



**MINUTES OF THE SPRINGDALE TOWN COUNCIL SPECIAL MEETING HELD  
WEDNESDAY, JUNE 24, 2020**

**This Council meeting did not have an anchor location and was conducted entirely via electronic means. Council members connected remotely. The meeting was available to the public for live viewing/listening and included a public hearing wherein public comments were monitored electronically by the meeting host.**

Meeting convened at 10:00am

**MEMBERS PRESENT:** Mayor Stanley J. Smith, Council members Randy Aton, Lisa Zumpft, Adrian Player and Suzanne Elger

**ALSO PRESENT:** Town Manager Rick Wixom, Director of Community Development Tom Dansie, Town Treasurer Dawn Brecke, Police Chief Garen Brecke, Town Attorney Devin Snow, and Town Clerk Darci Carlson recording. See attached sheet for attendees signed into the meeting.

**Motion made by Lisa Zumpft to approve the special meeting agenda for June 24, 2020. Seconded by Suzanne Elger.**

**Player: Aye**

**Elger: Aye**

**Zumpft: Aye**

**Aton: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**A. Discussion/Information/Non-Action Items**

**1. General discussion and announcements:** Mayor Smith provided information from the recent Mayor's meeting. There was a rise in coronavirus cases in the area, including in two long-term care facilities. As of yesterday, the local hospital was near capacity; however, this fluctuated regularly. He said it was important to take the situation seriously. Masks and social distancing were crucial. A mandatory call for masks was difficult to enforce so personal responsibility was key. Mayor Smith hoped businesses would reinforce the use of masks.

- The Washington County School District would open and have classes. Discussion of mask use was ongoing.
- Governor Herbert was watching the numbers carefully. Many of those with COVID were younger. There was concern for the health of residents in long-term care facilities so the county intended to utilize the National Guard to help with testing in these facilities.

Mr. Aton raised concern about the hospital being near capacity. Although he understood enforcement challenges, Mr. Aton said mandatory masks in Springdale would at least make people compliant within the community.

- Mayor Smith said ICU numbers included all medical issues not just COVID cases.
- Regarding mandatory masks, the Town may not be able to take action independently without support of the Southwest Utah Public Health District or the state. Mr. Wixom would research the Town's ability to impose such action.

Ms. Elger questioned if local mayors were discussing efforts to join Salt Lake County mayors regarding mask requirements.

- Mayor Smith said each health district in the state was responsible for their area. For local mayors, the focus was just Washington County.

Ms. Elger asked if the Southwest Utah Public Health District intended any action to mandate masks.

- Mayor Smith said there was no discussion of that. He said Dr. Ferguson and Dr. Blodgett asked people to wear masks, but it was not mandated. The state was launching a state-wide advertising campaign about wearing masks.

Until the Town knew what they could do legally, Ms. Zumpft emphasized the impact businesses would have on the public if they came together on the subject of mandatory mask wearing.

**2. Update on the Above Zion campground development proposal on Kolob Mountain:** Based on the Council conversation in their June 10<sup>th</sup> meeting, Mr. Wixom was asked to look into impacts on the Town from this proposed development. This development would affect approximately 1,700 acres around Kolob Reservoir and residential areas on the plateau. David Pettit and Louise Excell had submitted a public comment letter (Attachment #1).

The item was taken off the June 23<sup>rd</sup> Washington County Planning Commission agenda. Based on discussions with Scott Messel, Mr. Wixom said the applicant first needed to provide more information, including a traffic study and detailed site plans, before being put back on a future agenda.

Based on his research, Mr. Wixom said the applicants had not talked with the Water Conservancy District about water service. Further study would be needed to determine water capability.

This project clearly had significant impacts including traffic, effects on landscape and wildlife, and the sheer scope of the development.

- Drainage was the biggest concern to Springdale and Zion National Park, especially if wastewater was not managed properly. The water supply was also a concern. It would be important to ensure the development was not taking water away from another entity that had rights to that water.

Scott Messel would welcome a letter or resolution from Springdale once the item was back on the agenda. Mr. Wixom clarified the county Planning Commission would be the decision maker. If there was an appeal of the decision it would go to the county Commissioners for action.

