

FINAL MINUTES

VIRGIN TOWN COUNCIL MEETING

WEDNESDAY, September 28, 2016

6:30 pm-Work Meeting

7:00 pm Regular Meeting

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

Present:

Council Members: Mayor, Bruce Densley
Jay Lee
Dan Snyder
Matt Spendlove

Others: Monica Bowcutt, Town Clerk
Heath Snow, Town Attorney
Darcey Spendlove
Rod Mills
Lori Rose
Sean Amodt

A. WORK MEETING:

a. Discussion regarding Dalton Wash.

Jay Lee reported that it would cost about \$1,000 to get the water running in the well in order to test the water. Rod Mills stated that he had spoken with a water testing company who would charge about \$1,500. This would give an idea about the water. It was a one inch pipe into the well. The Council agreed to find how big the pump was, how large the well was, and how much water it would pump, etc. The figures would be reported at the October meeting.

b. Discussion regarding Virgin Town Website.

It was stated that the town website manager was retiring. Mayor Densley asked Town Clerk, Monica Bowcutt, talk to Council Member Jean Krause about her preference for a replacement.

c. Discussion of Rules of Order & Procedure.

The Council did not discuss the Rules of Order and Procedure during the work meeting.

* Jay Lee asked about getting power at the BMX Track because the generator was wearing out. The Council agreed that the Track should look into the cost of running power.

* The Mayor stated that two lots in Sierra Bella had been flooded. He also stated that the wash clean out in Pocketville Park would begin sometime in October. He felt this would help with the flooding downstream. Rod Mills stated he had started the process of getting Virgin on the FEMA 5 year schedule list. This qualified the town for flood funding.

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* Lori Rose stated she had been in contact with a Rural Planning Group who would help with the General Plan for free. She asked that the town staff coordinate with the company to plan public meetings to collect input and provide the snacks, etc.

B. REGULAR MEETING:

1. Call to Order- Mayor, Bruce Densley

Mayor Densley called the meeting to order at 6:59 pm.

2. Invocation/Pledge of Allegiance

Jay Lee gave an invocation. Matthew Spendlove led the Pledge of Allegiance.

3. Declaration of Conflict of Interest.

No conflicts were declared.

4. Open Forum: Limit 2 minutes per speaker.

* Lori Rose followed up on her work meeting comments, asking the town to contact the company and request them to compose a draft and begin moving forward.

* Mayor Densley stated that the town had missed the deadline to have the referendum vote in November. The vote regarding Chapter 29 would be held in June.

* Mayor Densley also stated that he had an aortic valve replaced six days ago, but was recovering wonderfully. He marveled in modern day technology.

5. Consent Agenda: Approval of Items 6 & 7:

6. Approval of August Town Council draft minutes.

Jay Lee made a minor change on page 8.

7. Approval August Checks and Invoice:

Items discussed were: Council Member Snyder was still listed as a P & Z member; \$7,500 was paid to pave near the 101, and Chris Holm was paid to be the Zoning Administrator in addition to his wage.

Dan Snyder moved to approve items 6 and 7, draft minutes and the invoices and checks, with the correction. Jay Lee seconded the motion. No roll call vote was taken. The motion passed unanimously.

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8. Recommendation from P & Z for approval of Business License & Conditional Use Permit for John/Wade Clifton for Short Term Lodging at 1701 E. SR 9. Virgin. Parcel # V-2145-A-1-C-1-B.

The Council agreed that leaving the dead tree or cutting it down, should be left up to the landowner. Council Member Dan Snyder clarified that the fire marshal had been involved with the process. Mr. Clifton stated that the fire marshal had inspected the home and required that windows must be used as a second exit and labeled as such.

Lori Rose stated she was present as the P&Z chair pro-tem. She discussed that a detailed landscape plan was required for the 50 feet next to SR-9. She felt that more screening/buffer was needed from East to West. She also clarified that the towns right to have a trail along SR-9 was not being waived.

Matt Spendlove moved to approve, upon the recommendation of the P & Z, Wade Clifton's Business License and Conditional Use Permit for parcel #V-2145-A-1-C-1-B. Dan Snyder gave the second. No roll call vote was taken. The motion passed unanimously.

9. Approval of Resolution # 2016-092816-1. A resolution adopting the Impact Fee Study presented by Ensign Engineers-Rod Mills

Rod Mills explained that because of mis-communication there was no Water Impact Fee Study Resolution to vote on. He suggested tabling the item until the October meeting.

Matt Spendlove moved to table the water study, which was Resolution # 2016-092816-1. Jay Lee gave the second. No roll call vote was taken. The motion passed unanimously.

10. Recommendation from P & Z to approve Ordinance #2016-072016-4; an ordinance amending, retitling and renumbering various sections of Chapters Eight, Sixteen, Seventeen, Twenty of VULU in order to make proper reference to defined terms and placement of former Chapter 13 regulations regarding Conditional Uses and RVs that will be integrated into Chapter 29 (Camp Resort Zone) upon the adoption of Proposed Virgin Ordinance 2016-72716-01.

Attorney Heath Snow explained that this was to make proper reference to defined terms and placement of former Chapter 13 regulations regarding conditional uses and RV's that would be integrated into Chapter 29 (Camp Resort Zone) upon the adoption of the proposed Ordinance following the referendum. He further explained that when the town had adopted Chapter 29, some of the sections had come from Chapter 13. The sections were being revised in order to correct the cross references that had been affected. He also stated that only one

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section was contingent upon the referendum, while the other two sections could be effective without the referendum. The Council unanimously approved the amendment on the condition that section one was subject to the referendum.

Bruce Densley moved to approve the recommendation from P & Z Ordinance #2016-072016-4 on the condition that section one was specific to the outcome of the referendum. Matt Spendlove gave the second. No roll call vote was taken. The motion passed unanimously.

11. Possible approval of Resolution #2016-082416-1 setting Virgin Town Council Rules of Order and Procedure.

Jay Lee suggested that the P & Z liaison to the Council should be the P & Z chair. He asked if this would be the proper place to put the requirement. Attorney Snow stated that having the P & Z chair report to the Council was a good idea and discussion followed. Mayor Densley thought it would take out one layer of communication. Dan Snyder stated that as a P & Z member, he appreciated having a Council Member present at meetings to give them some direction. He suggested that it was a reflection of the chair to take control of the meeting. It was decided that adding a clause stating that the P & Z Chair would serve as the liaison could not be added because it was already addressed in VULU 3.2.1, which would have to be amended with a public hearing.

Jay Lee pointed out that in section 1.3, it required 10 days before the meeting to submit agenda items. He and Mayor Densley agreed that it was too long to require agenda items be submitted. It was agreed to change the requirement to 7 days before the meeting.

In Sections 3.2.1 and 3.4.1.4 the word less was changed to more. Section 3.3.11 was changed to with all Town ordinances. In Section 3.3.2 the Pledge of Allegiance was added. Section 3.4.6 the word shall was removed from the last sentence. It was also noted that the date needed to be changed.

Matt Spendlove moved to approve Resolution #2016-082416-1 Rules and Procedures with the changes. Dan Snyder gave the second.

Mayor Densley stated that a clause had been added to the Rules of Order that the Mayor Pro-tem was elected annually, either for renewal or a new Council member.

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

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Council Comments:

No comments were given.

C. ADJOURN PUBLIC MEETING:

12. Approve Motion to Adjourn Public Meeting

The Mayor adjourned the Public Meeting.

The Meeting adjourned at 7:49 pm.

Monica Bowcutt
Town Clerk

Approved:_____