

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 26, 2014

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Office, 114 So. Mill Street, Virgin, Utah

Present:

Council Members: Mayor, Bruce Densley
Bill Adams
Danyale Blackmore
Jean Krause
Jay Lee

Others: Monica Bowcutt, Town Clerk
Darcey Spendlove
Larry Amodt
Sean Amodt
Gina Amodt
Jessica Amodt
Annika Amodt
Kasen Smith
Cindy Escude
John Ely
Alecia Lee
Darren Cottam

WORK MEETING

The Council discussed the names that had been submitted for the new town park. The Council explained that the property used to belong to Lee Wilcox, who had served in many positions (Mayor, City Council Member, Bishop) in Virgin and had also served in WWII. His brothers and cousins had also represented the Town in numerous ways, including as service men. Council Member Bill Adams read a letter from Chris Kapriglio, a current resident of Virgin, who suggested that the park name should be Veteran's Memorial Park. He felt that the Town needed a place that represented all veterans from all wars and actions our nation had engaged in. Mr. Kapriglio suggested that engraved bricks be offered to service men and women of the Town, to build a walkway where name and rank could be displayed. This would bring awareness of the sacrifice service people had endured. He described a quiet and peaceful place, with a patio, a flag, a pond, and a memorial. A place where veterans and their families could go to remember. Council Member Bill Adams stated that he like the name Wilcox Veterans Memorial Park. Mayor Bruce Densley stated that he would not want to see the whole park as a serene place because kids would be there playing. Council Member Bill Adams stated that a memorial area could be sectioned off, perhaps in a corner. Council Member Jay Lee stated that he felt it was too close to the highway to be serene. Council Member Jay Lee stated that during WWII, Virgin

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had more service men per capita enlisted than any other town in the United States.

Cindy Escude felt that for new comers who did not know the area's history, the name Pocketville, brought out the Town's history. Mayor Bruce Densley stated that a historical plaque would be nice.

Council Member Jay Lee stated that at one time, a pull out was planned near the diversion dam road, which would include business advertising and historical information. Mayor Bruce Densley stated that it was still in the plans with ZC3.

Council Member Bill Adams suggested that the Council select the top three and then let the public vote for the winner. Council Member Jean Krause asked if the name was going to be selected by the Easter egg hunt and Arbor Day Celebration. The Mayor responded that it would be nice, but not essential.

A. Update on Kolob Road re-alignment & Cap. Facility Plan-Jason Smith

B. Discussion of Arbor Day Celebration/Easter Egg Hunt and dollar amount needed for it.

Mayor Densley stated that the Town Royalty would be running the egg hunt and the Town was willing to accept donations. The Mayor also stated that the Town could monetarily support the event if needed. Gina Amodt stated that she did not think it would be more than \$50. Monica Bowcutt, Town Clerk, stated that Dennis and Bonnie Timmerman had already donated a tree to plant. Gina Amodt stated that the Mayor needed to be present to read the Tree City Proclamation and officiate. The Mayor stated that himself or another Council Member would be present to do this. The event will start at 10:00 am.

Mayor Bruce Densley stated that there was going to be a charity event honoring veterans. It was starting at Vernon Worthen Park in St. George and would finish up at the Virgin Park with lunch.

C. Discussion of FEE for use of Town hall by community groups. - Bill Adams

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Mayor Densley stated that he felt the Office should be used strictly for civic occasions, not birthday parties, etc. Council Member Bill Adams stated that he had gone to Toquerville, LaVerkin, and Hurricane to review their policies and found that all three had passed resolutions, with the simplest being LaVerkin. After reviewing and comparing the information, Council Member Adams suggested requiring a \$75 deposit for the use of the office for residents, which would be refundable if the office was clean and not damaged. He also suggested that the Town collect a portion of that amount, if the renters were from out of town or for-profit groups. He thought that adding these fees as another line item on fee schedule would be easy to do. Mayor Bruce Densley stated that he would like to make the Town Office available to town residents only.

