

**Regular Meeting
Rockville Town Hall
January 10, 2024 – 6:00 pm**

Call to Order-Roll Call: Mayor Pam Leach called the meeting to order at 6:00 pm. The following members of the Town Council were present: Michael Evenson, Robin Smith, Megan Honer-Orton, Mayor Pam Leach and Jeff Ballard. Town Clerk Vicki S. Bell recorded the meeting.

1. **PLEDGE OF ALLEGIANCE:** Mayor Leach led the Pledge of Allegiance.
2. **APPROVAL OF THE AGENDA:** Michael Evenson made the **MOTION** to approve the agenda. Jeff Ballard **SECONDED** the motion.

VOTE on Motion:

**Michael Evenson: Aye
Robin Smith: Aye
Megan Honer-Orton: Aye
Mayor Leach: Aye
Jeff Ballard: Aye**

The motion **PASSED** unanimously.

3. **DECLARATION OF CONFLICT OF INTEREST WITH AN AGENDA ITEM.** No conflicts were disclosed.

PUBLIC COMMENTS: There were no public comments.

DISCUSSION/INFORMATION/NON-ACTION ITEMS

1. **REPORT ON HURRICANE VALLEY FIRE SPECIAL SERVICE DISTRICT:** Mayor Leach stated she did not receive a report on Hurricane Valley Fire Special Service District and so did not have any information to share.
2. **REPORT ON RECOMMENDATIONS OF THE PLANNING COMMISSION:** Vice Chair Tim Arnold reported there were two changes last night at the Planning Commission meeting. Garth Tyler was elected as the new chairman and Tim was elected as the vice chairman for this year. Also approved last night was a building permit for a garage for Neil and Lorraine Economy at 37 West Main. Everything appeared in order after Neil Economy updated the plans to account for the prior recommendations and it was approved.
3. **REPORT ON UPCOMING RESEARCH STUDY ON WOUNDFIN MINNOWS IN THE VIRGIN RIVER-STEVE MEISMER:** Mayor Leach stated a letter had been submitted to the Town by Tydon Oler in regard to this agenda item which he requested be included in the minutes. Mayor Leach then proceeded to read the letter. The letter has been attached to the minutes. She then turned the time to Steve Meismer to present his report. Steve said he is the local coordinator for the Virgin River program at the Washington County Water Conservancy District. He stated that he is aware of Tydon Oler's letter and that he has spoken with Tydon. He explained the project came about over 10 years ago as the Water Conservancy District looked to diversify its water portfolio. One of the questions has always been the Pah Tempe Hot Springs which has been an issue for the Woundfin Minnow fish because many biologists believe that the salinity and the minerals in the water there help protect the Woundfin by preventing parasites and bacteria. These fish had been studied in laboratories, which proved inconclusive as to whether or not the fish will survive and reproduce in water that does not have high salinity and high mineralized conditions. The next best step is to have a research project and this proposal would actually put the Woundfin into the Virgin River above the Pah Tempe Hot Springs. He said they are not looking for permanent relocation; just a very simple research project that will allow testing of the fish in the Virgin River. They realize it may take 5 to 10 years to get enough decent years to get enough fish to see if they can adapt. The water in this part of the Virgin River is the closest condition water that the Woundfin may adapt to that does not have Pah Tempe Hot Springs in it. You know the river also has some of that variability that we would look for in a test case scenario.

But the one thing about this study is that we do have the ability, and this was approved by the Fish and Wildlife Service that these fish can be removed at any time we need to. We do not want to impact anybody; we don't want to impact water rights or to impact the ability to use the water. Landowners can still do what they want. Some of you may be familiar with the stream alteration program that requires you obtain a permit from the Division of Wildlife Resources. They will determine if it is necessary for biologists to move the fish so the project can get underway. Then there is no concern about fish being killed. That includes all fish, just not endangered fish. The agreement is in hand between the water district and DWR that will allow anyone to request that the fish be pulled out – landowners, municipalities or anyone.

