

**-Rockville Town Council
Regular Meeting
Rockville Town Hall
September 10, 2025 – 6:00 pm**

- 1. CALL TO ORDER-ROLL CALL:** Mayor Leach called the meeting to order at 6:00 p.m. The following Town Council members were present: Michael Evenson, Robin Smith, Megan Honer-Orton, Jeff Ballard and Mayor Pam Leach. The Town Attorney Matt Ekins was also in attendance. Town Clerk Shelley Cox recorded the meeting.
- 2. PLEDGE OF ALLEGIANCE:** Mayor Leach led the Pledge of Allegiance.
- 3. APPROVAL OF THE AGENDA:** Jeff Ballard **MOVED** to approve the agenda for the 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.

- 4. DECLARATION OF CONFLICT OF INTEREST WITH AN AGENDA ITEM.** No conflicts were declared.

PUBLIC COMMENT: Mayor Leach asked if there were any public comments. Nathan Trotter approached the Council. He said he was here because we (the property owners on South Mesa presumed subdivision) turned in an SAA as a neighborhood. They had voted as 65 lots and they submitted it to the town. They asked for a decision and the Town told us they're going to table it and haven't gotten back to us in any way, shape or form. He said you guys (the Town) have already ignored a grading permit out there of mine for over two years. (His grading permit was requested in March 2024 and denied) (he did the work in December 2023 without a grading permit) He asked what's your plan with this? He said they need to get some feedback. He continued you guys (the Town) said you would give me feedback, and he hadn't heard a thing. He said that it's 65 lots. Mayor Leach said the Town Council doesn't issue the grading permits, so she would assume that's a Planning Commission issue. She said she was not aware of that being something two years ago that hadn't been addressed, so we won't... Nathan Trotter interjected is over 2 years. Mayor Leach said she can't respond to that. She continued as far as the SAA, the information that you provided us with was minimal. We (the Town) are still doing some research on that, and you should be expecting a letter. Nathan Trotter said it is not minimal. It is everything that you need from the State. You asked me for personal information. He said the only thing he had heard was he got a letter asking for people's personal information. That is illegal for me to hand over. He said there's a set process on how to check those signatures, and it's very simple and very easy. When we turned them in, Brian Head had that done in a week. Mayor Leach said the form provided addresses, yes, she believes it also asked for a telephone number or an e-mail address, which was not provided, which is a way for us to just -Nathan Trotter tried to interrupt- let me finish, you've asked me to comment, so just give me an opportunity. We have done that, but we've done some research. The things that you're asking us to provide, water, sewer, roads. One, the town does not have a water source itself, a municipal water source to provide water and that is one of the things that it says. You (Nathan Trotter) said that you've talked to people, but you didn't provide us with any information about where to go. And we haven't had a meeting to discuss that, but we did ask you about that in the meeting. Nathan Trotter said you said you would have a meeting and discuss it, so you never held it, is what you're saying? Mayor Leach said you would be at that meeting. Nathan Trotter asked how long it had been. It's been over a month. Mayor Leach said there is not a time limit when we have to respond to that petition. We have

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the opportunity to look into whether or not this is even something the Town can accommodate. Nathan Trotter asked is this something that, I mean, this mesa is not new to this town. Is this something you guys want to see resolved or is this just a no? Mayor Leach said this is looking at what you asked for and one, whether there's any avenue for providing those items. She said we have also spoken with one financial person that works with getting bonds, putting bond funding in place. And based on the information so far that's available, they couldn't put out a request or find somebody to fund that bond at this time. She said we're trying to collect that information. She said please understand this is a new process for our Town and we want to do it right. We want to make sure that we address this properly for you. Nathan Trotter said the Brian Head town has started posting the bonds themselves they were using State Bank you might want to start there okay but is there something you guys want to see, do you want to see the development up there? Mayor Leach said we're working on the things that we need more information about and that would help us if we're able to move forward on this so give us a little more time. We will be getting something to you shortly.

