



AGENDA

THE REGULAR TOWN COUNCIL MEETING WEDNESDAY, OCTOBER 21st, 2020 AT

6:30 P.M.

Electronic Meeting Determination

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. § 54-2-207(4), Jazmine Duncan, Mayor of the Town of Castle Valley issues this Determination supporting the decision to convene electronic a meeting of the Council via Conference Call without a physical anchor location. Due to the COVID-19 pandemic Meetings at the anchor site may present substantial risk to public health and safety. Taking into consideration public health orders limiting in-person gatherings, the average "at risk" age of Town residents and the limited space in the Town Building, the Town of Castle Valley will continue to hold meetings by electronic means. This determination expires 30 days after the day on which the Mayor has made the determination. The public can join the Conference Call Meetings or submit comments through emails.

**** HOW TO JOIN THE CONFERENCE CALL ***

Option 1 Dial-in phone number (US): (978) 990-5000 follow prompts. Access code: 895972#

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

<https://join.freeconferencecall.com/townclerk58> Online meeting ID: townclerk58

*After callers login into the Meeting press *5 to mute, the call Host will unmute the Council when the meeting is to begin and unmute when the Mayor will roll call for Public for Comments.

Regular Town Meeting

Determination and Roll Call

1. Open Public Comment

2. Approval of Minutes: 9.16.2020 Regular Town Council Meeting

3. Executive Reports:

*Roads Committee- M Duncan

*Planning & Land Use Commission-Colleen Thompson

*Community Renewable Energy Act.-CM Gibson.

*Solid Waste District- Diane Ackerman

*Water Agent and Water Committee Report - John Groo

*EMS District- Ed Weeks

*Fire District-M Duncan /Chief Drake

*Housing Task Force- M Duncan

*Hazard Mitigation Committee- M Duncan

*Treasurer's Report -CM Hill

4. Correspondence: TBA

5. Administrative Matters & Procedures: Manti LaSal Forest Scoping Update - CM O'Brien. Town letters, Encroachment Application, Fall Clean-up.

NEW BUSINESS

6. Discussion and Possible Action re: Appointment of a new member to the Road Committee.

7. Discussion and Possible Action re: Approval of the Fraud Risk Assessment form.

8. Discussion and Possible Action re: Approval of UGS Groundwater Monitoring Proposal.

9 Discussion and Possible Action re: Approval of Forest Service letter that endorses their plan to buy developable land in our watershed.

10. Discussion and Possible Action re: Approval of Single Instance Drainage Work Waiver / Release agreement.

11. Discussion and Possible Action re: Approval of the Mutual Easement and Right of Way "Drainage "Agreement.

12. Discussion and Possible Action re: Rocky Mountain Power pole in Holy Oak cul-de-sac.

UNFINISHED BUSINESS-None

13. Closed Meeting (If necessary)

14. 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"

DRAFT MINUTES
THE REGULAR TOWN COUNCIL MEETING

WEDNESDAY, SEPTEMBER 16th, 2020 AT 6:30 P.M.

CASTLE VALLEY COMMUNITY CENTER - 2 CASTLE VALLEY DRIVE

****Due to concerns regarding the potential spread of COVID-19 this meeting was held electronically by
Conference Call. The Anchor site was 2 Castle Valley Dr.**

Council Members Present: Mayor Duncan and Council Members: Gibson, Hill and Holland.

Absent: CM O'Brien.

Others Present: Ron Drake, Colleen Thompson, Jack Campbell, Stephen Curtis, John and Leesa Smith, Norman Llewellyn, Jim Woolaway, Laura Cameron, Russel Cooper, Diane Ackerman and John Groo

Clerk: Jocelyn Buck

Regular Town Meeting

Call to Order M Duncan called the Meeting to order at 6:30 PM

M Duncan delivered the Electronic Meeting Determination

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. § 54-2-207(4), Jazmine Duncan, Mayor of the Town of Castle Valley issues this Determination supporting the decision to convene electronic a meeting of the Council via Conference Call without a physical anchor location. Due to the COVID-19 pandemic Meetings at the anchor site may present substantial risk to public health and safety. Taking into consideration public health orders limiting in-person gatherings, the average "at risk" age of Town residents and the limited space in the Town Building, the Town of Castle Valley will continue to hold meetings by electronic means. This determination expires 30 days after the day on which the Mayor has made the determination. The public can join the Conference Call Meetings or submit comments through emails.

Roll Call

1. Open Public Comment

Jack Campbell commented on Item 12. Prior legal options clarified the land in question is titled land owned by the Town not a road easement. The landowner of Lot 77 bought a parcel of land that is 3.31 acres and they knowingly built on land that was not theirs. They are asking the Community to give them an acre of land so that they can now sell their property for more money. This was not cleared up in the early 90's because the other landowner (Lot 76) would not respond. The current landowner of lot 76 has not been paying taxes on that land. This problem is owner caused because they did not locate the boundaries of their land before they built on it, which is not the Town's problem. One of the solutions would be for the Town to sell the 1.7 acre property to the Lot 77 owners. The Town will need money to pay for the prescriptive easement for Castle Valley Drive that is currently on Lot 76.

Colleen Thompson noted that the lettering change from B to A in amendments from Ordinance 2003-3 was not in the packet copy.

2. Approval of Minutes: 8.19.2020 Regular Town Council Meeting

CM Hill motioned to approve the Minutes with CM Gibson's correction to Item 6 the double "thats", CM Gibson seconded, motion passed unanimously

3. Executive Reports:

*Roads Committee- M Duncan-Minutes provided.

CM Hill asked if there was any interest in the open Road Committee position. M Duncan responded hopefully there will be a new member next month. CM Gibson reported that Road Department is now

going to use the database that John Groo created. This will give us access to various reports from data on road work, costs as well as time spent on certain roads.

*Planning & Land Use Commission-Colleen Thompson- Minutes provided, no questions.

The Council thanked the PLUC for their work on the Ordinance amendments.

*Community Renewable Energy Act.-CM Gibson updated the Council that the Committee is creating a website so the public can get information and follow their progress.

*Solid Waste District- Diane Ackerman reported that the District has had to cut it's budget they are not doing the Hazardous waste event and were not able to waive the tipping fee for the Town Clean-up. However Evan Tyrell may reconsider and be able to waive \$500 of the tipping fees if the Council provides him with a letter asking for financial assistance.

*Water Agent and Water Committee Report - John Groo reported that he has filed the change application for Lot 13 the Fire District Well as a public use well.

*Hazard Mitigation Committee- M Duncan reported we have received the report from the State on what we need to fix in our Plan before we can submit it to FEMA. The Committee will be meeting again to work on those requirements.

*EMS District- Ed Weeks – not present, no report.

*Fire District-M Duncan /Chief Drake- The Commissioner's Meeting was postponed- nothing to report.

*Housing Task Force- M Duncan- nothing to report.

4. Correspondence: Three letters were received regarding the new MPH signs. CM Holland had a discussion with Bob Lippman regarding the 20 MPH signs on the Upper Eighty road and Lippman asked to have the speed reduce to 15MPH. Council discussed this and decided to make the Upper Eighty 15MPH the same as the rest of the unpaved roads in Town. Another email was received questioning the costs to the Town for the signs and also why the reflective rectangle signs have been replaced at the "S" curve by Brady's but not at the Bailey "S" curve. Gritts will be ordering more reflective signs for there and will respond to that email.

5. Administrative Matters & Procedures: Manti LaSal Forest Scoping Update - CM O'Brien-not present. Town letters- CM Holland reported the Rocky Mountain Power is considering dropping the net metering rate from .10 cent per kilowatt to .01 per kilowatt. To which CM Hill stated that could make it unfeasible to even invest in home solar. M Duncan stated that with HB 411 RMP solar power is probably moving away from encouraging home solar installations towards big renewable projects. CM Hill disagreed stating there are a lot of studies that believe home solar is the future. RMP just doesn't want to pay or give credit to homeowners for power. CM Holland thought it was important for the Town send our comments to the Public Service Commission. He asked if we could round up the numbers of home solar installations in the Valley .CM Gibson pointed out that those that have net metering now have a contract with a time limit these potential RMP changes would affect new net metering customers. Discussion continued on the pros and cons of home solar and net metering. CM Holland will write a letter commenting on RMP potentially reducing net metering rates and the Council will approve the letter through email. CM Holland also suggested writing a thank you letter to Congressman Lowenthal and Senator Durbin as they were instrumental in getting the BLM to rescind the gas leases out by Canyonlands. Their taking action proves that public comments and the Town's letters have some potential influence over divisive issues.

