

# HATCH TOWN BOARD MEETING

October 20, 2021

**Town Board Present:** Mayor Kevin Eldredge, Tony Dinges, Melissa Poulsen, Jon Spendlove & Kurt Sawyer

**Staff:** Jacie Torgersen & Kerry Barney

**Public:** Brian & Jennifer Bremner, Bob & Elsha Elliot, David Barnhurst, Scot Walter, Jim Kabonic, Lorin & Elizabeth Thompson, Cassie Thieme, Russ Riggs & John Garner with Steve Schwartz over zoom. Kerr Justus came at 8:30 pm.

## 1. Meeting Called to Order

Mayor Eldredge began the meeting at 7pm with Councilor Spendlove offering the opening prayer and Councilor Poulsen leading those present in the pledge.

## 2. Approval of September 12, 2021 work minutes & regular meeting minutes

Councilor Sawyer motioned to approve the minutes and Councilor Dinges seconded the motion, the vote was unanimous.

## 3. Review September Invoices, checks & financial report

Councilor Sawyer motioned to approve the expenditures and Councilor Dinges seconded the motion, the vote was unanimous.

## 4. Public Hearings

### 5. Petitions, Remonstrations and Communications

#### 5.1 Brian Bremner Subdivision/Water

Mr. Bremner and Steve Shwartz subdivided a 6-acre parcel south of town into 5 lots. They would like to explore option of annexing it into the town. All the lots have frontage along the old highway. The benefit to them would be connecting to the town's water system. They would initiate the annexation process if it was decided this would be the best process for both parties. They want to know what the town would require and what the town would provide.

The town is concerned about the number of water rights that they have, and water storage is also an issue. The town would like to have a study done to see how many water rights they currently have to provide that residents that are located within the town limits. Mr. Bremner told the town to check into CIB for funding options especially since one of Garfield County Commissioners is on the board. In this study they would like to identify how many rights the town has left and the number of hook-ups that the town can service. They do not want to commit more water until they know how much they have. It was suggested to send out an RFP for an engineering proposal. It would be approximately 3-6 months before the plan could be done.

The developers do have water rights and could bring them to the table with their subdivision. In their subdivision the CCNR's provide for vacation rentals which would be a tax revenue to the town. They have two different subdivisions, a northern and southern and they are both options considered for the annexation. The southern subdivision does have a

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well currently. There is a corporate owner who has a well share. Mr. Bremner will be gone after November 29<sup>th</sup> so the town would need to contact Mr. Schultz. The town will look into the water rights and see if they have water available for the subdivision and consider the annexation idea.

### **5.2 Water Study regarding Hatch water rights/rates/storage**

The last water study the town had done was in 2014 by Sunrise Engineering and it is outdated. Brian Bremner and Kaden Figgins will help Jacie Torgersen come up with an RFP to send out to engineering firms. The council would like it sent out to Jones & Demille Engineering, Ensign Engineering and Sunrise Engineering along with advertised in the paper. Councilor Sawyer motioned to go ahead with the RFP to get a water study done and Councilor Dinges seconded the motion, the vote was unanimous.

### **5.3 Triple S Agreement - Underground Irrigation Line on 100 E**

Kurt Sawyer is requesting permission to cut through 100 E to put an irrigation line in. The line would go from the old Cal Burrows home under the street to his field where it would be piped from there.

Russ Riggs brought a letter from the irrigation company and was representing the irrigation company. They do not believe that the ditch going along center street is an irrigation ditch. They feel that it is a drainage ditch for the town and not an irrigation ditch and he had a letter from the irrigation company stating such so this agreement will be between the town and Mr. Sawyer. If there is any flooding, clogging or if this ditch needs maintenance it will need to be done by the town or Mr. Sawyer. The irrigation company will not maintain this ditch.

In 1993 the town gave the irrigation company the old culinary system. This allowed people to water their yards with piped water instead of open ditches. There are two irrigation ditches that currently run through town at 100 S and 200 N which are serviced by the company. The irrigation company does not have a recorded easement, just restricted.

Mr. Sawyer feels like the ditch on center street is an irrigation ditch. The ditch comes from the main line on the top of his field and carries water to his lower fields. Mr. Riggs said there is not a headgate in this ditch, so it is not considered an irrigation ditch.

Mr. Sawyer will put a grate at the bottom of center street with two lines going under 100 E. There will be an open line to carry the drainage water that comes through and a line to carry ditch water. He can switch it when it is time for his water turn. Scot Walter feels like the town could grant the right of way for the ditch and hold Mr. Sawyer responsible for keeping the ditch clean. Mr. Sawyer will put in at least a 24-inch culvert and the asphalt will be replaced/fixed. The work will be done by a licensed contractor.

Councilor Dinges would like to table this item until a copy of the engineered plans are available to the council to review.