She asked if any Council members had any other input? Michael Evenson said there is just a lot of bits of information we still need to get. And it's not easy because of the history of everything up there. He said we are getting more clarity all the time. As soon as we get that information, we'll get back to you, I'm sure. And in terms of time, please understand that we all take a lot of time trying to resolve these issues. Nathan Trotter said he just wants you to know it's 2025, and there's AI, which can speed up this whole process just to get you guys educated. You do have to fact check it. He said but I mean, you look up Zion Canyon Ranchos and it (AI) knows all about it. You come in here and it's like; we've never heard about it. It's all online. Michael Evenson said let me stop you as you can talk about AI all you want. We have to have really reliable sources that are credible, fact checkable, et cetera. He said and we're not going to waste our time. Nathan Trotter said and that's why we brought in maps from the County that predate any of the ordinances you guys have tried enforcing on our neighborhood. Mayor Leach said well, again, the answer to your question is we are still working on finding facts and information that we need to make a decision on your petition. Nathan Trotter asked what's the time frame on that? He said you have 65 different lots, and some (property owners) own more than one lot, but this is a lot of people that have put their trust in the Town to take their best interest in mind. He said "I mean, that's your guys' job. So I think this is plausible, but I'm very shocked that you're saying that we're going to talk about it. You told me you were going to hold a meeting, and you made it sound like it was going to be really soon, and it didn't even happen. He said so let's schedule that meeting. He asked when can we have that meeting. And you're saying you'd like to invite me to it? Mayor Leach replied yes. Nathan Trotter asked when could we do that? Mayor Leach replied we are not in a position to schedule that right now. She said we will be contacting you. And I believe it was Julie Mary that actually submitted the petition, correct? Julie Mary said well, Nathan is a representative. Nathan Trotter said both of us are representing this request. Mayor Leach said we will be contacting you when we feel that we're in that position to discuss all of the questions that we have to move forward. Nathan Trotter said they would appreciate it if we could do this in a timely manner. Mayor Leach said we will make the best effort, I promise.

Julia Mary said she had noticed that the MP3 (recording) of the Town meeting from Planning Commission yesterday, or this morning for yesterday's meeting. And I noticed on agenda item number six, you guys are approving the minutes for last month's meeting, and I have not seen them posted. So you're saying it takes over a month for you guys to publish meeting minutes. Clerk Cox explained, as per State law, the recording must be posted to the State public website within 24 hours of the meeting it was recorded at. The minutes cannot be posted nor given out until approved by the Town body as whose meeting it was. Usually this is the next month after the meeting, however if a meeting is cancelled the following month it would be 2 months before approval. They are then required to be posted within 3 days. Julia Mary asked why it cannot be published until they are approved by the Planning Commission or Council. Mayor Leach reiterated that the recording is posted within 24 hours of the meeting on the public website. Julia Mary said so minutes on tonight's agenda are for like the previous month. She said like there have been meeting minutes that get lost. So maybe I just misunderstood like for this last month's like the seven or August meeting, I mean, sorry. Mayor Leach said yes that's one of the things we will be approving of today. Julia Mary said then my other question is last night's meeting at the end of the regular meeting and before the work meeting you hear

Commissioner Jane Brennan say, we'd like to go off record. She said and when there's a public voting body, I'm pretty sure you guys aren't supposed to be off record. So I'm just curious what's on the recording in the blank time frame. Mayor Leach said that was the Planning Commission meeting and she is unaware of what was said. Julia Mary said then can I just bring it to your attention as the mayor then? Mayor Leach said she so noted that comment. (It is noted that after this meeting adjourned, the Town Clerk advised Julia Mary that Commissioner Brennan's "off the record" comment was after the Public Meeting had adjourned and before the Work meeting began. The comment was about treats Commissioner Brennan brought to share with the other member.)

DISCUSSION/INFORMATION/NON-ACTION ITEMS

5. REPORT ON HURRICANE VALLEY FIRE SPECIAL SERVICE DISTRICT – CHIEF TYLER AMES

Fire Marshall John Postert was in attendance representing the Fire District. Fire Marshall Postert reported for incidents last month for August, there were thirty (30) in Springdale, five (5) in Rockville, and fourteen (14) in Zion National Park. He said he had nothing else to report.

6. REPORT ON RECOMMENDATIONS OF THE PLANNING COMMISSION – CHAIR RYBKIEWICZ:

RYBKIEWICZ: Vice Chair Brennan reported on last night's Planning Commission meeting. Vice Chair Brennan reported approval was given for a rebuild of a garage slightly larger than the current one for Max Gregoric at 51 Jennings Lane. The other item on the agenda for a minor subdivision and the applicant was not present, so the item was continued to next month's meeting.