The fish that are up here right now in the Virgin River are the desert sucker, which is a state species of special concern; the flannelmouth sucker, which is a conservation agreement species; the speckled dace, which doesn't have a conservation status; and the Virgin spinedace, which has twice been petitioned to be listed as either endangered or threatened, and twice the Virgin River program and its partners have been able to keep it off that list. Most recently in 2021 it was determined that it was not warranted for listing. So we're doing a lot of work to keep fish from being endangered. We believe this is the best opportunity we have to learn about whether we could possibly take Pah Temp Hot Springs out of the system and whether these fish would survive. It's just an experiment; the fish can come out the next day if that is what is needed.

Mayor Leach asked if you put them in up here and in two or three years, they're doing well. Your plan is to take them back out and reintroduce them back into the area of water that would be their natural habitat.

Steve responded that would be idea. Unless there's some way, we could potentially come back and say, hey, these things are doing great, we're seeing booms in the population downstream. Could we find a way that would absolutely protect everybody? This is one of the reasons why this project has been languishing in excess of 10 years because we weren't comfortable with where we were at with the protection of the communities and the private landowners. It wasn't until we got this agreement that we felt we're comfortable and we can move forward. But yes, if need be, they're gone.

Mayor Leach asked if the town could receive a copy of the memorandum. The Town hasn't seen anything that shows a guarantee that landowners and our irrigation companies are protected. Steve said he would provide the Town a copy of the agreement tomorrow. Steve pointed out that the water district represents the local interests and they, as one of the largest water rights owners, are comfortable with the agreement. He said they are aware of the irrigation diversions but they don't worry about what is being taken in and diverted. It is understood that the fish will also be diverted with the irrigation water and end up dying. Steve said "in my opinion I think we're covered as far as the community and the private landowners that hold water rights; short of going to a larger designation of a 10J population which has its own inherent risk. We don't even know if this is possible or if these fish will survive. My guess would be a 30% chance of survival and reproduction. We didn't want to go through that huge expenditure of time and effort on something that could go haywire. There's been other introductions in the Hassayampa River in Arizona, and nothing has ever persisted for more than six months."

Clerk Bell asked the location of where the Woundfin fish would be put into the river. Steve said they would look at what habitat is present and the Woundfin, unlike a lot of sucker species and the spinedace, like more of a sandy substrate. So we will try to find an area that has some sandy substrate to put them probably either Virgin or Rockville or somewhere in between.

Michael Evenson stated he had read that currently the only viable self-sustaining population of Woundfin occurs in Utah in a 26.2-kilometer reach in the Upper Virgin River between the LaVerkin Springs and the Washington fields diversion. What that is saying is they are sustainable there. They live there, they thrive. Steve said not thrive, but they have survived there, but at one

time they nearly became extinct due to a fire up here. We stock fish regularly into that section of river. The population size is changing and we're doing some good things down there to keep the fish alive longer now. They certainly do not respond well to higher river flow years, and we have yet been out this year to see what the populations are now. They have been as far South as Mesquite Nevada, but there's not a reproducing population. The only reproducing population is between Pah Tempe and Washington fields. Michael Evenson said the fish used to live in Utah, Nevada and Arizona and those are no longer viable. Steve said those in Arizona and Nevada are pretty much gone, except for those that go down there on occasion but can't get back up. Those in that area are gone due to the non-native species called the red Shiner. It was a bait species that was released into Lake Mead swimming upriver and into Utah. In about 1988 fish barriers were built in the river to prevent those coming upstream. We have successfully removed the Red Shinner all the way down to the barrier in the Virgin River Gorge entirely out of Utah. Hopefully now the numbers will start to return as we get decent water years. Any time Red Shiner fish are found in a area there are no Woundfin or other native fish species there.

Mayor Leach asked with regards to irrigation companies that are drawing water out of the Virgin River. If these fish get swept into that irrigation system and then what? Steve said they understand this will happen and no one will be there looking for them nor worry about it. He said it's not a problem because it's a condition that we recognize could be there. He said this is a great opportunity to help these fish. He used to see them in the Washington fields diversion area swimming around in the water but then they spent a \$1,000,000 to put a screen on it. It keeps them out to some extent, but the screen may kill them just as easy. We're not going to be up here looking at irrigation intakes and if somebody has to fix that irrigation intake, go ahead and it's not an issue we're worried about. That's one of the things that we don't want and is one of the reasons we have an agreement. He said the canal company could come to the District and say some of the things that need to be done that may kill the fish and the District would simply pull them out. He said it's going to be that simple.