NEW BUSINESS

6. Discussion and Possible Action re: Well location Variance on Lot 194

Jim Woolaway (owner of Lot 194) explained that the existing well on his lot has excessive amounts of silt. He has discussed the problem with John Groo and Danny Prickett and they agreed with the recommendation to drill another well as far away from the existing well as possible. After identifying potential sites there are competing distances (set back rules) between the Scott property lines, the cul-de-sac and the septic leach field resulting in a small triangle of land where they would recommend

drilling the new well. He may need to get variances because of the distances from the well site to the cul-de-sac and the Scott property line. Woolaway's plan was to meet with John Groo and with a tape measure and getting the exact measurements before proceeding with a Variance.

CM Hill motioned to table Item 6, CM Holland seconded motion passed unanimously.

7. Discussion and Possible Action re: Hunting Season Notification.

Council discussed posting the relevant 2020 hunting season dates at the mailboxes and on the green gate in the Upper Eighty. Buck will create temporary signs and maybe in the future the Town, DWR and BLM can go in together for a more permanent sign and/ or information kiosk.

John Groo joined the meeting CM Hill motioned to un-table Item 6, CM Gibson seconded, motion passed unanimously

Groo had been over to Lot 194 and looked at the potential well sites. He had some concern that the power line may be close to where Prickett would need to bring in his drilling equipment. Groo and Woolaway agreed that the area in question may require a survey to see if there is 50' from the Scott's fence and the cul-de-sac. Discussion continued on where 194's leach field ends in relation to the potential well site. Groo and Woolaway will meet and get the measurements. Buck will send out the information on Variances to both.

8. Discussion and Possible Action re: Amendments to Ordinances 85-3 sections 4.2-4.5 and 2003-3.

The amendments remove any and all references to commercial agriculture and any necessary re-lettering. M Duncan stated that at some point she would like to see further discussion on fencing amendments to 2003-3. Thompson agreed that the PLUC will be doing more research about wildlife and fencing.

CM Hill motioned to approve the amendment in Ordinances 85-3 sections 4.2-4.5 and 2003-3 as presented, CM Holland seconded, motion passed unanimously.

9. Discussion and Possible Action re: Payment of Road Shed CIB loan \$7375.00

CM Hill motioned to approve the CIB Road Shed loan, CM Gibson seconded motion passed unanimously.

10. Discussion and Possible Action re: Approval of Resolution 2020-8 Fee Schedule

CM Hill motioned to approve Resolution 2020-8 Fee Schedule as presented; CM Holland seconded motion passed unanimously.

11 Discussion and Possible Action re: Neighborhood Clean-up additional \$1100 cost.

CM Hill reported that we cut our budget for FY2020 to have a surplus because we don't know what effects COVID will have on Town FY 2021 revenues, so we saved enough for the Cleanup especially after the additional \$500 waiver for tipping fees.

CM Hill motioned to go ahead with the Fall Clean up even if we cannot get the \$500 waiver. M Duncan added that we are in budget FY2021 and we may or may not still have another Clean up in spring 2021.

CM Hill agreed but the FY 2020 money was saved in the General Fund as we had canceled the Spring 2020 Clean-up. The motion was seconded by CM Holland, motion passed unanimously.

UNFINISHED BUSINESS

M Duncan asked for a motion to change the order of business and go to Items 13 and 15 ahead of Item 12.

CM Holland motioned to move Items 12 and 14 to after Item 15, CM Gibson seconded, motion passed unanimously.

13. Discussion and Possible Action re: Adoption of the Castle Valley General Plan-(tabled)

CM Gibson motioned to un table item 13, CM Holland seconded, motion passed unanimously.

Jack Campbell had made revisions adding information on septic density to the Water Section page 15, CM O'Brien made revisions to page 16-17 #11/ #12 and CM Holland further edited #12 making it into two complete sentences. They also decided to keep the "may" options in #11. Added to the Introduction bullet points was "Greater ability to pursue goals specific to the Town of Castle Valley that may not be

important to other entities". There were also some minor typo corrections and Thompson will reformat the charts and pagination after text is complete.

CM Holland motioned to approve the 2020 General Plan with revisions and corrections, CM Gibson seconded, motion passed unanimously. The Council thanked everyone that worked on the Plan.

15. Payment of the bills.

CM Gibson motioned to pay the bills, CM Holland seconded, motion passed unanimously.

At 8:10 PM M Duncan asked the public to leave the Meeting as the Council was going into a Closed session.

12. Discussion and Possible Action re: Castle Valley Drive placement and easement at Karen Nelson's lot 77(tabled)

CM Hill motioned to un table Item 12 and move it into a closed meeting, CM Holland seconded, motion passed unanimously

14. Closed Meeting (If necessary) Utah Code 52-4-205 (c) strategy session to discuss pending or reasonably imminent litigation.

8:25PM Council came out of the Closed session.

12. Discussion and Possible Action re: Castle Valley Drive placement and easement at Karen Nelson's lot 77 – Continued

CM Hill motioned to approve having the Town Attorney Christina Sloan discuss with Karen Nelson's Attorney what role we can take with Karen Nelson's easement. CM Holland second, motion passed unanimously.

ADJOURNMENT

CM Hill motioned to adjourn, CM Holland seconded, motion passed unanimously.

M Duncan adjourned the Meeting at 8:30PM

Approved:

Jazmine Duncan, Mayor

Date:

Attested:

Jocelyn Buck, Town Clerk

Date:

DRAFT MINUTES
CASTLE VALLEY ROADS COMMITTEE MEETING
TUESDAY, SEPTEMBER 15th, 2020 at 4:30 P.M.
CASTLE VALLEY COMMUNITY CENTER
2 CASTLE VALLEY DRIVE

****Due to concerns regarding the potential spread of COVID-19 this meeting was held outside at the Town Pavilion, 2 Castle Valley Dr.**

Members Present: Jazmine Duncan and Pamela Gibson.

Members Absent: Glen Wilson.

Recorder: Jocelyn Buck.

Public Present: Colleen Thompson.

Roads Department: Mingo Gritts

Call to Order

M Duncan (acting Chair) called the meeting to order at 4:30 PM

1. Open Public Comment: None
2. Approval of Minutes of Roads Meeting August 18th 2020.

Gibson motioned to approve the August 18th Minutes, Duncan seconded, motion pass unanimously.

3. Executive Report:

Monthly Road Report-Mingo Gritts gave his update to the Committee; they have added more MPH signs in the Upper Eighty. He has completed the road conditions assessment and culvert reports. There are some sink holes created where Emery has their conduit bore holes, Gritts has spoken to the Emery crew and they will go back through and fill in those holes. The mower arm parts are still on order and the Tar pot ignition has been put back together.

4. Correspondence: Three letters were received regarding the new MPH signs. There was discussion that there are too many signs up by the mailboxes. The "15MPH on unpaved roads unless otherwise posted" sign will be moved to another location away from the Castle Valley Drive 25 MPH to avoid confusion. The Committee recommended to the Council to make the Upper Eighty 15MPH the same as the rest of the unpaved roads in Town. The reflective rectangle signs have been replaced at the "S" curve by Brady's and Gritts will order more to replace the old non reflective signs at the Bailey "S" curve.

5. Administrative: Database update :Gibson reported that Gritts , Buck and herself have met with John Groo and the Roads database timesheets will be up and running for September. The timesheet system may need to be modified as needed. M Duncan will get a monthly report to approve for payroll. As data is collected and entered on road work and expenses we will be able to run various reports. Gibson is in the process of updating 2020 in the database. No potential Committee members have come forward.

6. Standard Operating Procedures: Drafts still pending. Buck will work on putting together the draft of the priority SOPs.

New Business

7. Discussion and Possible Action re: Amber Lane cul-de-sac options.

Gritts explained that this part of the Utilities infrastructure relocation project. When the Town roads were built they did not cut the cul- de-sac out so some utilities were put right in the cul-de-sac travel surface areas. In addition some residents have been aware of this and have placed their fences and trees etc. outside of the cul-de-sacs and some have not. Right now we are only concerned about two power poles that are located in Amber and Holy Oak cul-de-sacs. We want to get those two poles moved before Emery runs their fiber lines on them and then has to move them again. Gritts has been working with Rocky Mountain Power and has marked out these cul-de-sacs as well others throughout the Valley to make sure Emery installations do not encroach on any other cul-de-sacs. Gritts is only concerned with getting these two power poles moved at this time in the future he will be working with residents that have encroachments issues.

The pole inside of the cu-de-sac area (Lot #424) would be moved approximately 20' up-line to the edge of the cul-de-sac perimeter (Lot #424). Gritts has met with the new owner of Lot 424 and he is aware of the project and that he will have to move his sign at some point.

