

**TOWN OF CASTLE VALLEY COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC  
HEARING AND REGULAR TOWN COUNCIL MEETING  
WEDNESDAY, DECEMBER 21<sup>th</sup>, 2022 AT 6:30 P.M.**

CASTLE VALLEY COMMUNITY CENTER – 2 CASTLE VALLEY DRIVE

Due to concerns regarding the potential spread of COVID-19 this was a Hybrid Meeting held on Zoom and at  
the anchor site 2 Castle Valley Drive, Castle Valley, Utah.

Present: Mayor Jazmine Duncan, Council Members Pamela Gibson, Tory Hill, Harry Holland and Robert O'Brien.

Town Clerk: Jocelyn Buck

City Attorney: N/A

Other Officials: Roads Manager Dorje Honer, Water Agent John Groo, Building Permit Agent Colleen Thompson, Fire Chief Ron Drake, SITLA Representative Bryan Torgerson

Public: Bob Lipman, Chloe Hollis, Callie Whitney, Bill Rau, Susan Roche, Marie Hawkins, Shannon O' Donahue, Mike Souza, Mary O'Brien, Russ Cooper Alice Drogin Emily Ingram (UOL)Nate Ament ,Chris and Robin Steinman .

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC HEARING:**

Mayor Duncan opened the public hearing for the CDBG program at 6:30 PM, Buck called role.

Mayor Duncan stated that the purpose of the public hearing is to provide citizens with pertinent information about the Community Development Block Grant program and to allow for discussion of possible applications for the 2023 funding cycle. It was explained that the grant money must be spent on projects benefiting primarily low and moderate-income persons. The Southeastern Utah ALG, in which the Town of Castle Valley is a member, is expecting to receive approximately \$778,284.00 in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures Manual and interested persons can review it at any time. Mayor Duncan read several of the eligible activities listed including examples, such as Construction of public works and facilities, e.g., water and sewer lines, fire stations, acquisition of real property, provision of public services such as food banks or homeless shelters. Mayor Duncan indicated that in the past the Town of Castle Valley has received two CIB grants and multiple Recreation District Grants but has never applied for a CDBG grant. The Town is developing a capital investment plan as part of the regional "Consolidated Plan". This list shows which projects the Town has identified as being needed in the community.

Mayor Duncan asked that anyone with questions, comments or suggestions during the hearing please identify themselves by name before they speak. The clerk will include your names in the minutes, and we would like to specifically respond to your questions and suggestions during the hearing.

Bill Rau stated that creating a concrete drive over at the creek in the Upper Eighty that washes out all the time would be an excellent idea and it will save the Town money over the long term.

Marie Hawkins stated her husband is a retired civil engineer and he had tried for years to get that work done and there has never been enough money.

Colleen Thompson concurred that would be good project for this grant.

Chris and Robin Steinman (Upper Eighty resident) also agreed a crossing was needed.

Bob Lipman (Upper Eighty resident) added they have been behind this for a long time, we are at a tipping point this is a necessity not a luxury. Not only for the residents of the 16 Lots in the Upper 80 but for access to BLM land and Utah Open lands. It could create a very dangerous situation if we can get through that road in terms of medical, fire and law enforcement access.

Susan Roche concurred with that suggestion, it seems so essential and right to her for the health and safety and connection of the Community, and she supports the crossing.

Tory Hill stated as not just a Council member but a resident that reading the list of things available for this Block Grant there was Fire equipment, PPE, Fire Trucks, Road equipment after looking at the list there a quite a few things we could use that could fit in the parameters and scope of this grant.

Harry Holland added he noticed there were also some water projects on the list maybe some of the projects the Town are considering like water metering and monitoring could also fit with this grant.

Mayor Duncan then asked if there were any other suggestions.

Mayor Duncan adjourned the CBDG Public Hearing at 6:43 PM.

Approved:



Jazmine Duncan, Mayor

Attested:



Jocelyn Buck, Town Clerk

Date: 1-18-2023

## Regular Town Meeting

M Duncan opened the Meeting at 6:43 PM

1. Open Public Comment - None

2. Approval of Minutes: Regular Town Council Meeting November 16, 2022

CM Hill motioned to approve the minutes from the Regular Town Council Meeting November 16, 2022:

CM O'Brien seconded motion passed unanimously.

