

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND TOWN COUNCIL  
CENTRAL VALLEY TOWN, SEVIER COUNTY, UTAH  
February 19, 2025**

A regular meeting of the mayor and town council of Central Valley Town was held on Wednesday, February 19, 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:**

Clerk: Emma Jo Cadwalader

Maintenance: Brandon Barney

**Town Attorney Present:**

Josh Christner

**Public Present:**

Kaden Finlinson, Mathew Lenhart, Tyler Timmons, Peter Vercimak, Max White, Robyn Ames,

**1. Meeting Called to Order:**

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

**2. Review & Approve:** Minutes: December 19, 2024 town council meeting

Minutes were reviewed by the council for the December 19, 2024, meeting. Susan Outzen noted that on page 2 of the minutes there was a typographical error. There should have been a "T" instead of an "R" in PTIF. That would be corrected. A motion was made by Susan Outzen to approve the minutes with correction mentioned. Charles Evans seconded the motion. Voting: David Nielson voted yes; Susan Outzen voted yes; Charles Evans voted yes; Kody Winkel voted yes. Motion carried. The minutes from December 19, 2024, town council meeting was approved.

**3. Review & Approve:** Monthly Expenditures: December 2024 and January 2025

Expenditures were reviewed by the council. Susan Outzen questioned the \$9,678.95 expense in the Roads account 60210 in the January report. The mayor explained a hydraulic core was needed for the town's truck. Clerk, Emma Jo Cadwalader said the TPA deposit in PTIF 4320 has not yet been transferred to the appropriate account. Kody Winkel made a motion to approve December 2024 and January 2025 expenditures. Susan Outzen seconded the motion. Voting: David Nielson voted yes; Susan Outzen voted yes; Charles Evans voted yes; Kody Winkel voted yes. Motion carried. The expenditures for December 2024 and January 2025 were approved.

**4. Department & Councilmember Reports:**



Mayor Gary Barney: Central Valley Town was awarded \$287,394 from CIB for the Sevier River Road Project. He introduced the new Maintenance/Water assistant, Brandon Barney.

Charles Evans: Reported good water samples last few months. He said things were running well. Representatives from Scholzen products were here today and met with the mayor, Charlie and Brandon. He does not anticipate any problems with electronic readings when the meters are read on February 24.

Kody Winkel: He plans to have the bases and nets out around the first of March.

Dave Nielson: Jones & DeMille will present the work accomplished thus far with the new Transportation Plan later in the meeting. He said they are anticipating putting the Sevier River Road Project out on bids soon and he would like to see them start in April, but it may be May. He anticipates this will be an approximate 60-day project. He said we are happy about how things worked out with CIB, but we do need to match \$85,000.

Susan Outzen: Planning Commission is processing subdivision applications that have been filed. There have been a lot of changes. They are working to coordinate Land Use with the Subdivision ordinance currently.

**5. Review, Discussion & Approve:** White's Sanitation and town Clean-up

Max White advised the council that they will always be there and not to wait for their annual visit to approach him with questions or concerns. He outlined guidelines for refuse pick-up. 1) Items should be controllable in size (1) one man be able to handle items) 2) Only 1 Large item at a time (ie: refrigerators) 3) They cannot take hazardous waste (including tires and batteries). Encourage people to use their bins for heavy items because they are emptied by the hydraulics. A note concerning this could be put on monthly statements. He said the town clean-up is scheduled for the same time as last year and will run from Friday April 18 through Monday April 28. He also reminded the town to watch the roll-of containers and let them know if they need to be emptied.

