



AGENDA

THE REGULAR TOWN COUNCIL MEETING WEDNESDAY, JULY 15th, 2026 AT 6:30 P.M.

CASTLE VALLEY COMMUNITY CENTER - 2 CASTLE VALLEY DRIVE

This meeting will be a hybrid meeting held electronically by Zoom and also in person at the anchor site the Town Building . If you have comments or concerns for the Council please attend or email them prior to the

Meeting: townclerk@castlevalleyutah.com or call 259-9828 M-W 9AM-1PM. Thank you!

PLEASE NOTE: ** HOW TO JOIN THE ZOOM CONFERENCE CALL **

Meeting ID: 660 541 0108 Passcode: 84532

Option 1 Dial-in phone number (US): (253) 215-8782 follow prompts.

Option 2 Join the online meeting (must have computer speakers and microphone):

<https://zoom.us/j/6605410108?pwd=Q05sYm5qQ0lpNIY5TVp2bTU5VnZjQT09>

Call to order and Roll Call

Regular Town Meeting

1. Open Public Comment:
2. Approval of Minutes: Public Hearing and the Regular Town Council Meeting Minutes from June 17th, 2026.
3. Executive Reports:
 - *Water Agent and Water Advisory Committee Report -July Mtg. cancelled
 - *Road Department Report- D.Honer
 - *Planning & Land Use Commission- Deb Testa
 - *Utah Renewable Communities-CM Gibson
 - *Fire District-M Duncan /Chief Drake
 - * Information Technology (IT)- Colleen Thompson
 - * Treasurer's Report- CM Hill
4. Correspondence: TBA.
5. Administrative Matters & Procedures: Town letters.

NEW BUSINESS

6. Discussion and Possible Action re: Approval of the Fraud Risk Assessment.
7. Discussion and Possible Action re: Water Use Agreement and Permit Revisions
8. Discussion and Possible Action re: Ordinance 2027-1 Water Use Revisions
9. Discussion and Possible Action re: Planning and Land Use Commission Alternates Proposal

UNFINISHED BUSINESS -none

10. Closed Meeting (If necessary)
- 11 Payment of the bills.

ADJOURNMENT

For Meeting Packets go to: <https://www.utah.gov/pmn/index.html> Government: select "Cites"

Entity: select "Castle Valley" Body: select "Town of Castle Valley "Select this meeting and click on "Download attachments"

PUBLIC HEARING ON THE INTERIM FY 2027 BUDGET AND THE REGULAR TOWN COUNCIL MEETING DRAFT MINUTES WEDNESDAY, JUNE 17th, 2026, 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, and Hill.

Council Present on Zoom: CM Holland

Absent: CM O'Brien

Present at the anchor site: Dorje Honer, Colleen Thompson, Egmont Honer, Ron Drake, Greg Haliday, and the Llewellyns.

Others Present on Zoom: Laurie Simonson and John Groo.

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

PUBLIC HEARING

Public Hearing on the Interim Budget for FY 2027

Public Comment: None

M Duncan closed the Hearing at 6:32PM

Regular Town Meeting

1. Open Public Comment: None

2. Approval of Minutes: Special MBA Meeting, Public Hearing on the FY2026 second amended budget and the Regular Town Council Meeting Minutes from May 20, 2026.

CM Hill moved to approve the minutes from the Special MBA Meeting, Public Hearing on the FY2026 second amended budget and the Regular Town Council Meeting Minutes from May 20, 2026. CM Gibson seconded, motion passed unanimously.

3. Executive Reports:

*Water Agent and Water Advisory Committee Report - John Groo/ Sarah Stock- Minutes provided
Updates to the Water Ordinance and Water User Agreement coming soon. July Mtg. cancelled

*Road Department Report- D. Honer - Report provided

*Planning & Land Use Commission- Deb Testa- Minutes provided

*EMS Report- Ed Weeks- Report provided

*Utah Renewable Communities- CM Gibson explained the low-income program information will be coming out soon.

*Fire District- Chief Drake reported the Fire Commission has voted to deny the installation of a cell phone tower at Fire Station one.

*Information Technology (IT) Report- Colleen Thompson provided a hardware proposal for computer /server upgrades in FY2027.

4. Correspondence: None.

5. Administrative Matters & Procedures: No Town letters. A Groundskeeper has been hired, and he will start next week.

NEW BUSINESS

6. Discussion and Possible Action re: Adopting the 2025 General Plan.

The Council thanked the Planning and Land Use Commission for all their work on the Plan.

CM Hill moved to adopt the 2026 General Plan Update (date correction) CM Gibson seconded, the motion passed unanimously.

Buck thanked Faylene Roth for coming out of retirement to be the PLUC clerk she was instrumental in getting the General Plan survey and the final Plan completed.

7. Discussion and Possible Action re: Resolution 2026-5 Approving the Property Tax Increase Impact Schedule.

Buck explained this schedule has the current/ corrected valuation and tax rate provided by the Utah Tax Commission.

CM Hill moved to approve Resolution 2026-5 Approving the Property Tax Increase Impact Schedule. CM Gibson seconded the motion passed unanimously.

8. Discussion and Possible Action re: Resolution 2026-6 Adopting the Interim FY 2027 Budget.

CM Hill explained this will be our current budget until after the Public Hearing on the Tax Increase August 12th; we will not approve the certified tax rate until after that Hearing.

CM Gibson moved to adopt Resolution 2026-6 Adopting the Interim FY 2027 Budget, CM Holland seconded motion passed unanimously.

9. Discussion and Possible Action re: Appointing two positions to the Planning and Land Use Commission.

M Duncan explained that Jeff Whitney and Marie Hawkins PLUC terms end in June. Jeff has decided to re-up for another term and Marie will not. The Council expressed a huge thank you to Marie for serving 20 years on the PLUC. Marie has expressed willingness to fill in as an alternate as needed. M Duncan interviewed Mathew Gross and recommended him to fill the other position.

CM Hill moved to approve M Duncan's recommendations to appoint Jeff Whitney and Mathew Gross to the Planning and Land Use Commission, CM Gibson seconded motion passed unanimously.

10. Discussion and Possible Action re: Approving the Utah Geologic Survey FY2027 Water Monitoring MOU/Proposal.

CM Gibson moved to approve the Utah Geologic Survey FY2027 Water Monitoring MOU/Proposal.

CM Hill seconded motion passed unanimously.

11. Discussion and Possible Action re: Adopting Amendments to Ordinance 95-6 Land Disturbance language

D. Honer explained that the new language adds a final approval requirement to improve project oversight.

CM Hill moved to adopt amendments to Ordinance 95-6 Land Disturbance language; CM Gibson seconded motion passed unanimously.

