

**Rockville Town Council  
Regular Meeting  
November 13, 2019  
Rockville Community Center, Town Hall**

1. **CALL TO ORDER AND ROLL CALL** – Mayor Pam Leach called the meeting to order at 6:00 p.m. The following members of the Rockville Town Council were present: Terry Bell, Barry Sochat, M. Honer-Orton, and Jeff Ballard. Town Clerk, Vicki S. Bell, recorded the meeting.
2. **PLEDGE OF ALLEGIANCE** – Mayor Leach led the Pledge of Allegiance.
3. **APPROVAL OF AGENDA** – Jeff Ballard **MOVED** to approve the agenda for November 13, 2019. Barry Sochat **SECONDED** the motion.

**VOTE on Motion:**

Terry Bell – Aye  
Barry Sochat – Aye  
M. Honer-Orton – Aye  
Mayor Pam Leach – Aye  
Jeff Ballard – Aye

The motion passed unanimously.

4. **DECLARATION OF CONFLICT OF INTEREST WITH AN AGENDA ITEM** – No conflicts of interest were declared.

**PUBLIC COMMENTS** – Dan McGuire commented that he would like to be able to report on discussions held at the fire board meetings. Mayor Leach offered utilizing the email list because the November newsletter just got printed. Dan said it would be okay if it was in the next newsletter. Clerk Bell said the next newsletter would come out in February. At the last fire board meeting it was discussed that the community members need to be better informed of the issues that the fire district faces.

**DISCUSSION/INFORMATION/NON-ACTION ITEMS**

1. **REPORT ON ROCKVILLE/SPRINGDALE FIRE PROTECTION DISTRICT – Deputy Chief Kevin Gildea** – October was a busy month. We had two trucks in Sonoma County, California for 12 days. They saw some pretty extreme fire conditions there with the winds they were experiencing. There were three calls from within the Park, two of which were transported, and one was a fire. In Springdale, there were 20 medical calls. Twelve of those were transported. And there were six fire calls. In Rockville there were 7 medical calls, with only one transported, plus four fire calls for a total of 11 calls. Mayor Leach asked if he knew how many of the calls are residents or visitors. Kevin reported they do not track that information. M. Honer-Orton suggested they consider tracking that for grant application purposes. Deputy Gildea commented that last year they got approval for a Deputy Chief whose primary mission is to keep finances straight, so perhaps that person could do the tracking.

2. **REPORT ON RECOMMENDATIONS OF THE PLANNING COMMISSION BY PLANNING CHAIR JOYCE HAMILTON** – There were two items on the Planning Commission agenda the evening before. The first was consideration and possible action on an application for a temporary use/special event permit for the Tri-State ATV Club Jamboree to be held in March of 2020. This ride has occurred the last two years. They come from Apple Valley over Smithsonian and go up towards Grafton. They have complied with our request to not ride the ATVs beyond the Grafton Cemetery if wet conditions exist. The Planning Commission approved their request. Mayor Leach asked if the groups were limited in number and Chair Hamilton responded the rides would be capped at 20 participants and three guides. M. Honer-Orton asked if there would be only one ride a day and Chair Hamilton affirmed only one ride per day.

The other item was consideration and possible action on an application for a Subdivision Final Plat submitted by Tydon Oler and Jacob Andersen for a major subdivision of approximately 8.38 acres at 490 East Main Street (SR-9) into four parcels. Chair Hamilton provided her report, which is attached to and made a part of these minutes. Chair Hamilton reported that the Planning Commission decided unanimously to recommend for approval to the Town Council the final subdivision plat subject to two conditions: culinary water being proven and the Town Attorney's resolution of the performance bond question. The Town Attorney responded the day of the Town Council meeting that he did believe we could ask for a performance bond. Chair Hamilton polled the Planning Commissioners individually and they again unanimously agreed that a performance bond should be secured for at least the road, but perhaps all necessary utilities. M. Honer-Orton asked for confirmation that the developer could not "move" on the final plat until the culinary water is proven and that could take another six months. Chair Hamilton reported both the developer and the Rockville Ditch Company must agree to the request for transfer and the State must go through a public process before they can grant the change of water from irrigation to culinary. Chair Hamilton further reported the developer does have reservations on all lots, and back up reservations, and deposits have been made.

