

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND TOWN COUNCIL  
CENTRAL VALLEY TOWN, SEVIER COUNTY, UTAH  
June 18, 2024**

A regular meeting of the mayor and town council of Central Valley Town was held on Tuesday, June 18, 2024, at the Central Valley Town Hall, 50 West Center Street, Central Valley, Utah at the hour of 7:00 pm after due and timely notice had been provided pursuant to Section 52-4-2, UCA, 1953 as amended.

**Mayor & Councilmembers Present:**

Mayor: Gary Barney

Councilmembers: David Nielson, Susan Outzen, Charles Evans, Kody Winkel

**Staff Members Present:**

Town Clerk: Emma Jo Cadwalader

**Public Present:**

Parker Vercimak, Robyn Ames

**1. Meeting Called to Order:**

Mayor Barney opened by welcoming everyone, led the Pledge of Allegiance, and gave the invocation.

**2. Open Public Hearing for FY 2024-2025 Budget Proposal**

**3. Public Comments:**

- Robyn Ames asked if there were any major changes to the budget. Susan Outzen explained that the interest percentages on the budget reflected corrected or adjusted figures in the Operational budget balance for line items.
- Robyn asked if property taxes would be increased. It was noted that property taxes are from the County, not the Town.

**4. Close Public Hearing:**

**5. Open Town Council Meeting:**

**6. Discussion on Public Hearing comments on the FY 2024-2025 Budget Proposal:**

Susan Outzen cited the Certified Tax Rate (which determines property taxes) to be 0.000778 as obtained from the Utah State Tax Commission and recorded in the town's Financial Statement. Kody Winkel asked if this was a change in the rate. It was not a change.

7. **Approve and Adopt: FY 2024-2025 Budget:**

A motion was made by David Nielson to approve and adopt the FY 2024-2025 Budget. Kody Winkel seconded the motion. Voting: David Nielson voted aye; Susan Outzen voted aye; Charles Evans voted aye; Kody Winkel voted aye. Motion carried.

8. **Approve and Adopt Resolution 2024-002: FY 2024-2025 Budget and Certified Tax Rate:**

A motion was made by Kody Winkel to approve and adopt the FY 2024-2025 Budget and Certified Tax Rate. Seconded by David Nielson. Voting: David Nielson voted aye; Susan Outzen voted aye; Charles Evans voted aye; Kody Winkel voted aye. Motion carried.

9. **Administration of Oath:**

Mayor Barney introduced Emma Jo Cadwalader as the new town clerk, secretary and town treasurer. Mayor Gary Barney administered the Oath.

10. **Department Concerns and Councilmember reports:**

David Nielson: There are no concerns in the Roads Department.

Susan Outzen: Still working on the subdivision update but are a bit hung-up on the insurance, which is bonding. She has talked to Mike Hansen and he is going to give her a list of what other towns are using rather than a cash bond and are just researching that and will have it ready in July. Hopefully everything on the subdivision that can be done will be completed by August. Mike Hansen's team is doing the procedural part of it and then we will be able to combine them and be read by the December deadline.

Kody Winkel: After the last meeting the dandelions were treated, and the water left off for a couple of days with good results. Decided to wait on the field leveler until next season and see if we can find one without cost or else purchase one next season. Also verified time for Thursday the 4<sup>th</sup> set-up to be 7:00 am.

Charles Evans: Reported good water samples last month. Cleaning the springs and adding chlorine. Meeting with John Chartier concerning amount of chlorine usage in #2 tank and then we will chlorinate that. Mayor Barney verified that was what we bought the chlorine tablets for.

Mayor Barney: Reported we are having some issues with our receipts, like when Charlie and Joey go in and buy items, sometimes we don't have their name on it and don't know who's buying it. An extra effort is needed when picking up orders to be sure to write your name and department on them. We need to always get a receipt for what we buy and put the PO on it. Also, Cybersecurity is a new issue. Cleveland town was hacked. Susan Outzen has researched the issue with the computer people who put in our system, and it was their belief that we were safe. The only way hackers can get in is through emails, so we need a concerted effort to ensure we don't open suspicious

emails. He read the notification sent out by the state. Construction on the church is near completion so the splash pad should be open before the 4th of July.

