

FINAL MINUTES
VIRGIN TOWN COUNCIL MEETING AGENDA
Wednesday, October 20, 2021
7:00 pm
114 So. Mill Street, Virgin, Utah

Present:

Council Members: Gene Garate
Jay Lee
LeRoy Thompson

Others: Krystal Percival, Town Clerk
Darcey Spendlove Kent Peterson
Sean Amodt Monica Bowcutt
Marci Holmes Dennis and Joann Allen
Cameron Spendlove Karen Spendlove
Lexi Peery Jason Garner
Darrell Camrah Jared Westhoff
Lesa Sandburg

A. WORK MEETING/NON-ACTION ITEMS: NO WORK MEETING

B. REGULAR MEETING/ACTION ITEMS: 7:00 p.m. HTS

1. Call to Order - Mayor Matthew Spendlove

LeRoy Thompson called the meeting to order at 7:00 pm. He excused Kevin Stout and Matt Spendlove.

2. Invocation/Pledge of Allegiance.

Gene Garate offered the invocation. Jay Lee led the Pledge of Allegiance.

3. Declaration of Conflict of Interest.

No conflicts were declared.

LeRoy Thompson stated that the ballots had been mailed out late because of a lack of envelopes at the printers. The town had hired non-residents to help count election votes with a non-biased opinion. The election would be held on November 2. The polls would close at 8 pm. Council Member Thompson continued explaining where ballots could be dropped off or mailed.

4. Consent Agenda:

Discussion and possible approval of September 2021 Checks & Invoices.

Jay Lee moved to approve the September 2021 checks and invoices.
Gene Garate gave the second. No roll call vote was taken.
The motion was unanimously approved.

Discussion and possible approval of September 29, 2021, Town Council Minutes

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Jay Lee moved to approve the September 29, 2021 minutes.

Gene Garate gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

The motion was unanimously approved.

5. Election poll workers for the upcoming November 2nd, 2021, general election

This information was stated above by LeRoy Thompson.

6. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE

#2021-59 AN ORDINANCE AMENDING CHAPTER 32 OF THE VIRGIN UNIFORM LAND USE

ORDINANCES ('VULU'). (Uses Verbiage)

Gene Garate explained that in the past, in each zone, the town had had problems because something was permitted in the zone, but in the uses chapter it might be different. Another problem was that it verbalized somewhere else in the ordinances, but not in the chapter where it should sit. The idea was that all zones would have the verbiage stating that regardless of what was stated in the zone chapter, Chapter 30 was the master. If there was a discrepancy, Chapter 30 was the final say. All the zoning chapters would be subservient to Chapter 30, which was the main chapter for zones and uses.

Jay Lee moved to approve ordinance 2021-59 amending Chapter 32 of the Virgin uniform Land Use Ordinance. Gene Garate gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

The motion was unanimously approved.

7. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE

#2021-60 AN ORDINANCE AMENDING CHAPTER 34 OF THE VIRGIN UNIFORM LAND USE

ORDINANCES ('VULU'). (Uses Verbiage)

LeRoy Thompson clarified that this change was the same thing as above.

Jay Lee moved to approve ordinance 2021-60 amending chapter 34 of the Virgin Uniform Land Use Ordinance. Gene Garate gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

The motion was unanimously approved.

8. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE

#2021-61 AN ORDINANCE AMENDING CHAPTER 38 OF THE VIRGIN UNIFORM LAND USE

ORDINANCES ('VULU'). (Uses Verbiage)

LeRoy Thompson clarified that this change was the same thing as above.

Jay Lee moved to approve ordinance 2021-61 an ordinance amending chapter 38 of the Virgin Uniform Land Use Ordinance. Gene Garate gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

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The motion was unanimously approved.

9. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-62 AN ORDINANCE AMENDING CHAPTER 34 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

Gene Garate explained that amendment would change the word 'district' to 'zone' in all chapters and locations. He stated that there were many more to follow on the agenda. He stated it was housekeeping.

Jay Lee moved to approve ordinance 2021-62 amending Chapter 34 of the Virgin Uniform Land Use Ordinance. Gene Garate gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.
The motion was unanimously approved.

10. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-63 AN ORDINANCE AMENDING CHAPTER 38 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

Gene Garate stated this was the same thing.

Jay Lee moved to approve ordinance 2021-63 amending Chapter 38 of the Virgin Uniform Land Use Ordinances. Gene Garate gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.
The motion was unanimously approved.

11. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-64 AN ORDINANCE AMENDING CHAPTER 32 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

No discussion took place

Jay Lee moved to approve ordinance 2021-64 amending Chapter 32 of the Virgin Uniform Land Use Ordinance. Gene Garate gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.
The motion was unanimously approved.

12. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-65 AN ORDINANCE AMENDING CHAPTER 16 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

LeRoy Thompson explained that this change was trying to clean up the ordinances to make it easier for public to know what was going on. This changed the words to zoning, instead of district.

Jay Lee moved to approve ordinance 2021-65 amending Chapter 16 of the Virgin Uniform Land Use Ordinances. Gene Garate gave the second.

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Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

The motion was unanimously approved.

13. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-66 AN ORDINANCE AMENDING CHAPTER 2 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

Gene Garate clarified that it was again changing district to zone.

Jay Lee moved to approve ordinance 2021-66 amending Chapter 2 of the Virgin Uniform Land Use Ordinance. Gene Garate gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

The motion was unanimously approved.

14. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-67 AN ORDINANCE AMENDING CHAPTER 30 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

LeRoy Thompson stated this was removing district and replacing it with Zone.

Jay Lee moved to approve ordinance 2021-67 amending Chapter 30 of the Virgin Uniform Land Use Ordinance. Gene Garate gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

The motion was unanimously approved.

15. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-68 AN ORDINANCE AMENDING CHAPTER 8 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

LeRoy Thompson stated this was changing district to zone.

Jay Lee moved to approve ordinance 2021-68 amending Chapter 8 of the Virgin Uniform Land Use Ordinance. Gene Garate gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

The motion was unanimously approved.

16. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-69 AN ORDINANCE AMENDING CHAPTER 2.12 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Setback Definition)

LeRoy Thompson stated this was the definition of setbacks.

Jay Lee moved to approve ordinance 2021-69 amending Chapter 2.12 of the Virgin Uniform Land Use Ordinance. LeRoy Thompson gave the second.

Gene Garate explained that this change came about because there had been two properties within

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the last three months who had built into the setback. He explained that the standard was to measure from the curb back twenty five feet. However, some of the streets in town were not up to the 50 foot right of way. When the measurement was taken from the curb, it actually came into the town's setback because the street was not as wide as it should be. The idea of the amendment was to allow two ways to measure for the front setback: from the curb or from the center of the street fifty feet. It also helped for when the fire department required a widened turn for their trucks, which encroached on the property owner by building closer the line. This ordinance gave them the option to measure from the center of the street.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.
The motion was unanimously approved.

17. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-70 AN ORDINANCE AMENDING CHAPTER 8.20 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Height Standards)

Gene Garate explained that the idea was to standardize all zones because it was easier to say the height limit was just 'this height'. Planning and Zoning had made some changes because they felt it needed to apply specifically to the residential zones. The Commercial Zone would remain at 22 feet and Highway Resort Zone was already set at 25 feet. The ordinance as a whole needed more work because the agricultural zone did not have a height standard, so the chapter would be back next month with more changes.

LeRoy Thompson clarified that this ordinance was for the residential zones only. Gene Garate answered yes and it pushed everything back to the height standards in Chapter 8.

Jay Lee pointed out that the words conditional use permit were listed twice. Gene Garate acknowledged that it was a typo. LeRoy Thompson suggested amending it to take out the second Conditional Use Permit located in b.1.

Gene Garate moved to approve ordinance number 2021-70 an ordinance amending chapter 8.20 of the Virgin Uniform Land Use Ordinances with the addition to ensure the item 8.20b the capitalized Conditional Use Permit at the end of that section is stricken. LeRoy Thompson gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.
The motion was unanimously approved.

18. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-71 AN ORDINANCE AMENDING CHAPTER 8.18 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Setback Requirement)

Gene Garate explained the changes had to do with the front setback and where it could be measured from.

Jay Lee asked which 'closer' this referred too: the house or the street. Gene Garate confirmed that it

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referred to closer to the property line. Jay suggested wording be added for that clarification.

Gene Garate moved to approve ordinance 2021-71 an ordinance amending chapter 8.18 of the Virgin Uniform Land Use Ordinances with additional at the end of the first sentence to read: whichever is closer to property line. Jay Lee gave the second. Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.
The motion was unanimously approved.

19. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-72 AN ORDINANCE AMENDING CHAPTER 18 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

LeRoy Thompson clarified that this changed all the wording to zone.