**6. Review, Discussion & Approve:** Moratorium – Parker Vercimak from Jones & DeMille and Central Valley's legal counsel, Josh Christner

Planning and Zoning has recommended a water hook-up moratorium until we figure out our water situation. Parker, from Jones & DeMille said they are currently reviewing the 2017 Water study. A Master Plan typically has a 10–20-year life span. As a result of Covid, the growth acceleration has been significantly higher than anticipated, resulting in us currently being approximately 6-7 years ahead of schedule based on the last 4 years of water usage. As needs have changed, water usage has increased. Also, since 2018, the State has changed how they view Master Plan efforts. They now use actual data in their evaluations. The current Master Plan is aging a little bit. The biggest reason Parker would recommend considering a relatively short-term moratorium (at least at the onset) is to enable the current data to be updated and evaluated. The findings of the study should dictate the next course of action. If the study indicates we need more storage or another source – whatever the finding of the study are, we would want to complete one of those projects before lifting the moratorium. That's where the legal recommendation would come in to ensure it is done properly. At the time of the 2017 Master Plan, the upper tanks calculated 450,000 gallons of storage. Tank #2 is at a location that does not flow directly into the system, so it was not included. At the present time, it appears we could accommodate 15 more connections. Parker said we could do an appendix to the original Master Plan or better yet, a complete full update with a new Master Plan in light of the



amount of growth experienced and anticipated. David asked if he was saying that the only storage capacity, they are considering is upper tanks and that we can't count the springs because they must be pumped up there? Parker said in 2017 they did include the Meacham tank. Tank 2 is essentially emergency storage. The upper tanks are 450,000 and the other is 300,000 gallons; 75,000 at Meacham and Tunnel is 250,000. Parker said there are couple of ways to look at it – if you had to rehab the tank and put a new lid on it, that would probably be 25% of the cost to build a brand new tank - but if you built a new tank above by your other tanks and did away with Tank 2 and just let Tunnel springs flow down to Meacham, then you would have storage you would get credit for. That's a lot of money to spend, but it's something to look at. Mayor Barney clarified that based upon the information presented, we basically have enough for 15 additional hook-ups. Parker said we could accommodate 15 new connections beyond what we had at the end of 2023. He stated that In 2023 we had 243 residential connections. Charlie said we have 253 meters currently. So, we are down to 10. Mayor Barney said that the approved subdivisions and Charlie's subdivision are included in the count. Kody asked if they were already counted and was told they were. Parker said there were a couple of things that could be done short-term. One is to encourage water conservation. The less water you use, the less demand there is on your sources. Education is always a great thing. He said more water was used based on the actual numbers calculated the last few years than what the Master Plan had estimated usage would be. Parker said we may want to consider the cost to do a full Master Plan update versus a partial update. A partial update would include essentially refreshing the model which they have been keeping up to date pretty well. There is not a lot of effort in that. They would just want to include the currently planned and proposed subdivisions in that model. It would also include updating the report taking the current population projection, pushing them out for another 20 years. It would include reevaluating your sources, your tanks, chlorination and all of that, making sure it is operating the way it should. And then also breaking down any other deficiencies. If we know we have a problem with a certain area of town, springs or leaks or something like that. From when the last time we did the Master Plan, the downtown well was viewed as strictly a back-up source but now as we grow it may have to come into service and we'll have to talk about how to chlorinate that water and keep your residuals up. We'd look at your water rights again and make sure we've got that right. The biggest cost driver is going to be how broad you want the scope to be and what other problems or situations you want to look at. Do you want to keep it focused into what we know today? That's kind of a big driver. The other driver of cost is going to be is there a need for public involvement and multiple public meetings. How much we do or scale down? Also, is this something the town wants to pay for and do it as quickly as possible or is it something that we want to coordinate with R6, get it on the priority list for CIB and potentially try to get some funding for CIB? David said we had a big discussion on water rights, and there were some calculations done that appeared that based on the surface water we have and well water that we weren't really in any trouble in terms of water rights, but according to this, what we are in trouble with storage, emergency storage more than anything else. He said apparently we've got the rights, but we don't have the storage to service at the level that the state requires. He asked if that was basically right? Parker said that was a good way to interpret it. He asked what the point is in doing a completely new water study if we already know that we could probably solve the problem if we borrow enough money to put a new tank in. Parker explained that most



