

**TOQUERVILLE CITY
CITY COUNCIL MEETING MINUTES**

**May 21, 2025, at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah**

Present: Mayor Justin Sip; Councilman: Joey Campbell, Todd Sands, Wayne Olsen; Staff: City Manager Ben Billingsley, Assistant City Manager Darrin LeFevre, Recorder/Planning & Zoning Administrator Emily Teaters, City Attorney Kayla Gothard; Via Zoom: Councilman Gary Chaves; Absent: Councilman Chuck Williams.

A. CALL TO ORDER – 6:00 PM:

<https://www.youtube.com/live/YTzRUIT5Ly8?si=R6XeyCvLxuuYfGGy&t=5>

Mayor Sip called the meeting to order at 6:00 p.m. Councilman Sands led the Pledge of Allegiance. Invocation was led by Mayor Sip.

B. APPROVAL OF AGENDA:

<https://www.youtube.com/live/YTzRUIT5Ly8?si=xJ-LEKiXBkpfL27Z&t=68>

1. The Council reviewed the agenda.

Councilman Campbell made a motion to approve the agenda order as is. Councilman Olsen seconded the motion. Motion carried, 4-0. Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye, Gary Chaves – aye.

2. There were no declarations of conflicts from the Council.

C. CONSENT AGENDA:

<https://www.youtube.com/live/YTzRUIT5Ly8?si=RX1p4wzuKjwdlpnM&t=96>

1. Review and possible approval of meeting minutes from April 16th, 2025, City Council Meeting.

2. Review and possible approval of meeting minutes from May 7th, 2025, City Council Meeting.

Councilman Campbell made a motion to approve the meeting minutes from April 16th and May 7th, 2025, City Council Meetings. Councilman Olsen seconded the motion. Motion carried, 4-0. Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye, Gary Chaves – aye.

3. Review and possible approval of City Expenditures from April 2025.

Councilman Campbell made a motion to approve the City Expenditures of April 2025. Councilman Olsen seconded the motion. Motion carried, 4-0. Roll Call Vote: Gary Chaves – aye, Todd Sands – aye, Wayne Olsen – aye, Joey Campbell – aye.

D. PRESENTATION:

<https://www.youtube.com/live/YTzRUIT5Ly8?si=ipW2sO36kMvUG15p&t=172>

1. Sean Amodt – Southwest Mosquito Abatement and Control District

Sean gave a presentation highlighting the district's current activities and recent accomplishments. He emphasized that the most effective method of mosquito control is source reduction. The Southwest Mosquito Abatement and Control District has collaborated with several agencies, including the Department of Natural Resources and a group focused on cyanobacteria. They've also partnered with the Shivwits Band to help establish their own mosquito abatement program. Additionally, the district has conducted research projects in the Fire Lake area. Sean provided a more detailed explanation of how the district responds to service calls and discussed recent work completed in Toquerville. He also answered questions from the Council, offering clarification on how the mosquito control process works.

E. PUBLIC FORUM:

<https://www.youtube.com/live/YTzRUIT5Ly8?si=XIb0OLaGLlcLRhsI&t=1143>

Mayor Sip opened the public forum. Stacy Eaton addressed the council regarding a lawsuit between the City and Ray Bence, asking how much the case had cost the City of Toquerville. He also raised concerns about non-conforming properties. Kathy Bence also spoke, commenting on the same lawsuit. Mayor Sip then closed the public forum.

F. PUBLIC HEARING:

<https://www.youtube.com/live/YTzRUIT5Ly8?si=dlxChggOHTiwOEib&t=1393>

Councilman Sands made a motion to move into a public hearing for the Tentative Budget for Fiscal Year 2025-2026. Councilman Campbell seconded the motion. Motion carried, 4-0. Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye, Gary Chaves – aye.

1. Public input is sought on the Tentative Budget for Fiscal Year 2025-2026.

Lynn Olds spoke on the Tentative Budget asking for clarification on some of the items. Lynn also brought up some of his concerns with wages, legal, vehicles, and the culture and rec budget.

Councilman Campbell made a motion to close the public hearing for the Tentative Budget for Fiscal Year 2025-2026. Councilman Sands seconded the motion. Motion carried, 4-0. Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye, Gary Chaves – aye.

Councilman Campbell made a motion to open a public hearing for the 2025-2026 Fiscal Year Compensation for Executive Municipal Officers. Councilman Chaves seconded the motion. Motion carried, 4-0. Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye, Gary Chaves – aye.

2. Public input is sought on the 2025-2026 Fiscal Year Compensation for Executive Municipal Officers.

There were no comments from the public.