3. **REPORT ON THE AGREED-UPON PROCEDURES AUDIT PERFORMED FOR THE FISCAL YEAR 2018-19 BY CALEB REES OF REES CPA** – The State Auditor determines what these procedures need to be for each entity. Every governmental entity: school district, city, town and even some non-profits are required to have some form of financial

statement work done. The depth of the audit is determined by the size of the entity. The financial survey is an excel worksheet that will indicate the governmental entity's revenue and expenditures with the balance sheet. GAAP stands for Generally Accepted Accounting Principles. Clerk Bell and Caleb sample revenues to ensure revenues are recorded correctly. They take a sample of disbursements to ensure they were properly approved and then make sure there are some internal controls. They examine the budget: was the budget established and approved by the Town Council? Did the Town exceed or stay within the budget? They determine whether the bank statement and cash are being reconciled. They make sure there is proper training and insurance. Last year Caleb found the Town did not have enough insurance for their bond. This year there were no issues found. An audit would take a full week and the price difference is significant. Caleb spends one day in Rockville performing a "spot check". On page 5, the "fund balance" basically means "equity". You are restricted on what you can accumulate. Mayor Leach thanked Town Clerk Bell for her diligent efforts keeping the Town's books in order.

#### **ACTION ITEMS**

- 1. DISCUSSION AND ACTION ON THE CANVASSING OF THE ROCKVILLE MUNICIPAL ELECTION OF NOVEMBER 5, 2019** – Mayor Leach reported the certified results of the municipal election. Van Terry Bell received 61 votes. Megan Honer-Orton received 59 votes. David Firmage received 51 votes. And Cheryl McGovern received 34 votes. We have 163 registered voters. There were 110 ballots cast. Three ballots were rejected. Our voter turnout was 66%.

Terry Bell **MOVED** to approve the certified results of the election and Jeff Ballard **SECONDED** the motion.

#### **VOTE on Motion:**

**Terry Bell – Aye  
Barry Sochat – Aye  
M. Honer-Orton – Aye  
Mayor Pam Leach – Aye  
Jeff Ballard – Aye**

**The motion passed unanimously.**

- 2. DISCUSSION AND ACTION ON THE PLANNING COMMISSION AND TOWN COUNCIL MEETING SCHEDULE FOR 2020** – Town Clerk Bell explained in November of 2020, the Town Council would usually meet on November 11, but that is Veteran's Day, so she moved the meeting to Thursday, the 12<sup>th</sup>. Terry said that's the Marine Corp birthday.

Jeff Ballard **MOVED** to approve the 2020 meeting schedule and Barry Sochat **SECONDED** the motion.

#### **VOTE on Motion:**

**Terry Bell – Aye  
Barry Sochat – Aye  
M. Honer-Orton – Aye  
Mayor Pam Leach – Aye  
Jeff Ballard – Aye**

**The motion passed unanimously.**

- 3. DISCUSSION AND ACTION ON PROPOSALS FROM COMFORT SYSTEMS INTERMOUNTAIN AND TRANE FOR AN HVAC SYSTEM FOR THE ROCKVILLE COMMUNITY CENTER BY DAN VALLIERES AND GRANT MASON** –

Dan provided information on the cost to operate the various systems. There are a few variables: we don't know how cold it will be; we don't know how warm you will want to maintain the space; and we don't know what the utility providers will charge. Jeff asked if one system were more efficient than another. Dan responded that's difficult to ascertain because one is rated one way and the other is rated another way. Dan said our electric rates are some of the lowest in the nation. Terry said heat pumps don't do well under 40 degrees. Dan said he is personally not a fan of the heat pump. The air coming out will be 95-97 degrees, which is less than our body temperature, so it feels cool. Whereas a propane system will blow temperatures in the 120-130-degree range. The oil burner you have now will blow temperatures of 150-180 degrees. Dan thought about a dual fuel system for the Center. It would allow the heat pump to work until it became inefficient, and then the propane would kick in. Barry asked if the control mechanism that switch back and forth were reliable and Dan responded yes. Jeff asked what size propane tank would be needed for the system and Dan responded he got two different answers: 500 gallon and 250-350 gallons. Dan checked the dimensions of the 500-gallon tank, and it will fit on the pad where the oil tank is now. Dan said he would put the heat pump condensers around the side on the rock bed. Terry asked if we would still need to upgrade the electrical if the Town decided to do the dual fuel system and Dan responded that yes, there needs to be some electrical work completed regardless of what the Town decides regarding a Heating & Cooling System. Terry asked how the cost would compare to do solar panels. Dan responded three to four times as much. M. Honer-Orton said she thought the installation cost would only be double; she has thirty-one solar panels.