of the time funding agencies want to see where that fits into the big plan. David said we already have a plan and Parker agreed, sort of. It needs to be updated. Parker said that they don't want to see, we go build a 250,000 tank up on the hill without the data suggesting that's going to get you through the next 20 years. It needs to be in a formal document, stamped by an engineer. Funding agencies want to fund good projects, but they need to know that it is a good project. That's what the planning documents do. Parker said, "You have basically outgrown this master plan". A new tank is not necessarily in this plan because if they analyze it, it is beyond that 20-year period. But now it's fallen within your next 20-year period. So that's where they are going to want it updated, reviewed in detail and discussed. David then said he wanted clarification regarding public training, water conservation, and stuff like that – if we were successful in getting the public to conserve, would that be factored into the emergency storage? Parker explained that would be factored into the equalizations side, the amount of storage that you need to hold in reserve. Kody wanted to know if in July when we used more water than we were supposed to, wouldn't that justify our need for another tank? Parker said they had a more-or-less "off the record" response from the district engineer that as long as you're not taking more than your peak in the year than you have water right for, then they are not necessarily policing your peak day demand, but to your point, we can pump the sources but we don't have to tax the sources as hard if there is more storage that's usable in the system to handle the hottest day in the year when everybody is watering a little extra. Charlie said he wanted to talk about the wells. Parker said the lid on the Meacham tank was replaced and replaced both wells. Charlie said when we have problems, it takes a little over 24 hours to fill the tanks depending on usage. He stated the 8-inch wells were replaced with 4-inch wells. He wanted to know what needed to be done to get 8-inch wells back and would that make a difference on this. Parker explained that when they analyze the capacity of the wells, the number that governs it is not necessarily the size of the pump in the ground, it's what the well pump tested at – and then we only get credit for 75% of that. That's how the Division of Drinking Water looks at your source capacity. That is another change in what they look at since the 2017 Master Plan was done. Well size is one thing, but they really look at what they pump test the wells at. David asked what the difference between an 8-inch well and a 4-inch well. Parker explained that when they re-did the pumps, they didn't change the casing. He said you can pump about twice as much water through a pump column as what you can pump through a normal distribution pipe – meaning that the velocity in that column is typically two-times greater than what it is in your system. In your system we try to keep velocities under 5 feet per second, in a pump column it's normal to have over 10. Mayor Barney stated that our biggest concern is still storage and Parker agreed, though source may be some of it, especially looking forward. He said we are nearing the position where we need another tank up on the hill. Attorney Josh Christner asked what the time frame would be for either option. Parker said possibly 6-8 months with CIB funding if that route were selected. Josh was wondering about time for the studies to be done. Parker stated it would be 60 days minimum, 90 days with public input. Josh asked where we would be in 180 days and make sure that the subdivisions that have already been taken into account are included (grandfathered in) in the current meter count. Mayor Barney indicated that the letter from Josh Christner indicated that 180 days may not be sufficient time for required improvements to be made. So, we can either start our moratorium today or wait another 30 days. Kody asked for clarification that we could only



