

# **BIG WATER MUNICIPAL TOWN COUNCIL REGULAR MEETING**

## **Approved Minutes**

**Wednesday July 15, 2026  
60 N Aaron Burr, Big Water, Utah 84741  
6:30pm Work Session;  
7:00pm Public Hearing  
7:01pm Council Meeting**

### **WORK SESSION**

#### **1. CALL TO ORDER – at 6:31pm**

**2. ROLL CALL** – Jim Lybarger, Jennie Lassen, Mark Gangola (participated electronically via Google Meet), David Schmuker - present

**3. DISCUSSION ON AGENDA ITEMS** – Discuss creating a survey to ask citizens if they want the J-Brake Sign posted on the highway. Also ask Brown Brothers nicely to remind their drivers to not use the brake.

Discuss 02-2026 – Planning & Zoning revised and returned to Council. Report from Nicole about Overlay definition. Nicole Wood arrived to help explain. Map is attached- confirmed

Discuss 11-2026 – Franchise and Use of Right-Away – for Fiber Optic line, explained

Discuss Glynn Hays – Retired Paleontologist over at the Visitor Center. Glynn wants to be the Town Paleontologist, not for a lot of money, but with a title he could apply for grants. David says the visitor center will end up in Kane County's hands. The town would not be paying more. Lybarger also likes Glynn's ideas, and they keep a tally of visitors, over 150 people on multiple days. Everyone wants to buy something, take a class, something. Good especially if we can bring Dinosaur Days back.

Discuss Jed Harr about the Garkane power poles and easement. Jed bought a lot (585 Independence) – No easements recorded on their deeds, and he had agreed to record it, but there is a power pole in the easement. David spoke to Garkane, and the cost would be 37k, David suggested the town possibly using some of our road funds during our future road project. SITLA never recorded the easements, and David has been working with SITLA about it as well, but they won't be paying anything. Jed has pamphlet passed out. Building the Big Water Locker. 76 storage units in four buildings, set up with bathrooms and facilities. Public bathroom, air, They will be right next to BuzzOff on Independence. The pole is 32 into the property, so with a 66ft easement that pole will be right in the middle of the street. Garkane could not be here. Garkane wants to know what BW would want. David volunteers to go to the Garkane board because they did have poles in the way for BuzzOff as well, and they simply moved them without charge. Jed has paid 8k toward planning this so far. David wants to do it the right way now. Jed has put money in because he understands he needs to move that pole, but would like to see what could be done by the town with the roads. David says getting the basic road down to Big Water Locker would be something the town might be able to help with, but Jed would have to probably handle any upgrades. Maybe SITLA should handle some finance too. SITLA is paying to record the deeds correctly.

#### **4. ADJOURN – at 7:13pm**

**PUBLIC HEARING 7:00pm - Public Hearing for Adding Chapter 7.02, Franchise Agreements And Use Of Public Rights-Of-Way; Establishing Requirements For Franchise Holders** – Public Hearing opened at 7:14pm. David asked for comments, Tom Reneau: Concerned about other franchisees coming in. Palsgrove explains it's for utilities not sewer lines and the draft was approved by our attorney as the language we need. Closed @7:17pm

## MEETING

**CALL TO ORDER-** at 7:17pm

**1. ROLL CALL** – Jim Lybarger, Jennie Lassen, Mark Gangola (participated electronically via Google Meet), David Schmuker - present

