

HATCH TOWN BOARD MEETING

January 27, 2022

Town Board: Kevin Eldredge, Melissa Poulsen, Jon Spendlove & Kurt Sawyer

Staff: Jacie Torgersen, Kerry Barney

Public: Jaycen Walter, Brett Burrows, David Barnhurst, Jim Kabonic & Russ Riggs. Cree Carter was in attendance as a deputy from the Garfield County Sheriff's Office.

1. Meeting Called to Order

The meeting began at 7pm with Councilor Sawyer offering the opening prayer and Councilor Eldredge leading those present in the pledge. Councilor Eldredge is acting as Mayor until a new mayor is appointed for the town.

Councilor Eldredge thanked Raquel Thompson for her service. She has submitted a letter of resignation from the cemetery board and planning & zoning commission.

Jacie Torgersen did the swearing-in ceremony for Kevin Eldredge and Jon Spendlove to serve on the Hatch Town Council for a term of 4 years.

2. Approval of November 17, 2021, meeting minutes

Councilor Sawyer motioned to approve the minutes & Councilor Poulsen 2nd the motion, the vote was unanimous.

5.1 Appoint new Mayor and/or Council Member

Tony Dinges withdrew his name from running for Mayor so there was no one on the ballot to be the mayor. Mayor Kevin Eldredge's term was up at the end of 2021. The town needs to appoint a mayor since they do not currently have one. Mayor Eldredge submitted a letter of interest in serving as the mayor of the town again. Jim Kabonic expressed his interest in serving as the mayor during the meeting. A person will be appointed to the mayor for a 2-year term until the next election. Jacie Torgersen directed the meeting as the council interviewed the candidates for Mayor.

Councilor Sawyer asked why would you like to be the mayor?

Kevin Eldredge responded that Hatch is a great place to live, raise a family and have the support of community members. Hatch has a rich heritage. There have been some mistakes made, problems that have arisen in ignorance that have caused some contention. He would like to move forward past the problems to where everyone is good friends and neighbors in town.

Jim Kabonic responded that he has had people come to him and asked him to run as mayor. There have been some things not done legally and he wants to fix that and make sure things are done legally the way they are supposed to be.

Councilor Spendlove asked what makes you qualified to be the mayor?

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Kevin Eldredge responded that he has served as the mayor for 16+ years. He has the knowledge, contacts and is aware of and dealing with the water situation right now and the litigation.

Jim Kabonic responded that he has been on the town council and served before. He is a stickler for getting things done right and legally done right. He has been around and experienced things in life that can help him take care of the town.

Councilor Poulsen asked them to tell one skill that sets them apart.

Kevin Eldredge said he has time to take care of things and the ability to communicate if people will open up and listen.

Jim Kabonic said that he is a stickler for doing things right. He will look things up, he has people skills and time to give.

Councilor Spendlove asked Jim Kabonic why he quit the council before. Jim Kabonic said that Kevin Eldredge fired him. Kevin Eldredge disagreed and stated that he had contacted legal counsel on how to proceed when there was an issue. Jim Kabonic did turn in a letter to the town resigning from the council.

Councilor Spendlove asked Kevin Eldredge why he didn't run as the mayor. He said he withdrew so Tony Dinges could become the mayor and decided that he would just throw his hat in as a council member. He didn't want to see the community be without a mayor, so he decided to put his name in again.

Councilor Poulsen asked Kevin Eldredge how long he had served as mayor, and he said 16 years. She asked Jim Kabonic how long he had served on the council, and he said several times.

Councilor Sawyer asked Jim Kabonic if he would consider serving on the council if he was not the mayor. He stated that things have not been done right and he wants them to be done right so he would serve as either one.

Kevin Eldredge had done some research in the ULCT book and found that if he were to be appointed the mayor tonight the town would need to wait another 2 weeks to appoint another council member. It is state statute that they need to be done separately.

Jim Kabonic said he would rather be mayor where he would have more control. Kevin Eldredge said that the mayor has administrative duties, and the council has legislative duties.

5.2 Executive Session if needed for appointment

The council did leave the meeting and to discuss in executive session who the next mayor should be. When the council came back in Jacie Torgersen called for a roll call vote for mayor.

Melissa Poulsen – Neither

Jon Spendlove – Jim Kabonic

Kurt Sawyer – Kevin Eldredge

5.3 Swearing-in ceremony

Jacie Torgersen looked up information in the ULCT book and it stated that if there was not a majority vote then the mayor would need to be chosen by drawing straws or chance. She decided to flip a coin. Kevin Eldredge chose heads and Jim Kabonic chose tails. Tails won so Jim Kabonic was appointed as the new Mayor of Hatch for a term of 2 years. Jacie Torgersen swore him in as the mayor and he took the seat up at the table. Kevin Eldredge retained his seat as a council member so there was now a full council and a mayor for the town.

3. Review November & December Invoices, checks & financial report

Councilor Poulsen motioned to approve the expenditures and Councilor Sawyer 2nd the motion, the vote was unanimous.

4. Public Hearings

5. Petitions, Remonstrations and Communications

5.4 Open & Public Meeting Training

Jacie Torgersen went through the information from the ULCT handbook on open and public meetings and reviewed it with the council.

5.5 Conflict of Interest Forms Signed by Council

Everyone filled out and signed the conflict-of-interest form to have on file in the office for this year.

5.6 Distribution of Hatch Stimulus Money

The town has \$16,806 of stimulus money to spend, they need to decide how they want to spend it. We have not received any word on the grants that we applied for to go along with this money for fencing around the well and turnouts for the fire department.

