

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, April 27, 2016

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

Jay Lee

Dan Snyder

Matt Spendlove

Jean Krause arrived during item 10 and was excused after item 15

Others: Monica Bowcutt, Town Clerk

Darcey Spendlove

Gene Sturzenegger

Kevin Stout

Sean Amodt

Dave Brooks

Lori Rose

Carson Ferrin-BMX

Linda Collet

Chuck & Carolyn Matsler

Allen Lee

Ray Golata

Adele Pincock

Adam Pace-BMX

Heath Snow-Town Attorney

A. WORK MEETING/Non-Action Items.

a. Office Security and Protocol.

Mayor Densley explained that for transparency purposes, the office staff did not sign checks, but did have access to petty cash. The Council discussed who had keys to the office and when the keys should be used.

b. Promotions for Heritage Town Square.

Council Members Dan Snyder and Jay Lee stated they did not want the advertising to cost the town money. KSL Classifieds and Craigslist were suggested as advertising resources. Carolyn Matsler volunteered to explore different advertising venues.

c. Discussion of Dalton Wash Property.

The Council discussed pro's and con's of selling the Coal Pits Property. Sean Amodt and Carolyn Matsler suggested that perhaps the BLM would trade for property that was of more value.

d. Discussion of Rules of Procedure and Order to adopt.

The Council discussed examples of 'rules of procedures and order' which had been suggested by David Church of the Utah League of Cities and Towns. One version was informal and only 2 pages long, while the other version was formal and 11 pages long. Town Attorney, Heath Snow, thought the formal version should be used.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, April 27, 2016

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 Resolution #R2016-A expressing appreciation of IHC on it's 40th anniversary in Washington County.

Mayor Densley read a flier explaining a resolution expressing appreciation for IHC on it's 40th anniversary in Washington County.

* Mayor Densley stated that a road tax requiring a quarter of one cent must be on a ballot, however, which ballot is still undecided. The tax must come to a vote about mid-summer.

* Mayor Densley stated there had not been anyone volunteer to head up the 4th of July Celebration. He suggested that the town would not have a celebration if a volunteer was not found.

* Mayor Densley explained that the town was \$2,200 in the deficit because of the Kolob Road over-expenditures.

B. REGULAR MEETING/Action Items:

1. Call to Order- Mayor, Bruce Densley

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

2. Invocation/Pledge of Allegiance

Mayor Bruce Densley gave an invocation. Council Member Matthew Spendlove led the Pledge of Allegiance.

3. Declaration of Conflict of Interest.

No conflicts were declared.

4. Mayor's Comments:

* Mayor Densley recognized Bill and Pat Adams as Citizens of the Month. He explained that they had paid to have a bus stop shelter built on their property. The Adams had also been seen mowing and edging the lawns of the elderly around town.

* The Mayor stated that Washington County had been chosen to help introduce Utah's Water Wise program. He also stated that several people from the County had traveled to Colorado Spring's in order to learn about the proposed Lake Powell Pipeline.

5. Open Forum: Limit 2 minutes per speaker.

* Sean Amodt presented to the Council a resolution and ordinance dealing with short term rentals. He felt it was time to bring the issue back up. He had seen the benefits of the rentals. He also stated that it was time to complete the process for the 80 acres by the BMX track. The

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, April 27, 2016

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

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

environmental assessment had already been done and the final proposed map needed completed.

6. Consent Agenda: Items 7, 8 and 9.

Dan Snyder moved to approve the Consent Agenda: March 23, 2016 minutes, April 15, 2016 minutes, and March the invoices and checks. Matt Spendlove seconded the motion. No roll call vote was taken. The motion passed unanimously.

Mayor Densley noted that the Council did have a quorum, even with Jean Krause arriving later in the meeting.

7. Review with possible approval of March 23, 2016 meeting draft minutes.

See motion above.

8. Review with possible approval of April 15, 2016 Joint Training Draft Minutes.

See motion above.

9. Review with possible approval of March Invoices and Checks.

Jay Lee clarified that the \$11,358 payment to Springdale was the police quarterly payment. See motion above.

10. Virgin BMX-Update from Adam Pace and Carson Ferrin for 2016 Season.

Adam Pace and Carson Ferrin from the BMX track were present to give track updates. They stated that when they had taken over the track there had been eight kids attending and now races had between 40-50 riders in each race. It was reported that the track had recently hosted a State Race which had 226 racers and over 500 spectators. They would be holding a charitable race in June, which had raised over \$4,000 for the leukemia foundation in 2015. Mr. Pace stated that Wednesday night was practice night and all were welcome to ride the track.

Mr. Pace asked, if possible, the town could assist in getting an assessment for power from Rocky Mountain Power, road base, newer lighting, a new generator, and a financial statement. The Council thanked them for their time on the track. Town Clerk, Monica Bowcutt, stated she could get them a financial statement and help with the power assessment. It was suggested that the BMX put a paragraph in the newsletter each month and ask Monica to send out info to the email list, in order to keep the public informed.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, April 27, 2016

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

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

11. Appointment of new Planning and Zoning Commissioner.

Mayor Bruce Densley moved to appoint Allen Lee to the Planning and Zoning Commission. Jay Lee gave the second.