Council Member Danyale Blackmore stated that she felt the \$75 deposit was a little high and suggested \$50. Mayor Bruce Densley stated that the amount must compensate for the time of the person who had to be in attendance with a key. He explained that Desert Gardens Home Owners Association had given \$5 to cover the light bill while they were in the office. The Mayor asked all Council Members to come up with their own ideas and continue the discussion next month. Council Member Bill Adams stated that he would leave his information at the office for the Council to review at their convenience.

Cindy Escude asked for the prices from other towns. Council Member Bill Adams informed her that Hurricane had a lot more buildings and different levels of priorities because they were much larger. Toquerville had the city hall/city office chambers (which included rules) listed as a \$75 deposit, then it was broken down into who was reserving the building. He stated that basically a fee of \$50 was charged for four hours and more than four hours was \$100. Mayor Bruce Densley stated he did not want to make the Virgin Office available to for-profit groups. Council Member Adams explained that LaVerkin charged \$25 each for water and electricity and a \$25 deposit was due to start. He also stated that all of these towns had very different facilities than Virgin. Mayor Bruce Densley suggested that the rent time should not exceed two hours, it would be rented to local groups and non-profit only, and a fee of \$25 which would cover the key holders time.

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D. Continue Discussion of Rural Water suggestions for changing water rates.

Mayor Bruce Densley stated that he wanted to move this item to Council Comments.

E. Continued discussion of Virgin Town Newsletter being mailed or emailed.

Council Member Danyale Blackmore stated that she felt the way the newsletter was going out now was fine. She explained that some people did not do email, so they could request a hard copy. Council Member Jay Lee stated that he had talked to a lot of people who would rather receive the newsletter via email. Town Clerk, Monica Bowcutt, stated that she currently mailed eight copies with the water bill.

Darcey Spendlove stated that many people had not requested to be on the newsletter email list, so they were not receiving the newsletter in any format. She said that only about fifty or sixty people were on the email list, so the rest of the citizens were not receiving the newsletter.

Cindy Escude suggested mailing a hard copy to every citizen for the month of April, so citizens could see what they were missing. She suggested mailing it for one month, asking people to call the Office requesting to be on the list, if they wanted to continue to receive the newsletter. The Council agreed that this was a good idea and asked Monica to proceed with it.

F. Discussion of possibly hiring part time help for Chris for Summer months.

Mayor Densley stated that over the last ten years the population had doubled, making Chris Holm's job more complicated. The Mayor suggested hiring a part time person to mow lawns and turn on water in order to cut Maintenance Supervisor, Chris Holm's, work down. Council Members Danyale Blackmore, Jay Lee and Jean Krause all agreed that he had a lot on his plate and needed extra help in the summer months. Town Clerk, Monica Bowcutt, reported that the person must be over eighteen and the position must be posted. The Mayor indicated that locals would be giving the advantage.

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Mayor Bruce Densley stated that Chris Holm had been in contact with the County, who was willing to do a weed spray on all Town streets for \$40 an hour, plus the price of the chemical. He felt this was a very good price considering they would be using their truck sprayer, and it would take Chris Holm a few days to do the job with his sprayer. The Council agreed that this idea was a great deal and the streets should be sprayed a few times during the year.

The Mayor reported that last fall he had been approached by Linda Collet about sponsoring a fair. Council Member Danyale Blackmore stated that Lenny Brinkerhoff had also suggested that the Town have a "Fort Up Days". Council Member Blackmore stated that these were great ideas, but also a lot of work. She wanted to make sure the people who were in charge were willing to follow through and make sure it happened. Council Member Jean Krause stated that Linda Collet specifically wanted an art and craft fair, where the local people could make stuff to sell. Linda wanted to run it and handle all the details. The Council asked that Linda Collet bring more details about her idea to present to the Council in April.

Darcey Spendlove reported that the Old Church Committee had an idea to do a pumpkin fair in the fall, which might combine nicely. Council Member Danyale Blackmore stated that the Recreation Committee might be willing to help out where needed.

G. Update on Old Church Restoration.

The Council move this item to Council Comments.

REGULAR MEETING

1. Call to Order-Mayor Bruce Densley

Mayor Bruce Densley called the meeting to order at 7:06 pm.

