

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 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
Linda Collet
Niles Ritter
Sean Amodt
Ernell Thayne
Bonnie Timmerman
Sue Crawford
Kunze (2)
Valerie Wenz
Heath Snow (Town Attorney)
Mark Savee
Greg Istock
Two unknown
Ivan Jensen
Robert Beers (SW Utah Public Health Department)
John Ely
Kason Smith
Cindy Escude'
Mike Crawford
Wenzel (2)
Lee Ballard
Chris Mahoney
Sam Brower (PI)
Jessie Lewis
Adele Pincock

A. WORK MEETING/Non-Action Items:

The Work Meeting began at 6:30 pm.

Mayor Densley stated that he was delighted to be able to meet in the Old Church building and several reservations had already been made for the building. He had reviewed the accounting and found out that \$25,000 was available from the impact fee budget, would be used to pay for the wall and sidewalk. The Old Church Committee would continue to raise money for the remainder of the landscaping.

The Kolob Road would be finished very soon. The remainder of the paving would take place the following day. Only painting lines and clean-up remained. The road would be done very soon.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

a. Continue discussion of hourly rates and curfew for Heritage Park.

Council Member Jean Krause reminded the Council that she had a copy of Springdale's fees, which could be used as a guide. The Mayor asked the Council to come up with rental prices by the May Meeting. The Council agreed that non-profit and for-profit groups should be charged differently.

Cindy Escude stated residents should be charged less than non residents, in order to help pay the loan back.

b. Continue discussion of uses for Pocketville Park.

Mayor Densley stated that the park was big enough to have several uses. He liked the idea of having a veterans memorial in the secluded part of it. He asked the Council to also think on what uses they would like it see.

c. Continue discussion of Credit Card payment options.

The Mayor reported that more information had been received from Zions Bank, but not all questions had been answered. The questions included: what credit cards would be accepted, would cards be able to be taken over the phone, and how many people would actually use the credit card option. He reported that the Town Clerk would be finding the answers to the questions within the month. He also stated that he town would charge a fee amount between \$1.50 and \$1.75 for each transaction.

d. Begin discussion of 2015/2016 Budget and address Public Hearing Date.

Mayor Densley stated that the town had accomplished a lot within the last year by being frugal. Council Member Bill Adams clarified that the amended budget and the upcoming budget was due to the State by June 22, 2015. Monica Bowcutt, Town Clerk, stated that public hearings would be held during April. The budgets would need to be passed during the May Meeting. The Council then discussed that the referendum pamphlet would also be due at the May meeting, but a town hall type public meeting was not required.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

e. Discussion of Farmers Market in Virgin.

Mayor Densley suggested that the town should have a farmers market on Saturday mornings during the summer. It was not complicated as long as the produce was agriculturally grown, making sales tax not required. He asked that citizens let him know if they were interested.

Cindy Escude suggested that people who made crafts could be included. The Mayor reminded her that the produce had to be agriculturally grown in order to not charge tax, apply for business licenses, etc.

Council Member Jay Lee stated that he had noticed that he had personally made two donations to the BMX Track that he could not see recorded in the budget. Mayor Densley stated that Candus Tibbits, Town Account, would be able to resolve the issues. Council Member Jean Krause stated that she would like to look the issue over with Council Member Lee at later time.

Mayor Densley stated that he had recently heard comments that the Town Council was not as transparent as it had been in the past. He was surprised at this because he had always had an open door policy and was willing to talk to anyone, at any time, and about any issue. He stated that the Council had not made decisions on issues on the spur of the moment. All of the issues that had been talked about had been discussed for months. The Mayor stated he would like to hear from citizens who felt the town was not transparent. He stated that the town office would be making an effort to have print outs available to the citizens at meetings. He then stated that the current topic of most interest had been discussed for months before a vote was taken. The Council had received a letter that he felt was extremely biased and he felt he needed to respond as the Mayor. He agreed that on the evening the rezone vote was taken, there was not a lot of discussion, but it had been discussed for months beforehand. He referred to the letter, which stated that the Council had not addressed the concerns of the citizens and passed the rezone without reasons, to which the Council responded "we are in charge". He stated that he had never heard that phrase. The points that were being brought up now were