8. Discussion and Possible Action re; HolyOak cul-de-sac options.

OPTION 1

- The pole inside of the cu-de-sac area (Lot #307) would be moved approximately 33' up-line to the edge of the cul-de-sac perimeter (Lot #307).
- The underground service on the pole (Lot #307) would be re-routed to a junction box at the base of the pole relocation (Lot #307).
- Due to the new angle of the aerial line from the relocated pole (Lot #307) to the pole on the adjacent property (Lot #308); The owner of Lot #306 would need to sign a new utility easement for the new aerial line vector across their lot.
- Due to the new angle of the aerial line (Lots #307/#306); a new pole would have to be added on the other side of the cul-de-sac perimeter (Lot #306), so that the angle of the aerial service to Lot #308 would remain unchanged.
- This option requires the Town to get 1 new utility easement and the relocating of 1 existing pole and installs of 1 new pole.

OPTION 2

- The pole inside of the cu-de-sac area (Lot #307) would be moved approximately 33' up-line to the edge of the cul-de-sac perimeter (Lot #307).
- The underground service on the pole (Lot #307) would be re-routed to a junction box at the base of the pole relocation (Lot #307).
- Due to the new angle of the aerial line from the relocated pole (Lot #307) to the pole on the adjacent property (Lot #308); Both the owner of Lot #306 and the owner of Lot #308 would need to sign a new utility easement for the new aerial line vector across their lots.
- This option requires the Town to get 2 new utility easements and the relocating 1 existing pole.

OPTION 3

- The pole inside of the cu-de-sac area (Lot #307) will be moved approximately 33' up-line to the edge of the cul-de-sac perimeter (Lot #307).
- The underground service on the pole (Lot #307) will be re-routed to a junction box at the base of the pole relocation (Lot #307).
- Due to the new angle of the aerial line from the relocated pole (Lot #307) to the pole on the adjacent property (Lot #308); There is an opportunity for the owner of Lot #308 to switch from an aerial service to an underground service. However, there would be a cost to the lot owner of @ \$10K-\$15K for RMP change of service plus the additional costs of trenching.
- This option requires 1 new utility easement and relocates 1 existing pole and eliminates 1-2 existing poles and prevents the need for any additional new pole.

Gritts has explained these options to property owners Jayne May #307, Greg Nunn #306 and Dennis Keogh #308. May and Nunn are open to the easements required for Option 2. Keogh is still considering the costs of Option 3. Rocky Mountain Power (RMP) anticipates doing the easiest and cheapest Option 1, Gritts recommends Option 2 but is waiting to hear back from Keogh. Option 3 would be the cheapest and easiest for the Town but very costly for Keogh. Gibson was concerned that RMP could just go ahead and do Option 1 unless we notify them not to until we hear from Keogh and the Town makes a decision. Gritts explained that RMP are probably 2 months out from doing the work but he will let them know

Option 1 is “off the table” and we are still deciding on the other options. He added that before anything can happen the Town will need to get surveys for the utility easement(s).

Unfinished Business

9. Discussion and Possible Action re: Perpetual and Emergency waiver/ easements (tabled)

Gibson motioned to un-table, Duncan seconded, motion passed unanimously.

Buck asked for direction, the Single Instance Waiver was previously reviewed and the Committee agreed it was fine. The Mutual Easement and Right- of- Way Agreement has held up by Christina because she thought we needed a definite surveyed easement which is not practical because the whole point of this agreement is to be able to get on properties and work where the drainage could be changing course due to storm events. Gibson thought this agreement looked good. It was agreed that if a property owner has issues with signing this “perpetual” agreement they could just sign the “single instance” agreement as needed. Buck as requested has replaced “storm water runoff channel” in the place of “drainage system” throughout the document.

Gibson motioned to recommended sending both agreements to the Town Council for approval, Duncan second, motion passed unanimously.

10. Road’s Budget

Budget is inline; there will be some surveys for the power pole easement coming out of the legal budget and some equipment repair for the tar pot. It was agreed that crack sealing Castle Valley Drive will increase the “life” of the road surface.

11. Emergency Planning- Evacuation Planning- nothing to report

12. Closed session-not needed

Adjournment

Gibson motioned to adjourn, Duncan seconded motion passed unanimously.

Duncan adjourned the Meeting at 5:31PM

Approved:

Acting Chair Mayor Duncan:

(Date)

Attested:

Jocelyn Buck, Town Clerk:

(Date)

**WORKING DRAFT MINUTES (2ct)
REGULAR MEETING
OF THE PLANNING AND LAND USE COMMISSION**

Date: Wednesday, October 7, 2020

Time: 6:30 PM

Place: Conference Call

Electronic Meeting Determination

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. § 54-2-207(4), Bill Rau, Chairman of the Town of Castle Valley Planning and Land Use Commission issues this Determination supporting the decision to convene electronic meetings of the Planning and Land Use Commission via Conference Call without a physical anchor location. Due to the COVID-19 pandemic Meetings at the anchor site may present substantial risk to public health and safety. Taking into consideration public health orders limiting in-person gatherings, the average "at risk" age of Town residents and the limited space in the Town building, the Planning and Land Use Commission will continue to hold meetings by electronic means. This determination expires 30 days after the day on which the Chairman has made the determination. The public can join the Conference Call Meetings or submit comments through email.

Present: Ryan Anderson, Marie Hawkins, Bill Rau, Colleen Thompson, Stephen Curtis.

Absent: None

Others Present: Jack Campbell, Jazmine Duncan, George Holling, Peggy and Norman Llewellyn, Bruce Keeler, Russell Cooper

Clerk/Recorder: Susan Curtis

CALL TO ORDER REGULAR MEETING (some attendees optionally shared video)

Electronic Meeting Determination read by Rau

Rau called the Regular Meeting to Order at 6:30 P.M.

1. Public Comments – none

2. Approval of Minutes

Regular Meeting of September 2, 2020

Thompson moved to approve the Minutes as presented. Hawkins seconded the Motion. Anderson, Hawkins, Rau, Curtis, and Thompson approved the Motion. The Motion passed unanimously.

3. Correspondence - none

4. Town Council Meeting Report —Thompson

201007 Report on 9/16/20 Town Council meeting

1. TC approved Amendments to Ordinances 85-3 sections 4.2-4.5 and 2003-3 regarding commercial agriculture designation for fences.
2. TC approved Resolution 2020-8 Fee Schedule to add a fee for encroachment permits.
3. TC discussed cost of neighborhood cleanup day which is still on for November 7.
4. TC approved Adoption of the Castle Valley General Plan and sent it for copy editing.

5. Building Permit Agent Report —Thompson

- **Permit Activity:**

TOWN OF CASTLE VALLEY - Building Permits Report

Approval Date Between 9/1/20 And 9/30/20

Approval	Lot	Road	Owner	Type	Purpose	Description	Height	Sq Ft <=19	Sq Ft >19
9/3/2020	054	Lazaris Lane East	Holdings, Inc., HF	Building	Barn		24	0	1296
9/21/2020	443	Firecliff Lane	Ambrose, Robert & FI	Building	Deck	Amended Covered dec	0	784	0
9/22/2020	162	Buchanan Lane West	Shurtleff, Cory	Electrical	Residence	Elec service installed 3/	0	0	0
9/22/2020		Buchanan Lane West		Septic	Residence	4BR	0	0	0
9/30/2020		Buchanan Lane West		Building	Accessory B	Pump house	0	120	0
9/30/2020		Buchanan Lane West		Building	Barn	Barn	0	1836	0
9/30/2020		Buchanan Lane West		Building	Residence	2BR 3BA, 2 floors	23	0	4737
9/30/2020	054	Lazaris Lane East	Holdings, Inc., HF	Building	Garage	Garage addition to hou	0	0	1672
9/30/2020	162	Buchanan Lane West	Shurtleff, Cory	CLUC	Barn	Barn w/plumbing & ele	0	1836	0

TOWN OF CASTLE VALLEY - Conditional Use Permits Report

Approval Date Between 9/1/20 And 9/30/20

Approval	Lot	Road	Applicant	Type	Purpose	Business Name	Routine	Perm
9/26/2020	430	Rimrock Lane	David Rhoads	Home Occupation	IT company. Online repair, sales of computer acc	Hi Tech Solutions	☒	☐

- **Updates on Recent Applications:**

#054 Sunroom addition
Determined nonroutine, on tonight's agenda.

#332 Saunders
1. Waiting for TDP renewal or notification of decommissioning
2. Has submitted building plans to the county but all I have so far is a plot plan.
Waiting for more information.