**2. PLEDGE OF ALLEGIANCE** – David Led

**3. STATEMENT OF CONFLICT** – No Conflict

**4. APPROVAL OF JUNE MEETING MINUTES** – Lassen motioned to adopt, Lybarger second, all in favor

### **5. MAYOR, COUNCIL, AND DEPARTMENT REPORTS**

- **Mayor:** David and Abby have gone to a few meetings, and there are a few grants the town may be able to use. Kelly is going to set up a time to visit and meet. It was busy for David getting the park ready for the 4<sup>th</sup>.
- **Council:**
  - **GCSSD; Jennie Lassen:** SSD does not have much going on, Did vote to do some electrical pump upgrades.
  - **Parks & Recreation; Jennie Lassen:** Had a wonderful 4<sup>th</sup> of July & 5<sup>th</sup> Potluck. Lassen thanks all, it went well.
  - **Planning and Zoning:**
  - **Public Safety; Jim Lybarger:**
- **Fire Chief; Cameron Westenskow:** EMT Class 12-16 Sept, at the Wahweap Marina – Tuition will be covered by the hospital. He would like the center console out of the Charger as Marshal said. 29 Calls in the month of June 24 in the first few days. BW was able to support a fire east of Kanab. David thanks dept for all the work they did for the 4<sup>th</sup> Weekend.
- **Marshal; Russ Johnson:** Up to 9 cases currently. Marshal happy that Mark is our IT. Marshal has body camera operational. If parts were removed from the Charger for Cameron, then the Charger can be put up for public auction. Marshal invites questions, comments or concerns.
- **Planning & Zoning Administrator; Denise Wood:** David read Denise's report- 1 building permits approved last month. She continued to work on ordinance to bring them up to code. There have been some recent complaints over noise and those are being investigated. Denise is keeping busy.
- **Treasurer; Peggy Short:** It's the end of the year currently, so we are waiting for June's expenditures to come in. All Transparencies done. And the Audit is scheduled for Sept 17<sup>th</sup>, 2026.

**6. CITIZEN COMMENTS** – Clarence Blair, offers the suggestion to take down the 55mph sign down, David says that's not us, but the state.

Andrea Blair asks who would enforce the J-Brake, David said it would be the BW Marshal dept.

Tom Reneau states No Engine Brake sign, suggests town survey include the dollar amount. New business – says it sounds like chain link fences will be done away with. Sight-obscuring wall? David said it would affect new builds. On Paleontologist, curious what the cost would be. Tom supports Jim Loyd for new Council Member. Body Politic, what is the town's liability. Concerned about the cost to the town if they default. David explains that it's been before a lawyer.

Heather Rankin – about J-Brakes, spent a few nights in her trailer in the Park, and their customers do complain about the noise, Heather Highly in favor of the sign.

Jim Lybarger comment by citizen who work out of town can't access their packages, suggested changing one shift, Peggy explains that hours would have to be increased because they have to be open the current hours.

Suggestion to put bigger boxes for package pickup, fire issue thought and outside -David agrees we can look into it.

## **7. OLD BUSINESS –**

**a) Discussion and Possible action on – Hwy 89 No Engine Brakes Sign** (Note: a citizen suggested to the office staff that putting a sign back farther along the Hwy warning drivers sooner about the reduced speed ahead and they may opt not to use engine brakes with more warning.) – Discussed in work session. Decided to put out a citizen survey.

## **8. NEW BUSINESS**

- a) Discussion and Possible Action on – Ordinance 02-2026 Commercial Zones Supplementary Developmental Standards** – David asks if ready to move forward. Lassen brings up the chain link and it only affects Industrial zones, so it would not affect residents, which she hopes addresses Tom's concerns too. Peggy and Stephanie assist explaining, C3 – Most restrictive Commercial. Lybarger wants to change that 15.23.070 – so Peggy can put that on her P&Z agenda. Lassen says that it says that messy things need to be obscured from view, not that it's an undue burden. Gangola asks if someone took over an existing business, would they need to uphold new standard.

Motion to Adopt Ordinance 02-2026 Commercial Zones Supplementary Developmental Standards by Lassen, Seconded by Gangola

Lybarger - No  
Lassen - Yes  
Gangola - Yes  
Schmuker - Yes  
Motion Passed

- b) Discussion and Possible Action on – Ordinance 11-2026 Franchise and Use of Right-Away**

Motion to Adopt Ordinance 11-2026 Franchise and Use of Right-Away by Gangola, Second by Lassen

Lybarger – Yes  
Lassen – Yes  
Gangola – Yes  
Schmuker – Yes  
Motion Passed

**c) Discussion and Possible Action on – Glynn Hayes, Paleontologist, wants to speak about being our town Paleontologist** – David invites Glynn Hayes to come up and speak on his proposal to become town Paleontologist – he's not asking for money. Gets an average of 60 a day. Many people ask questions. He was a professor, began coming out here in 2008. He wants to make a difference, and works at the Visitor Center, now 7 days a week. Would like to put together a field station for college and high school students. He wants to start a non-profit, so it won't cost. He would like to open the gift shop again. There is still a question on who will own the Visitor Center. He is working with Heather Rankin (realtor) about purchasing lots next to the Visitor Center for their own gift shop as an option. What he is asking for tonight – He needs credentialling because he's working here, he wants a dollar a year (to answer the question of how much will it cost the town). Suggests maybe some business cards the town purchases for him.