Administrative Action Items

7. REVIEW OF OMBUDSMEN ADVISORY OPINION ON ISSUES CONNECTED WITH BUILDING

PERMIT FOR SOUTH MESA- (ZION MESA)-JACOB ANDERSEN Mayor Leach said this is a discussion and action on a frontage issue with a building permit for Jacob Anderson on South Mesa. She said just as a kind of an overview, at the April 9th, 2024 Planning Commission meeting, a building permit was approved for Jacob Anderson on parcel number #R-1308-D with conditions that the Town Council rule on whether Eagle Crags Road was a public right-of-way providing access and frontage to Mr. Anderson's parcel. She said evidence has been provided and found that supports the dirt track known as Eagle Crags Road meets requirements for public use road. However, Mr. Anderson has provided no evidence to support a claim of meeting the requirement of frontage. She said the original application included only one page of a survey showing the easement roadway from Bridge Road to the beginning of the parcel. A subsequent page was provided showing the parcels and the gap between parcels with Eagles Crag Road, but with a center line and a width of 60 feet. The location of Eagle Crags Road does not appear in this survey. There was an Ombudsman's Office Advisory Opinion, which did include a statement acknowledging the public right-of-way and frontage. However, further conversation and question of the Ombudsman, he seemed to agree that there was a question about the gap. Mayor Leach asked Jacob Anderon to come up and present new evidence supporting his claim that has not already been presented. Jacob Anderson said the Ombudsman, upon receiving all of the evidence from him, from others regarding this very issue, has made a decision that the Town put off hearing this continuation of the building permit in order to hear what his decision was. He continued and so the thought was, let's not hear it because we want to get his opinion. And he asked the Town Council, is this a delay tactic? Is his opinion even going to matter? And the response was, we want to hear his opinion because it will influence our decision, right? Since then, the Town Council, it sounds like what the decision is pending to become is you've heard the decision and the ruling from the Ombudsman with his advisory opinion and you disagree with the ruling and feel like even though you waited for the ruling and even though he's heard the evidence from all sides, you feel like that is incorrect. He said he was not privy to any private conversations. He is just privy to everything that was part of the advisory opinion. The one thing that he thinks is the time period for proof has passed. That's what was given to the advisor. That's what was given to the Town Council the last two meetings we've had

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this. He said the one thing he'd like to remind is, in addition to this road obviously being public, he doesn't know if, there are several reasons it's public, and you've heard those reasons before, the argument that there might be a couple of feet from a tire track to what leads to the roadway, or sorry, leads to the parcel historically being accessed from pretty much any direction is really no different than one other roadway in Rockville, which is Grafton Road. He said it's the only other roadway that hasn't been dedicated to the Town. Therefore, every home against Grafton Road has the exact same issue. He said no other home, no other person besides Jacob Anderson has been questioned about that. No one has been held up for building because of that reason. He continued you may make the argument that Grafton Road and Eagles Crag Road are very different. He said he didn't deny that. They are very different roads, different problems surrounding those roads. But the one thing that is the same, which is the one thing that you are, it sounds like going to deny this argument on, is it has not been publicly dedicated and therefore you believe that there may be a gap between the publicly traversed road and the lots adjacent to that road. That is the one area where Grafton Road is exactly the same. He said and so I would like to ask, has there ever been anyone besides me with the same criteria that's been brought up that's going to be used, it sounds like, to deny this? Has anyone ever in the Town been denied for this reason? Mayor Leach replied I can't answer that question, I honestly don't know. But I would ask that on what are you basing Grafton Road as being something that building permits have been issued off? That road's been used since the 1930s, maybe 20s, for access from the Grand Canyon to come to Zion National Park before they built the tunnel, the bridge was put in place. She said I'm not sure that the width of that road has changed. It's been shown on maps. I don't know, and Matt, (Ekins the Attorney) maybe you can answer this, but I don't know that dedication is required to define a public road, but that one has certainly been in use and defined for way longer than Rockville (as an incorporated Town) has been around. Jacob Anderson said so, you're using the same arguments I make for Eagles Crags Road, right? I show maps from the past, I think it was 50, 60 years, but evidence from even the BLM on its existences well before then. We make the same argument, it's been traversed by the public for many, many years. The argument you're making for this road on Eagles Craggs Road is, okay, let's assume we acknowledge it's a public road, but the road is only public as far as it's been traveled its width. Grafton Road, you're saying it's been traveled forever, and it's only been the width it has been, right? So that's what's public, whether or not it's been conveyed. Same thing here, whether it's not it's been conveyed. The argument you make about this is the property you believe doesn't quite touch where that road goes. With Grafton Road, there's properties, mainly Hirschi, that go across the road a little bit, you've got a public road, but that didn't stop yourself, Mayor. Hasn't stopped the Lowe's, hasn't stopped anybody from building. Same issue, at least if we're pushing everything else aside and focusing on the one issue that it sounds like you're basing the denial, then according to how I understand it, I would be the only person ever ruled on in this manner for this reason when we have a very obvious counterpart, comparable road that in this instance, with this scenario, seems to be about the same. Mayor Leach asked if anyone has comments about that? Michael Evenson said he thinks that at least up on the mesa it's been identified that there is about a 60-foot gap don't quote the number between the parcels and the road with no clear definition of where the frontage is and so he thinks that to try to say the Bridge Road/Grafton Road which has been used has been paved has been built upon over many many years is a little bit different in my opinion. Jacob Anderson said let me clarify just because there's something correct here. The gap between the two parcels at 60 feet, which between that is the roadway. And so with the roadway, let's say it is 30 feet or 40 feet or who knows how, I don't know. Let's assume 40 feet for a moment, which would imagine that would be 10 feet if it was perfectly center on each side where you assume there's a gap, a 10-foot gap. On Grafton Road, again, if we're not arguing whether it's public or not, both roads, if we take that out of it and whether there's a gap, it sounds like that's the main argument, then Hirschi's going across the public road across Grafton Road, let's say Grafton, Hirschi's extends beyond it and then the Lowe's begins, or then Mayor Leach's begins or then whoever might begin, you have the same issue of the property not going all the way to Grafton. There hasn't been any dedication to allow that road to grow towards the property. The public portion is a piece of it, and then there's some distance, I can't say if it's 5

