fit in the space provided.

Jane Brennan **MOVED** Whereas the application for an accessory building submitted by Phil and Lynn Barnidge at 59 East Main Street for the garage is complete, and though this lot is pre-existing, non-conforming, as it is less than a half an acre in a half an acre zone, the non-compliant size of this lot has been taken into consideration while calculating the necessary setbacks. And the garage conforms to the setbacks calculated of six feet front, one foot

side, and one foot rear which this plan is better than that. According to the Fire Marshal, since both the new garage and the building in the adjacent yard are not occupied, non-residential, these setbacks are allowable. As this garage does not conflict with the Rockville General Plan Chapter 8, nor does it conflict with the Rockville Land Use Code Chapter 8, nor does it conflict with the Rockville General Plan, I move we approve this application. Chair Rybkiewicz **SECONDED** the motion.

VOTE on Motion:

Andy Efstratis – Aye
Tim Arnold – Aye
Linda Brinkley- Aye
Jane Brennan- Aye
Chair Rybkiewicz-Aye

MOTION PASSED

10. CONSIDERATION AND ACTION ON AN EXCAVATION STREAM ALTERATION PERMIT-449 WEST

MAIN-DOYLE TIMMONS: Chair Rybkiewicz stated Braden Bangeter is present, the attorney for Doyle Timmons, also with the Contractor for the project, Kael Hirschi, who is on Zoom. Braden Bangeter said it's been a few months, but we've been diligently trying to satisfy all the requirements for this project, and we understand them and we're grateful for your patience with that. The hydrology study was done. We then got the instructions from a civil engineer, Cameron Jenkins, to reinforce the riverbank along Doyle's Timmons property and also to restore it. He said the reinforcement will be at the same grade as the pre-existing soil that comes from the eastern property. It's not like a wall, which was the previous concern, that it deflects water into a different direction. He continued it's more like a continued path, and that's why there's some digging necessary. He said he felt the concern of the neighbors coming into tonight on the permit was that there was confusion with the plans on how the project would align with the eastern property and would it then deter it across the river back onto other property. He said he had been discussing this with Mr. Andersen, and he thinks we have cleared the air. He asked if any of the Commission had any questions. Tim Arnold said he had been tasked with researching this project and it was quite a big deal because again, changing the river is a huge deal, as we know that any change can cause flooding and major damage. Tim Arnold thanked Mr. Bangeter for waiting and who went back to redo their permits. Tim Arnold had spoken with Tracie Harrison at the State Office for Flood Plain and was assured both her and everyone with the State of Utah that a new permit was created completely because there was confusion with the original permit. Braden Bangeter said the project has received all the approvals from the US Army Corps of Engineers, from the Utah Division of Emergency Management, and from the Utah Division of Wildlife Resources, along with the flood plain Office. Tim Arnold said the big issue, for us as a Town, and he reviewed this quite extensively, because he was able to talk with Brayden, and was also able to talk with the neighbors, and Kael Hirschi, because he allowed the neighbor to go and look at it, and show them what was going on, which greatly alleviated their concerns. But the Planning Commission follows Chapter 10 of our Land Use Code, which is the flood damage prevention. Now most of this with the hydraulic report, we're not engineers, but that's why we required the report. He said he followed up with all the State people and asked them a bunch of questions. The biggest concern, and I shared this with you, and what we follow as a Planning Commission in the Flood Damage Prevention Section of our Code, the project has to follow all the State things. But the main thing that we have to be concerned about, and it is in writing, including in 10.2A, is that we ensure that those who occupy areas of the flood hazard assume responsibility for their actions. So we have to be careful to make sure that as they're altering the river, they're taking responsibility for it. And then also, the most important one is that in the Code, it says that we are responsible for being concerned with wherever they move the River or put a structure in the floodplain zone that it may cause damage to other people's property. He just explained to you it is our responsibility and although there's no structure in this project it's just the river, and neighbors had grave concerns about how it would affect their property. Tim Arnold said he had asked the contractor and attorney a couple months ago or to reach out and talk to the neighbors and to get their approval. When we talked as a Planning Commission, previously we felt that as long as you're not harming the neighbors or they're okay, we would be okay as well. He had personally spoken with Eric Brantley directly today, who had walked over the proposal with Kael Hirschi and felt what they were doing, now that he understood it better and everything, he was okay with it. Tim Arnold said he had been assured that Braden Bangeter had spoken with Jacob Anderson. He said Jacob Anderson is here to speak about this issue. Tim Arnold said he is assuming that Jacob Andersen has approved it, that now that they had everything, the engineers have approved it, because we don't understand, and now the neighbors are good and it doesn't look like it's going to damage their property, realizing, we cannot account