3. Executive Reports:

\*SITLA Lease update- Bryan Torgerson

Torgerson verified the Town had received the letter from SITLA announcing they had accepted the lease bid from Under Canvas. CM Holland asked for more of the particulars regarding the project. Torgerson had limited information on the project. CM Holland asked about the SITLA land use exemption codes and how this would relate to the Under Canvas project. It had been stated previously that Under Canvas would have to adhere to Grand County Planning and Zoning codes and would not have the SITLA exemption. Torgerson explained that they try to work with local planning and zoning, there will be a paragraph in the lease that Under Canvas (UC) will be required work with local Grand County planning and zoning. CM Holland asked if that meant UC would have to abide by Grand County regulation or if they did not agree with the County requirements could UC go back to SITLA's exemptions. Torgerson stated that he can't speak to the future, but SITLA plans to work in good faith with local planning and zoning. Unless SITLA thought they (UC) were being treated unfairly. CM O'Brien asked for more details on the actual project and how the Town's concerns outlined in the Town's letter were to be addressed. Torgerson stated that they don't have those details so far, but this project would be similar to other UC projects. CM Holland asked how SITLA works with other land agencies i.e., BLM, Forest Service, DWR. Torgerson stated they have been notified. CM Holland asked if and when the leasing document would be available for the public. Souza voiced concerns about increased traffic and water and sewer issues. Torgerson explained UC would have to work through those issues with the appropriate agencies i.e., Division of Water Rights and Grand County. Other UC projects have used trucked in their water. Thompson stated this project will require a zoning change in order to run a commercial operation. Torgerson agreed UC will have to work that out with the County. CM Holland asked how there can be a competitive bidding process when the system is closed. Torgerson said this method is to prevent collusion in the bidding and it is designed so they can get the most money/ highest bid. He verified SITLA has worked with UC before at Looking Glass Arch, and sites near Bryce Canyon and Lake Powell. Mary O'Brien voiced concerns about the burden put on the Forest Service for the potential fire hazards. Torgerson SITLA will beef up the fire plan clause in the lease agreement and may add a defensive space clause to the lease. SITLA is not a regulatory authority they look to the State and County requirements, SITLA just do the contracts. There is no current timeline in place for when they plan on starting the project. CM Gibson verified that after the lease period is over or if the lessee defaulted the land would continue to be zoned commercial. Thompson asked for clarification if SITLA can override local land use authorities if SITLA/ UC considered the lessee was being treated unfairly. Torgerson only repeated they try to work with local land use authorities in good faith. Souza asked how the lease money was used/ distributed. Torgerson explained SITLA collects the money, but all the money is allocated to schools by the Legislature. Any local property taxes would be collected by the County. Nate Ament asked if UC could expand the project in the future and would this be a seasonal operation. Torgerson stated that expansion would be possible, but any changes would have to be approved through SITLA and the County. And as far as he knows UC would operate seasonally and take down their tents etc. in the winter. M Duncan thanked Torgerson, and he was willing come back as more information is available.

\*Water Agent and Water Committee Report - John Groo reported on the last Water Meeting with the Division of Water Rights, UGS and Ken Kolm. It was a very good meeting we got a lot of questions answered and we were able develop a cost effect strategy. Takeaways were, we will need to do the Isotope study, peer review of studies that have been done, permeant flow measuring sites on Castle Creek, adding a seventh monitoring well, and also adding existing domestic wells for monitoring static level measurements and water chemistry. For the latter we will work with Janae Wallace (UGS) to plan a pattern of the most effective domestic wells. CM O'Brien added that we may be able to get the HESA Study peer review done free through UGS with reciprocating States Water Divisions that UGS work with. CM O'Brien explained that the studies will help to get the information needed to close or reduce the water appropriation from the aquifer by the State Division of Water Rights. If the water level in the

aquifer goes too low, we are at risk of infiltration of the poorer quality water because the aquifer will not have the hydrostatic pressure to keep the salts at bay. That is the reason the water on the west side is poorer quality. Groo added all these efforts are designed to protect our sole source aquifer and establish a safe yield. Groo continued he had met with Danny with Desert H2O to learn more about what we need for the seventh monitoring well. It is hoped that we can get a lower bid for that project. He asked to keep Item 10 tabled. M Duncan added that the Isotope Study may be a higher priority than the monitoring well. Groo agreed we need to get a cost-based strategy going forward. Groo explained the importance of the location for the seventh monitoring well down on lower Shafer verses using other nearby domestic wells.

\*Road Department Report- Dorje Honer

Honer explained the Backhoe requires its 1000 hour in house servicing and the grizzly needs repairs from wear and tear. CM Hill suggested applying for CDBG funds for road equipment.