accommodate 10 more meters. We have water for all the approved subdivisions with 10 additional meters. If we have 250 meters in operation today and 27 approved, we are 17 over. Parker says we are in a “grey area” using the old assumption. He said we are in a really tough spot and that is part of why the master plan needs to be re-looked at. The assumptions that were made before need to be either verified or we need to go to a more conservative approach, which was my original recommendation. If you have 16 connections based off the 2023 data, but if you include the Meacham tank then that gives you room for 98, which would encompass everything you have approved so far. That’s the hundred talked about the last time Parker was here includes the Meacham tank storage, which the state may or may not grant that today. Josh said that the other thing about delaying the moratorium, under Utah Code Chapter 10 once the application is complete and submitted for review, they are entitled to a review and as long as it complies with ordinances and land use regulations at the time of its filing they are entitled to approval. So, the sooner the moratorium is in place then we don’t have to worry about further development until we figure out what’s going on and can at least get a start on improving. Kody asked what the cost is to put in a tank. Parker said the currently being done in Austin is about 700K. Their funding was unique, but they got a 90% grant. He said drinking water right now is funding 30% grant and 70% loan. Tyler Timmons said it could be closer to 80/20 for something like that. He said CIB would really like it if we did the water master plan, identified how much we’d need for the next 20 years and then come back to them. Hypothetically, if we applied for a planning grant in June and they awarded you a planning grant in July or August you could be working on that and then potentially you could put in another application in October to build the additional tank identified in the water master plan. Parker agreed that if we could get the planning grant on the priority list, we could go back in October with a CIB application which could be funded in February. David said chlorinating a well would be much cheaper than getting a new well. Parker said the well gives you credit on the source production side, but it doesn’t give you any credit for storage. He said as of today, from what he’s looked at, he felt the storage is the biggest need. In 2017, the Meacham tank was counted but doesn’t think it could be counted today based on where the state is going and how they have been doing most recent master plans.

Susan Outzen made a motion to approve a 180-day moratorium. Charles Evans seconded the motion. Voting: David Nielson voted yes; Susan Outzen voted yes; Charles Evans voted yes; Kody Winkel voted yes. Motion carried. **The 180-day moratorium was approved.**

Mayor Barney said we now need a discussion of what is grandfathered in and what is not grandfathered in. No more new subdivisions, no new construction requiring water, with anything that has previously been approved being grandfathered in: Bill Anderson – Thompson Springs; Charlie Evans – River View West; Brad Eyre – Brad Eyre; JJ Lund – Harvest Meadow; and Hare’s – Cove Peak Estates. Susan wanted clarification how many we actually have left after we grandfather these subdivisions in. It appears we are 17 in the hole. Kody suggested that number be verified. Robyn Ames stated that there are a few lots (5-6) in older subdivisions that have not yet been sold. Josh said that if there has been an application for development that has already been approved that would be different. But if there is no permit, no approved plans, or anything like that – you don’t have to grandfather that in. **Technically, you could deny any that have not obtained building permits until the moratorium is over. After further discussion, Susan Outzen asked to amend her motion. David made a motion to approve a 180-day**



moratorium on all land use development of new primary residential, business, commercial, industrial, institutional that require water, any building permit that requires water, as well as any new subdivision applications and private lots within the limits of Central Valley Town, per the current master plan as of February 19, 2025. Motion seconded by Susan Outzen. Voting: David Nielson voted yes; Susan Outzen voted yes; Charles Evans voted yes; Kody Winkel voted no. Motion carried. A 180-day moratorium on all land use development of new primary residential, business, commercial, industrial, institutional that require water, any building permit that requires water, as well as any new subdivision applications and private lots within the limits of Central Valley Town, per the current master plan as of February 19, 2025, was approved.

**7. Review, Discussion & Approve: Transportation Plan – Jones & DeMille**

The Transportation Plan completed to this date was presented by Kaden Finlinson and Matthew Lenhart from Jones & DeMille. They demonstrated a website that has been developed to facilitate getting the information about the plan out. They are nearing the public open house, scheduled for March 13, 2025. At the completion of the open house, they will be accepting feedback for a period of 2 weeks. Sample feedback forms were distributed to the council. Matthew stated that many funding sources require the entity to have a Master Transportation Plan in place to apply for funding. David agreed. The pavement assessment showed the roads in Central Valley to be in good overall condition. Kody Winkel made a motion to approve the Transportation Plan by Jones & DeMille. David Nielson seconded the motion. Voting: David Nielson voted yes; Susan Outzen voted yes; Charles Evans voted yes; Kody Winkel voted yes. Motion carried. The Transportation Plan by Jones & DeMille was approved.

