

Town Council Work Meeting  
October 15, 2025  
Final Minutes

Council

Jean Krause  
Paul Luwe  
Mistie Baird  
Valerie Wenz  
April McKeon

Attendance

Krystal Percival  
Mark Meyers  
Heath Snow  
Darlene Pope  
Troy -Sunrise  
Nate – Sunrise

Online

Monica Bowcutt  
Chuck Matsler  
Thomas Iphone

**WORK MEETING: 6:02pm**

**A. CALL TO ORDER – Jean Krause**

**DISCUSSION ITEMS:**

**A. NON-ACTION ITEMS / NO VOTE**

**1. Minutes of Town Council Meetings of May, June and July**

Jean Krause noted that the minutes were delayed due to her workload. She is now caught up, and the minutes are ready for a vote.

**2. Resolution R2025-?: Town Manager's Access to Virgin's PTIF accounts**

Candus Tibbits, our CPA, recommended this action. Heath Snow stated that it was a great idea and should be carried out via resolution.

**3. Development Agreement on Parcel #V-2-1-21-226 (None received as of yet)**

Heath Snow stated that he prepared this and sent it to the Palmers' attorney for review. He has not received a response yet.

**4. Ordinance 2025-? Approving Zone Change on Parcel #v-2-1-22-311 from Rural Residential Zone to Commercial Zone**

The Town Council discussed a request to change the zoning of a parcel from Rural Residential to Commercial. Council members expressed concerns about ongoing unauthorized excavation on the property. It was noted that the Council cannot make the Zone Change conditional on halting the excavation due to potential legal challenges; property owners would need to pursue a declaratory judgment action to address the unauthorized work.

The Council also discussed that, under Utah law, provisions for lateral and subjacent support exist, but they cannot require excavators to repair any potential damage as a condition of the Zone Change. Concerns were raised about the property owner selling dirt in a Residential area, which

may violate Zoning Laws. While this was debated, the Council concluded that the Zone Change cannot be conditioned on stopping the dirt sales.

Additionally, the Council addressed a discrepancy in the public hearing notice for a parcel number and determined that the notice was legally sufficient despite the error. The Council also noted that two roads near the property do not meet UDOT spacing requirements for access to SR-9. The Mayor will discuss these issues with the property owner and report back at the next meeting on Tuesday.

**5. Resolution R2025-?: Resolution of the Town of Virgin Adopting the Joint Agency Regional Water Conservation Plan**

The Clerk prepared a resolution using a required template provided by the Water Conservancy District, which outlined the information that must be included.

**CLOSE PUBLIC MEETING AND OPEN CLOSED MEETING 6:54pm**

Meeting will be held at 114 S. Mill Street, Virgin UT. 84779 (old church)

Code 54-4-205(1)(d)(ii)

**(1)** A closed meeting described under Section 52-4-204 may only be held for:

**(d)** strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, or to discuss a proposed development agreement, project proposal, or financing proposal related to the development of land owned by the state or a political subdivision, if public discussion would:

**(ii)** prevent the public body from completing the transaction on the best possible terms;

Jean Krause made a motion to close the work meeting and open the closed meeting / Valerie Wenz

Seconded the motion /

Roll Call Vote

Jean Krause- AYE

Paul Luwe -AYE

Mistie Baird – AYE

Valerie Wenz -AYE

April McKeon – AYE

**Result:** Motion carried unanimously

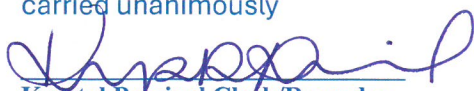
7:26pm

Jean Krause made a motion to close the closed meeting and open the work meeting / Valerie Wenz seconded / **Vote:** All Aye; No Nay. The motion carried unanimously

**ADJOURN MEETING 7:27pm**

Motion to adjourn work meeting

Paul Luwe made a motion to adjourn / April McKeon seconded / **Vote:** All Aye; No Nay. The motion carried unanimously

  
Krystal Percival Clerk/Recorder

  
Approved Date