Michael Evenson asked, if I understand correctly, the idea of this study area is to see if they can survive upstream of their current viable position. Is it the understanding that someday if the La Verkin Hot Springs is rerouted that they would live further downstream. Is that the goal or am I misunderstanding? Steve said what we're hoping if this works, and Pah Tempe Springs can be diverted the water could possibly be used for other things and gain some habitat in that section of the river. This study, however, may find the fish die from disease, parasites or no apparent reason.

Michael Evenson asked currently they're viable in this one location. Do you have hatcheries to restock that viable section every year. Steve said yes because what we're trying to do is enhance that population otherwise, they probably would not survive. He said many times the District has to release more water into the river to help sustain the fish. He said the Woundfin has a life span of only 3 years at best. At the present time they have been unable to get these fish to last longer.

Michael Evenson said for a non-viable species it seems to me like as long as the residents up here are not impacted negatively in any way. No harm, no foul. Steve said he did not want to proceed with this study until there was some security for the residents and the community. Since Steve is the mouthpiece for the Virgin River, he didn't want to put his reputation, the program's reputation, the district's reputation on the line because we're doing something that we haven't thought through and don't feel comfortable.

Megan Honer-Orton said she still does not understand why you need another population if you have one downstream why is another needed up here. Steve said they are not looking to create a new population; we're looking to determine if these fish will survive without the inputs of the mineral waters of Pah Tempe Hot Springs. Megan asked why is that important? Steve said if the Water District would like to utilize some of that water or all of that water of 10 CFS out of Pah

Tempe could that be another piece of water in the portfolio? He said is it easier to desalinate that water or try to drill some other well somewhere that would provide the same amount of water. So we're not looking necessarily to develop a population. This is a study it just happens to be in a larger laboratory than we can put into a building. Tydon Oler asked when he was talking to him if a small little channel could be cut off from the main channel to run the water through, but it wouldn't have the same water source, nor the same conditions due to how it was constructed.

Megan Honer-Orton asked do you want to do this so that the Water District knows whether it's viable to take water out of Pah Tempe for some other purpose. Steve replied yes that is what they are trying to figure out it. He asked if there are benefits that could help the lower population? Yes. So we're trying to work together again, the Virgin River, and collaborate as much as possible. This may help us understand the fish a little better in ways that we haven't been able to outside of the laboratory. He said it's always very difficult to work on an endangered species or do research on them because they're not there and there's not that many of them. Here we have an opportunity along with hatcheries that can produce these fish. He said one of the questions with hatcheries that we have is how long the fish can survive there then transferred into the river and still survive finding their own food. Hence the March time frame of placing the fish into the river in this project. All we want these fish to do is to reproduce. And to see if they will reproduce. And will we see some fish? All of the adult fish used in the study will be tagged. If next year when the fish are picked up are they tagged or reproduced. And if they are there again the following year that would tell us whether or not they're able to survive over a year's time to potentially reproduce again.

Mayor Leach asked if they become viable when moved up here and they're successful, is it possible that this could be designated as critical habitat for them, and they would be left up here and then what does that do and how does that change things? Steve said as he understands the rules from a service representative, they declared the critical habitat already and cannot be added onto unless it is immediately adjacent to what was originally designated. In order to make this area a critical habitat it would have to be declared from here down to Pah Tempe and would not be allowed.

Megan Honer-Orton asked if the fish survive up here and you determine that they could survive down there if there wasn't so much hot salty water you would take the heated salty water out of that area and do what with it. Steve said that would be up to the Water District. One option proposed would be to create a series of pools for people to soak in. Another possibility is removing the salt and provide water for irrigation. If you can limit the salt, it becomes more viable for other uses and that's really what we're looking for.

Jeff Ballard asked what effect does livestock have on the fish? Steve said not much. Jeff said the whole drainage of the livestock water. Steve said if there were ever a problem with cows that issue would be way down on the list. He said the largest issue is people in the river. With as many as come to Zion, people cause more problems than cows ever could.

Jeff Ballard asked if the fish go up over diversion dams or can they negotiate the diversion dam. Steve said they certainly can't come up through the diversion dam due to their size. Other species can but not the Woundfin. Typically they move downstream. Many times they reproduce in the area but follow the sand downstream. It presents quite the challenge when we have a lack of sandy substrate. Hence, they end up down in Mesquite which is one reason we have to restock fish here. When the Water District has to slouce the Quail Creek Diversion area it redistributes the sand along the entire river area.