The propane system will provide 95% efficiency. Terry asked if a water drain would be necessary. Dan said there is a floor drain in the furnace room. Megan asked about removal of the existing system and Dan responded that price is included in the estimates, and further explained they will have to get the oil furnace out to utilize the space for the new system. Terry asked if asbestos would be a problem. Dan said no, there's a few bricks and we have a sub-contractor to take care of them. Terry asked about the different brands of heat pumps. Dan responded the equipment is not as important as the installers. The propane furnaces will be 95% efficient. Dan explained there was no money included in the quote to run a propane line across the parking lot; he is assuming the propane tank will go where the oil tank is now. Dan believes the current tank to be about 250 gallons.

The last option is a ductless mini split that gets mounted on the wall. Megan confirmed that's on top of the other system and asked if there were any way to go with just one. Dan's proposal is to put just one in the foyer. Terry asked how long it would take and Dan replied a week or a week and a half.

Clerk Bell said the proposal for electricity would add six breakers. The electrician has said we are out of code with the electricity on that building. We may not need all six breakers if we go with propane.

Grant Mason proposed a ductless split system for the entire building. He recommends leaving the existing oil furnace in the basement. He was going to put the outdoor units in the gravel where the oil tank is currently. There would be a piece of trim that would cover the corner, go up the walls, into the attic above the kitchen space and then up into the ceiling of the auditorium space. You don't have any ductwork. The reason for two units is because it's a separate space. There's plumbing in both the kitchen and the bathroom, so we wanted to make sure there was adequate heat should the door get shut. The proposed units are the highest efficiency available. Maintenance is extremely low.

Mayor Leach asked about the high ceilings and rising heat. Grant responded the occupancy determines the needed capacity. What he is currently proposing is 17 tons. Dan's proposal is for 10 tons total. These units gather heat or air in the middle and discharge out the sides, so you get a good even flow, a good air exchange. Grant said the Town would qualify for a \$2,000 Rocky Mountain Power incentive. Grant said these units are rated to operate efficiently down to 20 degrees.

Barry asked about the height of the ceiling. Grant responded it's 207 inches. Barry asked what circulates the air. Grant said the units will pull air in from the bottom and blow air out through the sides. Mayor Leach asked about installation time and Grant responded two weeks. Mayor Leach said she was not prepared to decide and would like some time to look over the information. Further discussion and action taken following Mayor and Council Reports.

4. **DISCUSSION AND ACTION ON AN APPLICATION FOR SUBDIVISION – FINAL PLAT LOCATED AT APPROXIMATELY 490 E MAIN IN ROCKVILLE BY TYDON OLER** – Mayor Leach asked if he had taken reservations and Tydon responded yes. Mayor Leach asked if there were reservations on all four parcels and April Gates responded yes. The reservations are non-binding, fully refundable \$1,000 deposits. Mayor Leach asked if the reservation holders would be full-time residents and April responded three would be full-time residents; the fourth one they do not know. Mayor Leach asked if the change of use to culinary water has been applied for and Tydon responded that he has been talking to the State Water Rights office in Cedar City. They will prepare a change on change application, which happens more frequently in northern Utah. The State statute was put in place so that municipalities who collect water in ditch companies could use it for culinary water. The Cedar City office has only done two or three of these change on change applications, so the local representatives are working with Salt Lake City to fill out the paperwork that he will then present to the Ditch Company. Mayor Leach asked if he would be looking to change all the irrigation water or only a portion of it. Tydon responded no, only the 8-acre feet would be converted. It's yet to be determined, but how Tydon envisions it is each purchaser would be given a share in the Ditch Company and their two-acre feet would be about three-quarters of a share. The remaining 51-acre feet would remain as irrigation. Mayor Leach inquired if the two-acre feet of water per parcel would be enough for a two-acre parcel. Tydon explained the schedule the State uses is based on flood irrigation. If somebody does a sprinkler system at four acre feet per acre and you take out the private roadway and each individual driveway, the primary residence, and the river banks, as well as any xeriscape, he believes someone efficient with irrigation should be able to irrigate three quarters of an acre with the 2 acre feet of water.