**11. Review and Approve minutes of May 15, 2024:**

A motion was made by Kody Winkel to approve the minutes of May 15, 2024. Seconded by Charles Evans. Voting: David Nielson voted aye; Susan Outzen voted aye; Charles Evans voted aye; Kody Winkel voted aye. Motion carried.

**12. Review and Approve Monthly Expenditures of May 2024:**

Susan Outzen noted that the Bank Reconciliation is not in the file. We are attempting to get the name of an individual who had their bankcard transaction denied so we can charge that amount back to their account and then it will reconcile with the bank. The May Bank Reconciliation will be included with next month's information. David Nielson requested that the balance remaining on the Road bond be included in the PTIF statement in the future. The remaining balance will be reported for each PTIF account in the upcoming meetings. A motion was made by Susan Outzen to approve the Monthly Expenditures for May 2024. Seconded by Charles Evans. Voting: David Nielson voted aye; Susan Outzen voted aye; Charles Evans voted aye; Kody Winkel voted aye. Motion carried.

**13. Parker Vercimak discuss water concerns:**

Parker Vercimak, of Jones & DeMille, discussed water concerns with the Master Plan. He explained that the old report was based off what the state adopted in 2018 under the "old state rule". For years it was based on 400 gallons/day. The state has now adopted a new set of rules for analysis and evaluation. He noted that the report is still grandfathered in under the old code. The way the state is evaluating the master plan is intended for you to get a snapshot of your system at that time and then a projection over the next 20 years for planning purposes. Although set it at 20 years, the shelf-life of a master plan is typically more like 10-15 years between updates (depending on growth and development. Looking at what has been reported and what has been sent to the state for the last 3 years, you are trending at about 262 equivalent residential connections in the terms the state uses. At 262, you are falling right in line with where you should be. (Maybe just a touch ahead based on the current connections.) The 12-lot subdivision was factored in. That would put you a little bit ahead of where you would be with a normal growth projection. Based off the analysis Jones & DeMille did you are still trending in a good direction. The master plan still shows you're doing OK. There are some other things the state has changed since our previous analysis. The big one that has changed in water rights. It's changed from how your analysis was done the first time to how we do it today. The State produces reports projecting your equivalent residential connections. They could potentially, if they note a deficiency on their side, send a letter saying – "even though your master plan says this, we are seeing your data is trending in a different direction and you're running above capacity". Those letters aren't terribly uncommon, but I don't foresee any major issues in your case right now in

the short term. The biggest changes on the new evaluation (and this is what the state is looking at), is that those numbers are approximate. We could still use them if we don't have other data, but Charlie has submitted in his reports your peak month usage and then a calculation of the average of how much water was used per day in your peak month. It is accepted by the state right now, but they want your peak, what's your highest usage day of the entire year. That is what they want to base your entire system on. It can hurt and can really drive your numbers quite high. If you actually have your true peak day, not just an average over your peak month, it could be quite a bit higher than what I looked at tonight. So, be aware of that. One thing that I've been noticing and then been sharing with the various communities is this new system really is designed to benefit water conservation planning. Education and helping people understand this. If you can encourage water conservation that can really help your numbers. It's over a 3-year rolling average, so every year your third year drops off and you add in a new year. He said the numbers are good. For your average water usage last year, peak month was 502 gallons in one day or 350 gallons per minute. The wells generate Parker verified with Charlie that the wells generate about 440 gallons per minute. That would be appropriate if the tanks were full. In the 2017 Master Plan the Regional State Engineer wanted total usage per year and peak day. Today you are right around 294 gallons per minute. The State could potentially come in and recognize that there is a deficiency between your water right in gallons per minute versus in what your peak demand is. He said that is probably your biggest concern. Parker said the only two things that would help at this point are buying water rights or figuring out how to switch your canal shares to underground or water conservation. Susan Outzen asked if we were to take the canal water we have on ground and put it underground, would it pump more per minute? Parker said it would but may be difficult to do. He said we have four storage tanks but are only getting storage credit for two. The Tank 2 and the Meacham tank are both part of pump system so even though you store water there, you don't get storage credit. Kody Winkel asked if they were basing the analysis on the number Charlie reports. Parker said it was. He also said some municipalities charge an impact fee to pay for the water right that each house uses. He cited Austin and how they handle theirs. He said he thought that in another few years they would get it figured out. Kody Winkel said he didn't think it would hurt to try to convert some of our above ground to underground. David Nielson said he was of the understanding that if you transfer the water underground, you may still have to pay the assessment on it each year because they still must run a canal and that canal must be maintained and the fact that you took your water out of it doesn't change the fact that canal has to be maintained and serviced. He said didn't know the legality of it. Susan Outzen asked if we have enough water. Parker restated that for one month of the year we exceed our limit. He said if we could pull that peak month down a little through water conservation it would help. He stated other communities have benefited from more moderated peak usage. Secondary irrigation would not be cost effective at this time. Kody Winkel said underground water shares are 25-30K per share. Parker agreed. He said that realistically (short of usage in July) we are right on track. Susan Outzen asked if we could bring in more homes. Parker said that according to the Master Plan – yes; according to