2. Pledge and Invocation.

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Mayor Bruce Densley offered an invocation. Council Member Bill Adams led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest.

No Conflicts of Interest were declared.

4. Citizen of the Month-Cecil Lee and Alecia Lee and Annika Lee.

Mayor Bruce Densley stated that he would like to recognize Cecil Lee, Alecia Lee and Annika Amodt. He stated that on Valentines Day these girls went around Town putting Valentines on people's doors, which made people feel really good.

OLD BUSINESS: Action Items

5. Review with possible approval of February 19, 2014 TC Special Meeting Draft Minutes.

Council Member Jean Krause stated that she made typo corrections and had already given them to Darcey Spendlove in list form. Council Member Danyale Blckmore asked if those corrections should be part of the minutes. The Council did not think that was necessary because the recorded version was always available.

Bill Adams moved to approve the February 19, 2014 Town Council Special Meeting draft minutes with the grammatical changes made. Jay Lee seconded the motion. Vote on motion: Bill Adams-Aye, Danyale Blackmore-Aye, Jean Krause-Aye, Jay Lee-Aye, and Mayor Bruce Densley-Aye. The motion passed unanimously.

6. Review with possible approval of February, 2014 Invoices & Checks.

Council Member Jean Krause asked why Rosenberg Engineering had billed the Town for almost \$30,000 in one month. Mayor Densley reported that it was for the Kolob Road re-alignment and that the Town should be receiving money from UDOT within the week. Town Clerk, Monica Bowcutt,

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stated that it was a three month bill, not one month, because the Town had not paid until some work had been done.

Mayor Densley stated that the dirt should begin to be moved on April 1, or a little past that date because of insurance hang ups. He also reported that there would be a bridge installed, not box culverts.

Council Member Bill Adams asked what the US Bank corporate payment was for. Town Clerk, Monica Bowcutt, reported that it was the Town Credit Card that Chris Holm used instead of having a charge account at individual stores, and there were PO's to match the purchases.

Jean Krause moved to approve the February, 2014 Invoices and Checks as presented. Danyale Blackmore seconded the motion. Vote on motion: Bill Adams-Aye, Danyale Blackmore-Aye, Jean Krause-Aye, Jay Lee-Aye, and Mayor Bruce Densley-Aye. The motion passed unanimously.

Council Member Jay Lee asked if it would be feasible to copy the invoices and checks on the agenda so the public could review them. Mayor Densley stated that he would be fine with having a copy available during the meeting for public review, but would not like to spend money on printing them out for everyone. He stated that the copy would also be available during the week for review. Town Clerk, Monica Bowcutt, reported that the invoices would now be included in the minutes and that the Council was required to sign the invoices off each month.

NEW BUSINESS: Action Items

7. Review and possible approval to award the Kolob Road Re-alignment BID.

Mayor reported that Jason Smith from Rosenberg Engineering was supposed to be present at the meeting, but was not. He then reported that he and Jason Smith had met with Interstate Rock. They

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had had a brief discussion during which they clarified that Interstate Rock was going to find a bridge design (probably one that had been used on I-15) to use instead of box culverts, which would not hold up the work. The Mayor reported that this bridge information should be available within the week and that Interstate Rock would be the company building the bridge.

Mayor Densley reported that Interstate Rock was the lowest bid. Most bids had come in just a hair over 1 million dollars, with the box culverts, and that most bids were within \$90,000 of each other. The Mayor stated that it was his recommendation and that of Jason Smith, Town Engineer, to accept the bid from Interstate Rock. Town Clerk, Monica Bowcutt, reported that the low bid from Interstate Rock was \$999,878 and the high bid was \$1,292,000, leaving \$300,000 between the top and bottom. Mayor Densley stated that he recommended that the Town accept the low bid from Interstate Rock to begin work on the new Kolob Road.

The Mayor clarified that the meeting with Interstate Rock was to make the order change for the bridge and review possible designs for it. Information was also passed on to the Town Engineer, who would review it. Council Member Jean Krause clarified that the bridge would not hold up the start of the work.

