Town Council

Meeting Minutes

June 11, 2026, 7:00 PM

1. Opening Ceremonies

The meeting was called to order by Mayor Tyler Shepherd, who noted the date as June 11, 2026, at the Town Hall, 20 North Main Street, Levan, UT, at 7:01 PM. The invocation was offered by Rachel Goates, followed by the Pledge of Allegiance led by BradyTaylor.

Present: Mayor Tyler Shepherd. Council members: Rachel Goates, Ray Evans, Jerry Spencer, Brady Taylor

Also Present: Christine Carrigan (Clerk), Chelsea Carle (Treasurer), Chelsi Oliver (Deputy Clerk) Parker Vercimak (Jones & DeMille), Koy Barton (Jones & DeMille), Shay Morrison (R6), Joel Winn, Russ Mangelson, Christie Mangelson, Brenda Bronson, Karen Spencer, Rebecca Dopp (Times-News), Carol Bennett, Dan Green, David Fletcher.

2. Discussion Items/Action Items

a. R6 Update – Shay Morrison

Shay Morrison of R6 presented several updates to the Council.

Regarding the annexation policy, Morrison noted that the citations in the town's current policy are out of date, a problem he has found to be widespread across municipalities in the state. He indicated he would work with planning commission staff to draft an updated policy, which would then follow the standard approval path through the planning commission and town council.

Regarding the procurement policy, Morrison noted it is similarly out of date. He stated he would draft a new procurement policy to bring directly to the council for consideration, bypassing the planning commission.

On the matter of CivicLinQ, Morrison reminded the Council that they had previously voted to migrate the town's code to the CivicLinQ platform. He noted that an accurate, current version of the code would be needed before the migration could proceed, and that working through the policy updates first would create a good opportunity to ensure everything placed on CivicLinQ is current and consolidated in one accessible location. Staff noted that the existing online code is outdated, with some ordinances dating back to 2003, and that recently adopted provisions are not yet reflected online.

Morrison also addressed the CIB letter of intent, noting that although the CIB application specified a lump sum for a water rights purchase, CIB will require either a letter of intent or a purchase contract specifying the quantity of water rights. He recommended that Brayden Gardner, the real estate agent previously engaged by the Council, draft the letter of intent, and that the mayor would likely need to sign it before it is delivered to CIB.

b. CIB Funding Letter Of Intent

Following Morrison's presentation, the Council discussed the scope of the letter of intent. The town's engineer noted that because the ASR project includes contingency funding, there may be residual dollars available beyond the primary water rights purchase price. He recommended that the letter of intent be drafted with sufficient latitude to allow any remaining funds—after the ASR project is funded—to be applied toward the acquisition of additional water rights.

> Motion to authorize working with Braden to draft a letter of intent to purchase water rights through the CIB application, specifying the amount and price of rights to be acquired, with the latitude to apply any

remaining funds after the ASR project is funded toward the purchase of additional water rights, was made by a Council Member Jerry Spencer and seconded by Ray Evans. The motion carried unanimously.

c. Resolution For Bank Authorization

Staff explained that, due to a recent change in council membership, the bank authorization resolution needed to be redone in its entirety. The updated resolution reflects Brady Taylor as an authorized signer in place of the former council member. Council members were advised that individual signature cards would also need to be submitted directly to the bank.

> Motion to approve Resolution No. 06112026-01, designating official depositories, authorizing municipal bank accounts, and appointing authorized signers, was made by Rachel Goates and seconded by Ray Evans. The motion carried unanimously.

d. Pickleball Court Bid Approval

The town's engineer, Parker Vercimak, along with Koy Barton of Jones Mill Engineering, presented the results of the pickleball court bid opening. The Council was reminded that bids were solicited under two alternates: Alternate 1, an acrylic surface on a post-tensioned reinforced concrete slab, and Alternate 2, a modular tile system.

Alternate 1 came in at $141,840 and Alternate 2 at approximately $129,000, with the town's available construction budget at roughly $119,195. Both bids exceeded the budget, but the engineer noted that the difference between the two alternates was only approximately $10,000 and that, based on outreach to other communities, the acrylic surface on post-tensioned concrete is the preferred and more familiar option for players, with better long-term durability.

To bring the project within budget, the engineer outlined several potential deductions through a post-award change order: reducing the perimeter sidewalk from a wraparound design to a single approach (saving approximately $18,000), reducing the fence height from 6 feet to 4 feet (saving approximately $4,800), and eliminating the landscape rock border (saving approximately $2,000). The low bid contractor had also offered a further reduction if the town performed site grading and sod stripping itself, though the engineer and Shay Morrison cautioned against self-performance of work under CDBG funding due to federal program complications.