for 100 year floods or anything, and they all understood that, but the natural course, et cetera, I can find no other issues with this permit. Jane Brennen asked Jacob Andersen for his input regarding this permit. Jacob Anderson said he and Eric Brantley are scared to death of the possibilities of flooding. However it may be mitigated if the project sticks to the engineer's plans. Tim Arnold said he wanted to make a couple comments that he received from Tracie Harrison at the State Flood Plain Office as we delved into project. One point mentioned is that as a Town, we only require the Hydrology Study, while most other Towns actually in addition require a study called the Erosion and Scouring study. Tracie Harrison recommended that in the future we might consider how it affects the neighbors around them because with that study it then alleviates a lot of these kinds of questions. He said for this permit we cannot require them to do the additional study as the additional process would need to be drafted and adopted within the Land Use Code, but that is something that we could put into our Code for the future. He said another thing that we could consider for the future is when somebody's adding a wall to the river or something like riprap, that we can require a setback from the actual current river location, whether that's 5 or 10 feet or whatever the Commission decides is something that could also be added to the Land Use Code in the future, because that would help also alleviate big problems with the river and how close the proposal is to the River and possible damaged. He said those are just two things that he wanted to make aware of recommendations from the Floodplain Commission. Tim Arnold said so on top of a hydrology study, a study called the Erosion and Scouring Report. Tim Arnold said Braden Bangeter informed me, and he went back and looked, and there is a portion in their hydrology study that references scouring and/or erosion but they're still only talked about Doyle Timmons land in the study, not anybody else's worth, and that's something that we might say, listen to adjoining neighbors, we need to know about that, especially when we're changing the river, because that's such a monumental and potentially damaging thing. Tim Arnold said it appears they have done what we requested and what we talked about in our last, and he is comfortable with everything. Linda Brinkley said after years of living here everything to do with the river over the years has been super, super important. So this is interesting to hear all this and things we could do in the future. Braden Bangeter said he is learning as well, and although they don't like being a guinea pig, but we are kind of are, and he guessed it' was good for setting these standards. Andy Efstratis said he liked to just add that as we make changes that are good for us, it's always nice to hear that you're thinking about how it affects your neighbors and communicating with your neighbors and all this mutual agreement is really refreshing here. Jane Brennan stated she just wanted to say she appreciated all the work in reviewing this application. Tim Arnold asked Matt Ekins if the Commission said the approval of the neighbors was required, would the Commission need that in writing. Matt Ekins said so your question, is the approval from the neighbors required to be on the record in order to move forward on this action item? Tim Arnold said yes that's the question. Matt Ekins said in his opinion your representation on the record would be adequate. He said he hadn't seen anything that would have indicated that a written approval from the neighbors was something that had been a prior condition, so your representation tonight would be adequate. Tim Arnold said the second thing he would like to volunteer for is this, as not a requirement, but he would love to go look at the project during construction to ensure it's following the engineer's plan and see how they're building it. He said he would volunteer for that if that's okay with the contractor. Tim Arnold said he doesn't believe we can require it because that's not in our Code requiring that. He said he would just put it into the motion and that's why he wanted to ask. Jane Brennan said it would be in our Code if it was a building plan. Tim Arnold said yes, but this is not a building permit that's why he is very careful with what he says. He would volunteer because he has been involved with this to go and look at it and just check it and make sure. He said he also felt it would help neighbors to be comfortable that somebody's not overseeing it and change it. Jane Brennen asked Braden Bangeter if that would be allowed. Braden Bangeter said he will ask Doyle Timmons if he would allow Kael Hirschi to show Tim around with some notice just like with my life, my liability, brain, as an attorney you know he would advise Mr. Timmons to make sure he had notice of an upcoming visit, but he didn't think there would be a problem in contacting Kael Hirschi to come onto the site. Kael Hirschi said he would like some notice for a visit to ensure he could accommodate it during the work. Tim Arnold agreed it would be with some notice. Tim Arnold asked Matt Ekins if this could be a matter included in the motion or simply an agreement. Matt Ekins said in his opinion the inheritance of the permit is the Town has to make sure the permit's being complied with. So that would be part of the enforcement aspects of the permit itself. Tim Arnold said he would leave that part of the visits out of any motion. Tim Arnold said he did have a motion. Linda Brinkley asked to comment on one thing while we have a group of people here. We are so fortunate right now because Ken Rybkiewicz is a specialist with our culinary water, especially those who work at that all the time. Now Andy Efstratis is taking some training on checking water quality and Tim Arnold is getting ready to help with water also. It is so good we've good people here that are willing to check things for us. Braden Bangeter said he agreed it's a big part of your community, especially we appreciate it as well, as this has been a process but we appreciate it.