Jay Lee moved to approve ordinance 2021-72 amending chapter 18 of the Virgin Uniform Land Use Ordinance. LeRoy Thompson gave the second.
Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.
The motion was unanimously approved.

20. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-73 AN ORDINANCE AMENDING CHAPTER 24 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

LeRoy Thompson stated this was again changing zone verbiage from district to zone.

Jay Lee moved to approve ordinance 2021-73 amending Chapter 24 of the Virgin Uniform Land Use Ordinance. Gene Garate gave the second.
Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.
The motion was unanimously approved.

21. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-74 AN ORDINANCE AMENDING CHAPTER 14 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

LeRoy Thompson again stated this change was the zone verbiage, taking district out and putting zone in.

Jay Lee moved to approve ordinance 2021-74 amending chapter 14 of the Virgin Uniform Land Use Ordinance. Gene Garate gave the second.
Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.
The motion was unanimously approved.

22. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-75 AN ORDINANCE AMENDING CHAPTER 2.12 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Def. Changes)

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Sean Amodt stated that the Congregate Living Facility Ordinance had been reviewed, which had changed the definition to residential care facilities, so it was state recognized. These definitions and restrictions of the facilities were already written in the state code and should be followed.

Jay Lee asked about 60.02 short term rentals, referring to item 12. He wished to make a grammar change by adding a 'be'.

Jay Lee moved to approve Ordinance 2021-75 amending Chapter 2.12 of the Virgin Uniform Land Use Ordinance adding in 'be' on the 'STR unit may not be comprise of' item number 12 under 60.02 Short Term Rentals. LeRoy Thompson second. Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye. The motion was unanimously approved.

23. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-76 AN ORDINANCE AMENDING CHAPTER 44 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

No discussion.

Jay Lee moved to approve ordinance 2021-76 amending chapter 44 of the Virgin Uniform Land Use Ordinance. LeRoy Thompson gave the second. Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye. The motion was unanimously approved.

24. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-77 AN ORDINANCE AMENDING CHAPTER 48 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

No discussion.

Jay Lee moved to approve ordinance 2021-77 amending chapter 48 of the Virgin Uniform Land Use Ordinance. LeRoy Thompson gave the second. Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye. The motion was unanimously approved.

25. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-78 AN ORDINANCE AMENDING CHAPTER 54 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

No discussion.

Gene Garate moved to approve ordinance # 2021-78 amending chapter 54 of the Virgin Uniform Land Use Ordinance. Jay Lee gave the second. Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye. The motion was unanimously approved.

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26. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-79 AN ORDINANCE AMENDING CHAPTER 56 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

No discussion.

LeRoy Thompson moved to approve ordinance 2021-79 an ordinance amending chapter 56 of the Virgin Uniform Land Use Ordinance. Jay Lee gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

The motion was unanimously approved.

27. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-80 AN ORDINANCE AMENDING CHAPTER 60 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Zone Verbiage)

No discussion.

Gene Garate moved to approve ordinance 2021-80 amending chapter 60 of the Virgin Uniform Land Use Ordinance. Jay Lee gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

The motion was unanimously approved.

28. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-81 AN ORDINANCE AMENDING CHAPTER 2.12 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Def. Changes G&H)

Sean Amodt explained to the Council that this was part of the ongoing project of making the definition chapter true definitions and putting the ordinance clauses in the ordinances. This was the G and H words.

Gene Garate moved to approve ordinance 2021-81 amending chapter 2.12 of the Virgin Uniform Land Use Ordinance. Jay Lee gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

The motion was unanimously approved.

29. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-82 AN ORDINANCE AMENDING CHAPTER 48 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Uses Verbiage)

Gene Garate explained this change was the same as the first couple of ordinances on the agenda. It was referring chapter 48, back to chapter 30.

Jay Lee moved to approve ordinance 2021-82 amending chapter 48 of the Virgin Uniform Land Use Ordinances. LeRoy Thompson gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

The motion was unanimously approved.

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30. Discussion and possible approval of P&Z recommendation to approve proposed ORDINANCE #2021-83 AN ORDINANCE AMENDING CHAPTER 44 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ('VULU'). (Uses Verbiage)

Gene Garate explained this referred to chapter 30, from chapter 44.

Jay Lee moved to approve ordinance 2021-83 amending chapter 44 of the Virgin Uniform Land Use Ordinances. LeRoy Thompson gave the second.

Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.

The motion was unanimously approved.

Open Forum: Limit 2 minutes per speaker:

Kent Peterson addressed the Council stating that about 150 years ago Jay Lee's ancestors came here for a couple of reasons: good water, bottom land and they wanted to worship God according to their own dictates. Jay Lee had lived here all his life. Mr. Peterson continued that he had disagreed with some of Jay's ideas in the past. Jay was not going to be on the ballot, so he wanted to tell a quick story. When he and Diane had first moved here, he wanted to keep Kevin Stout's cows off of 385 East. After some discussion, the BLM had agreed to provide the fence if the Peterson's provided the labor. Himself, Allen, and Clay Lee had decided to put the labor in. Unbeknownst to him and Diane, in the middle of the night, Jay and somebody (perhaps Sean) had put in the fence posts. Jay didn't ask, he just did it. That is the kind of person he was. The town would miss him on the ballot and the life served for the town and the time he had given. Mr. Peterson thanked Jay and told him how much he appreciated the work he had done for the town. He then wished Jay and his family well.

LeRoy Thompson stated that Jay had served the town of Virgin for 25 years.

Sean Amodt suggested a community yard sale or a community unity project before the holidays. He suggested a 'take and trade' type of sale. He also thought a donation type event would also be helpful. He hoped to involve the town and involve the people of the town. The donations would go towards the flagpole that had been proposed by the mayor. He would be working with Krystal to get something together.

Jared Westhoff, from the Weeping Buffalo, thanked the town for the professional manner they had operated over the last four years. He felt that professionalism had not existed before the last 4 years. He felt this way because it had been very difficult to make an application and use personal land. He appreciated the Planning Commission, the Zoning Administrator and Mayor Spendlove. He had had some things that he had wanted to do to use his property and if it was not in the zoning, these people would not just tell me no. They had opened up the book and showed me why it was not allowed. They did not play a game. He felt it had been really sad dealing with the town before this council came in. His daughter was in elementary school when he had first come to town with a proposal. She was twenty two years old now. Half of his professional career had been spent getting games played with the town of Virgin. When he had finally received approval, he had almost cried. Mr. Westhoff

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thanked the town and the current board for the way they had operated. He hoped the voters of the town would recognize the professionalism that Mayor Spendlove had brought and vote for candidates who really believe in property rights. Mr. Westhoff continued stating that it had previously gotten so bad in this town that he had filed a GRAMA request (freedom of information request) in order to try and understand all the weird sideways things going on instead of just the ordinances. He could not get that GRAMA request filled, and he kept asking why it was not happening. He had been told by town staff that Jean Krause had taken the computers to her home so that he could not have the requested completed. He hoped the town was smart enough to realize that the campaign letters he was getting in the mail sounded a lot like Joe Biden.

These people were claiming the 'other side' was what they actually were. They were not transparent, played games, made really complicated ordinances that nobody could read or decipher, which he called ordinance games. Mr. Westhoff named off many boards and positions which he had held dealing with towns and ordinances. He stated Virgin's ordinances had been an utter mess. He thought it was awesome that the town had been cleaning them up so the public, the applicant, the Planning Commission, and staff could all know what the rules were, instead of being played with like he been played with for years. He thanked the Council, staff and Planning Commission for cleaning a mess up. He continued, stating that he hoped the town had the wisdom to keep good people who understood that a strong government was a limited government and where everybody could understand the rules to play by. As an example, Mr. Westhoff stated that he had tried to get the agreement for the water with conservancy district and the town would not let him have it. He ended up having to go to the conservancy district to get the agreement so he could understand what the rules were. There was no transparency before Mayor Spendlove and he and his staff had made a huge difference.

He knew that in Virgin everybody cared about each other even if they didn't agree. He wanted to be a part of that. Weeping Buffalo was finally open, and it was something the town could be proud of. Mr. Westhoff invited everyone to drive through it. He stated he had taken feedback from Lori Rose and Steve Masefield and tried to implement that feedback. He was trying to do a nice job and had turned down multiple buyers because they were corporate. He was trying to fit into what the town wanted and not do what people didn't like. He was trying to keep a master developer and owner involved on the large project. He intended to keep the RV and glamping portions. He appreciated the town and what they had done to clean things up.

Darell Camrah, who ran Weeping Buffalo, gave a second to what Jared Westhoff had said. He reported that people loved the project who were driving through, and they had travelled the entire country. Mr. Camrah was excited to be a part of everything going on around the town.

