

**BIG WATER MUNICIPAL
TOWN COUNCIL
REGULAR MEETING
APPROVED MINUTES**

**Wednesday September 17, 2025
60 N Aaron Burr, Big Water, Utah 84741
6:30pm Work Session
7:00pm Public Hearing
7:01pm Public Hearing
7:00pm Meeting**

WORK SESSION

CALL TO ORDER— 6:35pm

:1. ROLL CALL- Council Members in Attendance: Mayor- David Schmuker | Council Members- Jim Lybarger, Jennie Lassen, Jim Loyd, Luke McConville | Absent- None

2. DISCUSSION ON AGENDA ITEMS— A question was raised by Lybarger concerning the check registry that led to a discussion about wages paid out. The Council discussed liability for individuals paid hourly for park work and other tasks. Concern that they were treated as contractors without proof of insurance, exposing the town to liability. Recommendations were made to either require contractors to show insurance or officially create part-time/seasonal positions, so they fall under town payroll and insurance.

Lead Host position hours, the County will be hiring them for 29 hours, and Big Water would be picking up 11 hours to make it cumulative 40 hours total for the Lead Host position. David tells the Council first day open there were nearly 200 visitors. Ordinance 14-2025 introduced to create part-time Lead Host and Host positions. Resolution 2025-20 discussed to amend FY 2025–26 budget and appropriate \$14,428 for staffing wages.

Discussion on the Utah Revenue Recovery Program on that it could provide tools to collect unpaid fees, citations, and property taxes via state tax intercepts. Council noted this will reduce reliance on costly legal actions. Connected MOU with Utah Division of Finance and Utah Association help of Counties.

Discussion on Annexation & Expansion to expanding town boundaries to include state trust lands, gravel pit, solar field, fish hatchery, and scenic areas. The map was reviewed. Consideration of infrastructure responsibilities vs. revenue opportunities (e.g., resort development, water parks, solar projects). Process expected to be lengthy (up to one year). Roger Carter to advise.

3. ADJOURN— 7:09pm

PUBLIC HEARINGS

1. Public Hearing #1 @ 7:00pm – Open budget to add funds to 2025-2026 FY Budget:

\$14,428 for the visitors staffing position— Open @ 7:09pm – Mayor explains reason for having Public Hearing adding \$14,428 for Visitor Center staffing and we would also like to amend with the addition of adding funds to the Marshals Dept. to add \$8,100 for Marshal's Department equipment (laptop, comms, vehicle IT upgrades).

Shirlene Hull- Asks for clarification on how the hours will work between the town and the county.

Jack Brisbin- Asks is the position is full time, because you've got it divided out into 29 hours and 11 hours is that deliberately trying to avoid specific payroll taxes, insurance? Katie answers that the county

**BIG WATER MUNICIPAL
TOWN COUNCIL
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pays 29 hours and we pay 11 hours. We have already okayed everything through the URS so that we are not in trouble with the retirement benefits codes.

Close 7:15pm

- 2. Public Hearing #2 @ 7:01pm – Amending the Pay Scale for Big Water to add a pay range and positions for Big Water Visitor Center Operations Lead Host and Big Water Visitor Center Operations Host/Lead Host—** Open 7:16pm, No comment. Close 7:16pm

MEETING

CALL TO ORDER— Open 7:17pm

1. ROLL CALL—Council Members in Attendance: Mayor- David Schmuker | Council Members- Jim Lybarger, Jennie Lassen, Jim Loyd, Luke McConville | Absent- None

2. PLEDGE OF ALLEGIANCE— Mayor leads Pledge of Allegiance

3. STATEMENT OF CONFLICT— None

4. APPROVAL OF AUGUST MEETING MINUTES— Lybarger motions to approve minutes, Loyd seconds. All in favor

5. MAYOR, COUNCIL, AND DEPARTMENT REPORTS—

- **Mayor:** I want to say that nobody should die when they are doing something like Charlie Kirk. This young man had done a lot for people. We need to remain calm and we need to stay kind to one another and remember everyone is an individual and we are made in the likeness of God some people may not believe that but that's how I believe and I just want to say it that way that we are made in his image and we don't have a right to take each other's lives no matter what no matter what I'll say it one more time no matter what we don't have that right so I want to thank you for being here all of you and I want to thank our little town because it is a good town we want to keep it safe and we want to be safe in our community and we don't want to attack one another and we don't want to see that and so I just thank you all for speaking peace wherever we go whether we agree or don't agree it doesn't matter so much but speak peaceful to one another and be kind.
- **Council:**
 - **GCSSD; Jennie Lassen:** We did vote no on going forward with putting in a new well.
 - **Parks & Recreation; Jennie Lassen:** We moved our activities with yoga and dance back to the school. We had a lake day with paddle boarding that drew 13 participants. Sundial is hosting a rock-climbing day October 11, and limited to 8 participants (18+, or under 18 with guardian.) At our last REC board meeting it was decided Saturday November 8th to be the next town clean up. There will be lunch/chili cookoff and an ice cream social. And then December will be our Holiday potluck.
 - **Planning & Zoning; Jim Lybarger:**
 - **Public Safety; Luke McConville:**
- **Fire Chief:** Jim Lybarger reads report provided by Chief Westenskow. Report is available for review in the packet. The packet can be found at bigwaterut.gov. New Chief Cameron appointed;

**BIG WATER MUNICIPAL
TOWN COUNCIL
REGULAR MEETING
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active investigations ongoing; two traumatic injury calls with positive outcomes; county-wide feasibility study underway; First Responders BBQ scheduled for October 15, 2025.