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

extremely bias, innuendo, and all negative. The Council did not decided on the spur of the moment. He stated that the letter did not bring out the benefits of the rezone, which the Town Council did consider. He felt the positives would be that the rezone would diminish traffic in the main part of town, help the town remain more rural than if there were 60-80 homes, and help the town with tax base (so there would not have to be a 130% tax increase like Rockville). These were the reasons he was in favor of the rezone and he had considered all comments.

Mayor Densley informed those present that he had been meeting with many different entities about the Smith's Mesa Road. He had spoken to the County Commissioners, UDOT, and the test sight. There was an open house in April for many different government officials to see what goes on and review the road. He stated that the County was expressing interest because of the recreational uses. He wanted people to know he was trying to look outside the box to make the road better for everyone.

The Mayor reported that the Washington County Water Conservancy District would be coming to look at the proposed new dump site and hopefully would agree to the location.

Mayor Densley reported that he was also working with UDOT and the school district regarding the 101 area to make it more safe.

B. REGULAR MEETING/Action Items:

1. Call to Order-Mayor Bruce Densley

Mayor Bruce Densley called the meeting to order at 7:00 pm.

2. Invocation/Pledge of Allegiance

Mayor Bruce Densley gave the Invocation. Council Member Jean Krause led the Pledge of Allegiance.

The Mayor reported that Sandra Grow was in the hospital in serious condition.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

3. Declaration of Conflicts of Interest.

No Conflicts of Interest were disclosed.

C. CONSENT AGENDA/Items 4 & 5

4. Review with possible approval of February 25, 2015 draft minutes.

5. Review with possible approval of February Invoices and Checks.

Jean Krause moved to approve the consent agenda-items 4 & 5. Bill Adams gave the second. No roll call vote was taken. The motion passed unanimously.

6. Update on Recycling issue.

Mayor Densley explained that the County had decided to go with option B on the recycling issue. This would give each citizen one opportunity to opt out of the program (unless you move) in the first ninety days. The fees would be about \$3.55 a month. He stated that the program would extend the life of the landfill substantially.

Lee Ballard asked if the bin program would continue. The Mayor replied that it was anticipated that the bin program would continue.

Cindy Escude clarified that the bin program would continue in the town.

Jay Lee made a motion to move item 8 before item 7 because Heath Snow, Town Attorney, was not yet present. Bill Adams gave the second. No roll call vote was taken. The motion passed unanimously.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

8. Ground Water Study update-Rod Mills and Robert Beers, SW Utah Public Health

Dept. for a Q & A session to address citizen questions on the ground water study.

Mayor Densley stated that the town received a ground water study grant for \$36,000. He thanked Rod Mills and the Southwest Health Department for securing the grant. Rod Mills acknowledged Robert Beers from the Southwest Health Department who was also present to help answer questions.

Mr. Mills stated that the town had received a full grant from the Department of Environmental Quality and the study was well underway. He explained that population equivalents were the waste water side of how much waste was generated for non resident uses and then equates them to how many residents it would make. This would give a good idea of where the town was in terms of purchasing a sewer system. The study done in 2000 indicated roughly 1,200 population equivalents would be the cut off number and he had done a preliminary current estimate of 1,330 before the grant was received. He was also looking at septic tank densities in town, which would include running a number of tests in different geographic areas. Mr. Mills reported that the study would shed some light on where the town was today and what the options were for the future. Options might include recommending different types of waste water management for future development, options for specific parts of town, or how to manage waste water in the future.