feet or 100 feet between Grafton Road and the actual property on one side or the other of it. So I'm saying the argument being made is the same argument that's being made against me. It's just, as you mentioned, Grafton Road, you say, has been built on over a number of years, as has equal Eagle Crag Lane up until you get to my property. In fact, there was a home, as I mentioned, when Rockville incorporated, a home just past my house, which would allude to the fact when Rockville incorporated and accepted the roads and homes, the public roads served a home already. Jeff Ballard said not so let me shed some light on that. A guy that built a house down the road a few hundred yards past this property being discussed, put a trench across the road, a concrete trench, and then had metal bridges that he would put over the trench to cross. Once he'd cross, he'd take them out. So a lot of the time that road wasn't even accessible by anyone. It was Mr. Shiroff that owned that. Anyway, just that he probably had it closed for, I don't know, 10 years, something like that, where no one could access it at all. The road came around from the Pines side, which is now locked anyway. Jacob Anderson said he couldn't say that he knew that history like Jeff does. Jeff Ballard said the trench is probably still there. He said it should probably be filled in now. Jacob Anderson said but I do know once a road has been traversed by a certain amount of time, then it's always public whether. Jeff Ballard said everybody says it's been open forever, and that's not exactly true.

Mayor Leach said the question I would ask, involving Grafton road is I know there are easements between the roadway where it's paved and the irrigation ditches, the fence line and stuff, which those are usually taken into consideration for crossing to a property. Obviously, here's the pipeline company of the irrigation, Grafton irrigation water line is there. She said she didn't know if the Rockville Pipeline Company is on the South side or the North side of Grafton Road. Jacob Anderson said if that's the requirement, in fact, these lots actually also have an easement to run utilities along the edge of them, which if that's a requirement, then I would say that's great.

Mayor Leach said I guess we still have the issue, and all of you can comment on this, is the fact that gap between the parcels. The parcels have all been legally described, are shown. We agree they are preexisting non-conforming parcels in that zone that was something in the advisory opinion. And again, this is an opinion. But ownership of that property in the gap, because this wasn't a full-on subdivision application, typically in that if there's a gap that's left for a roadway, it's identified in the subdivision. And so who owns that gap? And it is your survey, I guess, that you and Tydon and several people filed with the Recorder that measure the distance between those parcels. It's that Eagles Crag Road is not even identified on that survey. They put a center line in that area. But again, who and where was that ever designated that that gap was a roadway. Jacob Anderson said and I'll make the same argument on Grafton, right? That was never properly subdivided because it didn't need to be. Homes there were created before the City (Town) existed, before, the County had an ordinance just like these lots. So the homes against Grafton Road were not properly subdivided. It didn't need it. And no call out was made for Grafton Road. And therefore, in essence, a gap exists between Grafton Road, which is Hirschi's property, and people on the other side of the road. I mean, it did, to me, I am literally the only person you've ever denied on this basis when it exists in the Town and it's never held anybody up but me. Mayor Leach asked Matt Ekins if he had any questions on this matter to ask. Matt Ekins said it's been 16 years, but I had a legal matter that was dealing with Rockville Town site plat when Rockville started, it's been a while since I've looked at that, but as far as the Grafton Road, my memory is and looking at the document we can verify but that Town site map that laid out streets and parcels I believe it shows a portion of the Grafton Road so if you're referencing say like where you make that initial bend and going down to the old ghost Town portions of Grafton Road would be on that initial town site. That would be the equivalent of what we recognize today as the subdivision. Jacob Anderson said yeah, and I don't disagree with the road. I fully say Grafton Road's public. I agree with it may have been called out in maps. What I'm saying is beyond the traversed area of the road, since there's been no public dedication that says beyond the road to each parcel and with a certain width called out, it has the exact same issue