Ms. Zumpft thanked Mr. Wixom for doing research. In order to be timely with a letter or resolution, she wanted to keep careful watch of the county Planning Commission's schedule.

- Mayor Smith and Ms. Elger received regular updates and would get noticed.

Regarding size, Ms. Elger noted Springdale had approximately 1,500 hotel rooms while this development proposal was considering 2,000 nightly rentals without any municipal services.

- Mr. Wixom commented at some point there would likely be a state-level review of this proposal given the large volume of water use and disposal.
- Mayor Smith said the impact of garbage and garbage collection should also be noted.

Mayor Smith indicated this item would stay on the Council's radar.

## **B. Administrative Action Items**

**1. Public Budget Hearing: Resolution 2020-06 to open and amend the FY 2019/20 budget:** This was the final amendment of the year which verified expenditures against the budget.

Although the Town budgeted July through June, Mr. Wixom noted the state looked at sales tax in a different fashion. Since there was a two-month lag between the time businesses submitted taxes and when they were distributed to the Town, adjustments to final accruals were ultimately made based on when the taxes were received.

Based on resort tax, transient room tax, and sales tax receipts, Mr. Wixom said the Town would realize a much larger impact from the pandemic in this fiscal year than what was originally anticipated. He said this likely meant the impact to next fiscal year would be less.

- This budget amendment reflected numbers from current financial records. Once final tax adjustments were made, money from the unrestricted fund balance would be used to balance the budget.

**Questions from Council to staff:** Ms. Elger asked the total amount taken from the fund balance to tie everything out.

- Ms. Brecke answered an additional \$510,000 was appropriated.

**Questions from the public to staff:** None were asked.

**Motion made by Suzanne Elger to open public hearing. Seconded by Adrian Player.**

**Player: Aye**

**Elger: Aye**

**Zumpft: Aye**

**Aton: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**Public comment:** No comments were made.

**Motion made by Adrian Player to close public hearing. Seconded by Randy Aton.**

**Player: Aye**

**Elger: Aye**

**Zumpft: Aye**

**Aton: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**Council deliberation:** There was no additional Council discussion.

**Motion made by Lisa Zumpft to approve Resolution 2020-06 to open and amend the FY 2019/20 budget. Seconded by Adrian Player.**

**Player: Aye**

**Elger: Aye**

**Zumpft: Aye**

**Aton: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**2. Appointment of Eric Rioux as Planning Commissioner for term expiring January 2023:** Mayor Smith thanked Joe Pitti for his work on the Planning Commission.

There was no Council discussion.

**Motion made by Lisa Zumpft to appoint Eric Rioux as Planning Commissioner for term expiring January 2023. Seconded by Suzanne Elger.**

**Player: Aye**

**Elger: Aye**

**Zumpft: Aye**

**Aton: Aye**

**Smith: Aye**

**Motion passed unanimously.**

Mr. Rioux said he was looking forward to serving and being part of the process. He thanked the Council for their confidence. Mr. Rioux also thanked Mr. Pitti for his help and guidance.

**3. Appointment of Dawn McComb as Planning Commission First Alternate for term expiring February 2023:** There was no Council discussion.

**Motion by Lisa Zumpft to appoint Dawn McComb as Planning Commission First Alternate for term expiring February 2023. Seconded by Suzanne Elger.**

**Aton: Aye**

**Elger: Aye**

**Player: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**4. Appointment of Steve Carnahan as Planning Commission Second Alternate for term expiring June 2023:** Mayor Smith said Mr. Carnahan had lived in Springdale for four years and was employed at a local business. Mr. Carnahan was enthusiastic and would add a new perspective to the Commission.

- Ms. Elger expressed enthusiasm for Mr. Carnahan and looked forward to his voice contributing to the Commission.
- Ms. Zumpft commented Mr. Carnahan participated on the housing committee and had asked poignant questions. She was pleased he would participate in Town government.