- **2020 Temporary Dwelling Permit to Date**

Renewals and New Permits

Lot	Renewal	Approval	Owner	Type	Conditions	Notes	Non-Routine
045	9/22/2022	9/22/2020	Chonchon LLC	TDP			☐
176	7/31/2022	7/31/2020	Catherine Carpenter	TDP		Trailer for son, septic pump out by Zunich Bros bi-monthly (semi?). Subm 7/27/20	☐
298	3/16/2022	3/16/2020	LLC AllSmiles Prop. & Jam	TDP		Overpaid \$20, kept it as late fee for extra time required by BPA (3 mos overdue)	☐
303	6/1/2022	6/1/2016	Scott Crueger	TDP	Septic System	Airstream Trailer	☐
331	2/1/2022	2/1/2018	Chris Fukui & Tricia Rodge	TDP		Processed 5/22/19 (app was tardy)	☐
378	7/29/2022	7/29/2020	Mathew Pearcy	TDP		On septic	☐

6. Procedural Matters

- **Update on action items from previous PLUC meetings, including Discussion re. Livestock Committee**

- PLUC team to email Clerk with updates on action items June – September
- Thompson stated there is a livestock update and administrative update
- Livestock Update

- Bruce Keeler presented informal livestock owner survey with data completed to date:

Table 1

Lot	Horse/ mule	Cattle	Swine	Goats	Sheep	Chickens	GH/Peafowl	(poultry only)	(hoofed)
1	3								*
2						24, 45 max		*	
3						12		*	
4				3					*
5	3								*
6	1			2					*
7	3								*
8				7		7			*
9	3								*
10	2								*
11						25		*	
12						6		*	
13	5	1 milk 1 bull 1 steer	2 weaners			15	9 GH, 9pea		*
14			1	20 (9 adult)		30			*
15		1 steer	1		2 lambs	4			*
16		4 steer							*
17	3								*
18						10		*	
19						12		*	
20			?						*
21		?	?			?			*
22		?	?			?			*
23						30		*	
24						48 (max 65)		*	
Totals	23	~15	5-10	32	2	~13 lots		8 lots	16 lots

- Keeler - included 24 known lots with livestock on sheet shown above and stated he was unable to contact some of the livestock lot owners, and those would add about 4 lots. Interesting to talk to people who have livestock and what livestock they expect to have and what they think the limits might be.
- Overall numbers - Keeler started by saying 6 lots only have horses, 1 lot only has cattle (by CV Inn on Amber, they have 4 steers, Bruce didn't know about these until a few days ago). 1 lot with goats, 8 lots only have chickens.
- Horses - Most lots that have horses have between 1 and 5 horses; the majority of these lots have 3 horses. The lot with 5 horses has multiple species of animals.
- Goats - As far as goats go, 1 lot has 3 goats, and there are 3 other lots with goats, one lot has 2 goats, one lot has 7 goats, one lot 20 goats (9 of 20 are adults, other 11 are subadults).
- Chickens - As far as chickens go, we have a rather large spread of how many chickens people have. One lot is to have 24 chickens soon, they indicated they have had as many as 45 in past, but doubt they will be anywhere that number again. Another lot has 12 chickens, another 7 chickens, a lot with chickens only at 25, another lot with 6, another lot with multiple species has 15 chickens, another lot with multiple species has 30 chickens, and there are 2 lots with 10 and 12 chickens, a single lot with 30 chickens, a lot with just chickens has 48 and owner indicated the max number, likely not get that high, might be 65 chickens. One lot has 9 guinea hens (free range) and 9 peacocks (penned), this is one of the multiple species lots.
- Unknown - there are 3 lots that Keeler has no clue how many animals are on these lots, has talked with lot owner and the owner is interested in talking with Keeler, should be able to sort out and talk in future.
- Multiple Species Lots - The other thing not touched on yet, one of multiple species lots has sheep, cattle, and swine, and all of these are seasonal

animals. One of the things come across is that most people with pigs get pigs in spring to raise as weaners, raise for approx. 4 months and then butcher, and same goes for 2 lambs and steer, keep for 4 months and then butcher. Interesting with some breeds of pigs that you don't pen, they are put in pasture with other animals and when do this don't have a wallow, no fly problem, and no smell problem, but when/if have in small confined area then the pigs get pretty disgusting.

- Horse Owners - The horse owners recognize, most only want 3 or 4 horses max, but do have issue that horses can live up to 30+ years old and once cannot ride them will not want to get rid of them as part of the family. A concern from horse owners is that they would want to be allowed to have limits on horses so that they can replace them and not have to send the old ones to the slaughterhouse.
 - Hawkins – commented that livestock committee already discussed this and no one wants to see this happen and can assure the owners of this.
- Pigs - Keeler did not find anybody that thought 30 pigs allowed in current ordinance is anywhere near realistic—way too high, did not find any problem with that
- Livestock Owners Issues Voiced – need a clear distinction when animals are considered not sub adults, need a clear realistic distinction, this is not a straight across the board timeframe for every species. Another concern/point brought up frequently: if raise livestock for meat, milk, etc., some concern that might not legally be able to sell meat, eggs, other products in Valley without being labeled commercial, and then would get into commercial issues.
- Swans & Ducks - did not get to Swans or Ducks, thinks only one or two places in Valley that have these.

Discussion:

- Rau – thanked Bruce for talking with all these folks and information helpful to the livestock committee. Asked if anything else to report from livestock committee.
- Thompson – nothing else to report, was waiting for Keeler to do survey. If we do livestock ordinance amendments incrementally, should address 30 pigs first as no one thinks this is a good number, and then think about other possible amendments.
- Anderson – question for Bruce – looking at spreadsheet at #13, peacocks are penned or caged what about the other animals? Are the animals on 5 acres or larger lot?
 - Keeler – think 5 acres but could be larger, chickens are free range during day, pigs are penned, milk cow, bull, steer, and horses are corralled or penned and don't roam around on lot.
 - Thompson – know this lot, they have had animals for years, are at end of road with no close neighbors.
- Keeler - forgot to mention majority of lots with livestock are on the Castle Rock side of the valley in the flat; only 3 livestock lots known on Rim side of Castle Valley Drive.
- Thompson Administrative Matter –
 - Thompson – met with county building department today and due to COVID things are moving more to online submission, currently Town can only take checks and cash, with online submission could optionally pay online with credit card. Not sure who to talk to about this, maybe Tory or Town Council, just found out about it today. Will take a while to get rolling, but could help with reducing face-to-face to get a building permit.

- Duncan – sounds like a good idea, would like to know what else is entailed and the fee charged to Town to use this function.
- Hawkins – usually around 3% fee charged per transaction, Duncan agreed.
- **Discussion re. Yearly renewals for Conditional Use Permits and Business Licenses**
 - Clerk – let PLUC know this process will be starting soon with target to get letters out by October 20, will be reaching out to Rau and Thompson on letter and reports.
 - Thompson – clarified that Temporary Dwelling Permit renewals happen all through the year and Conditional Use Permits get renewed every December.

NEW BUSINESS –

7. Discussion and possible action re: a nonroutine building permit application for a sunroom addition on lot 54

Rau – know Thompson has been working on this and will turn over to her to review the summary she provided that was very helpful and see where we are.

Thompson – first ask PLUC members if they had a chance to review the summary documents, Anderson and Curtis reviewed documents, Hawkins skimmed the information.

Thompson – Background - building permit applicants come to Thompson as BPA with their plans and other required information. BPA reviews and makes sure zoning issues are ok and then signs the county permit application and then applicant goes to county. In 2008 and previous, the Town zoning approval did not have an expiration built in; the county has a 6-month expiration and easily renewed if plans have not changed. In 2007, the Town started looking at square footage caps, changing some setbacks, and putting an expiration date on zoning approvals. Town had a moratorium that started in March of 2007, one 6-month moratorium, and then renewed for 6 months which ended in March of 2008. A roughly 8-week window occurred between moratorium end and zoning amendment, and several people rushed to obtain permits to beat clock on new limitations. Lot 54 was one of these, Jeff Whitney was another, and a couple other lot owners got a few permits—between 5 and 10 people got what are called “pocket permits” that are good essentially almost forever, albeit with some caveats.