Mayor Leach asked about the cyanobacteria problem that's going on in the river, how does that impact the fish? Steve replied obviously it's new enough we don't have a whole lot of information. He said Springdale just asked the same question. He said it has also been found in the Water District's Red Hills Desert Garden on the Red Hill. Even with treatments done on the water to try to control the bacteria the native fish have done fine. Various research is being done to find what effects the bacteria has on other animals, besides dogs.

Megan Honer-Orton stated it seems like a lot of trouble and cost to go to just to see if the hot water can be removed from the river at Pah Tempe. Steve replied many other ways have been tried and not be sustained and this will have the right environment for the fish to do a proper study. Megan said she thinks many residents in the area would like to have Pah Tempe back in operation for various health problems and situations. Steve replied any time you deal with an endangered species it is not a cheap activity.

Mayor Leach asked if this study has already been approved and is underway? Steve replied it has been approved with the DWR to run the study and they have a permit and funding has been done. If the conditions are beneficial, we would like to start it this Spring. Mayor Leach asked when the study is started will you provide information to the Town of where the fish are added, how many, every time they are added and what the study is showing? Steve said he would absolutely do that. He said they would love to have the council, mayors, whomever come out and help put these fish in the river. He said that they try to educate as much as we can. He said in February he along with two other biologists are going to talk to about 5000 students from kindergarten through high school, visiting the schools and talking about the Woundfin and about the river and life cycles. We would like students' education to benefit from a science perspective. We would love to have participation because it's the best way to have people care about the species is to get them involved.

Mayor Leach said this appears to be a done deal. We will have residents of Rockville coming in and questioning what's going to happen to us? She said we have nothing at this point to really show them that they're safe. She said the District's help is needed in providing us with information so that we can show our irrigation companies, our water companies that's going to not be affected. These issues are critical to the Town. Steve stated he is absolutely committed to provide the information along with his contact information and to take any questions on this subject if the Council would rather. He said the Town could provide his contact information to anybody and have them call him directly. Mayor Leach asked Steve to pass his business cards out tonight as residents questions will be coming right away.

Mayor Leach thanked Steve Meismer for his time. Steve stated he would certainly keep the Town informed.

Administrative Action Items

1. **DISCUSSION AND ACTION ON RESOLUTION NO. 24-0110-01-A RESOLUTION APPOINTING A TOWN COUNCIL MEMBER TO THE WASHINGTON COUNTY WASTE SERVICE DISTRICT:**
Mayor Leach explained this resolution is appointing a town council member to the Washington County Waste Service District Board. She said Robin Smith has agreed to be Rockville's representative on this Board. Jeff Ballard made the **MOTION** to approve Resolution #24-0110-01 appointing Robin Smith as the Rockville Representative to the Washington County Solid Waste Board. Megan Honer-Orton **SECONDED** the motion.

VOTE on Motion:

Michael Evenson: Aye
Robin Smith: Aye
Megan Honer-Orton: Aye
Mayor Leach: Aye
Jeff Ballard: Aye

The motion PASSED unanimously.

Clerk Bell stated a representative will also need to be appointed to the Fire District Board, which will be on next month's meeting agenda.

2. **APPROVAL OF THE MINUTES OF THE DECEMBER 13, 2023, REGULAR MEETING:** Mayor Leach asked if there were any revisions to the minutes. There were no comments. Megan

Honer-Orton made the **MOTION** to approve the minutes for the December 13, 2023 meeting. Michael Evenson **SECONDED** the motion.

VOTE on Motion:

Michael Evenson: Aye
Robin Smith: Aye
Megan Honer-Orton: Aye
Mayor Leach: Aye
Jeff Ballard: Aye

The motion **PASSED** unanimously.