UNFINISHED BUSINESS -none

12. Closed Meeting (If necessary)

13 Payment of the bills.

Gibson moved to pay the bills to include the UGS Water monitoring invoice for \$2070.55, CM Holland seconded and the motion passed unanimously.

ADJOURNMENT

M Duncan adjourned the Meeting at 6:52 PM

Approved:

Attested:

Jazmine Duncan, Mayor

Jocelyn Buck, Town Clerk

Town of Castle Valley
Road Department
Monthly Report July 2026

Dorje Honer
July 14, 2026

ROAD MAINTENANCE

- General Road Maintenance
 - Castle Valley Drive
 - Pot hole repair will begin this week and continue through the coming months.

PROJECTS

- General
 - Castle Valley Drive (Chip Seal Prep)
 - Cost Estimates:
 - Side Repair Estimates:
 - Legrand price is about \$9 per square foot.
 - Close to matches cost of current repair methods.
 - We are researching and will be testing improvements to our methods to reduce cost.
 - Chip Seal Approximate Total: \$210,000 - \$225,000
 - \$4.37/sq yd x ~45,000 sq. yd. = ~\$200,000
 - \$8,000-\$10,000 estimated staging delivery.

MATERIALS

- We will be ordering cold-patch as needed over the coming months as we use it to minimize losses and have fresh material.

REQUISITIONS

- 5 Gallon bucket(s) of Tack oil (researching suppliers).
- Loader Parts: See Below.

ACQUISITIONS

- Various small parts for the backhoe and work truck.

EQUIPMENT

- Mower
 - Main lift piston leaking (extreme).
 - Repair in progress.
- Loader (individual parts likely <\$600.)
 - Drive shaft failure (parts to be ordered shortly)
 - Brake Valve leaks (replacement parts to be ordered shortly)

FACILITIES

- Nothing to report at this time

TRAINING

- Nothing to report at this time

BUDGET

- We are currently within budget.

INCIDENTS & ACCIDENTS

- Nothing to report at this time.

WORK SCHEDULE

- The road crew works a flexible schedule (usually Mondays & Tuesdays) based upon: resources available, prioritization of work, weather conditions, and the private schedule of its employees. The road crew currently does not work on Sundays except for emergencies.

**WORKING DRAFT MINUTES
REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION
TOWN OF CASTLE VALLEY
THURSDAY, JULY 2, 2026, 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 at the Town Building.

PLUC Members (PM) Present at anchor site: Ryan Anderson, Dorje Honer, Janie Tuft, Matt Gross
Present at anchor site: Collen Thompson, Mayor Jazmine Duncan, Egmont Honer, Faylene Roth, Jocelyn Buck
Present on Zoom: None
PLUC Clerk at anchor site: Debbie Testa

CALL TO ORDER & ROLL CALL

Anderson called the Regular Meeting of the Planning and Land Use Commission (PLUC) of the Town of Castle Valley (TCV) to order at 6:30 P.M.

1. Adoption of Agenda

Honer moved to adopt the Agenda. Tuft seconded the Motion. Honer, Tuft, and Anderson approved the Motion. The Motion passed unanimously.

2. Swearing in of two open positions to the Planning and Land Use Commission – Buck

Matt Gross introduced himself and was sworn in by Buck as a new PLUC member, filling Hawkins' open position. Whitney was absent; however, he will continue in his commission position for another term. Buck said she would contact Whitney to coordinate a time for his swearing-in. Anderson recognized and thanked Hawkins for her years of service to the PLUC.

3. Open Public Comment – None

4. Approval of Minutes: June 4, 2026, Regular Meeting

Tuft moved to approve the June 4, 2026 minutes. Honer seconded the Motion. Honer, Tuft, Gross, and Anderson approved the Motion. The Motion passed unanimously.

5. Reports

Correspondence - None

Building Permit Agent (BPA) Report – Thompson

Thompson reported the following permits were approved during the month of June 2026: a building permit for a carport on lot #74, a building permit for a residence addition on lot #351, a certificate of land use compliance (CLUC) for an accessory building on lot #161, a certificate of occupancy for a studio addition on lot #151, an electric permit for a shed on lot #302. The following permits are in process at the end of June 2026: a building permit for a residence and outbuilding on lot #386, a septic permit for lot #386, an NR solar permit on lot #157, a previously reported barn remodel on lot #137 has been abandoned, and the barn is being sold.

Water Advisory Committee (WAC) – Anderson

Anderson reported that the WAC meeting was canceled, so no report is available.

Procedural Matters

Anderson discussed Ordinance #2006-3, Section 2, which allows for 2 alternate members on the PLUC. He proposed that the PLUC consider implementing a designated alternate system for the PLUC when regular members are unavailable and to help maintain institutional knowledge when they cannot attend meetings. Marie Hawkins was suggested as a potential PLUC alternate, though someone new to the PLUC could also serve. The group discussed the need to develop a job description for alternate members and agreed that the appointment process should involve the entire council rather than having one person, the mayor, conduct interviews when appointing regular or alternate PLUC members. Alternate members would be advertised similarly to regular PLUC member open positions.

NEW BUSINESS

6. Discussion on a proposed farm stand on lot #161 and if it requires a Conditional Use Permit and, if so, whether it should be routine or non-routine

The discussion focused on a farm stand on lot #161 and on clarifying whether a conditional use permit would be required for other local farmers to participate and whether that would be routine or non-routine. Thompson reviewed the ordinance requirements and noted potential conflicts between allowing other farmers to participate and the current restriction that products must be raised on the premises. The group debated whether a conditional use permit is necessary and discussed traffic impacts. Roth noted that while the current ordinance restrictions may be overly restrictive, any permit allowing others to participate would need to address potential favoritism concerns and ensure compliance with state agricultural licensing requirements. The commission determined that, while farm stands are generally permitted, the current ordinance language requiring products to be "raised on the premises" creates conflicts when other farmers participate in shared farm stands. The commission agreed to table the farm stand discussion and consider amending the ordinance to change "raised on the premises" to "raised in Castle Valley" to better support local farmers and agriculture and to enable collaboration among local farmers, which aligns with the recently updated General Plan. This change would require amending Ordinance 85-3, Section 4.2 D, permitted uses for the Rar-1 Zone and adding a public hearing to the agenda for the August 6, 2026, meeting.

Honer moved to table the new business item #6. Tuft seconded the Motion. Honer, Tuft, Gross, and Anderson approved the Motion. The Motion passed unanimously.

UNFINISHED BUSINESS.

7. Discussion and possible action regarding updates to land use application forms to align them with changes in procedure and recent amendments to Ordinances 95-6 (tabled):

Thompson and Anderson suggested removing items from the agenda's list of forms that have been addressed and updating various forms to improve consistency and efficiency. The commission determined that administrative form redesigns would not require formal approval.