the State Evaluation – no. Total usage last year: sources produced 215 acre/feet and 195 acre/feet were sold. You have water rights for 544 acre/feet. Mayor Gary Barney asked if this included this well over here and Parker said it was not included, it was treated as a back-up well in the calculations. It would not be beneficial to include it. Parker said the ability to physically supply water is fine. Charles Evans said it appeared that the state evaluation was taking the high-peak day and trying to manage the whole system based on that peak-day. Parker said they were saying you are exceeding your water rights on those peak-days. Every day that exceeds 300 gallons/minute is in violation. He said hopefully we can get that resolved. He said he didn't see any other major concerns. Storage still looks good. Water conservation could help on those peak days to get usage down. Kody Winkel stated that we still don't have a yes or no if new houses can come in. Parker said that based on the Master Plan it would say yes and based off a question to the State they may say no. Parker suggested that maybe reach out to your city attorney or county attorney and ask them how hard it would be to switch canal shares underground. Mayor Gary Barney stated that should be our first move. Parker said another thing to look at is what it would cost to put in secondary irrigation system and use your canal shares for service water (at least so you know.) Mayor Gary Barney expressed his feeling that most people are quite conservative with water. Charles Evans agreed. Parker said it would be helpful to look at the annexation and if they come in, they be required to bring in underground water and, in the meantime, get your peak water usage figured-out. Charles Evans said we need to upgrade our wells and put the 8" wells back in instead of the 4" wells. Parker reiterated that we are not hurting on flow rates, we are just hurting on paper. Parker offered to talk to the State in a general sense and said he would do some research and that when approaching annexation to tell them "Water rights are a big concern right now." Also look at the annexation policy and consider increasing impact fees. Right now, we are only using one-third of water rights on average, but July throws it off. He will also verify the storage and see if we are able to have a little additional storage where you didn't have to run your pumps as much. He said you have source data and meter data to consider. He thinks they are looking at the source data. Kody Winkel said one of the first things we need to do is talk with the attorney and evaluate switching from above ground to underground water.

**14. Review, Discuss, & Set Public Hearing for the following new ordinances:**

(1) Ordinance 2024-001 *Ordinance Imposing One (1) Percent Municipal Sales and Use Tax Providing for The Performance by The State Tax Commission of All Functions Incident to The Administration, Operation and Collection of a Sales And Use Tax Hereby Imposed, Providing Penalties For The Violation Thereof.*

(2) Ordinance 2024-002 *Ordinance Imposing an **Energy and Use Tax Of 6%** Under the Municipal Sales and Use Tax (10-1-301, ET SEQ) Utah Code Annotated 1953 As Amended in The Town of Central Valley, Sevier County, Utah.*

(3) Ordinance 2024-003 *Ordinance Establishing a **Tax Of 3.5% On the Gross Receipts of Telecommunications** Service Providers, Setting the Rate for Such Tax; And Establishing the Effective Date of The Tax.*

Mayor Gary Barney stated that these were ordinances which should have been done in the past and were not. Susan Outzen questioned if we would need a Public Hearing. David Nielson said they did not do an ordinance when they were first put in place. A Public Hearing will be held in July. A motion was made by David Nielson to hold a Public Hearing in July for these new ordinances Ordinance 2024-001, Ordinance 2024-002, Ordinance 2024-003 in July along with the Transportation Public Hearing; Kody Winkel seconded the motion. Voting: David Nielson voted aye; Susan Outzen voted aye; Charles Evans voted aye; Kody Winkel voted aye. Motion carried.