3. **APPROVAL OF THE MINUTES OF THE JANUARY 3, 2024, SPECIAL MEETING:** This item was tabled to next meeting as the minutes were not ready to review.
4. **APPROVAL OF EXPENDITURES FOR THE MONTH OF DECEMBER 2023:** Megan Honer-Orton asked about the item listed for contractual services of \$6094.49 for septic tank study. Clerk Bell explained this expense is for the septic study going on for the entire Town that caused the moratorium on buildings at this time. Michael Evenson asked if the study would be done by mid-March when the moratorium expires. Mayor Leach said the study may not be entirely completed at that time, but they are aware of this timeline. The \$6094.49 is part of the Town's portion of the cost for this study. Other funds are coming from other sources. Mayor Leach said the Department of Water Quality of the State commended the Town for being proactive in regard to the study as most communities run into problems due to not having this study done. The study will review septic waste and its impact on water. There were no other comments or questions. Jeff Ballard made the **MOTION** to approve these expenditures for December 2023. Michael Evenson **SECONDED** the motion.

VOTE on Motion:

Michael Evenson: Aye
Robin Smith: Aye
Megan Honer-Orton: Aye
Mayor Leach: Aye
Jeff Ballard: Aye

The motion **PASSED** unanimously.

5. **APPROVAL OF THE DECEMBER 2023 FINANCIAL STATEMENTS.** Mayor Leach asked if there were any questions on the financial statements for December 2023. No comments were made. Megan Honer-Orton made the **MOTION** to approve the financial statements for December 2023. Michael Evenson **SECONDED** the motion.

VOTE on Motion:

Michael Evenson: Aye
Robin Smith: Aye
Megan Honer-Orton: Aye
Mayor Leach: Aye
Jeff Ballard: Aye

The motion **PASSED** unanimously.

Administrative Non-Action Items

1. **MAYOR AND COUNCIL MEMBER REPORTS:** Mayor Pam Leach thanked everyone for showing their Christmas spirit and reminded people it's time to take down their lights. She announced the annual Appreciation Breakfast will be held February 10, 2024. Everyone is invited and she would like recommendations for two residents to spotlight for their service to the Town at the breakfast.

Michael Evenson had nothing to report but did ask about the large hole behind the Community Center. Clerk Bell reported the hole is where the Town maintenance building is going, and they are preparing the site for the building with compaction and removing some of the rocks. These rocks may be used for the wall along the back of the property.

Robin Smith had nothing to report.

Megan Honer-Orton reported Pat Campbell, the newly elected Town Council member for Springdale, has a background in rescue and first aid and is interested in helping to revitalize the CERT team.

Jeff Ballard thanked everyone for helping put up the Christmas lights throughout Town. He said the lights on the Bridge still need to be removed. He also thanked Robin Smith for continually picking up trash along the highway near the end of Town. He also reported Joe Motter had tightened and replaced various bolts on the historic bridge. Joe had even tried sweeping the Bridge off at one time. Mayor Leach said Joe also cuts down the weeds along the roadway to help keep things looking nice.

2. **STAFF REPORT AS NEEDED.** The newsletter will be coming out in February and articles need to be submitted soon for this.

Mayor Leach asked if there was any more discussion. Michael Evenson made the **MOTION** to adjourn. Jeff Ballard **SECONDED** the motion.

VOTE on Motion:


Michael Evenson: Aye
Robin Smith: Aye
Megan Honer-Orton: Aye
Mayor Leach: Aye
Jeff Ballard: Aye

The motion PASSED unanimously.

Meeting adjourned at 7:30 pm

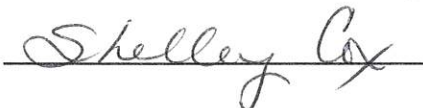
Minutes prepared by
Shelley D. Cox, Town Clerk
Town of Rockville

APPROVED:



Pam Leach, Mayor

The foregoing minutes were posted in the foyer cabinet of the Rockville Town Office by Shelley Cox at approximately 9:00 AM/PM on 2-16-24, on Rockville's Website and the Utah Public Notice Website.



Shelley Cox



**Rockville Town Council
Regular Meeting
January 10, 2024 6:00 p.m.
Rockville Town Hall**

PLEASE SIGN YOUR NAME AND PLACE OF RESIDENCE FOR THE RECORD

NAME

ADDRESS

SHIRLEY BALLARD

ROCKVILLE

Steve Meisner

2199 E 575 N ST. GEORGE

Christ. Meisner

" "

Kevin Bunnell?

Cedar City

Zachary Renstrom

533 Water Work Way St. George

Kristine K. Evenson

Rockville