- Nonroutine Solar Energy System (SES) Permit Application (update)
- Building Permit Information Sheet (update)
- Internal Accessory Dwelling Unit Permit Application (added 6.6.24)
- Septic Permit Application (approved 5.2.24)
- Electric Permit Application (approved 5.2.24)
- Routine Solar Energy System (SES) Permit Application (approved 8.1.24)
- Land Disturbance Activity Review (approved 6.6.24)
- Land Disturbance Activity Permit (approved 9.5.24)
- Certificate of Land Use Compliance (CLUC) Form to replace CLUC for Agricultural Use (approved 9.5.24)
- Agricultural Exemption Form (approved 3.6.25)
- Certificate of Occupancy Review form (added 5.8.25)
- Temporary Dwelling Permit Application form (approved 6.13.25)
- Temporary Dwelling Permit Renewal form (approved 6.13.25)
- Fulfillment of Decommission Contracts (added 5.8.25) (approved 4.3.25)
- Three Acknowledgments – Geologic Hazard, Short Term Rentals, One Dwelling Per Lot (approved 5.8.25)
- Temporary Accessory Dwelling Permit Application form (added 6.13.25)
- Land Disturbance Activity Preliminary Questionnaire (approved 6.2.26)

CLOSED MEETING - None

ADJOURNMENT

Honer moved to adjourn. Tuft seconded the Motion. Tuft, Honer, Gross and Anderson approved the Motion. The Motion passed unanimously.

Anderson declared the Meeting adjourned at 7:26 P.M.

BPA Report as of June 30, 2026

Building permits approved									
date	lot#	road	owner	type	purpose	description	height	sf <=19	sf >19
6/5/2026	74	Bailey Lane West	Holland, Harry & Deb	Building	Accessory Bldg	carport	7.5	252	0
6/5/2026	351	Taylor Lane	LLC, Castle Valley Uta	Building	Residence Addn	Addn to prev unpermitt	18	531	0
6/20/2026	161	Buchanan Lane West	Diggs, Orville & Dunc	CLUC	Accessory Bldg	Animal pen + cowshad	7	288	0
6/26/2026	151	Buchanan Lane East	Smouse, Jim & Valli	Building	Certificate of Occupancy	CO for studio addition	0	0	0
6/30/2026	302	Holyoak Lane West	Viola, Gerald & Peiko	Electrical	Shed	Elec svc to shed	0	0	0
Building permits in progress									
Start date	lot#	road	owner	type	purpose				
5/1/2026	386	Homestead	Craig Jones	Building	Residence and outbuildings	Revising			
5/1/2026	386	Homestead	Craig Jones	Septic	Septic				
6/1/2026	157	Buchanan	Johnston/Martin	NR solar					
6/26/2026	137	CVD	Elliot	Building	Barn remodel	Abandoned			

Castle Valley Treasurer's Report 6/30/2026

We have not yet received all the reimbursements from EOP for the Castle Creek culvert project but anticipate we will be receiving them soon. The good news is the project looks to be coming in just under what we had budgeted for with our grants coming in just over what we thought they would be.

Our tax income is mostly in line with our budget with the exception of Class C Road tax that is about \$10K less than expected.

At the end of this fiscal year, we were mostly on or under budget in our expenses with a few small exceptions that were all under one percent.

With the meeting being a week early this month, we do not have the actual numbers for last year's budget yet but will present it in the next treasurer's report.

Tory Hill, Castle Valley Treasurer

Fraud Risk Assessment

Continued

*Total Points Earned: 345/395 *Risk Level:

Very Low	Low	Moderate	High	Very High
> 355	316-355	276-315	200-275	< 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	X	200
2. Does the entity have governing body adopted written policies in the following areas:		
a. Conflict of interest?	X	5
b. Procurement?	X	5
c. Ethical behavior?	X	5
d. Reporting fraud and abuse?	X	5
e. Travel?	X	5
f. Credit/Purchasing cards (where applicable)?	X	5
g. Personal use of entity assets?	X	5
h. IT and computer security?	X	5
i. Cash receipting and deposits?	X	5
3. Does the entity have a licensed or certified (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?	X	20
a. Do any members of the management team have at least a bachelor's degree in accounting?	/	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?	X	20
5. Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training (training.auditor.utah.gov) within four years of term appointment/election date?	X	20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?	/	20
7. Does the entity have or promote a fraud hotline?	X	20
8. Does the entity have a formal internal audit function?	X	20
9. Does the entity have a formal audit committee?	/	20

*Entity Name: Town of Castle Valley

*Completed for Fiscal Year Ending: 6-30-2026 *Completion Date: _____

*CAO Name: Jasmine Duncan *CFO Name: Tory Hill

*CAO Signature: _____ *CFO Signature: _____

*Required

Basic Separation of Duties

See the following page for instructions and definitions.

	Yes	No	MC*	N/A
1. Does the entity have a board chair, clerk, and treasurer who are three separate people?	X			
2. Are all the people who are able to receive cash or check payments different from all of the people who are able to make general ledger entries?	X			
3. Are all the people who are able to collect cash or check payments different from all the people who are able to adjust customer accounts? If no customer accounts, check "N/A".				X
4. Are all the people who have access to blank checks different from those who are authorized signers?		X		
5. Does someone other than the clerk and treasurer reconcile all bank accounts OR are original bank statements reviewed by a person other than the clerk to detect unauthorized disbursements?	X			
6. Does someone other than the clerk review periodic reports of all general ledger accounts to identify unauthorized payments recorded in those accounts?	X			
7. Are original credit/purchase card statements received directly from the card company by someone other than the card holder? If no credit/purchase cards, check "N/A".	X			
8. Does someone other than the credit/purchase card holder ensure that all card purchases are supported with receipts or other supporting documentation? If no credit/purchase cards, check "N/A".	X			
9. Does someone who is not a subordinate of the credit/purchase card holder review all card purchases for appropriateness (including the chief administrative officer and board members if they have a card)? If no credit/purchase cards, check "N/A".	X			
10. Does the person who authorizes payment for goods or services, who is not the clerk, verify the receipt of goods or services?	X			
11. Does someone authorize payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	X			
12. Does someone review all payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	X			

* MC = Mitigating Control

#7

TOWN OF CASTLE VALLEY WATER USE AGREEMENT AND PERMIT

This Water Use Agreement and Permit ("Permit") is issued pursuant to the considerations, purposes, and authorities recognized in TOWN OF CASTLE VALLEY ORDINANCE 2017-1, "AN ORDINANCE ESTABLISHING PROCEDURES FOR GOVERNING, AMENDING, CONDITIONING, REVOKING, AND ENFORCING TOWN WATER USE AGREEMENT AND PERMITS" ("Water Use Ordinance").