**15. Robyn Ames Water Conservation Plan Proposal; Review and approve draft; select core team members:**

Robyn Ames distributed a copy of her Water Conservation Plan to board members. Mayor Gary Barney stipulated that there would only be a presentation at this time because the amount of data and information requires more time for evaluation. Robyn said the state requires 500 residential connections to submit a conservation plan. She said there are funds available to assist in water conservation. The document was prepared by her mother, based on information from Jones & DeMille. She used her own personal data to do the evaluation. Susan Outzen asked her how this would aid the town. Robyn said there is full grant money available for town usage. Kody Winkel asked what her main objective is with the water conservation plan. Robyn Ames said a secondary water system would be her first concern. He asked how much money she was seeking to obtain from the grant. She didn't know. She said the biggest benefit was that townspeople could get rebates (several thousand dollars for each home) if they wanted to change to desert landscaping. Mayor Gary Barney said we would have to put something like this in a plan before any monies would be distributed. Charlie Evans clarified that to participate, the town would have to have 500 residential connections. Mayor Gary Barney said time is needed to look at it and discuss it at another time. Her deadline for submission of a draft is July 15. Possibly it could be considered next year. Robyn said her mother has volunteered to serve on the core team. Susan Outzen commended her for her nice and ambitious effort but expressed concerns about where we could get that money. Robyn said this funding is only available with the conservation plan from the Department of Water Resources. Mayor Gary Barney said the council needs time to study and review it. It could possibly be discussed next month and considered for the following year.

**16. Discussion: 4<sup>th</sup> of July Assignments and update:**

Mayor Gary Barney said that it will be done the same as in the past years. Susan Outzen asked if we need to start cooking earlier. It was discussed and it was decided that we did not. Mayor Gary Barney said we will start setting-up at 7:00 am. A lot of the items have been ordered. We already have the hamburger and hot dogs from South Sanpete. Order hamburger buns from Lin's Market. David Nielson said dessert would be homemade cupcakes. Brenda Barney will make the phone calls and said she would take care of it. Kody Winkel will pick up 35 pounds of dry ice in Salina. We need to get 60

pounds of ice. The sawdust treasure hunt will have an age limit and not use cash this year, just trinket/toys. He has already talked to the county about using the county sound system and he will pick that up. Need to find someone to announce the races and do the Star-Spangled Banner. Chips and pickles are coming from Stone Ridge. They will call and we need to pick-up. Kade Brown will do the fireworks. Homemade root beer will be made and served. Glenda Nielson has agreed to represent Central Valley on the county historical group.

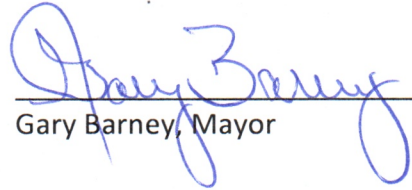
**17. Adjournment**

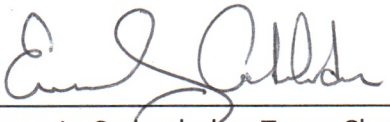
Susan Outzen made a motion to adjourn the meeting. David Nielson seconded the motion. Voting: David Nielson voted aye, Susan Outzen voted aye, Kody Winkel voted aye, Charles Evans voted aye. The meeting was adjourned at 9:33pm.

The next town council meeting will be held on Wednesday, July 10, 2024, starting at 7:00pm.

Minutes prepared by the Town Clerk, Emma Jo Cadwalader

Attest:

  
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 Gary Barney, Mayor

  
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 Emma Jo Cadwalader, Town Clerk

VOTING: (circle one)

DAVID NIELSON	SUSAN OUTZEN	CHARLES EVANS	KODY WINKEL
AYE    NAY	AYE    NAY	AYE    NAY	AYE    NAY