Cindy Escude asked what the potential population equivalent threshold was today. Mr. Mills answered that the study was not to that point yet, although they thought the 1,220 number still had some validity.

Mayor Densley stated that he had been told that there was a certain number allowed on a septic system, which really wasn't true. He was hoping to get more information to clarify that issue.

Robert Beers, the Environmental Health Director of Southwest Utah Public Health Department, explained that his department had jurisdiction of systems under 5,000 gallons per day usage. Anything more than that fell under the State's jurisdiction.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

Lee Ballard asked if the age of the tank was considered and if new septic systems would be required. Mr. Beers stated that 'new' technology was only new to Utah, but had been used elsewhere for many years.

Mark Savee asked if the 5,000 gallons per day applied to residents, businesses or both. Mr. Beers answered all of the above. Any entity that used less than 5,000 gallons per day would be regulated by the local health department.

Rod Mills stated that June 1 was the deadline for completion, but he hoped to be finished before then. He was collecting soils data, but soil samples would not be taken unless Southwest Health would like to see specific data. He felt he would get an accurate reading without drilling holes because he would be using existing geological mapping.

Mark Savee asked that, assuming the town already had 1,300 population equivalents, if the number went beyond that would the jurisdiction go to the State. Mr. Mills stated that there was no finite threshold for population equivalents, but he would try to determine that based on densities and evaluation of population equivalents. Then he would make recommendations on what the threshold would be for potential contamination.

Kason Smith asked what the effect was if a person was to put in an alternative treatment system with a primary and secondary treatment. Mr. Mills replied that if the system was given a clean report, there would not necessarily be an account for population equivalents, although, the calculation would vary broadly.

Lyman Everett asked when the completion date was for the study. Mr. Mills replied June 1 or before.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

7. Heath Snow, Town Attorney, presentation on legal issues with regard to referendum and a Q & A session to address citizen questions on the referendum.

Mr. Heath Snow apologized for being late. He handed out a packet to the Council entitled: What Standard of Review is Used by a District Courts on a Land Use Appeal?, which is available at the end of the minutes. He stated that he understood there were questions of a legal nature of the subject matter of the referendum, issues over zoning and the effect, and what happened because the ordinance was passed.

He explained to the Council that they wear an administrative and legislative hat, sometimes both in the same meeting. It was important to understand what type of authority they had under the Utah Law. Under the Utah Constitution, municipalities were delegated the police power to regulate property and land uses. What the Council had to recognize was that people had private property rights and there had to be balance. When Town Council members were acting, they had to administer the laws (enforcing or interpreting the laws) and make the laws (legislative). If either the property owner or the members of the public who did not like what happened, the Council could be challenged it in the courts or file a referendum, which was the right to public veto before the governing body. There was different standards for legislative decisions and administrative decisions. Utah Code said that a law cannot be arbitrary, capricious, or illegal. Mr. Snow referred to the handout, page 2, explaining the distinction on acting arbitrary or capriciously. When the legislative hat is on, the decision had to be reasonably debatable, which was a very low standard threshold. If the Council was administrating the law, then they must have substantial evidence on record as to why the decision was made. That evidence would prove whether the actions were arbitrary or capricious, which was a much higher standard. The decision had to be based on more than public clamor. It had to be a basis that was in the best interest and public welfare of the town.

Mr. Snow explained that the ordinance that was in question was a legislative function, based on case law in Utah. The standard was quite low, which would be hard to overturn in a court of law, but the

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

residents had gone the other route by seeking a referendum. Mr. Snow stated that either the ordinance would be upheld or overturned by vote of the public. If overturned, the property would go back to its original zoning. The other part of the ordinance, which made certain types of uses conditional uses in the zone, was clearly a legislative decision. There had been questions about if the vote stands what does that mean to others who seek a similar type of rezone. The question had come up if the Council could tell the new applicant no. Mr. Snow replied that it was a legislative function, so if it was reasonable debatable the Council could tell them no. Even if the rezone did not comply with the General Plan, the Council could still tell them no because the standard was very low, however, there must be a good basis.