Lesa Sandburg stated there had been recent literature that was making promises that the post office would be back in Virgin. She had talked to the LaVerkin Postmaster who said the post office was not coming back and should not be part of the election campaigns.

Jason Gardner addressed the Council stating he was down at Weeping Buffalo. He stated he was new to town for a few months. They had done a wonderful job at Weeping Buffalo. The people there

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wanted to be good neighbors to everybody and fit in with everybody. He invited residents to drive through and check it out. He was more than happy to help with whatever he could do.

a. Council Comments:

Gene Garate stated that a lot of people were coming in to get permits before the election because the future was unsure at this point.

Jay Lee thanked Kent Peterson. He then stated that he had driven through Weeping Buffalo and thought it was awesome. He then read a letter he had received. It read as follows:

“Response to political card sent out by the liberal party. Thank you for giving a great synopsis of the campgrounds in town. I don’t know how much of it is true, but if it is, it sounds like a wish come true! For years we have wished someone would come in and set up a fun and more complete campground so that visitors to our town would have more places to camp while visiting friends and family here in Virgin. (That is—somewhere they didn't have to camp in the dirt down next to the river without sanitary accommodations.) Wow, and real “teepees” and real “covered wagons”-the kids both young and old will love camping here!

We have had visitors from as far away as Japan who were blown away with the beautiful night sky! Many of them had never seen stars before, having been raised in large cities in Japan. I have never heard complaints from any of them, only from the liberal political ones here who want to control everyone else and be the light gestapos.

And thank you for helping the conservative campaign here in town also. All those signs along the highway typify the exact doings of our present administration very well. These are the things they have been doing for the last 4 years here in Virgin! I thought they were so great I stopped and copied the words down.

What matters. Liveable neighborhoods! We don't have drive-by shootings or other creepy things they have in UN-liveable neighborhoods. People plant gardens here and raise livestock, pets and chickens. Economic diversity-Yes! We have farmers, electricians, store workers, doctors, and retired people, you name it we have it! Pretty cool. The best part is we all get long pretty well for the most part. Solutions to challenges. That basically sums up what our town does everyday. Reliable plan for the future. Uhh..that’s what a master plan is. And we have one of those. Honesty, integrity, and transparency. Wow! Now is so much better than before, when many of the town records and history just disappeared. In the night..without public input or knowledge. Who knows what historical information was discarded, which by the way is against the law! But there is not a way to make sure those responsible will be held accountable since the records no longer exist.

Or even better was the disappearance of the town computers. Just zip, overnight they disappeared. Not even the town clerk knew what happened. She couldn’t do her work for days waiting for the return of the computers. And now some of the same people who were in charge at that time want us to trust them with the governance of our town again? You have to be kidding me.”

Mr. Lee then stated that he had been in city government for a long time. All the attacks against this administration made him feel personally attacked and he could not remain quiet when someone was doing that.

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He stated that years ago a group called Walk Ways West came to the town office to get the town to go along with their vision of a 100 foot walkway along the Virgin River and every wash and ravine flowing to the river in the entire county. Mr. Lee felt these people wanted to control all the watershed of the Virgin River, thereby, controlling all the people and private property around it. The town said no way and they moved on.

Council Member Lee continued that then the Virgin River Land Management Plan entered and Lori Rose. He had been fighting the Virgin River Conservation Plan for 20 years. Eighty percent of Washington County was public land. Eighty five percent of the Virgin River was private property. He wondered why all the environmentalists were after the private property. The homesteaders lived on the land they could use, which was the land that had water. These people don't want development.

Council Member Lee stated that words meant a lot. He had a list of all the Planning and Zoning and Town Council Members a few years ago. He felt they had all these key words and phrases in the ordinances to keep development out, or at least stall them for months until they just went away. Virgin became a no town, which was what Mr. Westfall had been talking about. Springdale had the same problem when two of those same individuals were on the Springdale City Planning and Zoning. Springdale had told Jay it had taken them years to undo all the garbage these two people got put into their ordinances. Virgin had had the same challenge when they came to Virgin. The last mailer he received showed how many of these ordinances had been approved and another thirty five coming on. The council was cleaning up the ordinances making it so people could use their property. Planning and Zoning has been working on that for four years and a lot of work. He appreciated them for all the hard work. We are doing this so people could understand them better.