Mayor Leach asked about metering. Tydon responded a meter on each property, as well as on the well, will be required. He went on to say the well driller's proposal for a master pump will have 7.5 hp pump. That will feed into a two-inch main and there will be one-inch take offs from that for each home. But those one-inch take offs will be necked down to a ¾" meter. There will be a master meter on the pump and each home or lot will have its own meter as well. Mayor Leach asked who reads that and keeps track of that? By the agreement with the Ditch Company, Tydon said they're required to report. So, we're setting up a well user agreement. April Gates and Tydon have discussed a Homeowners' Association. Either way, there will be a well agreement in place, which will state they have to report the well usage. It is auditable by the Ditch Company and by the State. The well agreement specifies that culinary use shall be prioritized. Mayor Leach asked what would happen if someone used more water than they were allotted and Tydon responded that he did not know how the State handled that. Tydon said it would be a continuous pressure, variable speed pump.

Barry asked Tydon if he would require xeriscaping. Tydon said FHA now backs (probably 90%) most of the mortgage loans. FHA allows a private well that services no more than four homes if there is a well agreement in place that states the water can not be used for more than those four homes and no other external connections can be made to it. Barry asked about fire protection. Tydon said fire protection is being provided by Rockville Pipeline Company. The developer will bring a fire hydrant to the subdivision. If there is insufficient pressure or the homeowner builds too far away, the Fire Marshal may require additional fire protection measures. The house must be located within 250 feet of the fire hydrant, whether it be the existing one on SR-9 or the new one on the private road. Some potential purchasers have expressed an interest in building further back to gain better views of Zion, which may require a house contained system, which will have to be fire rated for 10 minutes. They have their own pump and pressurizing system within them.

Mayor Leach said if the subdivision has CC&R's, the Land Use Code requires they be recorded with the County Recorder in a form approved by the Town Attorney. Tydon confirmed "the form" does not have anything to do with the "contents" and agreed he was fine with that. He said he would also provide the well agreement to the Ditch Company. Mayor Leach asked Clerk Bell to inform Tydon of the HCP fee that the County has imposed. Clerk Bell asked if he was aware of a habitat fee with the County. It will be \$250 per acre. And it has to do with the tortoise habitat. Megan explained the purpose was to keep every building from having to go through the environmental assessment. Mayor Leach said the Town's Attorney said the performance bond could be required because any system, whether public or private, that provides for the health, safety and welfare, must be covered by an assurance bond. Tydon said the water was the most expensive part of the system, given the wells and the continuous pressure pump. Tydon went on to say he would get with the engineer, figure out the costs and get the bond. Tydon asked if he could have a contractor on site next week doing the road and power. Terry responded the bond would have to be in place before construction can begin. Tydon said he's been quoted 3 to 5% of the cost of the improvements is what the bond will cost, approximately \$3,000, since they're anticipating their development costs to be about \$100,000. Megan asked about the recording of the final plat and Tydon and Mayor Leach explained the approval of the final plat is conditioned upon changing the irrigation water to culinary water and the plat cannot be recorded until the water has been proven.

M. Honer-Orton **MOVED** to approve the recommendation of the Planning Commission. Hearing no second, M. Honer-Orton withdrew her motion. Mayor Leach **MOVED** that whereas the application for final subdivision plat submitted by Mr. Tydon Oler for the Tycob, LLC for the division of 8.38 acres into four parcels has been reviewed by the Planning Commission and found to be in compliance with the Rockville Land Use Code Chapter 12 and the Rockville General Plan and the applicable zoning for said parcels. And whereas, the owner has met all but two of the requirements, those remaining requirements being the approval of culinary water supply and providing a guarantee performance bond. Therefore, Mr. Oler will not record the plat with Washington County until all requirements are met. No work will begin until the performance bond has been submitted. And now, therefore, Mayor Leach **MOVED** to approve the final subdivision plat subject to culinary water supply rights being proven and the submission of a performance bond covering the required improvements as shown on the final plat and that the bond be in place prior to the beginning of work. M. Honer-Orton **SECONDED** the motion.

**VOTE on Motion:**

Terry Bell – Aye  
Barry Sochat – Aye  
M. Honer-Orton – Aye  
Mayor Pam Leach – Aye  
Jeff Ballard – Aye

The motion passed unanimously.