Mr. Snow referred to the General Plan Section of the handout. General Plans were mandated by state law, requiring every municipality have one, but it was only an advisory guide. He reviewed case law surrounding General Plans in Utah from the handout. He stated that municipalities can pass law that makes their General Plan non advisory, but no cases in Utah had ever challenged the ordinance. The General Plan was a planning type ordinance that was not dealing with the nuts and bolts of land use issues. Arguments were commonly used by municipalities when they have a rezone challenged because it gave a good basis to meet the low threshold argument. He suggested that the Council should look at any rezone in the context of the General Plan. There was no longer a code that prohibited spot zoning or a definition of it in Utah Code, but general planning principles should be used.

Another point that he wanted to make was dealing with creating new conditional uses in the Highway Resort Zone. He referred to the handout section dealing with Conditional Uses. A conditional use was actually a permitted use. If the Council designated something as a conditional use, they basically had to allow that person to have the use, but they could create conditions that offset the negative effects of the use. The State Code states that Town Councils had to have a criteria and a basis for instigating reasonable conditions in ordinances. The only way they could deny a conditional use permit application was if Council could not come up with a set of reasonable conditions that would mitigate

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

the adverse effects caused by the use being proposed. Mr. Snow stated that he had concerns with the new ordinance because the criteria had not been set for the new uses; RV, camping, cabins, and playgrounds. He stated that the town could specify for the uses in a general section or chapter. If the referendum failed, the ordinance stood and the property owner would shortly seek a Condition Use Permit and the town would be stuck looking at the application without the criteria included in the ordinance. He felt the Sunset RV Park CUP application was prematurely filed because they could not ask for something that the ordinance did not allow. If the RV Park were to resubmit a CUP application, the laws that were in effect on the day they filed would be used. He suggested that out of caution, the Council should adapt criteria for the new uses and they should start by looking what was already allowed in town.

Mayor Densley asked if the property was rezoned, did it mean that anyone adjacent to it was entitled to the same rezone. Heath Snow stated no, because the fact that one piece is zoned one way did not mean that not zoning another piece was arbitrary and capricious because of the standard of review. As long as the denial was reasonably debatable, the Council had not acted arbitrarily and capriciously. It created no precedent, which he felt was not the proper word. He stated that the Council did have to give them substantial evidence on record because it was administering the law. When they were acting legislatively it was proper to listen to the public and rezoning had a low threshold because it was a much lower standard.

Mayor Densley stated that one issue that had been pointed out was that the Town Council acted against Mr. Snow's recommendation to create a RV Zone when they had adopted the ordinance. Mr. Snow stated that his counsel had been to look at creating a whole new zoning district and put the conditional use permit criteria in a chapter called RV Zone.

Council Member Jean Krause asked about adding the new conditional uses into the highway resort zone, if the ordinance passed the referendum. Mr. Snow replied that it would be helpful to have criteria

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

and look at the concerns, asking themselves if they could put conditions on the approval of that use which would mitigate the problems. Council Member Krause asked what would happen if the neighbor came in and wanted another RV park. Council Member Bill Adams and Mr. Snow replied that he would be evaluated on his own merits, but the Council was an administrator now and must have reasonable evidence on the record as to why they said no. Mr. Snow read the statute from his handout on page 5. He stated that this situation was why Conditional Use Permits were almost a permitted use; because if they had an answer to all the detrimental effects the town must tell them yes. Sometimes the conditions were not economically feasible and the person withdraws the proposal. Council Member Jean Krause stated that she wanted it clear that the town could not say no, if all the conditions had been met.