that I have. Jacob Anderson said his frustration comes, "I know you look at me and you think, why are you causing problems? I'm trying to build a home. Now, I won't get into it. But to me, it seems obvious that if it was anybody else, it's a rubber stamp, it's good. With the same thing with the roadway (75 South) being vacated, the only person that materially is injured by that is me, literally. There's no benefit to the Town. None. Jacob is materially injured, and it doesn't matter. It hurts Jacob. It doesn't hurt our friends. Let's do that as well. It seems very obvious to me with this argument, with the roadway, and with others that how we treat Jacob is different than how we treat other people. And that's, I guess, where I get frustrated. Michael Evenson said Jacob, let me ask you this, I don't know your history with regards to buying property, building on your properties of the number of applications you've submitted, how many have been denied? Mayor Leach said he's asking us about the roadways and what other people have been denied. Michael Evenson said I'm just clarify: the only reason I'm asking is, hopefully, you haven't been denied, and that this is a very unique and special issue, that's my only point. Jacob Anderson said, "if you want me to enlighten you on this. He then went on saying I tried to build on the vineyard. I have a 14-acre parcel that I wanted to put into equal, better conforming parcels and was told if I touch any of those, they will lose their grandfather status. And since the result of those will be under 5 acres, they will forever be non-buildable. And so I'm dealing with properties that are weirdly shaped. That's fine. And so when I went to put a building permit on one of them that's grandfathered in because it's legal non-conforming, I was denied. And so I went to the Variance Officer who passed it, and the Town was furious that the Variance Officer would let me build a house there. Once I started building, I wanted to have an open house through the Parade of Homes. The Town obviously was dead against that, threatened to put me in jail and fine me \$1,000 a day. And that caused such an uproar, that the State created a bill called the Rockville Bill, (it was not called the "Rockville Bill, it was HB422 Municipality Regulation of Open House Amendments) which was passed faster than almost any bill they've ever seen passed because it was such an egregious thing that the Town was doing against a landowner, that it passed unanimously in the House Committee, unanimously on the House, unanimously in the Senate Committee, and I can't remember if it's unanimous, I think so, in the Senate. And according to the report that I heard, was they could not let this happen because it was an example of extreme overreach from a Town, against private property rights, and against an individual. And so to say, Jake, we haven't been targeted, I've worked my way through these issues. I fully agree that I've been able to build because I've relentlessly worked my way through issues that should never exist. You think I'm a developer, I am a farmer that has built one house in Rockville, and I had to, that I remember, and I had to go through all of that to build one home. That's where my frustration lies. Michael Evenson said thank you. Mayor Leach said just a quick comment on that, the bill that you're talking about and the issue. They pointed out that the Town was stopping you from having open houses. A typical open house is open to anybody. They don't have to buy a ticket. It's not an event. And it is, but they fought us on it. But in fact, you look around and there are many states that prohibit realtors from charging fees. That's not here in Utah, but this is something more than, something other than an open house. That's what they were saying you were doing down there was an open house. The concerns for Rockville were of the traffic and parking and so on and there were some issues with traffic and but yet it went straight to your realtor who took it straight to her realtor who's a legislator and there it went. Jacob Anderson said the frustrating thing is I don't think any of that would have been an issue for anybody else right like I sit here, and I see things go through, but I know if it was Jacob presenting this, I'd be dealing with something. I've literally built one house. And when I moved here, I canceled; I bought, in essence, my property, which was going to be sold in four different homes, to four different buyers of the subdivision. If anything, I've done more to stop this Town from being built out, really than anybody, in my eyes, that's what it is I've built one home and I've stopped several others from building so I could have a farm here. And so I think it's greatly misunderstood, but it's not lost on me, and it's not lost on a lot of people here in town that if Jacob does something, it's going to raise eyebrows because I'm not one that's been here forever, right? And I've had my issues with the Town. So when you ask about the history, I take a little bit of offense to that because I have worked so hard

to get through items that nobody has ever had to, well, that's probably a stretch that most people don't go through. And so I look at this and I say, okay, the way my lot's treated, where is there a comparable? Grafton Road is a great comparable. No one's ever been questioned about this. I look over my house being on the same lot, non-conforming. When has anybody ever been denied when it's so obviously non-conforming? The only time I can think of is me with the Vineyard home. I look at roadways that have been vacated. And I think when has a roadway been vacated where someone was materially injured, and the Town had no real benefit? Never, except for Jacob, in my case I stand to be injured greatly by the loss of potential public road whether it's used or not. He said I can't imagine a Fire Marshal saying an easement for potentially 8 homes 500 feet off of SR9 is as safe as having a Town road that services those properties. So I guess that's my answer, Michael, that's the source of frustration.