I/we, **<Lot Owner Name>** ("Lot Owner"), hereby apply to use a portion of the Town of Castle Valley's ("Town") water rights ("Town water") on Castle Valley River Ranchos Lot # **<Lot ID>** ("Lot").

The Town holds Town water for the benefit of its citizens and the use of Town water is subject to duly enacted rules and regulations. To use Town water I/we agree to be bound by Town rules, the Terms and Conditions of this Permit, the provisions of the Water Use Ordinance, and other applicable law.

I/we agree to the following Permit Terms and Conditions:

PERMIT TERMS AND CONDITIONS

1) Permit and Water Use Conditions:

- A. Water Use: Use of Town water shall occur according to the Water Use Ordinance, this Permit and associated documents, and applicable law.
- B. Appurtenance and Transfer: Permission to use Town water is only applicable on the Lot identified in this Permit. This Permit is appurtenant to the Lot and will be assigned to a new Lot Owner upon transfer of the Lot.
- C. Binding Nature: This Permit is binding on the Lot Owner, lessees of the Lot, and successors-in- interest.
- D. Water Supply: This Permit does not guarantee Lot Owner will receive any specific quantity or quality of Town water. Approval of this Permit does not obligate the Town to provide any specific quantity or quality of water.
- E. Future Actions: The Town may make future changes to the form of this Permit that may require I/we to re-sign or re-enter a Water Use Permit.

2) Permit Approval Requirements:

- A. Affirmation of Ownership: I/we am the owner of the Lot and agree to furnish proof of such ownership if so requested by the Town such as a Warranty Deed, Real Estate Contract. Etc.
- B. Administrative Fee: I/we have paid the administrative fee of ~~\$95~~ \$295.
- C. Water Use Accounting Form: I/we have provided a Water Use Accounting Form (Attachment A) with this application that:
 - i. Does not request use of Town water in excess of 8 acre-feet.

- ii. Demonstrates existing and/or anticipated beneficial use of water.

D. Lot Plan: I/we have provided a Lot Plan (Attachment B) with this application that demonstrates, at a minimum, the location of the well from which Lot Owner will divert Town water and its distance from each lot boundary line and the road easement line(s) of any road(s) that abut the Lot.

E. Existing Well. If this Permit is for use with an existing well, I/we will provide the Well Driller's Report for the well, or other documentation demonstrating that it is a legal well.

F. Other Information: I have provided any other information requested by the Town.

3) Conditions for Lot Owners Seeking to Drill a New Well on the Lot:

A. Start Card: Upon issuance of this Permit, the Town, on my behalf, will seek the necessary documents to obtain permission to drill a well on the Lot. The Town is under no obligation to obtain well approval if it is opposed nor liable if the request is not approved. The Town is not responsible if the well fails to provide water of sufficient quantity or quality.

B. Well Location Inspection: Before a well drilling work commences the location of the well must be inspected by the Town Water Rights Agent or other authorized representative of the Town, to verify that the well is at least 50' from any adjacent lot boundary line and 25' from the road easement line(s) of any road(s) that abut the Lot. Approval of the well location must be verified by an authorized signature where indicated on page 3 of this document before the well can be used.

C. Construction of Well: Upon receiving approval to drill a well, I/we am/are solely responsible for its construction and will hire a well-qualified and licensed well driller to drill the well. I/we am/are responsible for all costs associated with drilling a well on the Lot.

D. Well Drillers Report: I/we will deliver a completed Well Driller's Report to the Town office before using the well to divert or use Town water.

E. Upon completion of the well drilling but before water can be pumped from the well a Town specified electronic meter must be installed by an authorized agent of the Town.

4) Requirements and Conditions to Maintain Validity of Permit:

A. Completion of Construction and Beneficial Use: I/we will drill a well and complete the necessary facilities and to put Town water to beneficial use outlined in the attached Water Use Accounting Form within two (2) years of the issuance of this Permit. Failure to drill a well and put water to beneficial use within two (2) years of the issuance of this Permit will automatically void the Permit and terminate the right of the lot owner(s) to drill a well under this Permit.

B. Update to Water Use Accounting Form: I/we will provide an accurate, updated Water Use Accounting Form, when requested by the Town every 6 years.

5) Amendments, Conditions, or Revocation of Permit:

- A. Amendments: I/we will comply with the Request to Amend procedure outlined in the Water Use Ordinance before using Town water in excess of 8 acre/feet per year.
- B. Town Initiated Amendments, Conditions or Revocations: The Town may amend, condition, or revoke this Permit according to the procedure outlined in the Water Use Ordinance.

6) Enforcement of Permit:

Access: As described in Ordinance 2017-1, the Town has right of entry on the Lot to inspect water diversion facilities, metering devices, or the amount or manner of water use for emergency, and enforcement, or maintenance of Town equipment purposes only and I/we will not impede access for such purposes

- A. Violations: Violations of this Permit are to be enforced according the procedure outlined in the Water Use Ordinance and is a Class B Misdemeanor.
- B. Interference with Town Water: The Town may seek an enforcement or other civil action for interference with Town water.
- C. Costs: The Town may seek reimbursement for all costs, including attorneys' fees, the Town may incur in enforcing this Permit or Water Use Ordinance. I/we am/are responsible for all fees or costs associated with enforcing a violation of this Permit of the Water Use Ordinance.

The Lot Owner's signature is required by the Water Use Ordinance for this Permit to be valid. This Water Use Agreement and Permit is binding on lessees and successors in interest.

Property Owner(s):

Signature: _____

Date: _____

Signature: _____

Date: _____

Received By: _____ (Signature) _____ (Print)

_____, Town of Castle Valley

This WATER USE AGREEMENT AND PERMIT will be valid only when the items below have been initialed by an authorized Town official, and when signed below by an authorized Town official.

Administrative Fee – Paid _____

Proof of Lot Ownership – Received _____

Water Use Accounting Form – Received _____

Well Location – Inspected and Approved _____

Well Driller's Report – Received _____

TCV Approved Meter – Installed _____

I hereby attest the Lot Owner has met the requirements to approve this Water Use Agreement and Permit and hereby issue a Permit to the Lot Owner for use of Town water subject to the terms of this Permit and the Water Use Ordinance.

By: _____(Signature) _____(Print)

~~Town Clerk,~~ Town of Castle Valley

**THE TOWN OF CASTLE VALLEY, UTAH
ORDINANCE 2017 – 1**

**AN ORDINANCE ESTABLISHING PROCEDURES FOR GOVERNING, AMENDING,
CONDITIONING, REVOKING, AND ENFORCING TOWN WATER USE
AGREEMENT AND PERMITS**

PREAMBLE: This Ordinance is to administer use of the Town of Castle Valley's ("Town") water rights. This Ordinance is enacted with reference to the following considerations, purposes, and authorities:

WHEREAS, water is a valued and important natural resource.