The engineer noted that the low bid contractor—C&C Contractors—had performed the same type of project in Fountain Green and Aurora and was described as easy to work with and transparent. He indicated this project carries low risk of cost overruns given its fixed dimensions and straightforward scope. The Council discussed the fence height question, with a Council member noting that his son, an active pickleball player, felt a 4-foot fence was insufficient. However, council members with more direct familiarity with the game noted that 4-foot fences are common and functional. No final decision on scope reductions was required at this meeting; the Council was advised they would make those determinations via change order after state approval of the contract.

On the question of timeline, the engineer indicated construction would take approximately 30 to 45 days once underway, with an anticipated start in late July or August, pending funding agency approval. Morrison cautioned that CDBG approval has historically taken several months and that the project may not begin until later in the year.

> Motion to award the pickleball court contract to C&C Contractors under Alternate 1 (acrylic surface on post-tensioned reinforced concrete slab) in the amount of $141,840, subject to approval by the state, was made by Jerry Spencer and seconded by Rachel Goates. The motion carried unanimously.

e. DUP Cabin Maintenance Quote

Staff presented a maintenance quote for the DUP cabin. It was noted that only one bid had been received, and that the amount exceeded the town's procurement threshold, requiring a minimum of two bids before action could be taken. A Council member also raised concerns about the condition of the doorframe, noting that the surrounding logs have shifted and that the header above the door is not properly supported. Discussion centered on whether the existing logs adjacent to the doorframe could be cut back to allow installation of a proper framed opening with pressure-treated lumber and a standard door.

Council members expressed interest in consulting a log cabin preservation specialist before proceeding, given that the project involves not just door replacement but structural and preservation considerations. It was agreed to table the item, budget for the work in the upcoming fiscal year beginning July 1 and solicit additional bids.

f. Annual Fraud Risk Assessment

Staff presented the annual fraud risk assessment; a required self-evaluation submitted to the state. Staff noted that the town's score of 345 out of 395 places it in the "low risk" category. The areas where the town loses points relate to the absence of certified accounting professionals (CPA, CGFM, etc.) on the management team and the lack of a formal audit committee—circumstances common to small municipalities. Staff noted that mitigating controls are in place, including dual-signature requirements on checks and council review and approval of all claims.

> Motion to approve the Annual Fraud Risk Assessment was made by Ray Evans and seconded by Brady Taylor. The motion carried unanimously.

g. IT And OT Support Service Contract

Staff presented a proposed IT and OT support services contract with Michal Czarnecki, an IT professional employed by Provo City who received permission from his employer to contract with Levan. The contract was reviewed and approved by the town attorney. Key terms include billing on an hourly basis (rather than a monthly retainer), a $15,000 annual cap, with any amounts beyond that cap requiring a written amendment signed by both parties. Staff noted that anticipated needs include setting up a new council member's email, migrating town email and website to a .gov domain (for which federal authorization has already been obtained), and general IT maintenance. The arrangement was described as consistent with advice from IT professionals that hourly billing is preferable to retainer arrangements for a municipality with modest IT needs.

> Motion to approve the IT and OT Support Service Contract was made by Brady Taylor and seconded by Jerry Spencer. The motion carried unanimously.

h. Annexation Policy Update

As covered under Item 2a, Morrison indicated he would work with planning commission staff to update the annexation policy, which contains outdated statutory citations. No motion was required at this time.

i. Annexation Letter Of Disinterest

Staff introduced a letter of disinterest pertaining to a parcel owned by Russell and Christie Mangelson. The property is located outside of the town's boundaries but within Levan's Phase 1 growth zone. Because the parcel is surrounded on multiple sides and is not contiguous with the town in a manner that would legally support annexation, the county requires a letter of disinterest from Levan before the property owners can proceed with county approvals for their planned development.

The town attorney reviewed the letter and offered two points of consideration: first, that the town should ensure any roads or development on the property would not conflict with the town's master transportation plan; and second, that issuing the letter represents a relinquishment of some control over future roadways in that area. Staff confirmed that the town's master transportation plan is current. The Council acknowledged the trade-off inherent in issuing such a letter but noted that, given the parcel's configuration as an island property that cannot be annexed, the letter is effectively the appropriate path forward.

> Motion to approve the Annexation Letter of Disinterest for Russell and Christie Mangelson was made by Rachel Goates and seconded by Ray Evans. The motion carried unanimously.

j. UDOT Letter Regarding Parking On Main & 3rd South

A Council Member presented a draft letter to UDOT requesting the installation of a "No Parking" sign at the intersection of Main Street and 3rd South. The letter was prepared following the state's required format, including GPS coordinates and sign specifications. The Council Member indicated that a simple, permanent "No Parking" designation was recommended rather than a dawn-to-dusk restriction, in the interest of clarity.

A resident, Brenda Bronson, addressed the Council and emphasized the significant safety hazard at the location, noting that northbound traffic cannot see vehicles turning, and that the combination of farm equipment, truck traffic, and the blind approach from Yuba creates a high accident risk. She also noted potential liability exposure to the town if the hazard is not addressed.