Danyale Blackmore made a motion to award Interstate Rock the bid for the Kolob Road re-alignment Project. Jean Krause seconded the motion. Vote on motion: Bill Adams-Aye, Danyale Blackmore-Aye, Jean Krause-Aye, Jay Lee-Aye, and Mayor Bruce Densley-Aye. The motion passed unanimously.

Mayor Bruce Densley stated that he had heard citizen comments that the Town should just repair the old Kolob Road as it exists now. He felt that if the Town went this route, the Town would have to take/condemn property because the property owners did not want to give it up. This property was needed because a wider road was required to handle future traffic. This would cause many years delay

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and the Town would have to pay the owners for what was taken. Beside the time, it would cost a lot money to pay owners for their property and improve the road as it should be. By building a new road the Town did not have to take property from anyone. He felt that it was not a good idea to take property when there were other alternatives. Council Member Bill Adams asked if the road was taking property from Falcon Ridge Ranch. Mayor Densley replied that Falcon Ridge leased the property from the Water Conservancy District, so that was between them.

Sean Amoldt asked if the road would be under budget. Mayor Densley answered, that yes, it would be considerably under budget.

Cindy Escude asked what the time frame was to complete the road. Mayor Bruce Densley answered that it would be 150 days or 5 months.

Danyale Blackmore stated that the Town had it in their plans to majorly improve the old road. The Mayor agreed, stating that now that the Town knew the money was available, they would begin patching the old road, and then when the new road was done, the old road would be chip and sealed. He felt that it would last a long time, and would also leave money to do other road improvements in Town.

8. Discussion and possible approval of Resolution #14-032614-A to amend the Purchase Order Policy, raising the Purchase Order limit up from the current \$100 up to \$500.00.

Mayor Densley explained that this recommendation came from the auditors to make purchasing easier. Council Member Jay Lee asked if the Resolution only changed the purchase limit. The Mayor replied that yes, but brought attention to the required bid amounts, that read as: Under \$5000 only 2 bids required and over \$5000 must have 3 bids. Council Member Jay Lee asked about the requirement to run the bid twice in the newspaper. Town Clerk, Monica Bowcutt, answered that it was required by State law.

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Danyale Blackmore moved to approve resolution #14-032614-A. Bill Adams seconded the motion. Vote on motion: Bill Adams-Aye, Danyale Blackmore-Aye, Jean Krause-Aye, Jay Lee-Aye, and Mayor Bruce Densley-Aye. The motion passed unanimously.

9. Review with possible approval of changes to the job description of the Zoning

Administrator.

Mayor Bruce Densley explained that the Council had reviewed the existing job description and duties of the Zoning Administrator on their own time. He felt that it was a little out dated, exceeded what the Zoning Administrator should do, and would interfere with the Planning and Zoning Commission. The Mayor stated there had been many problems and complaints about the complexities of getting a single-lot building permit in Virgin. The Mayor felt clarifying the duties of the Zoning Administrator would help that process.

Mayor Densley read the entire new job description, which he had written. He stated that Steve Masefield, Planning and Zoning Chair, felt that the section titled Reporting Relationships should be clarified when discussing the Planning and Zoning Commission. He also reported that Steve Masefield, Planning and Zoning Chair, had suggested that digital plans be required.

John Ely stated that he felt reviewing excavation permits should be included in the job description. He gave an example of an excavation permit that was issued which filled in a natural drainage ditch and the Town did not know about the problem because no one had inspected the site of the permit. He stated that another time there was major excavation started, then stopped when it was realized how extensive the work was. He felt these problems had happened because no one was looking to see what the excavation was going to be. In the long run, it would save the Town some problems to have the Zoning Administrator inspect excavation permits.

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Council Member Jay Lee stated that years ago when the excavation permit was established, it was for only public lands. It was not intended to be used on private property. He cited an example of someone planning on leveling ground to plant a garden, he would not have to come in to get an excavation permit.

Larry Amodt stated that idea was changed awhile ago. The ordinance now read that if you were moving a certain amount of dirt, a permit was required. It was found in VULU under building.