5. **APPROVAL OF MINUTES FOR THE OCTOBER 9, 2019 REGULAR MEETING** – M. Honer-Orton **MOVED** to approve the minutes for the October 9, 2019 regular meeting and Terry Bell **SECONDED** the motion.

**VOTE on Motion:**

Terry Bell – Aye  
Barry Sochat – Aye  
M. Honer-Orton – Aye  
Mayor Pam Leach – Aye  
Jeff Ballard – Aye

The motion passed unanimously.

6. **APPROVAL OF MINUTES FOR THE OCTOBER 28, 2019 SPRINGDALE/ROCKVILLE JOINT TOWN COUNCIL SPECIAL MEETING** – Barry Sochat **MOVED** to approve the minutes of joint meeting on October 28, 2019 and M. Honer-Orton **SECONDED** the motion.

**VOTE on Motion:**

**Terry Bell – Aye**  
**Barry Sochat – Aye**  
**M. Honer-Orton – Aye**  
**Mayor Pam Leach – Aye**  
**Jeff Ballard – Aye**

The motion passed unanimously.

7. **APPROVAL OF EXPENDITURES FOR THE MONTH OF OCTOBER** – Barry Sochat asked why we paid the Town of Springdale for the Butch Cassidy race. Clerk Bell responded that gets our name on the t-shirts. Barry suggested they should be paying us for the privilege of running through our town. M. Honer-Orton said they do. Mayor Leach said they also donate to Grafton. M. Honer-Orton asked about check 0507 for providing a bid. She asked when companies started charging to give a bid. Mayor Leach said this one did. Clerk Bell said she would make sure to ask about a charge to provide a bid. This contractor never mentioned anything about a charge. Jeff Ballard **MOVED** to approve the expenditures and M. Honer-Orton **SECONDED** the motion.

**VOTE on Motion:**

**Terry Bell – Aye**  
**Barry Sochat – Aye**  
**M. Honer-Orton – Aye**  
**Mayor Pam Leach – Aye**  
**Jeff Ballard – Aye**

The motion passed unanimously.

**ADMINISTRATIVE NON-ACTION ITEMS**

1. **Mayor and Council Member Reports**

V. TERRY BELL – Terry reported the Blue Can recycling is back in operation. M. Honer-Orton asked if it was only #1 and #2 plastics. Terry said they will also accept cardboard, but not mixed paper. Terry said aluminum cans are accepted. Clerk Bell said they are accepting some papers and you should look online to see what they are.

BARRY SOCHAT – Barry reported the mosquito board will meet tomorrow and receive the year end reports.

M. HONER-ORTON – Megan said the CERT team had a CPR class scheduled for next Tuesday, but she found out that Hurricane Valley wants registration and payment a week ahead of time, so they know how many staff to schedule. The training will be rescheduled. There's a CERT meeting tomorrow at 1:00 at Sunny and John Lee's barn, where we will discuss a new CPR Class date and schedule an inventory of the CERT trailer.

JEFF BALLARD – Jeff said they're planning a little town clean up on Saturday, starting at 9. We will start at Joe Merino's and work our way down. Hopefully we can get some leaves picked up, some branches cut, and some ditches cleaned out. The Lion's Club is having our annual Turkey Shoot on the 23<sup>rd</sup> in Springdale above the new treatment plant and we will have fun games at Porter's that evening.

MAYOR LEACH – Mayor Leach reported the company that did the town's shredding will be in Hurricane and LaVerkin on the first Tuesday of each month. We just have to call him to find out where he's located. The Park brought 30 boxes, so we had a good turnout.

Mayor Leach went to Sandy, Utah this past Tuesday to the UDOT convention where a report was given regarding our bridge. It was a packed house, maybe 70 or 80 people. The presentation seemed to go over very well. Lots of questions were asked. It was recorded and Mayor Leach asked for a copy. This is the second presentation; there was one made by Lochner representatives at an engineering convention last month. There has been a temporary fix to the loose header at the south end of the bridge. Previously, the bolts went into the wooden header board that had cracked; now they go into the concrete. Wadsworth Bros. has ordered square steel pipe tubing with rubber pads to replace the broken wooden board. Lochner and Wadsworth Bros. are also investigating the running boards. Whatever replaces the running boards will most likely be paid for by Lochner's insurance. They looked at diamond plate, which would require some type of a traction treatment on top. The Mayor has found a coating option with a seven-year warranty. They're also looking at thicker boards and higher quality wood. The Mayor saw a bicyclist slip off the running boards and crash into the side rails and has concerns about thicker boards. One benefit of steel would be less of a drop off and it would still protect the wood deck. But of course, wood would be more in keeping with the historic character of the bridge. When the Mayor traveled through Yosemite last weekend, there were two steel bridges she crossed and it seemed