**8. Review & Discuss: Water tank lid replacement (Tank #2) Need of engineering?**

Brandon Barney said this probably doesn't need to be discussed because it most likely would be covered with the moratorium. Upon further discussion Parker felt that, because there are no structural defects, engineering would not be needed. Parker said he had a contractor, Dale Cox, that could probably repair it for between 10-20K. Brandon said he would follow up on Parker's recommendation. This item was tabled until next month.

**9. Review, Discuss & Approve: Replacement pump inventory**

Gary reported that last April when a pump was ordered, only the motor was received from Peterson plumbing. Brandon said it was previously approved to purchase the pump/motor. Bids to have a pump put on the motor were obtained. Peterson's bid was twice that of Mountain Land. Mountain Land can have it done in a week for \$3,500. Susan Outzen made a motion to approve having Mountain Land install the pump. Charlie Evans seconded the motion. Voting: David Nielson voted yes; Susan Outzen voted yes; Charles Evans voted yes; Kody Winkel voted yes. Motion carried. Mountain Land will install the pump on the previously purchased motor.

**10. Review & Discussion: Fire Prevention Program (House Bill 48)**

Brandon has been working with Brian Terry and the town is currently in compliance with the program. He said Planning and Zoning does need to write a Wildfire Ordinance for Central Valley Town. The mayor is also currently working on getting authorization to drop a pump in the canal to obtain water in the event of a fire emergency.

**11. Review & Discussion: Relevance of Splash Pad in Central Valley**



The council wondered if the splash pad was beneficial enough to the community to justify the amount of work/cost incurred with sustaining it. Kody said the splash pad required checking the meters four times each day. He said that Dave suggested the possibility of selling it to Richfield. David suggested possibly removing the splash pad and replacing it with pickleball courts and he asked for the council's thoughts. Kody and David both expressed a need to get community response. Brandon wondered if, with the moratorium, it would even be effective to run it. Gary felt that it would have been running more efficiently last year if it had not been switched off. He also expressed his feeling that with the moratorium, it should be shut off. He said he would sell it if we could. Kody cited the high maintenance, and Susan noted the high cost to maintain it. Gary felt that insufficient data was considered and evaluated prior to putting in the splash pad. Charlie explained the significant regulations accompanying the splash pad. The regulations are as high as those of a swimming pool. Liability issues were also addressed. Kody said he thought we ought to try to sell it and to let the townspeople know. David said we need community input. Gary questioned the best way to get honest feedback from the public. Suggestions were made to put it on the town's Facebook page and possibly a note on the water bill to get feedback from the community. Robyn Ames said she was 100% in favor of closing it. She said her study revealed that the splash pad uses 100 gallons of water a minute and at least half of that goes to evaporation. She felt we are losing a lot of water with that feature. She also said she observed numerous times when kids will start it, let it run and never even get in it. The issue was tabled for discussion next month.

**12. Review, Discuss & Approve: Employee wage evaluation**

Mayor Barney stated that the 90-day probationary period has long since passed and he felt it was time for an increase in the town clerk's wage. Kody asked what she was making now. David wanted to know how much the previous clerk was making. Susan said there was a chart that was put together sometime in the past. There is nothing in the Employee Handbook. It was suggested to look for that document. Kody said that there was no reason not to increase the wage now, this long after the period passed. Kody Winkel made a motion to approve a \$2.00 increase in town clerk wage. Charles Evans seconded the motion. Voting: David Nielson voted yes; Susan Outzen voted yes; Charles Evans voted yes; Kody Winkel voted yes. Motion carried. Town clerk will receive a \$2.00 hour increase. The mayor said Brandon didn't want to do salary. He was brought in at the same wage as the previous maintenance man was receiving when he quit. Kody Winkel made a motion to approve \$21.75 per hour wage for the Maintenance/Water Assistant. Dave Nielson seconded the motion. Voting: David Nielson voted yes; Susan Outzen voted yes; Charles Evans voted yes; Kody Winkel voted yes. Motion carried.