Mr. Lee continued that a few years ago, people had to go to the Planning and Zoning Commission to get a building permit. They were required to show their building plans and they discussed in a public meeting the plans. It was illegal to do that because it violated a person's privacy. In the last two weeks there had been some people come to the office wanting to see the building plans of someone else who was building a house. Thanks to the clerk who told them it was not legal and would not give it to them. Then she asked them if they would like someone to know every room and secret area was in their home. They said no they would not. Some people think that rule was still on the books. The town did not do this anymore.

Council Member Lee wanted to look at bringing the town together. The Fall Social was an amazing event. Two ladies who had no affiliation with the town planned the events and set it up. And the kids had fun. Jean Krause showed up and wanted her booth right in the middle of everything, not where she was directed to set up. Someone else came with their booth without an application or permission to sell cookies. However, Mr. Lee did not remember any cookies being sold. They had turned it into a political campaign. All this person had was jelly, plus all their election material. This took up the room where kids were supposed to play. He thanked Jean, Lori and Paul, because their booth had taken away a game the kids could not play because they had to have it right there.

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For people to say 'our town deserved better'? Who knows what better meant? Mr. Lee named off some of the accomplishments in his twenty five years of town political involvement: Replacement of the bridge over the river on Sheep Bridge Road with no cost to the town. Joy Henderliter started the project but was getting nowhere and turned it back to me. After about a year the town had a new bridge. The road had been straightened out from SR9 to the bridge and got rid of the blind turn there, after a head on collision occurred. Desert Gardens was one that had been put in. The town paved all the roads, even though the ordinances said only gravel was needed. Desert Gardens had set the standard for the town's subdivisions with pavement and curb and gutter. Andy Anderson's business. A lot of work on the Mesa Road had been done. The annexation of the 101. The Flying Monkey had had a big impact on our town. The Red Bull Rampage. Mr. Lee stated that he had been on the board of directors for the first four years. The BMX Track, where the town now owned ten acres. A hotel, restaurant, camp-grounds, 80 acres on Coal Pits where the town owned a 200 gallon a minute water right that had been filed on. He felt the water right had been destroyed with those records. The town now had the Rio de Sion subdivision and bridge. Pocketville Park, New Kolob Road, restoration of this building with the kitchen and restrooms and we have purchased more water rights. Residential hosting and short term rentals had been allowed and it was interesting how many of those individuals had opposed and fought the council on those were now doing residential hosting and short term rentals. He asked why our town deserved better? That was just a slogan that every communist and dictator used. Better than what? They were the same block of words. When did a post office become part of political issue in Virgin? It must have given the reader a warm fuzzy feeling.

LeRoy Thompson stated that he could see that Jay Lee put his whole heart in to the town. It felt like a personal attack when someone said the town hadn't been run right for these years.

LeRoy Thompson gave the treasures report. He stated that it was into four months of the fiscal year and the town had a surplus of \$136,000. This was mostly due to resort, transient room, and recreational taxes. They all came from the hotel, campgrounds, and restaurant. A while ago the utility fund/water had threatened having to raise the rates, but it was now running at a surplus of \$35,000 for the first 4 months. The BMX Track was also running a surplus of \$2,252 since the change of management. It was usually running at a deficit and the town was supporting them. He felt these things needed to be brought to the town's attention.

b. Possible motion to hold an Executive Session:

LeRoy Thompson asked for a motion to close the public meeting and open an executive session.

Jay Lee moved to close the public meeting and open a closed session.

LeRoy Thompson stated that an executive session was where the council talked about litigation or employment that must be confidential according to state laws. He then asked the public to leave.

Gene Garate gave the second. No roll call vote was taken. The motion was unanimously approved.

FINAL MINUTES
VIRGIN TOWN COUNCIL MEETING AGENDA
Wednesday, October 20, 2021
7:00 pm
114 So. Mill Street, Virgin, Utah

The motion was made at 8:15 pm.

C. ADJOURN PUBLIC MEETING:

*Jay Lee moved to close the executive session and open the public meeting. Gene Garate gave the second. Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.
The motion was unanimously approved.*

Time 8:22 pm

*Jay Lee moved to adjourn. Gene Garate gave the second.
Roll call vote: Gene Garate-Aye; Jay Lee-Aye; LeRoy Thompson-Aye.
The motion was unanimously approved.*

The meeting was adjourned at 8:47 pm.

Krystal Percival
Town Clerk

Approved:_____