A separate concern was raised about semi-trucks parking near a residence elsewhere in town (near what was described as the old Shepherd house). It was noted that this would require a separate letter to UDOT and could be addressed in a subsequent request.

> Motion to send the UDOT letter regarding parking on Main Street and 3rd South was made by Brady Taylor and seconded by Rachel Goates. The motion carried unanimously.

3. Mayor/Councilmember/Department/Committee Reports

a. Mayor/Council Member Reports

The Mayor noted the recently permitted fence on the Rowley property and indicated the town's fence ordinance was briefly discussed, clarifying that 3-4-foot fences are required within the front 80-foot setback zone, with 6-foot fences permitted beyond that point.

Council Member Rachel Goates provided a clarification for the public record regarding the portable Bitcoin mining module located behind the town's water head house. The Council Member noted that the device had been approved approximately a year prior and clarified that, while it falls into the broad category of a "data center" due to the company name displayed on its exterior, it is not a large-scale AI or commercial data center. The unit is a portable, skid-mounted module approximately 6.5 by 9.5 feet in size that functions as an electricity customer for the town, consuming surplus power to level the town's load capacity and improve rates. The town charges the operator a minimal location fee and charges for electricity consumed, and the unit is not permitted to draw power needed by other customers. The Council Member noted that the county was consulted and raised no objections beyond recommending an electrical inspection, which was completed.

Some residents raised questions about whether the unit should have undergone a formal county permitting or public hearing process, and whether policies should be established in the event the operation expands. It was noted that the county had reviewed the matter and found no permitting requirements applicable to the portable unit, analogous to the town's treatment of park improvements on town-owned property located outside of the town's annexed boundaries. Staff noted that the town's monitoring systems through UMPA provide real-time visibility into power consumption and that the operator cannot exceed the agreed surplus threshold.

b. Office Issued Permits Reports

Staff reported on permits recently issued, including a fence permit for G. Rowley and electrical and plumbing permits for A. Black. Staff explained that the Black permits relate to a small cabin that was moved onto a separate 0.5-acre lot and is being converted for use as a short-term rental (Airbnb). A discussion followed regarding whether the structure, on a separate half-acre parcel, constitutes a second dwelling unit in conflict with the town's ordinance limiting one dwelling unit per half-acre. Staff noted that the town's ordinance permits internal accessory dwelling units (e.g., basement apartments within the existing home footprint) but does not allow a separate external structure as a second dwelling unit on a half-acre parcel. The matter was flagged as requiring follow-up, with staff noting that a short-term rental policy drafted by R6 would need to go through the planning commission.

c. Planning Commission Report

A Council Member reported that Dan Green has been appointed to the Planning Commission and participated in the most recent meeting, performing well.

d. Committee Reports

A Council Member reported on the Youth Council, noting that Jillean Ercanbrack has volunteered to serve as the adult supervisor, a role she has held previously. Applications for youth members have been located and the Council expects to have the Youth Council active soon. It was also noted that, in lieu of paying $70 per student for the Utah League of Cities and Towns Legislators Day event, the Youth Council has been connecting with local legislator Linda Hanks, who facilitates a comparable experience at significantly lower cost.

e. Other Reports

No other reports were presented.

4. Council Business

a. Approval Of Minutes For May 14, 2026, Regular Meeting

b. Approval Of Minutes For May 14, 2026, Work Session

Motion to approve the minutes for the May 14, 2026 Regular Meeting and the May 14, 2026 Work Session was made by Brady Taylor and seconded by Rachel Goates. The motion carried unanimously.

c. Approval Of Claims (5-1-2026 To 5-31-2026)

d. Approval Of Payroll Comparison Report (4-1-2026 To 5-31-2026)

e. Approval Of Final Cash Receipts Report (4-1-2026 To 4-30-2026)

Motion to approve the Claims for 5-1-2026 to 5-31-2026, the Payroll Comparison Report for 4-1-2026 to 5-31-2026, and the Final Cash Receipts Report for 4-1-2026 to 4-30-2026 was made by Rachel Goates and seconded by Ray Evans. The motion carried unanimously.

f. Review Tentative Cash Receipts Report (5-1-2026 To 5-31-2026)

Reviewed. No comments were raised.

g. Review Budget Report (7-1-2025 To 5-31-2026)

Reviewed. No comments were raised.

A Council Member raised the need to schedule a work session to adopt the new fiscal year budget and amend the current year's budget as needed. Staff confirmed that a special meeting, public hearing, and work session would be scheduled for June 24, 2026, and indicated that budget documents would be prepared and distributed in advance.

5. Public Comments

No public comments were offered beyond those integrated into the discussion items above.

6. Closed Session

No closed session was held.

7. Adjourn

Motion to adjourn was made by Brady Taylor and seconded by Rachel Goates. The motion carried unanimously.

Meeting adjourned at 8:23 PM.

Christine Carrigan, Clerk