Linda Collet asked Mr. Snow if the seven different parcels of land in the zone change property could be broken up and sold as individual parcels if the referendum failed. Mr. Snow replied that it was not a legal question pertaining to the ordinance, but yes an individual parcel could be sold separately. It depended on how the town had treated it under the ordinances and if it had been properly subdivided. Just because it had two different parcel numbers assigned, did not mean it had been legally subdivided by the municipality. It was an entirely different subject and he could not render an opinion until he was able to analyze the parcels.

Ernell Thayne stated that his property adjoined the rezoned property and he would rather see an RV Park than many homes. He did not want a street extended onto the street in front of his home, which he thought would happen if homes went in.

Cindy Escude explained to Mr. Snow that the Planning and Zoning had submitted nine pages of findings to the Council, which she had not ever seen. She asked if there was a law requiring a public meeting or question and answer session prior to the special election where citizens could see the appropriate documents. Mr. Snow answered the referendum process did not require a meeting, but

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

rather, a voter information pamphlet. If she wanted to inspect a document, she could file a GRAMA request to the town. Mayor Densley stated that the document had been readily available, and the Council had reviewed it before voting, they had just come to a different conclusion than the Planning and Zoning. Ms. Escude then stated that when the vote was taken there was just a yes or no decision from each Council member. She wondered if a resident had a right to ask why they voted the way they did and when. Mr. Snow replied when you knocked on their door or saw them on the street. He stated that they were not required to make specific findings in this instance. Mayor Densley clarified that the Council Members had been making their feelings known in meetings for some time before the vote. Heath Snow stated that the Council was required to not have private meetings under the Open and Public Meetings Act.

Lee Ballard wondered if a decision that may be in conflict with other ordinances was made without findings, did it leave the town more open to a judicial challenge. Mr. Snow replied that findings are not required, but good in a lot of circumstances. Ms. Ballard then asked if another developer could more easily threaten a lawsuit when he was denied something similar to what was passed. Mr. Snow replied that arbitrary and capricious meant two different things depending on which hat the Council was wearing. In order for it to be reasonably debatable, very little had to be on the record.

Dean Kunze stated that the rezoning destroyed his adjacent property value and quality of life.

AJ Wenzle stated that based on the RV resort plan, he would share a driveway with them. He voiced concerns about where he stood legally. Heath Snow replied that the referendum was about a zone change and he would have a hard time giving an opinion on that because the town was not too that point yet. A Conditional Use Permit had not even been applied for yet.

Kason Smith stated that the RV Park's plan had not officially been submitted, but was more for a courtesy. He was ready to work through the conditional use process and he was easy to work with to

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

find the best solution.

Greg Ballard stated that if the residents of the town did not agree with the decision of the Council they had either legal action or a referendum option to take. He wondered if the towns people decided to take a legal action, would the judge take into consideration the General Plan and did Mr. Snow think that the case would win. Heath Snow stated that type of argument had had a lot of cases in Utah, but it had not been a prevailing argument, but the residents had chosen to do a referendum.

Unnamed Kounze stated that someone would have to pay for the road to be moved away from her home. Council Member Jean Krause stated that this meeting was about the referendum. Heath Snow stated that this was not the time or place to discuss issues with the proposed RV Park.

Danyale Blackmore stated that the Council's job was to hold the highest standards to every developer.

Lyman Everett stated that it should be mandatory that property owners notify neighbors of a proposed zone change. He did not receive any notification of zone change. Mr. Snow replied that the town required the applicant who was seeking the zone change to submit notifications (addresses from a licensed title company) to the adjacent property owners. Council Member Jean Krause stated that she had been present when those notifications have been submitted.

Valerie Wenz, an adjacent property owner, stated that she had not receive a notification either.