WHEREAS, the Town is situated above the Valley-Fill aquifer which is designated as the sole and principal source of water for the Town.

WHEREAS, prudent use of this aquifer is necessary to preserve and promote both a thriving Town and healthy local environment.

WHEREAS, there is a need for the Town to update and improve existing Town procedures to ensure water is responsibly managed for today and future generations.

WHEREAS, Utah Code Ann. § 73-1-1 establishes water in Utah, whether above or under the ground, to be the property of the public, subject to all existing rights to the use thereof.

WHEREAS, the Utah Code Ann. § 73-2-1 establishes the Utah State Engineer as the body responsible for the general administrative supervision of the State's waters and to secure the equitable apportionment and distribution of water according to the respective rights of appropriators.

WHEREAS, the Town is a political subdivision of the State of Utah.

WHEREAS, supplying, managing, and equitably distributing water is an inherent component of the Town's duties to protect the public health, safety, and welfare.

WHEREAS, the Town owns certain water rights ("Town Water") and has a duty to maintain these rights in good standing.

WHEREAS, the Town holds Town Water for the benefit of its citizens and use of Town Water is subject to duly enacted Town Ordinances and other applicable law.

WHEREAS, the Town is a political entity that supplies water to the public for municipal purposes and is therefore a Public Water Supplier under Utah Code Ann. § 73-1-4. In this

capacity, the Town is actively planning for the reasonable future water requirements of Town citizens.

WHEREAS, Utah Code Ann. § 10-7-14 grants the Town the authority to enact ordinances, rules, and regulations for the management and conduct of its waterworks.

WHEREAS, Utah Code Ann. § 10-8-22 grants the Town the power to fix the rates to be paid for the use of water furnished by the Town.

WHEREAS, until a different municipal delivery system is installed, the Town seeks to authorize, regulate, and record use of Town Water through a Water Use Agreement and Permit ("Water Use Permit") to be governed by this Ordinance.

WHEREAS, Water Use Permits are necessary to equitably distribute and manage Town Water and are integral for long term Town Water management and planning.

WHEREAS, long-term sustainable management of Town Water requires citizens owning lots in the Town ("Lot Owners") to generally use no more than 8 acre-feet of Town Water annually and at no point may a Lot Owner use more than 20 acre-feet of Town Water annually.

WHEREAS, the Town seeks to formalize with this Ordinance a public process for issuing, approving, and enforcing Water Use Permits.

WHEREAS, the Town seeks to establish with this Ordinance a public process to hear requested amendments to a Water Use Permit if a Lot Owner desires to use water in excess of 8 acre-feet.

WHEREAS, the Town seeks to establish with this Ordinance a public process where the Town can amend, condition, or revoke a Water Use Permit.

WHEREAS, Utah Code Ann. § 10-7-13 explicitly grants Town officials the right to enter Town Lots using Town Water to inspect water diversion facilities and water use for emergency and/or enforcement purposes.

WHEREAS, Utah Code Ann. § 10-8-84 authorizes the Town to enforce ordinances with fines or penalties.

WHEREAS, Utah Code Ann. § 73-2-25 authorizes the Town to submit an Enforcement Referral Action to the Utah State Engineer to protect Town Water rights.

WHEREAS, the Town has remedies provided by law or common law to protect its water rights or otherwise enforce Water Use Permits.

**THEREFORE, BE IT ORDAINED BY
THE TOWN COUNCIL OF THE TOWN OF CASTLE VALLEY:**

SECTION 1: GOVERNANCE OF TOWN WATER AND WATER USE PERMITS

- A. The Town holds Town Water for the benefit of Town citizens and has the authority and jurisdiction to manage Town Water on behalf of its citizens.
- B. To administer use of Town Water, the Town has the authority to approve, issue, and maintain jurisdiction over Water Use Agreement and Permits (“Water Use Permit”).
 - i. A Water Use Permit represents a Lot Owner’s right to use Town Water, subject to the provisions of this Ordinance, an approved Water Use Permit, or other applicable law.
 - ii. Use of Town Water shall only occur in accordance with this Ordinance, an approved Water Use Permit, and other applicable law.
- C. A Water Use Permit is required for:
 - i. Citizen use of Town Water.
 - ii. Town of Castle Valley use of Town Water, for which the Town reserves the right to condition or issue a Water Use Permit appropriate for the purposes of performing municipal or related duties.
 - iii. The Grand County Service Area for Castle Valley Fire Protection use of Town Water, for which the Town reserves the right to condition or issue a Water Use Permit appropriate for the purposes of performing fire prevention, training, or related duties.
 - iv. Any other municipal, commercial, or similar entity seeking to use Town Water, for which the Town reserves the right to condition or issue a Water Use Permit appropriate for the purpose and scope of activities of that entity.
- ~~D. Only Water Use Permits and associated documents approved after the enactment of this Ordinance will be recognized by the Town as valid permission to use Town Water.~~
 - ~~i. Lot Owners currently using Town Water shall sign a Water Use Permit within 3 months of the enactment of this Ordinance.~~
 - ~~ii. The Town Mayor may take any lawful action to notify the public that all prior Water User Agreements, Water Permit Agreements, or similar documents have been superseded and are no longer recognized by the Town as authorizing use of Town Water.~~
- E. Approved Water Use Permits:
 - i. Are only applicable to the Lot, are appurtenant to the Lot, and are not transferable separate from a sale or transfer of the Lot;

- ii. Are only available to Lots with a well or planning to drill a well and are not available to Lots using cisterns without a well;
- iii. Shall be assigned to a new Lot Owner upon the sale or transfer of the Lot; and
- iv. Are binding on Lot Owners, heirs, executors, administrators, successors, legal representatives, assigns and lessees;
- v. Should be applied to only one Lot, provided that upon written request the Town Council may, in its sole discretion, approve the use of a single Water Use Permit for multiple Lots if:
 - 1) All proposed Lots to be served under a single Water Use Permit (a "Group") be specified in the request to the Town Council;
 - 2) All of the Lots in a Group are owned by the same person(s) or entity;
 - 3) Each Lot within a Group is adjacent to at least one other Lot within the Group, such that the Group forms a contiguous block of Lots;
 - 4) The Water Use Permit will be assigned to the Lot upon which the well will be drilled or where there is an existing well that will serve the lots in the group;
 - 5) The Water Use Accounting Form submitted with the Water Use Agreement for the Group shall detail the water use across all Lots within the Group;
 - 6) If the Main Lot is sold separate from the other Lots, the Water Use Permit shall transfer as specified in E(iii) above, provided that an updated Water Use Accounting Form shall be completed for the Main Lot, and a new Water Use Permit is obtained for each Lot remaining in the group that is using Town Water at the time of the sale.
 - 7) If a Lot in the group other than the Main Lot is sold and Town Water is being used on the sold Lot at the time of the sale, then a new Water Use Permit must be obtained for the sold Lot, and an updated Water Use Accounting Form must be completed for the remaining Lots in the Group.
 - 8) If the sale of any Lot in the Group causes any other Lot to become non-contiguous with the Group and the non-contiguous Lot is using Town Water at the time of the sale, then a new Water Use Permit must be obtained for the non-contiguous Lot, and an updated Water Use Accounting Form must be submitted for what remains of the Group.