## **6. Ordinances**

### **6.1 2021-05 Zoning Ordinance & Map**

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Mr. Kaden Figgins summarized the town's new zoning ordinance. The planning & zoning commission held a public hearing and reviewed the new ordinance at that time and recommended that the town adopt the new ordinance. This ordinance will supersede any others that have previously been adopted. One new section of this ordinance imposes a \$700 fine or a class C misdemeanor for any zoning violation of this ordinance. The town will have this ordinance to use as a guide and Kaden Figgins can help the town out with the interpreting of the ordinance. It is a living document and something that should be amended annually or as needed. Councilor Sawyer had some concerns about fences that were addressed. Jim Kabonic was concerned about the ¼ acre lots size and that has been changed to the ½ acre lot size. The agricultural minimum lot size is 6 acres. Russ Riggs had some concerns about old historic buildings and parking issues for the future. This ordinance will regulate new growth but anything old and already in place will be grandfathered in. A concern was also brought up about non-conforming lots. If the structures stay as they are they are grandfathered in but if the structure were to burn down, then they would have to apply for a new permit and meet with the appeal authority to have a variance granted. Mr. Figgins feels that this ordinance will help the town be consistent. Scot Walter brought up a concern about septic permits but that is something covered by the health department. The parking requirements were discussed, specifically as they pertained to Levi Degarmo's application. Mr. Figgins will take the Degarmo proposal and talk about it with the county building inspector. Kurt motioned to accept the ordinance and map with changes as discussed and a roll call vote was taken:

Councilor Dinges: Yeah

Mayor Eldredge: Yeah

Councilor Poulsen: Yeah

Councilor Sawyer: Yeah

Councilor Spendlove: Yeah

All votes were in the affirmative. After the ordinance was passed Russell Riggs brought up the fact that all the improvement standards had been taken out of the subdivision ordinance. Road widths, hydrants and lighting were discussed. Mr. Figgins will look at it and see if it needs to be added as an appendix or if an amendment to the subdivision section needs to be made.

### **7. Report of Officers – boards – committees**

#### **7.1 Water Department – Water Usage**

The town has been using well #4 for the last two months. Well #5 will not be able to be used until the change over valves are done. September water usage was 715,000 gallons.

There are a couple water meters that are full of water and need to be checked and fixed/replaced before it freezes. The meters are Kimberlee Hamblin, Corina Walker and Sherilyn Benson. Mayor Eldredge will look at them.

#### **7.1.a Delinquent Water Bills**

There are two accounts that were closed in May and Melissa Poulsen has not been able to collect any money on them. The accounts are Vern Young (\$46.84) and Zina Chavers (\$171.46) from Riverside. They have been given ample time to pay. The council would like

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Melissa to send them a personal letter and if a payment is not received within 30 days, then they would like to turn it over to collections.

### **7.1.b Water Operator**

The town did receive an application from Tyler Mendenhall to be the new water operator. He was unable to attend tonight but would be happy to meet with the town council. Jacie Torgersen will set up a date for them next week to interview Mr. Mendenhall for the job.

### **7.2 Fire Department-**

The fire department has not been contacted yet about getting measured for the turnouts that the town had applied for a grant to get. The department has a lit of classes that members would need to take to get certified. There will be a fire department meeting next Thursday.

### **7.3 Road Department-**

### **7.4 Parks & Recreation-**

#### **7.4.a Halloween Party**

The Halloween Party will be at 5pm with trunk or treat and dinner at 6pm. Jacie Torgersen & Melissa Poulsen will be gone so the men are going to have to oversee it. Councilor Poulsen will get the food for it and have everything ready. The dinner will be pulled pork, chips, and water to drink. The council will set up on October 27<sup>th</sup>.

### **7.5 Grants-**

#### **7.5.a CIB Grant**

### **7.6 Planning & Zoning Commission**

#### **7.6.a Levi Degarmo Project**

Kerry Barney presented the Levi Degarmo project that the planning & zoning commission has reviewed. The health department has approved his plan. There was a preliminary drawing presented but the drawing did not have dimensions and sizes on it. There are plans for silos on the property that will be rented out. There will be a storage container on the property during building that will be moved once the building is finished. The project is planned to do in phases. There were a few concerns brought up:

- parking/driving on the septic system
- number of unities to the number of parking spots
- Is there an office?
- Is there a laundry facility?
- Will the big unit be split and how many will it hold?

The council would like to see the streets labeled, dimensions on the plan to make sure that the setbacks are met. Councilor Dinges is uncomfortable with the visual plan and feels like the council needs more information before a decision can be made.

Kerry Barney said the planning & zoning commission had reviewed it and thought it looked good. The town is going to have to take it from here to approve/deny with modifications. He has gone through a long process with Levi Degarmo for this and Mr. Degarmo is frustrated that it has taken so long. Kaden Figgins will get a list put together by the end of the week of what needs to happen to get the permit approved.

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### **7.6.b Kurt Sawyer Zone Change**

Councilor Dinges motioned to accept the recommendation from the planning & zoning commission for Kurt Sawyer zone change and Councilor Spendlove 2<sup>nd</sup> the motion, the vote was unanimous. Councilor Sawyer abstained from voting due to a conflict of interest.

### **7.7 Cemetery**

The cemetery board will have a meeting on November 11, 2021, at 7pm to discuss the annual budget and other items as needed.

### **8. Public Input**

#### **9. Unfinished or New Business**

Jacie Torgersen asked the council for help with the website. She has been working on it a lot and would like some opinions and input from the council. A suggestion was made to list the mileage and the time taken to get there listing Hatch as the home base. The council suggested adding Escalante Grand Staircase, Pink Sand Dunes and Grand Canyon along with the destinations Jacie already had listed.

Cassie Thieme requested that the town ask UDOT to move the speed limit sign. She has tried and it needs to come from the town. Mayor Eldredge said he would do it.

She also asked about becoming an EMT in Garfield County. She was one at one time but has let her certification lapse. Mayor Eldredge told her to contact Tammy Barton, the county EMS director and she could help her with that.

The next meeting will be held on Wednesday, November 17<sup>th</sup>.

### **10. Adjournment**

Councilor Sawyer motioned to adjourn and Councilor Poulsen seconded the motion, the vote was unanimous.

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