Ron Smith asked how the ordinance appeared on the actual voting document. Heath Snow explained the ballot process. Mr. Smith then asked if the voter information pamphlet contained pros and cons of the rezone and who provided the information. Mr. Snow suggested Mr. Smith look at the Utah Code on referendums, because it was very specif in all aspects of the process.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

Mark Savee asked about the voter information pamphlet, which he stated had be addressed. He then asked Heath Snow to give a brief explanation of why zoning laws existed. Mr. Snow replied that it was a very broad question. He then stated that it was a delegated authority from the US Constitution to the States and from the States to the municipalities. It was considered to be a policing power of the government to regulate land use. It is one power that our US supreme court rubs really tight because there were a lot of beliefs in pro property.

Niles Ritter stated that the Council had opened themselves up in October by passing law that was not actually legal, only to have to re-pass it in November. Then he stated that this had given people time to plan and prepare to meet all the deadlines that made the referendum possible. He asked why the legal counsel did not attend all meetings to give guidance. Mr. Snow replied that it would be beneficial and perhaps stave off a lot of possible mistakes, but budgets varied greatly in what they could afford.

Lee Ballard stated that the Council needed to adopt specific conditions for the new uses that were added, in order to mitigate the concerns. Mr. Snow also suggested that during the process the town should look at the noticing requirements to adjacent property owners for conditional use permits.

AJ Wenzle asked how the vote got moved up to June. Heath Snow indicated that according to referendum laws, the Council could vote to hold a special election. The town pays for both a special election and the general election.

Adele Pincock asked for clarification on the reasonable debatable issue. Heath Snow read the language of the Bradley Case from his handout, page 2. He added that the Council was given a lot of deference. Ms. Pincock stated that in town ordinance it calls for avoiding redundancy of uses, in order to avoid any proliferation of uses. She wondered how this would be possible considering the town could not deny conditional uses. Mr. Snow replied that it could be a criteria for evaluating conditional uses for RV Zones. Spacing requirements could also be used and the town could make the law to what the

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

standards were.

Sean Amoldt asked about the rights and recourse of the property owner. Mr. Snow stated that there was very little recourse for the property owner, because the populous vote overturned the decision of the Council.

Cindy Escude asked if the lot next to her could apply for a rezone and it be granted. The Council replied that the CC&R's would be considered.

Mark Savee asked about legislative decisions by the Council, stating that the Council should consider comments from the public. He suggested that the 50 person petition that was submitted to the Council, which was not acknowledged or made reference too, would be listening to the public. Mr. Snow stated that a petition was obviously one way the public could speak to the Council.

Council Member Jay Lee stated that only one tenth of the residents were present at meetings, so not necessarily the majority of the town.

AJ Wenzle stated that the opinions at the post office or on the street did not necessarily apply to the issues like the opinions expressed at the meetings did. The Mayor stated that they also needed to listen to the silent majority. Council Member Bill Adams stated that the Mayor and all other members of the Council had an open door and if citizens wanted to express an opinion, that was not a private meeting. The Council was obligated to listen to all citizens. Heath Snow stated that what he meant by private meetings was when the Council met together without the public, as elected officials.

Andria Wenzle asked if the special election would be a mail in ballot or normal election. Mayor Densley stated that absentee ballots were always available.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

George Walsh asked why the Council decided to hold a special election instead of having it at the normal time. He stated that it was a big issue that the Council stepped into and there were more people that were interesting in it than they thought. He did not think the Council should rush into it when things could be worked out better by November.

The Mayor called the meeting to order. He stated that citizens that could not control themselves would be asked to leave. Everyone had had their chance to speak, but they would be respectful in doing it.