**Motion made by Suzanne Elger to appoint Steve Carnahan as Planning Commission Second Alternate for term expiring June 2023. Seconded by Randy Aton.**

**Aton: Aye**

**Elger: Aye**

**Player: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**5. Ratification of the June 17, 2020 amendment to the Planning Commission Bylaws and Rules of Procedure:** The Planning Commission proposed a change to their Bylaws in order to highlight the importance of attendance. The new language specified if a Commissioner missed any three meetings within a six-month period, it could be cause for referral to the Town Council for removal. Missed meetings did not differentiate between excused or unexcused absences.

- Occasionally unexpected situations happened and missed meetings did not automatically equate to a dismissal.
- Mayor Smith agreed attendance was important, but wanted to ensure Commissioners did not feel undo pressure. This process would allow the Council a way to assess any issues regarding Commissioner duties and use discretion with any action.
- It was noted meeting participation could periodically take place via teleconference. In addition, there were alternates to step in if a Commissioner was out.

**Motion made by Lisa Zumpft to approve the ratification of the Planning Commission Bylaws and Rules of Procedure. Seconded by Suzanne Elger.**

**Aton: Aye**

**Elger: Aye**

**Player: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Motion passed unanimously.**

Ms. Elger requested all Commissioners be sent a copy of the ratified Bylaws.

**6. Ordinance 2020-05 – Amending the Town’s Nuisance Abatement and Reimbursement**

**Procedures:** Mayor Smith was pleased with this amendment and indicated these changes were well-needed.

If the Town had to abate the weed problem, Ms. Elger asked if there was recourse against the property owner.

- There were a number of different options to recover costs. Town Attorney Devin Snow indicated the Town could seek a civil action in court, or file a lien against the property.
- Mr. Dansie emphasized it was the Town’s intent to negotiate with the property owner first. There was good compliance using that route. Abatement and reimbursement were a last course of action that would only be used in rare circumstances.
- Ms. Zumpft said staff worked hard to get people’s attention and educate them before any action was taken.

**Motion made by Lisa Zumpft to approve Ordinance 2020-05, Amending the Town’s Nuisance Abatement and Reimbursement Procedures and direct the Mayor to sign. Seconded by Adrian Player.**

**Player: Aye**

**Elger: Aye**

**Player: Aye**

**Aton: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**Motion made by Lisa Zumpft to go into Closed Session for the discussion of pending or reasonably imminent litigation. Seconded by Suzanne Elger.**

**Player: Aye**

**Elger: Aye**

**Player: Aye**

**Aton: Aye**

**Smith: Aye**

**Motion passed unanimously.**

Closed session commenced at 10:52am.

**MEMBERS PRESENT:** Mayor Stanley J. Smith, Council members Randy Aton, Lisa Zumpft, Adrian Player and Suzanne Elger

**ALSO PRESENT:** Town Manager Rick Wixom, Director of Community Development Tom Dansie, Town Attorney Devin Snow, and Town Clerk Darci Carlson recording.

Closed session adjourned at 11:09am

Regular meeting resumed at 11:10am

**MEMBERS PRESENT:** Mayor Stanley J. Smith, Council members Randy Aton, Lisa Zumpft, Adrian Player and Suzanne Elger

**ALSO PRESENT:** Town Manager Rick Wixom, Director of Community Development Tom Dansie, Town Attorney Devin Snow, and Town Clerk Darci Carlson recording.

**Motion made by Lisa Zumpft to direct staff to move forward with the information discussed in Closed Session. Seconded by Adrian Player.**

**Player: Aye**

**Elger: Aye**

**Player: Aye**

**Aton: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**General Council Discussion** - Mr. Aton updated the Council on a conversation he had with The Mesa Board Acting Director Logan Hebner regarding the proposed Dixie State University (DSU) project. As a point of clarification, Mr. Aton indicated The Mesa vote was not to reject the Dixie State University proposal but to decline participation in the RFP. Although there was not a timeline, the University intended to proceed with the RFP.

- Mr. Wixom had drafted a letter to President Williams inviting University leaders to meet with the Council and discuss goals. The Town had taken a similar approach with the Paiutes in order to build understanding. The intent was to have a discussion with President Williams before any RFP went out.
- During conversations with President Williams, Mayor Smith expressed to him Springdale's huge opposition to any DSU project being developed on The Mesa property.