John Ely stated that if someone wanted to level their ground for a garden, after viewing it, the Zoning Administrator may feel like no permit was necessary, but if that garden was going to fill in a natural drainage or cause a drainage issue for a neighboring property, a permit would be required. Mayor Densley stated that if any property owner performed excavation that affected a neighboring property, they were responsible for it.

Mayor Bruce Densley stated that the Zoning Administrator job description should not be passed, but corrections and adjustments be made for review during April's meeting. He stated that the description he wrote was just a starting point.

Larry Amodt stated that the job description of the Zoning Administrator should be included in VULU. The Zoning Administrator was intended to be the eyes and ears of the Planning and Zoning, but it worked under the Land Use Authority, so it did not take anything away from the Council. He also stated that he felt the Zoning Administrator description should be included in section 2, to it give it more power.

Council Member Jean Krause stated that she had sent out her findings to the Council. She reported that she had gone through VULU and made a list of every time a reference was made to the Zoning Administrator, which gave a very complete job description, based on VULU. She stated that the 2005

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resolution dealing with the Zoning Administrator was never incorporated or adapted.

Larry Amodt stated that when he was on Planning and Zoning, every ordinance they wrote dealing with land use, the Zoning Administrator was the first person that was supposed to be approached. They held the first meeting and helped to put things together. Then the Zoning Administrator was taken clear out of VULU. Now, it did not appear in VULU except where it refers to a specific zoning ordinance. Mr. Amodt felt that because there was no description, there was no authority given to that position.

Cindy Escude asked if it was paid position. Mayor Bruce Densley stated no, but it should be. Larry Amodt explained that there used to be a \$50 fee for an inspection, which was given to the Zoning Administrator. Council Member Jean Krause stated that the Planning and Zoning was in the process of creating a new building permit form. One thing on the new form that was listed was a Zoning Administrator fee, which was about \$40. John Ely stated that the fees should not be included in the building permit process, so that the building permit did not have to be changed when there was a fee change.

Mayor Bruce Densley stated that he had found out that the Town could ask about CC&R's, but could not deny a building permit if they had not been followed. The Mayor suggested using a yes or no check box to asked if the plans complied with the applicable CC&R's. If the property owners say no, the Town could advised that they do due diligence. The Town cannot deny building permits based on CC&R compliance, but can inquire about compliance.

Council Member Jean Krause stated that in the excavation section of VULU, it did not mention the Zoning Administrator doing an inspection, but talks about the Town Building Inspector in some cases. She explained that right now VULU did not say that the Zoning Administrator had anything to do with excavation. Larry Amodt said that the building inspector would have first say because he looked at the plans first. Mr. Amodt felt that if the Town would have been following those guidelines they would not

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have so many issues, like barns being built on the wrong property. He explained that Lenny used to do a great job of that, by inspecting plans to make sure they had enough land, the house was placed correctly on the land, had the correct frontage. She basically did the same thing the Council and Planning and Zoning was now doing at all the meetings. He stated that the process used to be more clear and easy to get your permit, because there was no need to hold it up for months at meetings. Council Member Danyale Blackmore suggested the Planning and Zoning look at Hurricane City's, because it was very stream lined and easy to follow.

Council Member Jay Lee stated that the building inspector used to tell the builder how many inspections he would have to do, and it was x amount of dollars per inspection, so the fees were paid up front.

Mayor Densley stated the issue should be tabled to next month and he felt it was a good idea to include excavations in the duties of the Zoning Administrator.

OPEN FORUM

– Cindy Escude asked about the potential litigation proceedings. Mayor Densley stated the Town Attorney was supposed to have his recommendations to the Council by today, but they had not been received or reviewed. The Council should know of the decision in a few days.

– John Ely reminded the Council that he had filed a letter over a year ago regarding an excavation that was done on neighboring property, which had filled in a natural drainage ditch that was connected to a UDOT culvert, then it crossed the road and emptied onto his property, at which point it was forced to make a 90 degree turn along Virgin's block wall. Mr. Ely stated that there needed to be something done with the opening into the culvert. The City was previously looking into diverting any water flow to stay on the north side of highway 9 until it flowed down to the wash, but the idea had died on the vine. He asked the Town to stay on top of the issue before there was a major problem. Council Member Jay

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Lee asked if it was where the gopher hole had come through under the wall. Council Member Danyale Blackmore stated that actually it was not a gopher hole, but it was the fiber optic line that had come through and messed the ground up. John Ely stated that something should be done and he would like to be kept up to date on the issue.