Councilman Olsen made a motion to close the public hearing. Councilman Chaves seconded the motion. Motion carried, 4-0. Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye, Gary Chaves – aye.

G. BUSINESS:

1. **Discussion and possible action** on a Cost Reimbursement Agreement between Toquerville City and Browse Solar LLC.

https://www.youtube.com/live/YTzRUIT5Ly8?si=9-iXMgON_PltZEBv&t=1952

Attorney Kayla Gothard provided a summary of the agreement, highlighting potential changes to the language. The Council then discussed these possible changes with Staff and expressed their concerns regarding the agreement.

Councilman Chaves made a motion to remove the “whereas” on the top as respect to planning for building homes, change 5 days to 10 days, and strike the “anytime for its convenience”, and the City will return to the developer all unused, unspent, and accrued funds that remain in the deposit. Councilman Sands seconded the motion. Motion carried, 3-1. Roll Call Vote: Joey Campbell – aye, Wayne Olsen – nay, Todd Sands – aye, Gary Chaves – aye.

2. **Discussion and possible action** on Resolution 2025.XX to authorize pursuing creation of a municipal power department.

https://www.youtube.com/live/YTzRUIT5Ly8?si=KxAX1_D2PqAdWX5_&t=4149

The Council briefly discussed tabling this item.

Councilman Campbell made a motion to table item #2. Councilman Chaves seconded the motion. Motion carried, 4-0. Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye, Gary Chaves – aye.

3. **Discussion and possible action** regarding the Boulder Ridge Public Infrastructure District Performance Guarantee.

<https://www.youtube.com/live/YTzRUIT5Ly8?si=tGmMTETsqrpsr9HF&t=4394>

Matt Ence, representing the Boulder Ridge PIDs, presented a proposal regarding a performance guarantee. He explained that the purpose of the item was to address the developer’s obligation to post a performance guarantee for the completion of subdivision improvements. He also provided background information on the PIDs and the performance guarantee. Kayla outlined her concerns about the proposal and discussed them with Matt and the Council. Council members also expressed their own concerns. In response, Matt clarified the proposed process and answered questions. David Eves then briefly spoke on the item. The Council and staff continued their discussion of the proposal.

Councilman Chaves made a motion to table the item. Councilman Campbell seconded the motion. Motion carried, 4-0. Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye, Gary Chaves – aye.

4. **Discussion and possible action** on a Nightly Rental Application submitted by Kathy and ray Bence. Tax ID: T-168-G, current zoning is Multiple Use (MU-20).

<https://www.youtube.com/live/YTzRUIT5Ly8?si=U36cvAGmEQqQ3qZf&t=8178>

Emily introduced the item by summarizing the submitted application. John Postert, representing the Hurricane Valley Fire District, discussed the changes needed for the property to meet compliance standards. He noted that he and city staff had visited the Bence residence to inspect the site. Kayla then provided a detailed overview of the home proposed for use as a nightly rental. The Council and staff discussed the possibility of installing a fire hydrant with Ray Bence, as well as other concerns with the property including a Radio Tower.

Councilman Campbell made a motion to approve the Nightly Rental Permit Application submitted by Kathy and Ray Bence for Tax ID: T-168-G subject to the new fire departments conditions, work with the water department to not make a dead-end, stale, or stagnant water situation, and work on bringing the tower into compliance so that we have all conforming uses complete. Councilman Chaves seconded the motion. Motion carried, 4-0. Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye, Gary Chaves – aye.

5. **Discussion and possible action** authorizing Mayor Sip to sign a letter to La Verkin City regarding the proposed Critical Infrastructure Materials Protection Area.
<https://www.youtube.com/live/YTzRUIT5Ly8?si=2CnviD5T11rue9mB&t=10386>
The Council briefly discussed this item

Councilman Campbell made a motion to authorize the mayor to sign the letter to La Verkin City regarding the proposed Critical Infrastructure Materials Protection Area. Councilman Olsen seconded the motion. Motion carried, 4-0. Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye, Gary Chaves – aye

H. CALENDAR OF EVENTS:

<https://www.youtube.com/live/YTzRUIT5Ly8?si=Fj57lkW0EEoleA4L&t=10451>
Mayor Sip reviewed the calendar of events.

I. CLOSED SESSION:

Not needed.

J. ADJOURN:

Councilman Olsen motioned to adjourn. Councilman Campbell seconded the motion. Motion carried, 4-0. Joey Campbell – aye, Todd Sands – aye, Wayne Olsen – aye, Gary Chaves – aye.

Mayor Sip adjourned the meeting at 8:56 pm.

Mayor – Justin Sip

Date

Attest: City Recorder – Emily Teaters