E. The Town may:

- i. Periodically review use of Town Water under approved Water Use Permits to ensure use comports with immediate and long-range Town Water planning and management;

- ii. Review use of Town Water in light of circumstances including, but not limited to, the impact of water use on the Lot on other Lots, drought or other natural conditions, or actions of the State Engineer or other governmental entities; and
 - iii. Reallocate use of Town Water to accommodate Town needs as the Town deems necessary and to do so may amend, condition, or revoke an approved Water Use Permit, subject to this Ordinance;
 - iv. Upon passing a resolution stating the justification for doing so, adjust, amend, revise, or reissue Water Use Permits to supersede existing Water Use Permits, which may or may not require Lot Owners to re-sign a new Water Use Permit;
 - v. Without the passage of a resolution, adjust the Water Use Permit fee collected with a new Water User Permit which is necessary to cover reasonable Town costs to review, approve, and implement the Water Use Permit;
 - vi. Without the passage of a resolution, make any clerical or non-substantive changes to the Water Use Permit form.
- F. The Town will make best efforts to secure water for its citizens, but the establishment, use of, and/or approval of Water Use Permits does not:
- i. Guarantee the Town has sufficient water to provide Lot Owners with any specific quantity or quality of water;
 - ii. Guarantee there is sufficient Town Water to supply an approved use;
 - iii. Obligate the Town to obtain additional water rights or water sources to supply Lot Owners with water to fulfill their approved use;
 - iv. Guarantee Lot Owners' wells will access water of sufficient quantity or quality to supply an approved use;
 - v. Limit other's rights to oppose or protest Lot Owners' use of Town Water;
 - vi. Obligate the Town to resolve disputes over Water Use Permits or defend a Water Use Permit on behalf of a Lot Owner;
 - vii. Limit the Town's ability to amend, condition, or revoke use of Town Water due to drought, Town Water management priorities, or other conditions that may affect the amount of, quality, or availability of Town Water; or
 - viii. Affect the ability of the State Engineer or a court of competent jurisdiction to determine that the Town is not the owner of any water rights claimed by the Town, to reduce the quantity of water allowed to be diverted under rights owned by the Town, or otherwise condition the use of Town Water.
- G. Holding and administering Town Water for the benefit of its citizens accrues costs to the Town. The Town has the authority to fix water rates or charges for the use of Town Water, and may seek reimbursement from Lot Owners with an approved Water Use Permit for their proportional share of expenses reasonably necessary to maintain Town

Water rights in good standing, including, but not limited to engineering costs, professional services, legal fees, administrative time, or other expenses, as follows:

- i. The Town of Castle Valley may incur expenses as needed to resolve an emergency situation without prior approval, and may seek reimbursement for such expenses from Lot Owners who have Water Use Permits. The Lot Owners to be held responsible for such reimbursement, if any, will be determined by the Town Council at a regularly scheduled meeting.
- ii. When an expense is incurred on behalf of or because of specific Lot Owners who have Water Use Permits, only those Lot Owners will be responsible for reimbursement of the expenses.
- iii. Any non-budget expense other than those described in (i) and (ii) above that may be subject to reimbursement from Lot Owners with Water Use Permits must be approved by the Town Council at a regularly scheduled meeting.

H. In any and all matters calling for the exercise of judgment regarding Water Use Permits and use of Town Water, the Town's judgment shall be deemed controlling.

SECTION 2: APPROVAL OF WATER USE PERMITS

A. ~~The Town may approve and issue a Water Use Permit when the following conditions are met:~~ Before a Lot Owner may drill a well or use an existing well to divert Town Water a Water Use Permit for the lot must be approved by the Town. The Town may approve and issue a Water Use Permit when the following conditions are met:

- i. ~~Lot Owner represents s/he is the owner of the Lot and agrees to furnish proof of ownership if requested.~~
- ii. Lot Owner submits:
 1. Proof of ownership of the lot.
 2. The stated administrative fee;
 3. A Water Use Accounting Form demonstrating existing and/or anticipated beneficial uses of Town Water on the Lot and that this use does not exceed 8 acre-feet;
 4. ~~A Lot Plan ("Lot Plan") showing, at a minimum, the location of the well from which Lot Owner will divert Town Water and its distance from each Lot boundary line and the road easement line(s) of any road(s) that abut the Lot; and~~
 5. A signed Water Use Agreement and Permit form
 6. Upon completion of well drilling, a copy of the Well Driller's Report
 7. Any other relevant information requested by the Town.
- iii. ~~Lot Owner signs the Water Use Permit.~~
- iv. The Town inspects and approves:
 1. The location of the well

2. The selection and installation of an electronic meter

B. For Lot Owners seeking to drill a new well:

- i. Upon issuance of a Water Use Permit, the Town will file with the Utah State Engineer the necessary documents to obtain permission for the Lot Owner to drill a well on the Lot from which the Lot Owner will divert Town Water;
- ii. The Town may cease its efforts to obtain a well approval if other parties protest the proposed well and reasonably demonstrate that they will be harmed by the intended well location or use of water. The Town has no obligation to address or resolve such protests;
- iii. The Town is not liable for the failure of the State Engineer to approve a well;
- iv. Upon receiving permission to drill the well, the Lot Owner is responsible for securing the construction of the well by a qualified and licensed well driller at Lot Owner's sole expense;
- v. The Town is not responsible if the well fails to provide water of sufficient quantity or quality to satisfy the approved use; and
- vi. ~~A completed Well Driller's Report shall be delivered to the Town before the Lot Owner may use the well to divert Town Water and put it to use as approved in the Water Use Permit.~~

C. To maintain the validity of an approved Water Use Permit, Lot Owners shall:

- i. Complete the necessary facilities and place the water to its approved beneficial use within two (2) years of the Town approving and issuing the Water Use Permit; and
- ii. Complete and submit a new Water Use Accounting Form when requested by the Town, ~~to be provided to the Lot Owner by the Town, every six years updating~~ to update uses of Town Water on the Lot.