- **Marshal:** Russ Johnson, Town Marshal- Report provided and available @ bigwaterut.gov. 24 cases in August, 9 ongoing; Russ speaks to the misinformation regarding the assassination of Charlie Kirk. Also keep in mind that this is somewhat of a local family and we should all remember that the family and friends of the suspect are not to blame, and we shouldn't take any of our frustration out on them. Cattle season is coming back, and we need to remember to make sure gates are left as they are found. If they are open, leave them open, if they are closed make sure you close them behind you.
- **Planning & Zoning Administrator;** Denise Wood: Jim Loyd reads report provided by P&Z Administrator. This report can be found in the meeting packet @ bigwaterut.gov. One building permit approved; working on ordinance updates to align with Utah Code; compliance letters in progress.
- **Treasurer:** Annual firehouse payment of \$11,120 made. Budget closely monitored; minor overages addressed via public hearings.

7. CITIZEN COMMENTS - Citizens are given a reasonable amount of time to comment— Francine Hoover, I'm just wondering do you have to go through the county to take some of that land to make it your land or how does that work? David: There's a process I'm pretty sure that we'll have to be talking with the county and letting them know what we're going to do, yes that would be a part of the process I'm sure any landowners or any affected entities will all be noticed.

8. OLD BUSINESS - NONE

9. NEW BUSINESS

- a) **Discussion and Possible Action on Visitor Center Lead Host Position Hours** — There is a possibility that we may need to in the future increase hours beyond the 11 as discussed.
- b) **Discussion and Possible Action on Adopting Ordinance 14-2025 Creating a Part Time Visitor Center Lead Host and a Host Position**— Jennie Lassen asks why we have two positions when we are only hiring one. Katie Joseph answers this is to have the option open in case in the future the County doesn't fund positions to keep it open in future year's budgets. Shirlene Hull asks a question (allowed by Mayor Schmuker) do we get any compensation or something from the visitor center? David answers No.
Motion to adopt made by Jim Loyd. Second by Lybarger. All aye. Motion passed.
- c) **Discussion and Possible Action on Adopting Resolution 2025-20 to Amend the FY 2025-2026 Budget to Appropriate Funds for Visitor Center Staff Wages**— Lassen motioned made to adopt with correction to \$14,428 (Visitor Center). McConville seconds. All aye. Motion passed
- d) **Discussion and Possible Action on Implementing the Utah Revenue Recovery Program**— Loyd motions to adopt. Second by Lybarger. All aye. Motion passed.
- e) **Discussion and Possible Action on Signing MOUs with the State of Utah Division of Finance & the Utah Association of Counties Utah Revenue Recovery Program (URRP)**— Motion to adopt MOU's made by Loyd. Second Lybarger. All aye. Motion passed unanimously

**BIG WATER MUNICIPAL
TOWN COUNCIL
REGULAR MEETING
APPROVED MINUTES**

- f) Discussion and Possible Action on Annexation & Expansion of Town Boundaries—**Jennie Lassen- The county will occasionally grade the roads. David Scmuker- The county will continue to grade the roads if we annex those into the town. Council would like more information on costs associated with annexation. We can move forward by deciding on boundary adjustments after costs are better understood. Final decisions on specific boundary lines will be made after cost information and further details are received.
- g) Discussion and Possible Action on Posting a Sealed Bid and Determining a Starting Bid Amount for the Decommissioned Fire Department Quick Response 1999 GMC Suburban Truck—** The council discussed posting a sealed bid for the decommissioned Fire Department quick response vehicle, a 1999 GMC Suburban. Chief Cameron had previously recommended a starting bid of \$500, noting that a \$600 transmission was installed two years ago, but the vehicle is no longer roadworthy and suitable only for parts. After discussion, council consensus was to lower the starting bid to \$100 to ensure interest and removal of the vehicle. Jim Lybarger made a motion to post the Fire Department's decommissioned 1999 GMC Suburban quick response vehicle for sealed bid auction with a minimum starting bid of \$100, bids to be accepted beginning September 18, 2025, and closing at the next regular council meeting. Seconded by Jim Loyd. All in favor.
- h) Discussion and Possible Action on Approving the 2026 Fraud Risk Assessment—** Motion to adopt made by Lybarger. McConville seconds. All aye. Motion passed unanimously
- i) Discussion and Possible Action on Big Water Projects & Priority List—** Mayor mentions a #2 chip seal project and believes it should be on our priority list. #1 North well building. #4 New well. #5 Town entry sign. #3 Park upgrades, pavilion.

10. FINANCIAL REPORTS AND CHECK REGISTER— Lybarger- We need to look at pages 38-39 payroll for part time park help/dayworker and liabilities. We need to make sure whether these day laborers are either covered by our workman's comp or supply their own coverage. Motion to adopt made by Lybarger, second Lassen. All aye. Motion passed.

11. POSSIBLE CLOSED SESSION— Legal Business; Litigation; Land purchase; Personnel business; or items as described under Utah State Code Utah Code 52-4-205—

12. RETURN TO REGULAR MEETING—

- a) Discussion and Possible Action on Closed Session—**

13. ADJOURNMENT— Motion to adjourn Lybarger, seconded Loyd. All aye. Motion passed