\*Planning & Land Use Commission- Colleen Thompson reported the PLUC approved the CUPS and Business Licenses.

\*Community Renewable Energy Act-CM Gibson reported the Plan Design will be submitted to the Public Service Commission in March 2023 instead of this month. More time was needed to finish the work. Of the four Low Income plans three plans were approved by the C-REP board: Donations to the program within RMP plan, the \$7 monthly discount plan and the no termination fees plan. The Draft Ordinance will be approved in January.

\*Fire District-Chief Drake nothing to report.

\*Solid Waste Special Service District- Diane Ackerman- report provided. County and Castle Valley rates will increase in January; Moab City will not have that increase. Public Hearing is being held in Moab on these fee increases.

**4. Correspondence: TBA**

**5. Administrative Matters & Procedures: Town letters-Council approved the letter sent to the Grand County Commission in support of their efforts to curb take offs and landings on public lands and the letter will also be sent to BLM . Discussion continued on placement and maintenance of the Vault Toilet. Email project update Thompson is hoping to switch over to the new email provider next week. Buck announced CM Gibson and Hill terms ending 12.31.2023 the candidate declaration period will be in June. Goals for next year reviewing the Purchasing Resolution and approving the Capitol Projects Plan.**

#### **NEW BUSINESS**

**6. Discussion and Possible Action re: Approval of Amendments to the Town Plat combining Lots 390 and 389. M Duncan explained this is a lot line adjustment making two lots into one lot. CM Hill clarified they could split this back up later as long as both lots are the 5 acres minimum lot size.**

**M Hill motioned to approve the lot line adjustment for Lots 390 and 389. CM O'Brien seconded motion passed unanimously.**

**7. Discussion and Possible Action re: Approval of Conditional Use Permits and Business Licenses. CM Hill motioned to approve Conditional Use Permits and Business Licenses. CM Gibson seconded motion passed unanimously.**

**8. Discussion and Possible Action re: Appointment to Planning and Land Use Commission positions. Mayor Duncan explained the only interest she had received was from Hawkins and Thompson and recommended them both for the Planning and Land Use Commission positions.**

**CM Hill motioned to re- appoint Colleen Thompson and Marie Hawkins to the Planning and Land Commission and thanked them for their work. CM O' Brien seconded motion passed unanimously.**

**9. Discussion and Possible Action re: Roads Department Purchase Order for barricades and signs \$893.67.**

**CM Hill motioned to approve the Roads Department Purchase Order for barricades and signs \$893.67. CM O'Brien seconded the motion passed unanimously**

#### **UNFINISHED BUSINESS**

**10. Discussion and Possible Action re Monitoring Well RFP bids (left tabled)**

**11. Discussion and Possible Action re: Rocky Mountain Power Franchise Agreement (tabled).**

**CM Hill motioned to un- table Item 11; CM O'Brien seconded motion passed unanimously.**

Discussion continued that within this agreement the Town could pass an Ordinance restricting the use of herbicide and that would supersede this agreement. The existing Watershed Ordinance would fulfill this, and the Town could reject RMP use of herbicide and then would be responsible to clear power right of ways by

other means.

CM O'Brien motioned to approve the Rocky Mountain Power Franchise Agreement; CM Gibson seconded motion passed unanimously.

**12. Payment of the bills.**

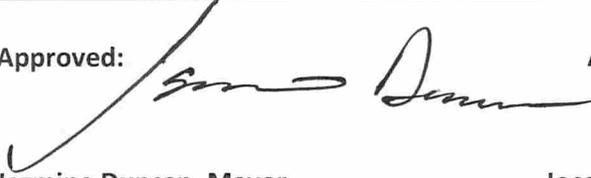
CM Gibson motioned to pay the bill to include payment to Rim to Rim for the fire extinguishers; CM O'Brien seconded motion passed unanimously.

**ADJOURNMENT**

CM Hill motioned to adjourn, CM O'Brien seconded, motion passed unanimously.

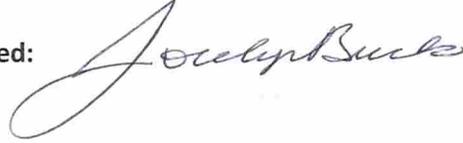
M Duncan adjourned the Meeting at 8:10 PM

Approved:



Jazmine Duncan, Mayor

Attested:



Jocelyn Buck, Town Clerk