**13. Review, Discuss & Approve: Shed at Maintenance building – doors on outside shed**

Brandon stated he would recommend doors or a covering to prevent the birds from invading the shed. He would like to get some bids for doors. As a temporary fix, he'd consider nets. The issue was tabled for discussion next month.

**14. Review, Discuss & Approve: Pro-tem Mayor for 2025**

Kody Winkel made a motion to approve Susan Outzen as *pro-tem* mayor for 2025. Dave Nielson seconded the motion. Voting: David Nielson voted yes; Susan Outzen voted yes; Charles Evans voted yes; Kody Winkel voted yes. Motion carried. Susan Outzen will be the *pro-tem* mayor for 2025.

**15. Review, Discuss & Approve: Dog clinic for 2026**



Dog clinic was held last Saturday. We had a poor turn-out. The veterinarian recommended the town offer a free license and they would provide a free rabies shot. He said they have made enough on the other shots that it is worth them doing it. The issue was tabled for discussion another time.

16. **Review & Complete:** Open & Public Meeting training for the Council  
The issue was tabled for discussion next month.

17. **Adjournment**


Susan Outzen made a motion to adjourn the meeting. Kody Winkel seconded the motion. The Meeting adjourned at 10:00 pm.

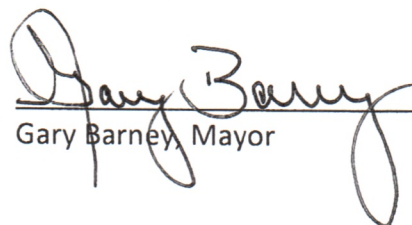
The next town council meeting will be held on Wednesday, March 19, 2025, at 7:00pm.

Minutes prepared by the Town Clerk, Emma Jo Cadwalader.

**Minutes Approved by the Town Council Wednesday,**

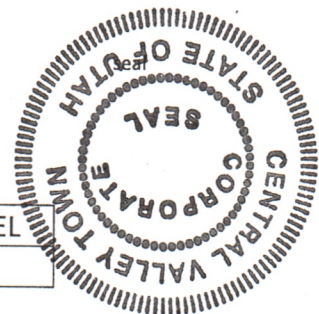
Attest:

  
\_\_\_\_\_  
Emma Jo Cadwalader, Town Clerk

  
\_\_\_\_\_  
Gary Barney, Mayor

VOTING: (circle one)

DAVID NIELSON	SUSAN OUTZEN	CHARLES EVANS	KODY WINKEL
<input checked="" type="radio"/> YES <input type="radio"/> NO	<input checked="" type="radio"/> YES <input type="radio"/> NO	<input checked="" type="radio"/> YES <input type="radio"/> NO	<input checked="" type="radio"/> YES <input type="radio"/> NO







Jones & DeMille  
Engineering

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# Central Valley Town Transportation Master Plan Public Feedback

Name: \_\_\_\_\_

**Optional Contact Information**

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

**Are you a resident of Central Valley Town?**

- ☐ **Yes**
- ☐ **No**

**Please include your comments or concerns regarding the Transportation Master Plan**

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**Thank you!**

1535 South 100 West  
Richfield, UT 84701  
435.896.8266

50 South Main, Suite 4  
Manti, UT 84642  
435.835.4540

38 West 100 North  
Vernal, UT 84078  
435.781.1988

1675 South Highway 10  
Price, UT 84501  
435.637.8266

520 West Highway 40  
Roosevelt, UT 84066  
435.722.8267

775 West 1200 North  
Suite 200  
Springville, UT 84663  
801.692.0219

1664 South Dixie Drive  
Building G  
St. George, UT 84770  
435.986.3622

7 South Main Street  
Suite 314  
Tooele, UT 84074  
435.268.8089

696 North Main Street  
PO Box 577  
Monticello, UT 84535  
435.587.9100

545 East Cheyenne Drive  
Suite C  
Evanston, WY 82930  
307.288.2005



CHRISTNER LAW  
PO BOX 701  
RICHFIELD, UT 84701  
(435) 633-1604

TO: Central Valley Town Council  
FROM: Joshua Christner, City Attorney  
DATE: January 28, 2025  
SUBJECT: Building Moratorium

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To the Town Council:

Recently, you reached out to discuss the availability of culinary water to new construction within the town of Central Valley. As of this letter, the capacity for culinary water for the town is almost at maximum capacity. While the town prepares to take measures to expand availability of water for new construction, it is advised that the town implements a moratorium on approving new construction within the town limits as soon as possible.