OPEN FORUM:

- Linda Collet stated that transparency was the key to public trust. She thanked the Council for the night's meeting, but wished she would have had more notice in order to prepare.
- Cindy Escude stated that she felt if the minutes were reduced, it would bring more disharmony to town and it took more time to shorten them. She suggested the minutes should not be shortened or generalized. Council Member Jean Krause stated that she had asked to have the official minutes shortened, not the newsletter. She continued that Darcey Spendlove wrote the newsletter and the Council could not tell her anything that went into the newsletter.
- Mark Savee asked if Zion Sunset Resorts had offered to let citizens use their facilities (basketball courts, swimming pool, mini golf) free of charge. He then went on to explain that if this was the case, the RV park would be required to carry a comprehensive liability insurance policy, which would be very pricey. He reported that he had been in contact with hotels from LaVerkin to Springdale, none of which carried liability insurance and did not let the public use their amenities. He asked the Council how they were going to require the resort to make good on the public access promises which they had made to citizens. Mayor Densley replied that the questions were a moot point because the topic was about a rezone and they were not going to speculate on the future.
- Lee Ballard asked when the new Kolob Road would be drivable. Mayor Densley stated he would answer at the end of the meeting.
- Sean Amodt thanked those responsible for the Heritage Town Square Open House, which he felt was

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

a great opportunity for towns people to get together. He also reminded people about the princess pageant and Easter Egg hunt.

– Bonnie Timmerman read a statement in rebuttal to the accusations that had been made against the Planning and Zoning Commission. Utah Law stated that towns derive their power from the state. Utah courts have consistently required towns to follow its own ordinances when regulating land use. A zoning ordinance had the force of law and it had been so since the 1920's. The Commission should be influenced by the General Plan. Reasons for or against a zone change should be given. The Council did not acknowledge the nine pages of findings submitted by the Planning & Zoning. Mrs. Timmerman continued by referencing the Planning & Zoning handbook written by the Utah League of Cities and Towns. The mixed use development overlay should have been used by the property owners in order to comply with town ordinances. The property owner bought residential land. If he wanted a commercial venture, he should have bought commercial land. The Council adopted the zone change after being visited privately by the land owner's lawyer and did not declare ex parte communications. The zone change appeared to be very suspect because of the way it was handled. The berating of the Planning & Zoning by one Council member had only added more suspicion to the Council's actions. The actions of the Council majority appeared to be sneaky, underhanded, and had cast suspicions on their dealings and she was very ticked off about it.

– Bill Swenson stated that he was very concerned about the lack of public comments not allowed at the meetings. The two minutes citizens were given at the end of each meeting were worthless, because the Council had already made their decisions. He explained that other cities opened the meeting up to discussion before the vote was taken. He asked the Council to listen to the public, their concerns and make a change in the matter. The public would appreciate it.

– Mayor Densley answered Lee Ballard's question, stating that the Kolob Road would be done very soon.

– Cindy Escude thanked the people responsible for renovating the Old Church, stating it was beautiful.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, March 25, 2015

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

Virgin Town Heritage Town Square, 114 So. Mill Street, Virgin, Utah

COUNCIL COMMENTS:

No comments were made.

9. Motion to close PUBLIC MEETING and enter into Executive Session to discuss eminent litigation.

Jean Krause moved to close the Public Meeting and Open the Executive Session to discuss eminent litigation. Bill Adams seconded the motion. Roll call vote: Bill Adams-Aye, Danyale Blackmore-Aye, Jean Krause-Aye, Jay Lee-Aye, and Mayor Bruce Densley-Aye. Voting was unanimous.

10. CLOSE PUBLIC MEETING AND OPEN executive Session.

11. Motion to CLOSE Executive Session and OPEN PUBLIC Meeting.

Jean Krause moved to close the Executive Session and Open the Public Meeting. Danyale Blackmore seconded the motion. Roll call vote: Bill Adams-Aye, Danyale Blackmore-Aye, Jean Krause-Aye, Jay Lee-Aye, and Mayor Bruce Densley-Aye. Voting was unanimous.

C. ADJOURN PUBLIC MEETING:

12. Approve Motion to Adjourn Public Meeting.

Jean Krause moved to adjourn the Public Meeting. Danyale Blackmore seconded the motion. No roll call vote was taken. The motion passed unanimously.

FINAL MINUTES

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The Meeting adjourned at 9:27 pm.

Monica Bowcutt

Town Clerk

Approved: _____