- Current State August/September 2020 - Lot 54, in August/September of 2020, submitted 3 of these 2008 pocket permits/zoning approvals to go ahead and build. It's understood that building inspector and county has to re-review all plans as code has changed. One of the stipulations by the Town (on 2008 application signed by applicants) is that if there are “substantive” changes in layout, use, or structural, then application has to be re-reviewed. Lot 54 Barn permit had no changes at all and was approved; other two permits more complicated, one for garage ended up being approved after some negotiation, and they have 6 months to submit to county or Town approval expires. The third permit is a hard one, for sunroom addition on house. Difficult because for BPA to review and determine if substantive changes, need to look at original plans from 2008 and compare to plans being submitted now. Currently proposed sunroom is a kit, but Town and Holling have no 2008 plans; 2008 county application was never submitted, so documentation is lacking. After study and reviewing with several people BPA determined the renewal request nonroutine, which goes to PLUC to decide what to do. With all the built and unbuilt permits on lot 54, Town currently having a 7,000-square foot per lot cap, lot 54 is already over 9,000 square feet—and there is no record of sunroom square footage from 2008.

Discussion:

Hawkins – asked how much in SF is the kit? Thompson stated thinks between 600 and 700 square feet and Holling concurred. Hawkins asked what side of house is sunroom going on; Sunroom going on south side of house.

Holling – wants to make comment: the house square footage on record is not accurate and thinks probably over 7000 square feet but not 9,000 square feet either.

Thompson – In 2015 George applied to renew the garage addition on 2008 permit, there's a lot of information and email discussion in file from 2015, including square feet calculations for built and unbuilt permits (by Faylene Roth and Mary Beth Fitzburgh), this is where 9,000 square feet comes from. Sunroom not included in this square footage, a note is in file says we don't know square footage or have plans of sunroom. Lot 54 also has a unbuilt permit for greenhouse with kit from same company that is much bigger, Holling telling Thompson same plans, but it's much bigger.

Holling - stated greenhouse is in same manufacturer catalog and if were to build, it is larger than the sunroom.

Thompson – greenhouse is not being renewed at this time, all we have in file is plans for a deck and small screen porch (100-120 square feet), and county has no record of deck or screen porch on paper or digital record. Screen porch is in same location as proposed sunroom.

Holling – this was on separate permit and he has seen documents recently but don't have in front of him, Henderson permit had both screened in area and deck.

Thompson – up to now, before possible workflow changes in near future, applicants provide mostly blank county application that BPA signs as zoning authority, and this goes to county, so the 2008 copy in Town file is one that county has not seen yet and therefore has no permit number (also very faint due to carbons). Holling had more legible originals of county apps and provided those to Thompson. County does not have any information on deck/porch permit.

Holling – 2007 permit for deck and as building deck Town said need building permit and applied for it, don't know why didn't get to county, do have a building permit in Holling records.

Thompson – county has no record of this. County does purge plans after about 5 years to save space, but they keep permit information.

Holling – generally law says need to keep for copy for a year after permit is expired or is completed. The problem comes in on this one as this is open permit and records were not kept. Can provide background, when submitted, the horse shed, greenhouse, garden shed was all on one permit and someone in Town split up in 3 – 4 permits and not in Holling handwriting, and took permit and split out, Holling submitted this all at once.

Thompson – scanned all plot plans in Lot 54 file with proposed and existing structures and sent to PLUC members; none of the plans have a picture or mention of sunroom, just the screen porch in same location.

Holling – already issued on porch permit and approved and no reason to resubmit, as Thompson mentioned everything was done in a hurry, Damian told them have a few days to get everything in and they needed to hurry and very short window to get everything in and are where we are.

Thompson – any questions? Need to determine whether to approve addition of sunroom, due to lack of information.

Anderson – would this permit complete all permits requested in 2008?

Thompson – no, there are still permits for a run-in shed, garden shed, and greenhouse.

Holling – garden shed was built, greenhouse and horse run-in shed have not been built.

Thompson – how big is garden shed?

Holling – less than 200 sq ft and not an occupied building.

Anderson – to help understand, what is size of lot 55 garage? Trying to understand size.

Holling – not sure, needed storage space.

Rau – the sunroom would be behind the garage to the south?

Holling – would be perpendicular from kitchen door, probably wouldn't see from road as garage on lot 55 blocks view.

Rau – prior to 2008 when 85-3 was changed, were there any square footage limits in ordinance?

Thompson – It's complicated. In 2007 there was a 5000 square foot limit of living space in 85-3, but it counted living space only, not space like garage, no total cap per lot, but living space limit. If PLUC is interested, found 2007 Karen Nelson document with rationale for proposed changes. Can send to PLUC members. She was chair of Planning Commission at that time.

Anderson – would like to get copy of document.

Thompson – cloudy on what to do, in re-evaluating now, if square footage different but have no clue what sunroom square footage was in 2008, do we evaluate on 2008 or 2020 rules?

Hawkins – are we just talking about the sunroom?

Thompson – the sunroom is last of three current applications left to decide on, 2 others already approved.

Hawkins – so we are talking about 600 square feet or so? Thompson stated about 660 sq ft, Rau commented which is living space, Thompson not sure if living space, Holling would not call it living space, Thompson stated living space was a 2008 thing not a criterion now, just have total 7,000 per lot unless previously approved permit exists.

Hawkins – in 2008 everything was wide open and 600 square feet of sunroom is not a big deal and records are gone.

Thompson – have to abide by letter of ordinances and those have changed, have had lengthy discussions on topic with Town staff, as Town employee have to follow rules, determined this to be non-routine building permit so PLUC to review as Land Use Authority.

Proposed Solution Discussion:

Holling – asked, the horse-run in shed not built yet, how many square feet is that?

Thompson – will have to look, did already offer to trade square footage from other unbuilt permits, idea suggested from building inspector.

Holling – very seldom compromise, but willing to if can get resolved, to surrender horse shed in southeast corner, should be close in square footage .

Thompson - reviewed square footage of all buildings from 2015, 882 square footage for run-in shed, a good tradeoff for sunroom.

Rau - before approve, would need in writing to remove the permit for the run-in shed.

Holling - will sign conditionally in exchange if sunroom to be approved.

Rau - want void signed first and then based on what hear will approve sunroom.

Thompson - can we put both conditions on one document?

Rau - Yes, what do other PLUC members think about this?

Hawkins - supports.

Anderson - supports with contingency discussed to sign document to not build run-in shed.

Thompson - yes would see it as letter that Holling willing to void permit for run-in shed in return for approval on sunroom.

Holling - this would be a conditional approval subject to us surrendering.

Rau - No, signed simultaneously, Holling signs first and then Town signs.

Holling - can't be effective until both things happen and can easily put that in the document, it is a document, here is permit in exchange, Hollings surrender by signing and other permit will be valid.

Rau - Holling signs first then Rau signs.

Holling - may have to discuss with lawyer.

Rau - always contact lawyer, and agreed to sign simultaneously.

Thompson - will write clause in letter that agreement will not take affect until both parties have signed the document, how's that?

Rau - agree with Colleens approach.

Hawkins - if could do in person would be simultaneous.

Thompson - hard to do this today with COVID.

Thompson - will come up with something in writing and won't take effect until both sign and I can drive around to get signatures.

Thompson - do we need a motion?

Rau - do I hear a motion to move ahead on resolving nonroutine application in form Colleen has outlined and we have discussed?

Thompson - move to approve the application renewal for 2008 permit for a sunroom addition on lot 54 provided we have agreement where landowner voids a run-in shed unbuilt permit at 882 square feet in return for approx. 660 square feet sunroom addition on house, with a document that will void the run-in shed permit at same time as agreeing to approve sunroom permit.

Rau - sounds good do I hear a second?

Hawkins - second.

Thompson moved to make the motion. Hawkins seconded the Motion. Anderson, Hawkins, Rau, Curtis, and Thompson approved the Motion. The Motion passed unanimously.

UNFINISHED BUSINESS - none

CLOSED MEETING - None.

Summary/Action Items for September 2 PLUC Meeting:

1. PLUC - email June - September action item updates to PLUC Clerk
2. Livestock Committee - start draft wording to amend livestock ordinance for number of pigs allowed per lot.
3. Thompson - send copy of Karen Nelson 2007 document to Anderson.
4. Thompson - write up document for Hollings and Town to sign that will void the run-in shed permit at same time as agreeing to approve sunroom permit and obtain signatures.

ADJOURNMENT

Thompson moved to adjourn the Meeting. Anderson seconded the Motion. Anderson, Hawkins, Rau, Curtis, and Thompson approved the Motion. The Motion passed unanimously.

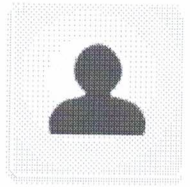
Rau adjourned the Meeting at 7:40 P.M.