– Mayor Bruce Densley stated that a gentleman was present representing the Munz Property. The Mayor stated that one of his concerns was that the property owner be aware that doing what he wanted with his property might be difficult, because it was not a given that his project would be put in. He stated that there were rumors of an RV Park being put on the property, which might be extremely difficult to accomplish. There were also concerns about the excavation work on the river. Mayor Densley asked whether the proper permits for that work had been completed. He wanted to be assured that the work was proper and legal, with the proper permits. Kason Smith stated that the property owner took his land very seriously. He was not assuming that anything was entitled with his land. He stated that what was done on the bottom of the property was strictly for farming. It was agricultural work and did not have anything to do with a future development. It was something that was done to bolster the farming land. He reported that the property owner knew the trees were a hazard from flooding and to kids playing in them on his property. The owner also knew that a lot of the trees were dead and had fallen over. The dead Cottonwoods and Tamaracks had been taken out. He stated that all that had been done was to clean up and beautify the property. Mayor Densley asked if the Army Corps of Engineers had approved the excavation along the river. Mr. Smith stated that he would be meeting with the Army Corps within the week. He also reported that he had spoken to Monica, and he had brought the requested diagram, which showed a walkway along the river, with many new trees being planted. This walkway would be open to the public. He stated that an RV Park was the long term goal, but he strongly asserted that the work being done with the property was strictly for farming. He stated that the property owner knew the process and was not assuming anything. Council Member Jean Krause asked why he had to referred to property as a development. Mr. Smith stated that the long term goal was to put in an RV park, which project had been presented to the Planning and Zoning several

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times. The land owner believed he could put in a walkway on his property for the city to enjoy. Council Member Jean Krause clarified that the walkway was part of a development that the land owner envisioned in the long term future. She also clarified that Mr. Smith meant land owner when he said landlord.

Cindy Escude asked how many acres were owned. Mr. Smith replied that it was almost 80 acres of property.

Mayor Densley stated that his concerns were whether there was anything being done along the river that needed permits, which were not present. He asked Mr. Smith if the Army Corps of Engineers had been consulted. Mr. Smith stated that he had talked with with Army Corps and had reviewed the laws. He also stated that Town Clerk, Monica Bowcutt, had called the Army Corps to review the work the coming week. He explained that the Army Corps of Engineers dealt mostly with waterway changes and fixes. He stated that they were not in the river, nor changing it. He asked that Matt Spendlove (who was farming the land) and himself accompany the Army Corps to the land for the review. Mayor Densley asked if where they were working was river bank. Mr. Smith replied that it was a gray area, because it was a river bottom area, but they were not in the river and did not change the river. Mayor Bruce Densley asked if they were doing something that should not be done without the proper permits as far as moving the dirt. He went on to state that his concern was having the property owner spend a lot of money and find out that what he wanted to do down the road might not be doable. He stated that the property owner needed to be aware of the real fact that he may never get an RV park on the property.

Larry Amodt asked if they were still considering a zoning change for the development. Mr. Smith answered that there had been several plans presented, each followed with a struggle in the Planning and Zoning. He was new to the project, but had spent several months revamping the plans and looking at all the options. The property owner would like to build something that would be a mutually beneficial,

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to the Town and the land owner. The best plan to this cause would be a commercial project, but the property was still zoned residential 1 acre. Mayor Densley asked if the property owner was aware of odds he was up against. Mr. Smith asked if that was something could not happen. The Mayor responded that anything could happen, but from his point of view and the things he had heard about re-zoning that property, the odds were pretty tough. He did not want someone to spend thousands and thousand of dollars, only to find out what they wanted to do would not come to pass. He stated that he was not in a position to say if the property would be re-zoned.