Tim Arnold **MOVED** regarding the excavation permit and stream alteration permit located at 449 West Main Street,

Rockville, Utah, for the property of Doyle Timmins. Whereas the application for this permit has been completed, and whereas the following has been addressed and accepted by the Planning Commission, the U.S. Army Corps of Engineers has approved it, and it meets the appropriate terms. The required flood plain development permit is approved and signed. All stipulations and orders given by the Utah Division of Wildlife Resources and by the State Engineers as outlined in the Stream Alteration Application #25-81-11SA. Whereas this building project complies with the Land Use Code, specifically Chapter #10, Flood Damage Prevention, and Chapter #5, Grading and Excavation, and does not conflict with the Rockville General Plan, and does not conflict with the nature of the community, I move to approve this application. Jane Brennan **SECONDED** the motion.

VOTE on Motion:

Andy Efstratis – Aye
Tim Arnold – Aye
Linda Brinkley- Aye
Jane Brennan- Aye
Chair Rybkiewicz-Aye

MOTION PASSED

11. **APPROVAL OF THE MINUTES FOR NOVEMBER 11, 2025, REGULAR MEETING & WORK MEETING.** Chair Rybkiewicz asked if there were any comments on the minutes from last month's meeting.

Jane Brennan **MOVED** to approve the minutes from the November 11, 2025 Regular Meeting and Work meeting. Andy Efstratis **SECONDED** the motion.

VOTE on Motion:

Andy Efstratis – Aye
Tim Arnold – Abstained (as he was absent last month)
Linda Brinkley- Aye
Jane Brennan- Aye
Chair Rybkiewicz-Aye

MOTION PASSED

Information/Discussion/Non-Action Items.

1. Planning Commission Chair Report-Ken Rybkiewicz

The next Planning Commission meeting will be on January 13, 2026. Clerk Cox reported the Town Council will be adopting the 2026 Meeting schedule at tomorrow night's meeting. The Planning Commission meetings are still on the second Tuesday of every month beginning at 6:00 pm. She will provide copies for each Commissioner.

Jane Brennan expressed congratulations to Andy Efstratis for getting elected to the Town Council. We are sorry to lose you, but we're losing you to the Town Council, so that's okay.

Jane Brennan stated tonight's meeting Chair Rybkiewicz used a different format by delegating each Commissioner to review an application and prepare possible motions for the meeting. She felt this was a great way to proceed and thanked Chair Rybkiewicz for this.

Andy Efstratis thanked those in attendance as it's so nice to see all the people participating about 10 times more than we normally have. He said he wanted to acknowledge those that have put their names in who are willing to serve on the Planning Commission.

Tim Arnold invited everyone to attend the nativity program his school is putting on for the Town. It will be held Thursday December 11, & Friday 12, 2025 beginning at 6:00 pm and everyone is invited.

TOWN OFFICE REPORT: Nothing to report

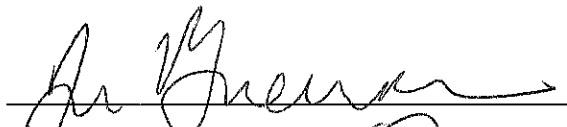
MOTION TO ADJOURN. Tim Arnold **MOVED** to adjourn the meeting at 7:55 pm. Linda Brinkley **SECONDED** the motion.

VOTE on Motion:

Andy Efstratis – Aye
Tim Arnold – Aye
Linda Brinkley- Aye
Jane Brennan- Aye
Chair Rybkiewicz-Aye

MOTION PASSED

APPROVED



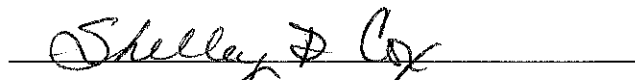
Planning Commission Chair/Vice Chair

Attest:



Shelley D. Cox-Town Clerk

The foregoing minutes were posted in the cabinet of the Rockville Town Office by Shelley D Cox at approximately 9:00 AM/PM on 1-15-26, on the Rockville website and the Utah Public Notice website.



Shelley Cox
Town Clerk