EMS SSD

Tue 10/20/2020 11:05 AM

From: Lionel Weeks

To: Town of Castle Valley



We met remotely 10/21. EMS has been very busy which improves the financial picture considerably over the conservative predictions. There will be no need to dip into savings. The traffic jams have caused problems and an ambulance may need to be stationed at times north of town and patients may need to go to Grand Junction if the road to Moab is blocked. Andy is trying to arrange for an open emergency lane (dirt lane is OK).

Progress continues to be made on the new building (really on the plans and approvals). A long term agreement with the American Legion is being worked out. The CIB loan is expected to close in 2 weeks. Demolition is planned in 2-3 weeks and will take about 3 weeks followed by earth work for a month and then concrete before it's too cold. It will be exciting to have the new structure. Currently EMS is housing at the Sheriff's Department. Glad to answer any questions, Ed Weeks 260-9846

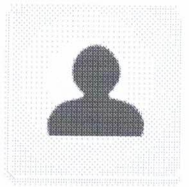
re: General plan

Tue 10/13/2020 11:31 AM

From: "jazmined@castlevalleyutah.com"

To: "Bob Schumaker"

Cc: "Jocelyn Buck"



Thanks Bob, we will make sure this gets into the council packet. Jazmine

From: "Bob Schumaker" <schu_44065@yahoo.com>

Sent: Tuesday, October 13, 2020 11:26 AM

To: "Jasmine Duncan" <jazmined@castlevalleyutah.com>

Subject: General plan

I think there needs to be an amendment to the GP. I have highlighted it in red, since the town appears to only listen to the squeaky wheels.

IntroductionPage 1TOWN OF CASTLE VALLEYGENERAL PLANUPDATEADOPTED SEPTEMBER 16, 2020INTRODUCTION

Castle Valley is a small incorporated Town in Grand County, Utah. Castle Valley was initially a large ranch which was subdivided into five-acre minimum lots, platted, and recorded on May 11, 1973. The Town of Castle Valley was officially incorporated on July 26, 1985, and developed its Master Plan in 1988. Subsequent General Plan updates were prepared in 1987, 1996, 2001, 2007, and 2014. The Town of Castle Valley promotes the interests of the (**majority of the**) residents that live within the Town limits and protects the quality of life here. In addition to the basic responsibilities of the Town that include managing water rights and maintaining the roads, there are many other benefits of having a Town structure incorporated within Grand County. Some of these benefits include:

Bob Schumaker

"Do it today. Tomorrow is a figment of your imagination."

Be Decisive !! The road of life is paved with flat squirrels who couldn't make a decision.

TOWN OF CASTLE VALLEY UTAH
ROADS DEPARTMENT
Right-of-Way Easement Encroachment / Excavation Permit

Application is hereby made by _____ Lot # _____

Property Owner _____

Address _____

Phone _____ Cell _____ Email _____

This permit is requested for permission to perform the following activities within the Town Right-of-Way Easement:

Location of the area for the proposed activities: _____

PERMIT WINDOW REQUESTED: From: ____/____/____ to ____/____/____ Expiration

Work will be conducted by: _____

<u>STAFF USE:</u>	☐ \$50 FEE PAID	☐ \$15 EXTENSION FEE PAID (as needed)
<u>ATTACHMENTS:</u>	☐ SITE PLAN (required)	☐ TEMPORARY TRAFFIC CONTROL PLAN
☐ PERMIT BOND	☐ CERTIFICATE OF INSURANCE	☐ ADDITIONAL REQUIREMENTS

SPECIAL LIMITATIONS:

By signing below the applicant(s) hereby certifies and warrants that he/she, or their agents and/or contractors:

- Carries sufficient liability insurance and/or has a sufficient cash reserve or surety bond to cover the costs of repairing any and all damages that may occur as a result of the actions proposed under this Application.
- Shall conduct all activities under this Application in compliance with the conditions, restrictions and regulations as contained in the Castle Valley Ordinances 85-3, 95-6 and 2020-1 (available on Town website) and all revisions thereto.
- To assure the restoration of the right of way to its pre-excavation condition.
- Shall comply with the current *Manual on Uniform Traffic Control Devices* (<https://mutcd.fhwa.dot.gov/>) and State Occupational Safety and Health laws <https://laborcommission.utah.gov/> and State Professional Licensing laws <https://dopl.utah.gov/>.
- Shall defend, indemnify and hold the Town harmless from all damages and claims, including attorney's fees arising out of any and all actions performed under this permit by applicant, and their employees, agents, or contractors, including failure to comply with the terms and conditions in this permit.
- This permit expires 6 months from date of approval and may be extended for a \$15 fee if there are no changes and with the Road Manager's approval.

Applicant: _____ Date: _____

Property Owner: _____ Date: _____

Approved by (Road Department Manger): _____ Date: _____



OFFICE OF THE
STATE AUDITOR

Questionnaire

Revised March 2020

Fraud Risk Assessment

INSTRUCTIONS:

- Reference the *Fraud Risk Assessment Implementation Guide* to determine which of the following recommended measures have been implemented.
- Indicate successful implementation by marking "Yes" on each of the questions below.
- Total the points of the questions marked "Yes" and put on the "Total Points Earned" line below.
- Using the points earned, circle the risk level on the "Risk Level" line below.

Total Points Earned: **290** 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?	yes	200
2. Does the entity have written policies in the following areas:		
a. Conflict of interest?	yes	5
b. Procurement?	yes	5
c. Ethical behavior?		5
d. Reporting fraud and abuse?		5
e. Travel?	yes	5
f. Credit/Purchasing cards (where applicable)?		5
g. Personal use of entity assets?	yes	5
h. IT and computer security?	yes	5
i. Cash receipting and deposits?	yes	5
3. Does the entity have a licensed or certified expert as part of its management team? (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO)	yes	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?		20
5. Have all of the board members completed the State Auditor online training at least once in the last four years? In person training	yes	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?		20
8. Does the entity have a formal internal audit function?	yes	20
9. Does the entity have a formal audit committee?		20

Certified By: _____ Certified By: _____

* MC = Mitigating Control

Basic Separation of Duties

See page 2 of this questionnaire 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?	yes			
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?			yes	
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".				N/A
4. Are all the people who have access to blank checks different from those who are authorized signers?	yes			
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?	yes			
6. Does someone other than the clerk review periodic reports of all general ledger accounts to identify unauthorized payments recorded in those accounts?	yes			
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".	yes			
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".	yes			
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".	yes			
10. Does the person who authorizes payment for goods or services, who is not the clerk, verify the receipt of goods or services?	yes			
11. Does someone authorize payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	yes			
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".	yes			

PROPOSAL FOR GROUNDWATER QUALITY MONITOR-WELL SAMPLING IN CASTLE VALLEY

Castle Valley is a growing community and the Town of Castle Valley wishes to preserve the quality of their water. The Town, with the oversight of the UGS, had 6 monitor wells installed throughout Castle Valley as part of an EPA grant to help the Town gain additional data in areas downgradient from septic systems and in areas of the valley lacking water wells. The Town would like to have the monitor wells sampled on a semi-annual basis (autumn and spring).

The UGS will collect water samples on two different occasions from wells selected as part of this task. For each sampling season, six samples will be collected in the valley analyzed each for field parameters, general chemistry (including total-dissolved-solids), and nitrate concentration; in addition, phosphate will be analyzed during the spring 2021 sampling event for two select sites. The time required to measure water levels, sample, bail, and purge the 6 monitor wells by a UGS geologist for each sampling occasion will be 18 field hours and 8 hours travel time. The UGS owns all necessary equipment to collect samples including a hand-held multi-parameter instrument to measure water levels and field parameters including pH, specific conductance, and temperature, and a pump to extract the water up to 200 feet deep and bailers. The State Lab will provide the sampling jars. The UGS receives the State discount for water quality samples. The data collected will help identify any problems with water quality and to help ensure preservation of high quality ground water. The estimated cost for two sampling events is \$8377.52 (see attached budget). The UGS agrees to provide \$ 4188.76 as cost share.

The Town of Castle Valley agrees to pay the Utah Geological Survey a total of \$4188.76 in Utah State FY2021 (ending June 30, 2021) for work completed during Autumn FY20 (\$2094.38) and Spring FY21 (\$2094.38).