Mayor Leach said can I just ask one question, Jacob? She said I'm sorry you feel that we're picking on you, but I don't feel like I'm picking on you. But did you not tell Skylar Davis, when Skylar Davis brought this, that he was thinking about requesting that road be vacated, he's the one that started the vacation of that road, and that neither of you knew that platted road even was there and on your property. That's what Skylar told me. And you admitted that you weren't aware of it when you bought that property or that was a potential access for your property. Is that not true? Jacob Anderson said so you're saying you heard that Skylar heard from me through a conversation we had during settlement agreements, right? Mayor Leach said we asked you in that meeting and you said, "No, I was not aware of it. It was in the meeting we asked you. This wasn't hearsay from you to Skylar to us. And that's all it was. And Skylar was the one that originally said he was trying to work out a deal with you to provide you an access. Jacob Anderson said it was, yes. Mayor Leach said it started when Skyler Davis approached the Council. She said that's not the matter before us here right now. I know it will be a matter that you're planning on. Jacob Anderson said it's just a continuation of Michael's comments. I'm not sure if you're familiar with what I go through in Planning and Zoning to do literally almost nothing. And to say, we haven't we given you everything you wanted? The answer is an emphatic no. I've had to assert a right that's so clear. I'll say one more thing. On the building permit, up there on the Mesa, the Town code says it has to be over 800 square feet. I submitted 1,300 square feet and it was tried to be denied because they preferred to see 800 square feet on the first level. Michael Evenson said he remembers that. Jacob Anderson then said it's insane that I follow every code and I try so hard to do everything by the letter of the law. Nobody else does, but I'm the only one held to that standard. So again, Jacob, the Planning Commission has their issues maybe with your building permits and stuff, but I concur with the Mayor. I don't feel at all like I'm trying to stop you from anything, but I want to make sure that things are done in a way that is legal and by the book. Jacob Andersen said I would love that if the same energy was applied to anybody else, like doing it by the book. I do things by the book. I just wish it was done by the book. Some of that's what, like you say, Planning and Zoning, where you hear things, you're like, what? How in the world do you interpret that? But yes, I would ask the same fervor be applied equally, that's all I ask.

Mayor Leach asked if there was any further information you'd like to share. Jacob Andersen said nothing further. Mayor Leach opened this matter to discussion with the Town Council, comments, questions, discussion? Michael Evenson said he thinks it's still pretty clear. Robin Smith said she read through the advisory opinion and obviously consulted with our attorney and our discussions, and I still feel that the issue of the frontage is still not met, in my opinion. Mayor Leach asked if anyone else had any comments or opinions on that? She said hearing none, would someone like to make a motion on this matter? Robin Smith **MOVED** that the Town Council has determined that Mr. Andersen has presented sufficient evidence to establish Eagles Crag Road is a public road. However, he has not presented sufficient evidence to establish the Andersen parcel #R1308-D has frontage to a public road as required by Town Code 9.1.4 because the evidence of the current width of the public road has been less than 60 feet and there is a gap between the dirt

public road, and the front boundary line of the Andersen parcel # R-1308-D. The owner of that gap is unknown. The frontage requirement is not met under town code 9.1.4.. With this determination, this matter is returned to the Planning Commission so they can act on the application of Mr. Andersen. Mayor Leach asked if there were any comments on that motion or a second? None were made. 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.

Mayor Leach stated this will go back to Planning Commission at the next meeting to address the access.

Matt Ekins suggested I think it's more of a clarification point. He went on so last August when the two issues were discussed, at least from my understanding, it was clear that the Council had felt comfortable. There was a conclusion on the substandard non-conforming lots. He said for the sake of clarity, if that could be added to the record, rather than looking at two meeting notes, the Town Council's position on that. Mayor Leach asked if it would be appropriate to put that in our motion? Matt Ekin suggested making a separate motion addressing this concern. He said at least it brings clarity that condition and satisfy the issue. Mayor Leach **MOVED** that the condition that was also brought to the Town that the roadway was in fact a public right of way. And the Town acknowledges that. 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.

Matt Ekins asked that the Council also make a motion addressing the non-conforming lot, to clarify the issue. Mayor Leach **MOVED** to that the Town Council does recognize that Jacob Andersen's parcel #R-1308-D, is a pre-existing non-conforming parcel. And we're in agreement with the Ombudsman's advisory opinion on that matter. 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.