SECTION 3: REQUESTS TO AMEND A WATER USE PERMIT

A. A Lot Owner, or Lessee with written permission from Lot Owner, seeking to amend an approved Water Use Permit shall:

- i. File a Request to Amend Water Use Permit with the Town detailing the request for additional water. Requests to Amend can be obtained from the Town;
- ii. The Request must include proposed revisions to their current Water Use Accounting Form or Lot Plan, if applicable; and
- iii. Submit an administrative fee set by the Town sufficient to cover related administrative costs and the cost of filing notice of the Request to Amend in the local newspaper.

B. Upon receipt of a complete Request to Amend, the Town shall:

- i. ~~Publish notice of the Request to Amend in the local newspaper for two consecutive weeks;~~
 - ii. Post written notice at City Hall, and on the ~~Utah Public Notice~~ Town of Castle Valley website; and
 - iii. Ensure any notice published states the nature of the matter and state that it is set for hearing at the next Town Council meeting following the end of the notice period.
- C. Any interested person desiring to oppose the Request to Amend may file a written Protest with the Town any time preceding 3 days before the Town Council meeting at which the Request to Amend will be considered.
- D. The burden of persuasion lies with the Protestor to demonstrate to the Town that the Applicant fails to meet the criteria of (3)(F).
- E. The Council shall provide an opportunity for the Lot Owner and any Protestants to be heard at the Town Council meeting and shall accept relevant evidence related to the Request to Amend.
- F. Within sixty (60) days following the Town Council meeting, upon reviewing the record and relevant evidence presented to the Town Council, the Town shall approve or deny the Request to Amend and make written findings that:
 - i. There is adequate Town Water to fulfill the request;
 - ii. The Request to Amend:
 - 1. Does not request use of Town Water that would cause the total amount of water rights available to the Lot to exceed 20 acre-feet;
 - 2. Does not impair use of Town Water under existing approved Water Use Permits or such impairment can be reasonably mitigated;
 - 3. Is physically and economically feasible;
 - 4. Is not detrimental to the public welfare; and
 - iii. Any other factors the Town considers relevant to the Request to Amend.
- G. The Lot Owner and Protestants will be notified of the Town's decision on the Request to Amend by ~~certified~~ mail sent to the address most recently provided to the Town by the Lot Owner and Protestants or as made available by the Grand County Assessor's Office. Notice will be considered complete upon the deposit of the decision in the United States mail by the Town or its agent.

SECTION 4: TOWN INITIATED AMENDMENT, CONDITIONING, OR REVOCATION OF AN APPROVED WATER USE PERMIT

- A. At times the Town may have a reason to seek to amend, condition, or revoke an approved Water Use Permit.
- B. To commence action on a Town initiated amendment, condition, or revocation, the Town shall:
 - i. ~~Publish notice of the Town's proposed amendment, condition, or revocation in the local newspaper for two consecutive weeks;~~
 - ii. Post written notice at City Hall, and on the ~~Utah Public Notice~~ Town of Castle Valley website;
 - iii. Attempt to deliver written notice to the Lot Owner via certified mail sent to the address most recently provided to the Town by the Lot Owner or as made available by the Grand County Assessor's Office; and
 - iv. Ensure any notice published states the nature of the matter and that the matter is set for hearing at the next Town Council meeting following the end of the notice period
- C. At the Town Council meeting, the Council shall:
 - i. State its reasons and support for the proposed amendment, condition, or revocation;
 - ii. Provide an opportunity for the Lot Owner to be heard;
 - iii. Accept any relevant evidence.
- D. Upon review of the record, the Town may amend, condition, or revoke an approved Water Use Permit and make a written finding based on the evidence presented that:
 - i. The Lot Owner is violating the terms and requirements of the approved Water Use Permit, this Ordinance, or other applicable law, and state the appropriate remedy for the violation;
 - ii. The uses approved in the Water Use Permit are negatively impacting neighboring water users;
 - iii. Mitigation of the negative impact is not reasonably possible, or if mitigation is possible, state the grounds and means of mitigation as an amendment or condition to the Water Use Permit;
 - iv. The Town's long range water planning requires the amendment, condition, or revocation;
 - v. Drought or other natural condition, environmental circumstance, or Court, State Engineer, or other governmental entity with regulatory power over Town Water, requires the amendment, condition, or revocation; or
 - vi. The uses approved in the Water Use Permit are detrimental to the public welfare; or
 - vii. Other reason supportable on the record.

- E. Lot Owners will be notified of the Town's decision to amend, condition, or revoke a Water Use Permit by certified mail sent to the address most recently provided to the Town by the Lot Owner or as made available by the Grand County Assessor's Office. Notice will be considered complete upon deposit in the United States mail by the Town or its agent.
- F. Lot Owner shall comply with any Town required amendments or conditions with 30 days of notice of the Town's decision, or other timeframe determined in the Order. Newly amended or conditioned use of Town Water must occur by the date indicated in the decision or the Lot Owner is in violation of this Ordinance and subject to fines and penalties listed herein.
- G. Revocation of a Water Use Permit will be effective 30 days from notice of the Town's decision unless emergency conditions require differently. In the case of emergency conditions, the Town shall state its reasons and support for why revocation is necessary prior to the established 30 day revocation period. All use of Town Water must cease by the date indicated in the revocation decision or the Lot Owner is in violation of this Ordinance and subject to fines and penalties listed herein.
- H. Any Town decision regarding amendment, conditioning or revocation may be appealed by the Lot Owner, as follows:
 - i. The Appeal Authority for the Town of Castle Valley shall be the person currently serving as the Town Variance and Appeal Officer.
 - ii. A Notice of Appeal letter must be delivered by the Lot Owner to the Town within 7 days after the decision.
 - iii. Upon receipt of a Notice of Appeal letter the Variance and Appeal Officer will schedule a hearing of the appeal. Hearings by the Officer shall be held at the Town Community Building unless the Officer determines that an alternate location better meets the purpose and need of the hearing. All hearings shall be properly noticed and held in accordance with the open meetings law set forth in Utah Code Annotated section 52-4-1 et seq., as amended. The Town Council shall, if requested by the Officer, appoint or hire a person to document the hearing.
 - iv. The Variance and Appeal Officer will either nullify or uphold the Council decision being appealed. Notice of the Officer decision will be sent by mail to Town and Lot Owner within 7 days of the appeal hearing.

- v. If upheld, the decision is final. If nullified, the Town may decide to alter the amendment, conditioning or revocation and initiate a new process as described in Section 4 above.
- I. The Town is not liable for damages incurred by the Lot Owner cause by or related to the Town amending, conditioning, or revoking a Water Use Permit in accordance with this Ordinance.