R. William Keach II Date 28 Sept 2020
R. William Keach II, Director
Utah Geological Survey

Jazmine Duncan, Mayor
Town of Castle Valley

Proposed Budget for FY2021-: two sampling events

<u>Object class</u>	<u>Task</u>	<u>Estimated Cost</u>
PERSONNEL		
Geologist	Conduct Water Quality Sampling (twice) (base salary plus State benefits)	52 hrs @ \$65.13/hr= \$ 3386.76
<u>TOTAL PERSONNEL</u>		<u>\$ 3386.76</u>
Travel	Mileage (1200 miles @ \$0.31/mile x 8 days@\$35) Per Diem (6 days @ \$45/day) Lodging w/ tax (4 days @ \$114.67/night)	\$ 652.00 \$ 270.00 \$ 458.68
Subtotal Travel		\$1380.68
Water Quality Samples-6 samples submitted per season (except P)		
Nitrate (12 samples @ \$11.28/sample)		\$135.36
Gen Chem and TDS (12 samples @ \$49.28/sample)		\$591.36
Metals (12 samples @\$52.80/sample)		\$633.60
Phosphate (2 samples @\$13.60/sample)-spring only		\$ 27.20
Subtotal Water Quality		\$1387.52
TOTAL DIRECT COSTS		\$ 6154.96
INDIRECT COSTS (36.11% of Total Direct Costs)		\$ 2222.56
<u>TOTAL PROJECT COSTS</u>		<u>\$ 8377.52</u>
COST SHARE (Utah Geological Survey)		\$ 4188.76
REQUESTED FUNDING FROM TOWN OF CASTLE VALLEY		\$ 4188.76

October 22, 2020

Ryan Nehl
Forest Supervisor, Manti-La Sal National Forest
U.S. Forest Service
599 West Price River Drive
Price, UT 84501

We understand that the Manti-LaSal National Forest (MLNF) is hoping to purchase undeveloped tracts of land within the watershed of the Town of Castle Valley using Land and Water Conservation Funds (LWCF). The MLNF has identified an undeveloped parcel, referred to as Miners Basin, that it might acquire with LWCF. The MLNF has been in communication with the landowner and the landowner has agreed to sign an "Offer to Sell" letter to the United States Forest Service. Further, it is our understanding that the MLNF has identified an undeveloped tract of SITLA Land and that the MLNF has been in communication with SITLA and that SITLA has agreed to sign an "Offer to Sell" letter. We strongly support these efforts by the Forest Service and believe that it would help to protect our watershed.

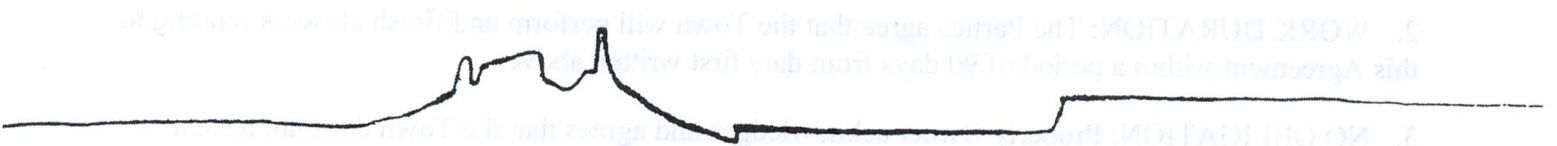
We have noted in previous letters to the BLM and the Forest Service that approximately 2% of the area of Grand County is in the watersheds for Castle Valley and Moab/Spanish Valley and that over 90% of the population of Grand County depends on that water. Given our desert climate and the fact that most of this watershed is owned by the federal government, it is essential that it is protected by the federal government and not developed by extractive industries or in other ways. We should note that the EPA has labeled our water source a "sole source aquifer" (one of only three EPA designated sole source aquifers in Utah). Such a designation can occur only if: the aquifer supplies at least 50 percent of the drinking water for its service area and there are no reasonably available alternative drinking water sources should the aquifer become contaminated. These are pretty strict and stark requirements.

Not surprisingly we have made many efforts to protect our watershed. These include working with the Utah Geological Survey and others to install six monitoring wells and funding the testing associated with those wells. We have financed a series of studies of our water resources and have one currently in progress. Our recently completed General Plan emphasizes the importance of water quality and quantity. Most recently we have participated as a Cooperating Agency in the ongoing Manti-LaSal National Forest Plan Revision, and we greatly appreciate the inclusion in the draft plan of the Moab Geographical Area that prioritizes water quality and quantity within the watershed.

We encourage and endorse your current efforts to buy potentially developable lands within our watershed as a protection for our watershed.

On October 21st 2020, the Town Council of Castle Valley unanimously endorsed this letter.

Jazmine Duncan
Town Mayor



TOWN OF CASTLE VALLEY

SINGLE INSTANCE DRAINAGE WORK WAIVER AND RELEASE AGREEMENT

This Single Instance Drainage Work Waiver and Release Agreement (the “Agreement”) is entered into on this _____ day of _____, _____, by _____ the owner of certain real property (the “Property Owner”), of Lot # _____ (the “Property”) located within the municipal boundary of the Town of Castle Valley, Utah (the “Town”), for the purpose of facilitating the: clearing of debris, protection, and improvement to the storm water run-off channel infrastructure on the Property. The parties may be referred to herein as (“Party”) or collectively as the (“Parties”).

WHEREAS, the Town and the Property Owner agree that at certain times debris collects in the storm water runoff channel located on the Property: and

WHEREAS, the Town and the Property Owner agree that such debris should be removed from the storm water runoff channel in order to reduce the threat of flooding to the Property and neighboring properties: and

WHEREAS, The Town has the legal right; but not the obligation, to take action to clear, improve, and protect drainage and is willing to do so for the benefit of Property, neighboring properties, and overall drainage maintenance in the Town.

NOW, THEREFORE, and in consideration of the foregoing, the Parties do hereby agree as follows:

1. CLEARING OF STORM WATER RUNOFF CHANNELS : Property Owner does hereby grant permission to the Town to take such action as it deems necessary, in its sole discretion, to remove debris or soils from or to improve the naturally existing drainage upon or across the Property, in accordance with the following:
 - a. Property Owner grants permission to the Town to bring; pedestrians, vehicles, and equipment on or across the Property as may be necessary to allow the Town to complete the above described work.
 - b. Property Owner grants the Town the right to permanently excavate and deposit the debris/spoils removed from the storm water run-off channels upon the Property, or to permanently remove them from the Property.
 - c. Property Owner agrees that no actions taken by the Town while on the Property shall be deemed to be a trespass or taking of the Property, and the Property Owner waives all such claims arising from the Town’s actions, as described in this Agreement.

9.10.2020

2. **WORK DURATION:** The Parties agree that the Town will perform and finish all work relating to this Agreement within a period of 90 days from date first written above.
3. **NO OBLIGATION:** Property Owner acknowledges and agrees that the Town does not have a legal duty to take action to; maintain, remove debris from, or otherwise improve the storm water run-off channels on the Property.
4. **NO ONGOING DUTY:** Property Owner agrees that by the Town performing work on the Drainage Systems on the Property; the Town does not assume the responsibility to provide ongoing maintenance to said storm water run-off channel in the future. Furthermore; Property Owner acknowledges and recognizes that the Town may not be willing or able to perform additional maintenance work when requested or needed in the future.
5. **NO EASEMENT:** The Parties agree that by performing work described herein, the Town does not assert and does not acquire any permanent; right-of-way, easement, license, or title to the Property or storm water run-off channels on the Property.
6. **WAIVER AND RELEASE OF CLAIMS:** Property Owner agrees to forever waive any and all claims and causes of action for damages to persons or property that may arise from the Town's work on the Property including, but not limited to, causes of action for trespass, taking or for any other damages brought for work performed by the Town in conformance with this Agreement. Property Owner agrees to indemnify and hold harmless the Town from any claims of any third parties harmed by the Town's work on the Property.
7. **NO WARRANTY:** Property Owner acknowledges that the Town's efforts to improve or clear the Drainage Systems may not be effective in protecting the Property or in mitigating the effects of storm water and run-off drainage damage. Accordingly, the Town provides no guarantee or warranty as to the quality or effectiveness of work to be performed herein.
8. **CONTINUED OBLIGATION:** Property Owner acknowledges that the Town's work on the storm water run-off channels does not; eliminate, reduce or remove the Property Owner's responsibility to exercise reasonable care when discharging; storm/drainage/run-off/irrigation waters from the Property. Furthermore; the Town does not guarantee or otherwise warrant that its work will enable the Property Owner to fulfill this legal duty.
9. **OWNER'S WARRANTY:** The Property Owner represents that, as of the date hereof, he/she owns the Property in fee simple, and to the Property Owner's knowledge, that no other party has an interest in the Property that would require their signature to this Agreement.
11. **ENTIRETY:** This Agreement contains the entire agreement of the Parties and supersedes all prior agreements and understandings between the Parties with respect to the subject matter hereof.
12. **COUNTER-PARTS:** This agreement may be executed and delivered via facsimile or e-mail (PDF) in multiple counterparts which, when taken together, shall be considered an original. A manual signature on this agreement, an image of which shall have been transmitted electronically, will constitute an original signature for all purposes. The delivery by electronic transmission of copies of this agreement, including executed signature pages, will constitute effective delivery of this agreement for all purposes.