Peggy Short asked – What is Glynn allowed to do. Glynn says he's an employee of the county, he's allowed to say you can go over here, you can do this, he can't take money currently. Glynn wants to work toward it, And when the county or town gets the building, he will have things in place. Employ him as the Town Paleo for \$1 a year and buy him some business cards. But he also wants to know what BW people want as well for programs.

David said the town could appoint him. Lybarger says we could get him a name plate here in the office. Glynn points out that there is no advertisement for the Visitor Center. David is grateful that Glynn is there and Mona is there and that the County is partnering with BW.

Stephanie Burkett – mentions to Glynn that there are open seats on the Rec Board, and that might be a way to start.

Gangola would like to meet with Glynn as a group, but he's very excited by the idea and it would benefit BW as a whole. Lassen agrees. As a contract employee instead of regular employee. David mentions the pavilion being finished and that being a possible place for Glynn to do classes.

Rebecca – also a professor, architecture, and teaches building codes, art classes. Working with Glynn in combination for classes and doing them outside of the Visitor Center.

Heather Rankin mentioned about the astronomy.

David wants to meet more, and thanks them for coming.

Motion to move forward with Glynn Hayes as Town Paleontologist by Lybarger, with the details to be worked out, Lassen Seconds

Lybarger – Yes  
Lassen – Yes  
Gangola – Yes  
Schmuker – Yes  
Motion Passed

**d) Discussion and Possible Action on – Discussion with Jed Harr and Garkane about Power Poles and Easements on Independence** – David asked what Council wants. Lassen and Lybarger agree David should reach out to SITLA and Garkane. David confirms that the street must be no smaller than 50ft because of the fire trucks. Not trying to set a precedence, but help Jed get the SITLA error in not recording easements corrected. He'd like to help with the cost of the road work from road funds for that.

David asks Jed if he has anything else. Jed said would like some clarification on the city's involvement about poles and roads as they break ground. Will continue to work with Jed. David clarifies he hasn't committed money, and won't without bringing it to the Council first.

**e) Discussion and Possible Action on – Filling Vacant Council Seat, Seat Expiring Dec 31, 2027** – James "Jim" Loyd, He has served before, and he is the only one to put in. A resolution is needed to appoint to the Council, a special meeting will be held for that once the Resolution is prepared. Peggy says a special meeting not required,

Motion to approve James Loyd to the Town Council seat and the Glen Canyon Special Service District Board seat, which expires December 31<sup>st</sup>, 2027 made by Lybarger, Lassen Seconded

Lybarger – Yes  
Lassen – Yes  
Gangola – Yes  
Schmuker – Yes  
Motion Passed

**f) Discussion and Possible Action on – Resolution 2026-16 to Appoint New Council Member to Glen Canyon Special District Board, the Seat Expiring Dec. 31, 2027** – approved above

**g) Discussion and Possible Action on – Filling Vacant Community Recreation and Enhancement Board Seats for a Two-Year Term** – (currently no applicants)

**h) Discussion and Possible Action on – Approving Financials and Check Register –**

Motion to Approve the Financials and Check Register as presented by Lassen, Seconded by Lybarger.

Lybarger – Yes

Lassen – Yes

Gangola – Yes

Schmuker – Yes

Motion Passed

**i) Discussion on – the Body of Politic Agreement with Lone Rock Views** – David explaining septic and Body of Politic. The State has already approved it and approved Big Water. This has been delayed as the HOA was not set up yet, but they are doing it now. As Tom brought up, the town would not be spending money on it, they will be paying us. David said it's just to open it up tonight and begin discussing it again since they're ready to move forward with us. Lassen says we need to add in how much the town will be paid for David's hours. David agrees. Plus Jex will need to come too, and the town will get a report. David confirms that the citizens will not be paying for it. The state came to BW and asked the town to oversee it. Lybarger says we need to revisit the dollar amounts.

**9. DISCUSSION AND POSSIBLE ACTION ON CLOSED SESSION—** Legal Business; Litigation; Land purchase; Personnel business; deployment of security personnel, devices, or systems; or items as described under Utah State Code Utah Code 52-4-205—

Motion to enter a Closed Session by \_\_\_\_ for \_\_\_\_, seconded by \_\_\_\_

Closed Meeting Called to Order at:

Vote to Adjourn Closed Session, motion made by, seconded by . Closed at

**10. RETURN TO REGULAR MEETING—**

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

**11. ADJOURNMENT—** Motion to Adjourn by Lybarger, seconded by Gangola.

Lybarger – Yes

Lassen – Yes

Gangola – Yes

Schmuker – Yes

Motion Passed

Adjourned at 8:39pm