7. **DISCUSSION AND ACTION TO ADOPT RESOLUTION #2025-9-1 TO ACCEPT THE UPDATED PLAN FOR ZION COLLABORATIVE REGIONAL CORRIDOR** - Mayor Leach

explained this is a Resolution to update the Zion Scenic Byway plan. She updated the Council that back in 2011, there was a committee that was called the ZC3, the Zion Corridor Collaborative. This group worked to get a designation of a scenic byway for SR9 coming up here and through the Park. They did not get that designation. Actually, through legislation, they made it a State Scenic Byway back in 1999. It was done before the ZC3 was actually created. Since then, the ZC3 no longer exists, but the Zion Regional Collaborative exists and picked up where the ZC3 dropped off. Since then, they managed to get the National Scenic Byway designation on State Route 9. The Town had approved that agreement to join the group when it was formed. The ZCC wants to update the corridor management plan that specifies and provides encouragement for municipalities. They want to protect the scenic corridor. The Resolution that is before you is in support of that corridor management plan. Mayor Leach asked if anyone had questions regarding the resolution. She said it's actually the designation of the section of State Route 9 between the City of LaVerkin and the east entrance of Zion National Park. Michael Evenson **MOVED** to approve Resolution #25-0910-1. Robin Smith **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.

9. DISCUSSION AND RECOMMENDATIONS FOR AMENDMENTS TO THE CURRENT BUILDING PERMIT APPLICATION, ALONG WITH FIRE ZONE 1 & FIRE ZONE 2

REVISIONS: Mayor Leach explained this item is from last month's meeting for recommendations for amendments to the current building permit application along with Fire Zone 1 and Fire Zone 2 revisions. Mayor Leach asked Fire Marshal John Poster if he had reviewed these drafts. Clerk Cox said she had sent the revisions to the Building Inspector and the Rockville Pipeline to review but had not sent John Poster the proposed changes. He was given a copy at the meeting. Mayor Leach reminded the Council this issue came up when the Lowes were building their new home. The process at the time of the Lowe's permit required fire approval after Planning Commission approval. Now fire approval is required before the application is considered by Planning Commission. The building permit will now directly address the different zones and require both the owner and the contractor's signature. The form #1 or #2 paperwork will be given when a building permit application is requested and will also require the same signatures of both owner and contractor. The paperwork was given to the contractor when the permit was applied for in regard to the Lowe home, however the contractor changed mid project. Mayor Leach reported that Rob Snyder has already reviewed this proposal and made some recommended changes. This also acknowledges a fire suppression system is required for home fire protection. Some of the items on the permits were vague and this should help clarify. The Rockville Pipeline will review each application individually on a case-by-case basis for a fire hydrant and possible locations. Form #1 or Zone #1 is for those home builders outside the Rockville Pipeline area or that are serviced by wells. Form #2 or Zone #2 is for those home builders within the Rockville Pipeline service area that own a share of the pipeline. If they do not own a water share they will need to file Form #1-Zone #2. Remember even in the pipeline service area the pressure does not meet fire code. This will address the pressure issue. These forms will be required for all buildings not just residential homes.

When Rob Snyder reviewed the forms he questioned the home water supply of 5,000 gallons for the tank outside for fire suppression. He said in speaking to the Fire Department he understood the outside water supply had to be 15,000 gallons. John Postert said it was 15,000 gallons. Mayor Leach asked if the outside tank could be above ground or underground as that is a large tank. John Postert said it has to be able to supply water is the requirement. He said the gravity feed is easier but as long as the Fire Department knows what to expect when arriving on site would be workable. That could all be addressed in the site plan review. John Postert said they have residents request to use their pool or a pond as the back up water reserve. However the code says whatever water is used must be delegated for only that usage. This would be that a pond for irrigation would not be allowed nor a swimming pool. Michael Evenson asked if a pond could be dedicated for fire use only. Robin Smith said there may not be enough water in a pond continually to ensure the amount needed. John Postert said if a pond is designated as the water source a dry hydrant would need to be installed to allow the Fire Department to connect on scene.

Jeff Ballard said if the water flow in the pipeline should ever increase the pressure this issue should be readdressed. John Postert said 500 gallons per minute is required and must be maintained for 30 minutes to be adequate if there is a home suppression system installed. If no suppression system is installed it would need to be 1000 gallons per minute for one (1) hour. Mayor Leach said we hope this will help ensure everyone is on the same page. She asked John Postert to review the proposed changes and let the Town know if anything else should be changed. John Postert said he would like the size of the in-home tank to be removed, and he will address this individual on a case-by-case basis. He said when a homeowner gets this paperwork they must provide information of water supply and demand. That will be needed by the professionals who design the fire suppression system in the building. Mayor Leach said these forms will be passed to the Planning Commission for review and then the process will proceed as required with a public hearing. Mayor Leach asked the Council would they like to review any changes the Planning Commission makes before the public hearing. The Council felt it should be reviewed by this body before the public hearing.