Danyale Blackmore stated that the property owner needed to make sure the proper permits were obtained. She suggested making no speculations on the property. The Town would wait to see what plans and ideas were presented at Planning and Zoning. She surmised that maybe it would be an idea that everyone would love and want. She also suggested that Mr. Smith made sure he was following all the ordinances and call if he had any questions.

Kason Smith asked what ordinances are available online. Council Member Jean Krause answered that only VULU was online at the present time, but all other ordinances could be found by date in binders at the Town Office. Mayor Bruce Densley stated that he wanted the property owner to know what he was up against, that nothing was a given, and to make sure that what was being done was appropriate.

– Darren Cottam, representing One Point Consulting Services stated that he had met with the Mayor and Chris Holm. He was present to give the Town a proposal to help with street maintenance. He stated that he had been in the asphalt business for 25 years and had a lot of experience serving on city councils. He was proposing to assess all Virgin Town streets, come up with what was needed for each street's maintenance, and how much it would cost to do the maintenance on each street. He would formulate a spreadsheet to give the total cost for maintenance for a 5 to 7 year basis. The cost for this service was a one time fee of \$1200, which would get the Town the tools to know what streets needed to be re-done. Mr. Cottam stated that he was not an engineer, so the Town would not be paying those

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prices. He stated that it was a great tool for the Town of Virgin in order to budget for the future and keep streets in good condition. For an extra charge, he would follow through with the bidding and also review all streets the next year making sure the asphalt was holding up as it should. The Council agreed this was a good idea and to put it on the agenda for April.

COUNCIL COMMENTS

– The Council discussed raising the water rates. Council Member Danyale Blackmore suggested having Curtis Ludvigson come back to review the rate scenarios. Council Member Jean Krause stated that Monica Bowcutt had been told that Mr. Ludvigson was retiring and a new rural water man was taking his spot. This new person had told Monica that he would have done the scenarios differently. It was suggested to have the new man come to review the scenarios with the Council at the April meeting.

Mayor Densley reminded the Council not to forget about the property up Dalton Wash, which was purchased with water money, so it was a water asset. Council Member Jean Krause stated that the way the plans were laid out showed that the Town was paying the Water Conservancy District more than it was charging people. The Town had never passed on the water rate increases from the Conservancy District. Council Member Jay Lee also stated that the Town was not charging the water availability fee as it should be doing, which might be some of the discrepancy. Council Member Jean Krause explained that the scenarios were designed to bring the Town up to date, so that what the Town charged people was what they paid the Water Conservancy District, plus put money into an account to pay for repairs. She stated that if the Town had this 80 acres of land, it still did not affect what the water rate increase was about. Council Member Jay Lee stated the Town needed to build up the fund, he felt the land could be sold to build up the fund. Mayor Densley stated that the Town would still have a losing game if it continued to pay out more than it charged. He also said he would rather see a small adjustment made than a big adjustment. Council Member Jay Lee stated that LaVerkin charged a set fee with no water included and then charged so much per 1,000 gallons. Mayor Densley stated that he wanted to see the Town maintain the current rate and usage, then increase the price on excess water. It

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was good to know that the Town had \$300,000 worth of land and if the right time came to sell they could. Council Member Jean Krause stated that one scenario had a base price increase of only \$1.40 and a large increase for the overages. The Council agreed to wait and see what the new person brought in April.

– Mayor Densley reported that the water tank was in need of repairs. Rural Water had come and inspected the tank. They had reported that the tank had decomposition on the rubber lining, leaving some corrosion. To fix the tank, it must be sand blasted and then re-sprayed. He stated that he did not know the details or cost yet, but the Town would be looking at some repairs. He felt that the sooner it was repaired the better and the less money it would cost.

– Mayor Densley stated that the park fund had \$5000 to spend before the end of June or it would be lost. The Council suggested spending the money on the new park pavilion, the old church, the veteran's corner, and new play ground equipment. The Mayor asked the Council to come up with their favorite items by April's meeting. Sean Amodt stated that the money did not need to be spent, just allocated for future use.