Council Member Jean Krause, who had arrived at the meeting a few minutes earlier, stated that 7 out of the 10 people on the town boards attended the same church on Sunday. She stated that this was making it possible for illegal meetings to take place. She asked that they made sure no illegal meetings happened when at church. The Mayor stated no such meetings would happen. He also stated that it was important not to imply religious discrimination.

No roll call vote was taken. The motion passed unanimously.

Allen Lee was sworn in by Town Clerk, Monica Bowcut, to serve on the Planning and Zoning Commission.

12. Review and possible adoption of Historic Preservation Ordinance # 2016-2.

Council Member Jean Krause stated the revised Ordinance was not ready for approval. Attorney Heath Snow verified that it was not a land use ordinance and did not require a public hearing.

Dan Snyder moved to table the Ordinance. Jay Lee gave the second. No roll call vote was taken. The motion passed unanimously.

13. Review and possible adoption of VULU Lighting Ordinance # 2016-2.

Council Member Jean Krause stated that the Lighting Ordinance was not ready for approval.

Jay Lee moved to table item number 13. Matt Spendlove gave the second. No roll call vote was taken. The motion passed unanimously.

14. Review and possible approval of Falcon Ridge Development Agreement.

Mayor Densley stated that Jean Krause, Chris Holm, the town engineer, the town attorney, and himself had been meeting with Falcon Ridge. Attorney Heath Snow reviewed in detail the development agreement with the Council.

Heath Snow stated that the Conditional Use Permit did not need to be adjusted and the development agreement was a recorded document that went with the land.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, April 27, 2016

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

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

Jean Krause moved to approve the Falcon Ridge Development Agreement. Dan Snyder gave the second. No roll call vote was taken. The motion passed unanimously.

15. Review and possible approval of Ferber Resorts Development Agreement.

Attorney Heath Snow explained that Stu Ferber property was split by the Cameo del Rio Road. The Highway Resort Zone restricted the size of the building to 20,000 square feet, although the ordinance allowed for expansion with a development agreement. Mr. Ferber had proposed a building about 45,000 square feet. Mr. Snow reviewed the development agreement in detail with the Council. The agreement would be recited in the conditional use permit. Council Member Jean Krause clarified that the town agreed to a 45,000 square footprint for the 2 lodging buildings. Heath Snow suggested that the town send the plans out to a professional plan checking company when the time came.

Lori Rose stated that a lot of the property was in the 100 year flood plane. She voiced concern that no work had been done with the engineer to address the issue. She felt the concept plan should be addressed. Heath Snow stated that the development agreement did not bind for the concept plan. It was not a topic for discussion at that time, but would be discussed along with the plans.

Jay Lee moved to approve the development agreement with the changes and corrections noted by Attorney Heath Snow. Matt Spendlove gave the second. No roll call vote was taken. The motion passed unanimously.

The Council discussed the Rules of Procedure and Order. Attorney Heath Snow suggested a version that was about 13 pages long and was easy to understand. Jean Krause asked that the item be tabled to give her time to look at it.

Council Member Jean Krause left the meeting.

16. Review of Amendment to Budget for Fiscal Year 2015-16.

Mayor Densley stated that he had reviewed the amended budget very little. Town Accountant, Candus Tibbits, had figured the town would be in the minus about \$2,200.

17. Review of Proposed Budget for Fiscal Year 2016-2017.

The Council reviewed the proposed budget. The Mayor detailed changes as follows: \$16,000 building permit for Ferber hotel, new printer for office, tablets for the Council, hydraulic crane, wood chopper, asphalt saw, impact fees on roads would go up because of hotel, five new homes, \$17,000 to replace rock under pavilion at town park, \$50,000 to reline water tank, and

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, April 27, 2016

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

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

a \$5,000 loan would be paid off in June. The Council agreed to review the emailed budget and approve it at the May meeting.

Attorney Heath Snow excused himself from the meeting.

Matt Spendlove moved to table items 16 & 17, the amended budget and the proposed budget. Jay Lee gave the second. No roll call vote was taken. The motion passed unanimously. (Dan Snyder was not present for the vote because he had stepped out of the room for a moment.)

18. Discussion and possible adoption of Rules of Procedure and Order.

Jay Lee stated he liked the shorter version and discussed a few concerns with the longer version. The Mayor asked each Council Member to high-lite or modify the versions so there could be a vote at the May meeting.

Dan Snyder moved to table item 18. Jay Lee gave the second. No call vote was taken. The motion passed unanimously.

19. Discussion and Possible approval of Resolution #R2016-A expressing appreciation for IHC on it's 40th anniversary in Washington County.

Jay Lee moved to approve Resolution #R2016-A expressing appreciation for IHC on it's 40th anniversary in Washington County. Matthew Spendlove gave the second. No roll call vote was taken. The motion passed unanimously.

* Dan Snyder stated that he was beginning his own research on short term leasing. He would be bring his findings to the Planning and Zoning. Mayor Densley reported that the Utah League of Cities and Towns was forming a committee to discuss the issue. He stated that communities were finding it was detrimental to them as a whole.

C. ADJOURN PUBLIC MEETING:

20. Approve motion to adjourn Public Meeting.

Dan Snyder moved to adjourn the Public Meeting. Matt Spendlove seconded the motion. No roll call vote was taken. The motion passed unanimously.

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, April 27, 2016

Work Session at 6:30 pm

Regular Meeting at 7:00 pm

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

The Meeting adjourned at 8:41 pm.

Monica Bowcutt
Town Clerk

Approved:_____