John Postert updated the Council on another change. He said the Federal Government is mandating a new wildland urban interface. This will address defensible space around a house or building and where vegetation begins. He said the Fire Department will review homes to ensure they are doing the best they can.

Mayor Leach **MOVED** to approve this building permit application with the new requirements for zone one and two fire suppression, with the noted changes and send it to the Planning Commission for their input and once they have their input if there are any additions or changes that it would come back to the Town Council for review and once it's approved a public hearing can be scheduled. 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.

10. **APPROVAL OF THE MINUTES FOR THE AUGUST 13, 2025 MEETING** Mayor Leach asked if there were any corrections to the minutes for the August 13, 2025 meeting. No corrections

were made. Michael Evenson **MOVED** to approve the minutes from the August 13, 2025 meeting. 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.

11. **APPROVAL OF EXPENDITURES FOR THE MONTH OF AUGUST 2025.** Mayor Leach asked if there were any questions in regard to the expenditures for the month of August 2025. No questions were asked. Robin Smith **MOVED** to approve the expenditures for the month of August 2025. 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.

12. **APPROVAL OF THE AUGUST 2025 FINANCIAL STATEMENTS.** Mayor Leach asked if there were any questions regarding the Financial Statements for August 2025. No questions were asked. Robin Smith **MOVED** to approve the financial statements for August 2025. 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

Reports of Mayor and Council Members

Mayor Pam Leach thanked those individuals that had made the seed display (for the Hurricane Peach Days) and spent so many hours working on it, transporting it to Hurricane, along with putting it up, and taking it down.

Mayor Leach reminded the Council of Rockville Daze being held on Saturday, October 11, 2025 from 11:00 am – 1:30 pm. The regular band will be here along with the Country Store, raffle items, hamburgers and hot dogs and the bounce house for the kids

Mayor Leach reported the Town Christmas party will be held Saturday, December 6, 2025 in the

Community Center Recreation Hall. The Strings Orchestra will be back, and residents are invited to share a dessert.

Mayor Leach said although there was a recent nice rain the area is still in a drought and fire danger is very high. She said please be careful during this time.

Mayor Leach said she received a report from Zion National Park that the Weeping Rock trail is back open after being closed for two (2) years due to a large rock slide.

Mayor Leach reported Zion National Park will hold the annual Plein-Air Art Invitational November 3rd through the 8th, along with a silent auction at the Lodge.

Mayor Leach reminded the Council of the September 11, memorial tomorrow at the Fire Station in Hurricane. There will be a flag raising ceremony with breakfast to follow and a motorcycle ride.

Mayor Leach said there is also a Virgin River photo contest going on this month. All the information is posted at the Office.

Mayor Leach said if there are any upcoming events make sure they are provided to the Office for a email blast to let everyone know.

Michael Evenson had nothing to report.

Robin Smith had nothing to report.

Megan Honer-Orton reminded the Council of the Preparedness Fair being held in Springdale on the 16th of September for 4:00-6:00 pm. The Springdale Police Department will come and get the CERT trailer to take up and display. The Fire and Police Department will both be in attendance along with other organizations to help encourage preparedness. Literature will also be provided.

Jeff Ballard reported the Virgin River Ward young men had completed cleaning up the Cemetery along with 5 community members also. He said the weed spraying should be done in both Fall and Spring to help ensure the Cemetery does not become over run with weeds as it was this year. We have only had a Spring spray and hopefully adding a Fall spray will help even more.

Jeff Ballard reported the Seed display for Peach Days was great and took first place. He said it was a really nice display and lots of work went into it. Mayor Leach asked if pictures of the seed display be sent out to the residents in case they didn't get a chance to attend Peach Days.

Staff Report as needed. Nothing to report.

Adjournment

Robin Smtih **MOVED** to adjourn the meeting at 7:10 pm. 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.

Minutes prepared by

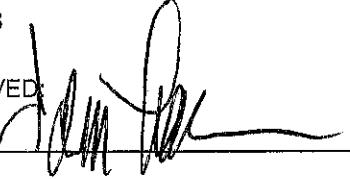
Shelley D. Cox
Town Clerk

Rockville Town Council Regular Meeting

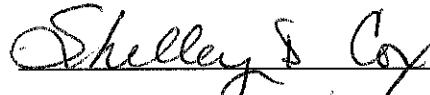
September 10, 2025

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APPROVED:


Pam Leach, Mayor

Attest:


Shelley D. Cox-Town Clerk

The foregoing minutes were posted in the foyer cabinet of the Rockville Town Office by Shelley D. Cox at approximately 9:00 AM on 10-16-25, on Rockville's Website and the Utah Public Notice Website.