– Danyale Blackmore reported that she had finally spoken with Kim Campbell about the minor design changes that would reduce the cost of the Old church renovation and accessory building. Kim Campbell felt that these small changes would not make any difference on the cost and he was not willing to change the plans, however he did suggest the project be re-bid as a whole, instead of two separate parts. The Council suggested that maybe the contractors would come down a little bit on bid prices, after knowing the Town only had a certain amount of money and asking the CIB to would allow the Town to complete the old church part only. Danyale Blackmore stated that the CIB had already been approached about that possibility and they were not in favor it it. She also reported that the sub contractors did not call Kim Campbell, like they said they would, to discuss changing the specs just a little to bring the price down. The Mayor offered to move the \$5000 from the park fund to the old

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church and then re-bid the project.

Darcey Spendlove asked if it was possible to re-bid with the proper words which allowed the Town to choose contractor A because he had the lowest bid on the accessory building and choose contractor B because he had the lowest bid on the old church. The Council agreed. Council Member Danyale Blackmore stated that she would speak to Kim Campbell and Heath Snow about the possibility. Town Clerk, Monica Bowcutt, stated that CIB had not given her a deadline, but they had wanted to close the loan in February. They had asked that the project get started. Darcey Spendlove stated that re-bidding would not be hard because the contractors already had the plans and had reviewed the project. The Council agreed that the project should be re-bid as soon as possible. Mayor Densley stated that the Town needed to move on the project. Council Member Danyale Blackmore stated that she would have it taken care of tomorrow.

– Council Member Jean Krause stated that codification meant getting all Town Ordinances online. She reported that in January she had started going through the filing cabinets and comparing them to the binders. In order to get ordinances on line, the codification companies charged tens of thousands of dollars because it took so long to scan each document and then put it online in the correct format. She said she would do the codification for the Town, but would like to do it at her home, which would be easier. She stated that she would come up with a check out form, so that people could see which documents she had taken home. The codification would include the links to other parts of the ordinance that dealt with the same thing. She thought it might take about a year to complete. Monica Bowcutt stated that, according to her trainings, it was something that must be done. The Council agreed to allow Jean Krause to do the codification at her home. John Ely stated that Cedar City had an online system that answered questions by taking people right to the ordinance. Monica Bowcutt stated that Karen, who does the website could do something like that, but it would cost money.

– Danyale stated that she had attended the ZC3 meeting. She reported that they were working on some

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really neat projects. There would be a “Healthy Virgin River” presentation on May 1, but she did not know the time. This presentation would tackle to issue of making sure all the towns were working together to preserve the river. ZC3 was also implementing a group of ‘citizens institute on rural design’’, which came from grant money. They would hire people to look at how the small towns could bring in more money, jobs, and improve the economic areas. There would be a phone conversation on May 1 and 24. Mayor Densley asked about the interpretative sight plan along the corridor, which would inform the tourists of different local things. Council Member Blackmore stated that yes, the ZC3 was still working on that and were deciding how to best spend the money left in the fund. They were also working on the corridor recreation strategy coordination, which would tie all the communities together dealing with recreation rules and ordinances.

– Jay Lee reported that the BMX track was up and running. He stated that Liahona Boys Home had volunteered to help with track maintenance. He also stated that Scholzens had given a really good price on shovels, etc. to be used at the track. He asked if the Town could send Scholzens a thank you note. John Ely stated that the Boys Home had provided 13 boys to come out and do a weeding project in Desert Gardens.

– Bruce Densley stated that Virgin had 38 citations, 27 warnings, and 26 incidents, which was more than Springdale, who had had 24 total. He stated that the police were doing their job. He also stated that there had been an assault at the dumpsters. He had asked the police to assist with the issue.

ADJOURN PUBLIC MEETING:

10. Approve motion to adjourn public meeting.

Jay Lee made a motion to adjourn the public meeting. Jean Krause seconded the motion. Vote on Motion: Bill Adams-Aye, Danyale Blackmore-Aye, Jean Krause-Aye, Jay Lee-Aye, and Mayor Bruce Densley-Aye. The motion passed unanimously.

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The Meeting adjourned at 8:45 pm.

Monica Bowcutt

Town Clerk

Approved: _____