Executed as of the date first written above.

I, _____, do hereby state and represent that I am the legal owner of Lot # _____, located within the Town, and that I am authorized to sign this Single Instance Drainage Work Waiver and Release Agreement on behalf of said property, and acknowledge that by my signature said Agreement shall be binding upon said Property Owner and said Property.

By: _____
Owner of Lot #: _____

TOWN OF CASTLE VALLEY

By: _____
Its: _____

9.10.2020



TOWN OF CASTLE VALLEY

MUTUAL EASEMENT AND RIGHT-OF-WAY AGREEMENT

This Mutual Easement and Right-of-Way Agreement (the "Agreement"), for the purpose of securing, providing, and memorializing permanent but conditioned, access for the Town to conduct storm water runoff channel maintenance work on and across the storm water runoff channel described below, is made and entered into this ____ day of _____ 20__, by and between the **Town of Castle Valley**, a Utah Municipality located in Grand County, Utah, (the "Town"), and the owner of certain real property, Lot(s) _____, located within the municipal boundary of the Town (the "Property Owner"), for the purpose of facilitating the clearing, protection, and improvement of the storm water runoff channels on real property located in or near the Town (the "Property"), and owned by the Property Owner. The parties may be referred to herein as ("Party") or collectively as the ("Parties").

WHEREAS, the Town and the Property Owner agree that at certain times debris collects in the storm water runoff channel; located, _____, and _____,

WHEREAS, the Town and the Property Owner agree that such debris should be removed from storm water runoff channel (the "Channel") in order to reduce the threat of flooding to the Property Owner and neighboring properties; and

WHEREAS, The Town has the legal right, but not the obligation, to take action to clear, improve, and protect the storm water runoff channels and is willing to do so for the benefit of Property Owner; neighboring properties, and/or overall drainage in the Town.

NOW, THEREFORE, and in consideration of the foregoing, the Parties do hereby agree as follows:

1. Cleaning of Drainage System: Property Owner does hereby grant permission to the Town to take such action as it deems necessary, in its sole discretion, to remove debris from or to improve the naturally existing storm water runoff channel upon or across the Property, in accordance with the following:

- a. Property Owner grants the Town the right to permanently deposit the debris removed from the storm runoff channel upon the Property.
- b. Property Owner grants permission to the Town to bring in such heavy equipment, on or across the Property, as may be necessary to allow the Town to complete the above described work.
- c. Property Owner agrees that no actions taken by the Town while on the Property shall be deemed to be a trespass or taking of the Property and the Property

Owner waives all such claims arising from the Town's actions, as described in this Agreement.

2. Town has No Obligation to Clear the Drainage System: Property Owner acknowledges and agrees that the Town does not have a legal duty to take action to maintain, remove debris from, or otherwise improve the storm water runoff channel in question.

3. No Ongoing Duty: Property Owner agrees that by performing work on the storm water runoff channel, the Town does not assume the responsibility to provide ongoing maintenance to the Property drainage in the future. Further, Property Owner acknowledges and recognizes that the Town may not be willing or able to perform additional maintenance work when requested in the future. Property Owner acknowledges and agrees that any work described herein will be performed at the discretion of the Town.

4. Waiver and Release of Claims: Property Owner agrees to forever waive any and all claims and causes of action for damages to persons or property that may arise from the Town's work on the Property including, but not limited to, causes of action for trespass, taking or for any other damages brought for work performed by the Town in conformance with this Agreement. Property Owner agrees to indemnify and hold harmless the Town from any claims of any third parties harmed by the Town's work on the Property.

5. No Warranty: Property Owner acknowledges that the Town's efforts to improve or clear the Drainage System and/or the Channel may not be effective in protecting the Property or in mitigating the effects of storm water drainage. Accordingly, the Town provides no guarantee or warranty as to the quality or effectiveness of work to be performed herein.

6. Property Owner's Continued Obligation: Property Owner acknowledges that the Town's work on the storm water runoff channel does not eliminate, reduce or remove the Property Owner's responsibility to exercise reasonable care when discharging flood waters from the Property. Further, the Town does not guarantee or otherwise warrant that its work will enable the Property Owner to fulfill this legal duty.

7. Owner's Warranty: The Property Owner represents that, as of the date hereof, he/she owns the Property in fee simple and, to the Property Owner's knowledge, that no other party has an interest in the Property that would require their signature to this Agreement.

8. Entire Agreement: This Agreement contains the entire agreement of the Parties and supersedes all prior agreements and understandings between the Parties with respect to the subject matter hereof.

9. Counter-Parts: This agreement may be executed and delivered via facsimile or e-mail (PDF) in multiple counterparts which, when taken together, shall be considered an original. A manual signature on this agreement, an image of which shall have been transmitted electronically, will constitute an original signature for all purposes. The delivery by electronic transmission of copies of this agreement, including executed signature pages, will constitute effective delivery of this agreement for all purposes.

DATED this _____ day of _____, in the year _____.

I, _____, do hereby state and represent that I am the legal owner of Lot # _____, that I am authorized to sign this Mutual Easement and Right-of-Way Agreement on behalf of said property, and acknowledge that by my signature said Mutual Easement and Right-of-Way Agreement shall be binding upon said Property Owner.

By: _____
Owner of Lot #: _____

TOWN OF CASTLE VALLEY

Approved:

Attested:

Jazmine Duncan, Mayor

Date:

Jocelyn Buck, Town Clerk

Date:

Town of Castle Valley

10/20/2020 10:39 AM

Register: 1300 · General Accounts Unrestricted:Zions Operating

From 09/17/2020 through 10/20/2020

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
09/17/2020			4300 · Permits & Fees:...	Deposit		X	95.00	3,926.43
09/28/2020			-split-	Deposit		X	165.00	4,091.43
09/30/2020			5100 · Administration:...	Service Charge	3.00	X		4,088.43
09/30/2020	9164	Colleen R Thompson	-split-		632.07			3,456.36
09/30/2020	9165	Janet M Gregory	-split-		146.10			3,310.26
09/30/2020	9166	Jasmine A Duncan	-split-		377.00			2,933.26
09/30/2020	9167	Jocelyn F. Buck	-split-		1,641.66			1,291.60
09/30/2020	9168	Mike Souza *	-split-		1,201.72			89.88
09/30/2020	9169	Mingo J Gritts	-split-		2,118.48			-2,028.60
09/30/2020	9170	Susan Curtis	-split-		128.82			-2,157.42
09/30/2020	9171	Warren M Egbert	-split-		112.21			-2,269.63
09/30/2020	9186	Utah State Tax Com...	2100 · Payroll Liabiliti...	11848826-003-...	537.25			-2,806.88
09/30/2020			1300 · General Accoun...	Funds Transfer			10,000.00	7,193.12
10/02/2020	eft	Zions Bank Liabilities	-split-	87-0483404 ...	1,372.40			5,820.72
10/02/2020	9172	Zions Bank	2000 · Accounts Payable		33.75			5,786.97
10/20/2020	9173	AmeriGas	2000 · Accounts Payable	tank rental	87.00			5,699.97
10/20/2020	9174	Computer Wise	2000 · Accounts Payable	server sharing	350.00			5,349.97
10/20/2020	9175	Desert West	2000 · Accounts Payable	printer cartridge	134.99			5,214.98
10/20/2020	9176	Frontier	2000 · Accounts Payable		354.25			4,860.73
10/20/2020	9177	Mike Souza #	2000 · Accounts Payable	mileage	99.47			4,761.26
10/20/2020	9178	Monument West Ser...	2000 · Accounts Payable		30.00			4,731.26
10/20/2020	9179	Napa Auto Parts	2000 · Accounts Payable	Sups	30.42			4,700.84
10/20/2020	9180	Postmaster	2000 · Accounts Payable	Stamps	110.00			4,590.84
10/20/2020	9181	Rocky Mountain Po...	2000 · Accounts Payable		29.04			4,561.80
10/20/2020	9182	Turner Lumber	2000 · Accounts Payable	tape, stakes, paint	248.38			4,313.42
10/20/2020	9183	Utah Local Governm...	2000 · Accounts Payable	liability adjust.	34.52			4,278.90
10/20/2020	9184	Walker's True Hardw...	2000 · Accounts Payable	stakes/paint	107.53			4,171.37
10/20/2020	9185	WF Communications	2000 · Accounts Payable	Roads radio	494.68			3,676.69