Ms. Elger emphasized the sensitivity of timing and supported a meeting near-term.

- Mayor Smith reiterated that President Williams said the Town would be in the discussions regarding the RFP. The Mayor wanted to work through the process, although he said the Council could decide to be more aggressive.

**Adjourn**

**Motion to adjourn at 11:27am made by Lisa Zumpft. Seconded by Randy Aton.**

**Aton: Aye**

**Elger: Aye**

**Player: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Motion passed unanimously.**

\_\_\_\_\_  
Darci Carlson, Town Clerk

APPROVAL: \_\_\_\_\_ DATE: \_\_\_\_\_

**A recording of the public meeting is available by contacting the Town Clerk's Office. Please call 435-772-3434 or email [springdale@infowest.com](mailto:springdale@infowest.com) for more information.**



PO Box 187 118 Lion Blvd Springdale UT 84767

## REMOTE MEETING ATTENDANCE RECORD

**Meeting: Town Council Regular Meeting 06/24/20**

Eric Rioux

**From:** [Lisa Zumpft](#)  
**To:** [Wixom, Rick](#); "[Darci Carlson](#)"  
**Subject:** Fwd: Above Zion Project  
**Date:** Sunday, June 21, 2020 8:14:30 AM

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For the record.

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On Jun 20, 2020, at 7:58 PM, Louise Excell [REDACTED] wrote:

Dear Mayor and Town Council,

We noticed that you will have a discussion item relating to the "Above Zion" development project on Kolob Mountain on the upcoming Town Council agenda. Thank you for getting information out to the public on this issue.

In the interest of transparency, we own property and a summer cabin on Kolob Mountain, not far from the proposed development, so we have a strong personal interest; beyond that, we have many pressing concerns that go far beyond our personal interests.

In the interest of saving you from a lengthy email, we would like you to know that we are very concerned about this proposed project because of its size, its location, and its apparent lack of careful analysis of dangers and planning for mitigation of a facility designed to increase the population of Kolob Mountain Community by 5,000+ people per day during summer months.

Specifically, we think it will be important at your discussion to think about the following:

- Springdale and Zion National Park are downstream; this massive development could affect effluents and other pollution into Kolob Creek and, depending on their ability to develop water, could influence downstream water supplies.
- A project encompassing 1,700 acres will greatly impact wildlife habitat, and forest and woodland health.
  - Immeasurable numbers of mammals, birds, and insects rely on these areas, and some of them are threatened and endangered species, among them the California condor, Mexican spotted owl, and a small population of cougars, as well as a number of plant species.
- The Kolob Terrace Road simply cannot support the volume of traffic that would come to Above Zion, some hauling large recreational vehicles, travel trailers, ATVs, and boats. This highway is narrow, lacks shoulders in many places, and climbs from Virgin to elevations in excess of 9,000 feet. The hairpin curves are troublesome in any weather and dangerous in

at night and in bad weather.

- Emergency services on Kolob Mountain are non-existent.
  - Ambulance and fire service are provided by the Hurricane Valley Fire Protection District. There are no stations on the mountain; paramedics, ambulances, and fire equipment and personnel come from Hurricane. (Although Zion National Park has a presence on the mountain, they typically have too few personnel with too many responsibilities on the Park's lands to respond to every need.)
- Wildfire/forest fires may be of most concern. How can the developers assure us that they can oversee all of their 5,000 + nightly guests to use propane in the appropriate places and with appropriate skill and knowledge; how will they monitor the other human causes of fires, too many to mention?

Unfortunately for all of us, times and circumstances have changed. We all must be wiser, more careful, and more serious about protecting the small portion of truly valuable lands that sustain our beautiful east Washington County. We genuinely believe that people have property rights, but with those rights come with equally compelling obligations to neighbors and to the good of the larger community.

We hope you can find a way to convey these concerns to the Washington County Planning Committee prior to their decision.

Again, thank you for considering this issue as a Town.

David Pettit and Louise Excell



Sent from [Mail](#) for Windows 10

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**REMEMBER:** Never give out your account information, password, or other personal