sound dampening and traction material had been placed over the metal. She shared that information with Guy Evans at Lochner. We have Rocky Mountain Power's approval to provide power for electric on the bridge. The contractor has ordered the materials.

The Christmas Party will be held on the 6<sup>th</sup> of December at 6pm. The Officials Christmas Party is Monday, the 9<sup>th</sup> at 6 pm at Jack's and you can bring your significant other. And the 11<sup>th</sup> at 5:00 is the combined work meeting with the Town Council, Planning Commission and Rockville Pipeline Co.

Mayor Leach attended a phone conference regarding the trail system they're looking at between the Park and Hurricane and everyone should know the Feasibility Committee is just putting lines on a map. Nothing has been approved, nothing is official, no private property owners have been talked to, the BLM has not approved anything. This is a proposed hiking and biking trail. This is being facilitated by the Zion Canyon Collaborative Group, which is trying to find ways to move people around and deal with issues in the Canyon. Dan McGuire asked if the Town should send a letter stating we are opposed to this proposal. When asked about the asbestos, Mayor Leach responded that she has told them we are opposed to anything running through or by Grafton and are very concerned and opposed to anything along Grafton Road because of the increased traffic and dust we're already experiencing.

**Staff Report as Needed:** Vicki said we don't have a light outside of the Town Hall and she needs a volunteer to assist. Rocky Mountain Power will be replacing the crooked power pole out back soon.

Mayor Leach reminded Town Council members to look over the heating proposals. Clerk Bell said we do have the money for the first proposal. Mayor Leach said CIB did turn us down, stating this was a maintenance issue, and therefore, not covered. Terry would prefer the propane/electric system for the \$2,000 cost difference. Barry said the community center was insulated, both the walls and the ceiling. Mayor Leach said the proposal specifies it includes the removal of the old system; does that include the window air conditioners? Terry said it's easy to remove them. Clerk Bell said Dave Brooks could do it. Mayor Leach asked if the \$18,487 dual-fuel system was the consensus of the Council. Mayor Leach asked if the proposed system would use our existing duct work. Mayor Leach said the provider said if it's less than two square feet, he can remove the asbestos without tenting the site. There seemed to be consensus.

Jeff Ballard **MOVED** that the Town proceed with the proposal to replace our existing heating system in the community center with the dual fuel system by Comfort Systems. Mayor Leach amended the motion to state the action would not be taken until the answers were provided about removing the window air conditioners and would the new system use our existing duct work. Barry Sochat **SECONDED** the amended motion.

**VOTE on Motion:**

**Terry Bell – Aye**  
**Barry Sochat – Aye**  
**M. Honer-Orton – Aye**  
**Mayor Pam Leach – Aye**  
**Jeff Ballard – Aye**

**The motion passed unanimously.**

**Adjournment:** Barry Sochat **MOVED** to adjourn. Terry Bell **SECONDED** the motion.

**VOTE on Motion:**

**Terry Bell – Aye**  
**Barry Sochat – Aye**  
**M. Honer-Orton – Aye**  
**Mayor Pam Leach – Aye**  
**Jeff Ballard – Aye**

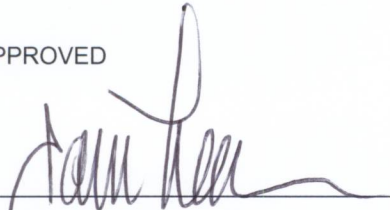
**The motion passed unanimously.**

The meeting adjourned at 7:50 pm.

Minutes prepared by:

Joyce Hamilton  
Deputy Town Clerk

APPROVED

  
\_\_\_\_\_  
Pam Leach, Mayor

The foregoing minutes were posted in the cabinet of the Rockville Town Office by Dick S. Bell at approximately 8:43 AM on 12 Dec 2019 and on the Rockville Website.

Dick S Bell