Under Utah Code 10-9A-504, a municipality is allowed to enact a temporary land use regulation prohibiting new construction for a period of 180 days if the governing body makes a finding that a “compelling, countervailing public interest” exists for part or all of the municipality. Such an ordinance may be passed without prior consideration of or recommendation from the planning commission. Additionally, no impact fee or other financial requirement may be imposed under the moratorium.

It is important that a moratorium on all new construction in Central Valley Town is implemented as soon as possible. Future homes not having access to adequate culinary water without putting unnecessary strain on the town’s water supply is a very compelling countervailing public interest. According to a project report produced by Jones and Demille Engineering in 2018, Central Valley Town has enough service connections to provide adequate culinary water for 215 residential connections, 5 commercial connections, and 4 agricultural connections. The Town only has enough meter connections for [insert number here] without placing the water supply under strain.

With a moratorium on new construction in place, the Town will have time to employ the services of Jones and Demille Engineering to conduct a recent study that will determine whether there have been any material changes to the Town’s access to adequate culinary water for its current and future residents, as well as allow them to begin implementing any upgrades or improvements that would be necessary to allow the Town to resume the acceptance of building permits.

Further, if it appears that the 180-day moratorium may not be sufficient time for the required improvements to be made, the Town may take measures to implement a permanent land-use regulation that will prohibit any future development until the necessary steps have been completed. Unlike a moratorium, such a regulation will have to go through the normal channels, to include a hearing in the planning commission. Further complications could arise from appeals involving either the moratorium or a permanent regulation. Such appeals would only be time-consuming and would most likely be upheld either by the Appeal Authority mentioned in Section 16 of the Central Valley Town Land Use Ordinance or the District Court, given the necessity of these ordinances.

Without the moratorium or permanent ordinance in place, Utah Code § 10-9A-509 states that anyone who properly files their land use application is entitled to a substantive review and approval of their land use application if it conforms to the applicable land use applications in effect at the time said application is submitted, unless the Town’s land use authority goes on record (in writing) that there is a “compelling, countervailing public interest” that would be jeopardized by approving the application (such as tasking



the Town's culinary water supply beyond its current capacity) or the municipality formally initiates proceedings to amend their land use regulations that would prohibit such applications from being approved as submitted.

To conclude, time is of the essence to approve a moratorium on new construction within the boundaries of Central Valley Town. After the moratorium is approved, it is important that the Town implements any necessary improvements or enacts a permanent land-use ordinance to expand the time limit of the moratorium beyond the statutory 180-days. Additionally, the Town has a strong enough "compelling, countervailing public interest" that should allow us to fend off any challenges to this necessary course of action.

Respectfully,

Joshua Christner  
City Attorney, Central Valley Town  
Christner Law, PLLC





Jones & DeMille  
Engineering

www.jonesanddemille.com | 800.748.5275

# Central Valley Town Transportation Master Plan Public Feedback

Name: \_\_\_\_\_

**Optional Contact Information**

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

**Are you a resident of Central Valley Town?**

- ☐ Yes
- ☐ No

**Please include your comments or concerns regarding the Transportation Master Plan**

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**Thank you!**

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7 South Main Street  
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435.268.8089

696 North Main Street  
PO Box 577  
Monticello, UT 84535  
435.587.9100

545 East Cheyenne Drive  
Suite C  
Evanston, WY 82930  
307.288.2005



# Central Valley Town Council

February 19, 2025

Please sign-in:

(Please print)

[illegible]