SECTION 5: INSPECTION, ENFORCEMENT, PENALTIES AND FINES

Utah Code Ann. § 10-7-13 grants Town officials a right of entry on all Town Lots to inspect water diversion facilities and the amount and manner of water use for emergency and/or for enforcement purposes. Officials appointed by the Town of Castle Valley may, at reasonable times during normal business hours and upon providing written notification to the Lot Owner at least 48 hours in advance, enter a Lot for the purpose of determining whether or not the requirements of this Ordinance and the applicable Water Use Permit are being complied with, or may without notification or permission enter the Lot at any time to respond to an emergency pertaining to water facilities or water use.

- A. If the Town has a reasonable belief a Lot Owner is violating a provision of this Ordinance or their Water Use Agreement the Town may enforce this Ordinance by seeking to amend, condition, or revoke the Water Use Permit pursuant to the process outlined in Section 4.
- B. It shall be a class B misdemeanor to violate any provision of this Ordinance with a fine not to exceed \$1,000. The Grand County Sheriff is hereby authorized by the Town of Castle Valley to enforce the provisions of this Ordinance.

The Town may seek an Enforcement Referral Action with the Utah State Engineer under Utah Code Ann. § 73-2-25 or any other remedies provided by law or common law for interference with its water rights.

- C. A Lot Owner found in violation of this Ordinance, a Water Use Permit, or other applicable law, is responsible for all fees or costs accrued by the Town to enforce the Ordinance against the Lot Owner.
- D. Enforcement of Water Use Permits and use of Town Water and resolution of water disputes is exempt from Town Ordinance 2008-2 “An Ordinance Establishing a Complaint Resolution Process and Board and a Uniform Procedures for Ordinance Enforcement.” Governance and enforcement of the use of Town Water is to occur solely according to this Ordinance or other applicable law noted herein.

SECTION 6: SEVERABILITY

If any provision of this Ordinance or its application to any person(s), entity, or circumstance is held to be invalid, the remaining provisions and its application other person(s), entities, or circumstances shall not be affected,

SECTION 7: EFFECTIVE DATE

This Ordinance shall become effective immediately upon public posting.

PASSED, ADOPTED, AND APPROVED by the Town Council of the Town of Castle Valley in open session this ____ day of _____, 20__, by the following vote:

Aye:

Nay:

Absent:

TOWN OF CASTLE VALLEY

David D. Erley, Mayor

ATTEST:

_____, Town Clerk

Effective Date

Official Seal of the Town of Castle Valley

PROPOSAL FROM THE PLANNING AND LAND USE COMMISSION

To: Town of Castle Valley Town Council

From: Planning and Land Use Commission

Background & Context

As you are aware, our five-member PLUC requires a quorum of three members to conduct business and take official action. While a quorum allows us to operate, having a full contingent of five informed and authoritative commissioners ensures a more comprehensive and robust deliberative process.

Occasionally, unexpected personal obligations or life events require commission members to prioritize personal matters over PLUC responsibilities. During these times, the commission is frequently left uncertain whether a quorum will be met to hold scheduled meetings.

In reviewing the **PLUC Duties & Responsibilities** on the official Town of Castle Valley Documents page, we identified two specific paragraphs that address this potential issue:

"There are five members of the PLUC with the possibility of appointing an additional two alternates, who can help create quorums at meetings. Each member has a term of four years."

"The Mayor, with the advice and consent of the Town Council, appoints members who must have lived in Castle Valley for one year before applying for the position. The PLUC elects its own Chair from among its members."

Because the framework for alternates already exists but lacks an established workflow, the Commission is formally asking the Town Council to consider and act upon the following proposal.

PROPOSAL: Procedural Process to Appoint Qualified

Alternate PLUC Members

To implement the appointment of Alternate PLUC members, we propose the following procedural guidelines:

- **Eligibility:** Application for the Alternate PLUC Member position shall be open to current residents of Castle Valley who are former PLUC members with at least two (2) years of prior service on the commission.
- **Interview Process:** Applicants will be interviewed jointly by the Mayor and the Town Council.
- **Appointment:** Applicants who receive a majority support vote from the Town Council will be officially appointed. Upon appointment, they will be included in all relevant communications and email distributions to ensure they are prepared for full participation when called upon.
- **Expectations & Readiness:** Alternate members must remain current with all ongoing PLUC proceedings to ensure they can seamlessly step in and cast informed votes. They shall be notified in advance whenever they are required to stand in for an absent commissioner.
- **Term & Transition:** Alternate PLUC members may continue to serve subsequent terms if re-appointed as alternates, or they may transition into regular, fully seated PLUC positions as those vacancies open when standard terms expire.

Town of Castle Valley

7/14/2026 1:52 PM

Register: 1300 · General Accounts Unrestricted:Zions Operating

From 06/22/2026 through 07/14/2026

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
06/23/2026			-split-	Deposit		X	470.30	21,689.08
06/30/2026			5100 · Administration:...	Service Charge	3.00	X		21,686.08
06/30/2026	eft	Zions Bank Liabilities	-split-	87-0483404	1,239.92			20,446.16
06/30/2026	eft	Utah State Tax Com...	2100 · Payroll Liabiliti...	11848826-003-...	595.00			19,851.16
06/30/2026	10393	Charles S Ramser	-split-		191.17			19,659.99
06/30/2026	10394	Colleen R Thompson	-split-		525.45			19,134.54
06/30/2026	10395	Debbie Testa	-split-		369.40			18,765.14
06/30/2026	10396	Dorje Honer	-split-		386.94			18,378.20
06/30/2026	10397	Egmont Honer	-split-		218.92			18,159.28
06/30/2026	10398	Jasmine A Duncan	-split-		916.50			17,242.78
06/30/2026	10399	Jocelyn F. Buck	-split-		2,148.55			15,094.23
06/30/2026	10400	Sarah E Stock	-split-		408.65			14,685.58
06/30/2026	10401	Diamond Propane	2000 · Accounts Payable		121.15			14,564.43
06/30/2026	10402	Emery Telcom	2000 · Accounts Payable		172.74			14,391.69
06/30/2026	10403	John W. Groo	2000 · Accounts Payable		532.50			13,859.19
06/30/2026	10404	Kilgore Companies L...	2000 · Accounts Payable	Cold patch	4,073.75			9,785.44
06/30/2026	10405	Rocky Mountain Po...	2000 · Accounts Payable		30.94			9,754.50
06/30/2026	10406	Solid Waste Special ...	2000 · Accounts Payable		33.00			9,721.50
06/30/2026	10407	Turner Lumber	2000 · Accounts Payable	Shop sups	94.51			9,626.99
06/30/2026	10408	Utah Local Governm...	2000 · Accounts Payable	liability Bonds	6,699.19			2,927.80
07/01/2026	10391	Zions Bank	2000 · Accounts Payable	Quickbooks	1,287.24			1,640.56
07/08/2026			-split-	Deposit			275.00	1,915.56