5.7 Triple S Agreement - Underground Irrigation Line on 100 E

Kurt Sawyer presented the plans from NRCS for his property for gated pipe. The plan would require him to dig through the road on 100 E. They would be a pipe put in the road alongside the current culvert. There would be a gate/screen put in for his irrigation water on the corner. The gate can be open and shut. He would open the gate when he needed his irrigation water to come through and leave it closed otherwise. The ditch will still be in place and drainage water can still run through the culvert and under the road. There was a concern about having the road torn up. Councilor Sawyer said he will hire a contractor to do the work and they will patch/repair the road where they dig through it. Councilor Spendlove motioned to approve the plans and Councilor Eldredge seconded the motion, the vote was unanimous. Councilor Sawyer refrained from voting on this item since it was a conflict of interest.

6. Ordinances

6.1 2022-01 Meeting Ordinance

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Councilor Sawyer motioned to approve ordinance 2022-01 setting the town's meeting date as the 3rd Wednesday of each month at 7pm and Councilor Poulsen seconded the motion, the vote was unanimous.

6.2 2022-02 Employee Compensation Resolution

The council requested the compensations to be reviewed each year in January. Councilor Sawyer feels like there should be a cost-of-living increase to the employees. Councilor Eldredge said that the clerk/treasurer's workload has increased substantially with the acquisition of the cemetery. The clerk is currently paid \$500, and the treasurer is paid \$450. Mayor Kabonic asked the secretaries to tell the town what they are worth and what they think they should be compensated. Melissa Poulsen and Jacie Torgersen did not want to do that. Councilor Sawyer motioned to give each the secretary/treasurer a \$150/month raise and Councilor Eldredge seconded the motion, the vote was unanimous. A 5% raise was suggested for everyone else. Councilor Eldredge doesn't think the town should raise the water operator right now since he is a brand-new employee. Mayor Kabonic wanted it to be a dollar amount instead of a percentage. Councilor Sawyer motioned to give the employees each a \$25 raise except the water operator and Councilor Spendlove 2nd the motion, the vote was unanimous. A roll call vote was taken for the raises for the employees.

Kurt Sawyer – Yes

Kevin Eldredge – Yes

Melissa Poulsen – Yes

Jon Spendlove – Yes

6.3 2022-03 Utility Rate Change

Councilor Sawyer motioned to raise the rates \$2 per connection effective March 1, 2022, and Councilor Eldredge 2nd the motion, the vote was unanimous.

6.4 2022-04 Master Fee Schedule

There is a new set of fees to go along with the new ordinance. Jacie Torgersen also had a master fee schedule prepared with all of the fees that the town currently charges. The water turn on/off fee was discussed at length. Members of the community would like to see the town adopt a stand- by fee for water connections that are not currently using water. Councilor Sawyer motioned to approve the master fee schedule and new zoning fees and Councilor Spendlove 2nd the motion, the vote was unanimous.

7. Report of Officers – boards – committees

The new councilor members duties were discussed and will be as follows:

Melissa Poulsen – Parks

Kevin Eldredge – Water

Jon Spendlove – Fire

Kurt Sawyer – Roads/Grants

Jim Kabonic – Planning & Zoning

7.1 Water Department – Water Usage

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Levi Degarmo would like a 2-inch water connection installed at his property for his future development. Councilor Eldredge will check on supplies and prices to see what the town can get to do it.

Councilor Poulsen was concerned about the winter estimates. She feels like the water operator should do it since that is his job instead of her having to do the estimates each month. Councilor Eldredge suggested that she contact Pelorus and see if she can just do the bills the same each month during the winter months when the meters aren't read and then just start at that same reading in the Spring when they start reading again.

Tyer Mendenhall is working on getting his water certification online. Councilor Eldredge is going to attend the water conference in the spring to get certified also. The town currently does not have a certified water operator. Ben Neilson's expired in December. The town could contact the water operator in Panguitch to operate under their license until they have someone certified.

7.1.a Water Rights Bids – Review Bids and make decision

There were four bids submitted for the town's water plan. Councilor Eldredge met with Jones & Demille Engineering and Richard White when they were preparing their bids. The bids were as follows:

Sunrise Engineering	\$30,000
Ensign Engineering	\$20,000
Jones & Demille Engineering	\$15,400
Richard B. White, Engineer	\$6,280

Councilor Eldredge motioned to accept the bid from Richard B. White and hire him to do the town's water study, Councilor Spendlove 2nd the motion and the vote was unanimous.

7.2 Fire Department-

7.2.a Resignation & replacement of Fire Chief

Lincoln Poulsen is resigning as the fire chief. Councilor Spendlove will talk to Tony Dinges and see if he is willing to serve as the new fire chief.

7.3 Road Department-

7.3.a Winter plowing of bench road out to well #5

Chuck McEwan did file an encroachment permit with the county and town to plow on the town's road out to Mr. Hilton's property. Having the fence removed on the north side of the ride does help with the drifts. This road is maintained by the town like the other roads in town. It is plowed when the other roads are plowed but the town is not going to plow it constantly because of wind blowing the snow across the road. Mr. Hilton needs to be aware of this and will have to have Chuck McEwan come plow for him and his guests' other times as needed. There is a sign up there about the road not being maintained for winter travel and that is why it is there. There are still drifts on that road and will continue to be and Mr. Hilton needs to be aware of that. The town plow truck and many other individuals have been stuck out there trying to get others out.

7.4 Parks & Recreation-

7.4.a 2022 Celebration Dates

The town Easter egg hunt will be held on Saturday, April 16th at 11am. The town will also do a glow in the dark hunt for the teenagers around 8pm or dusk. Councilor Spendlove said his mom has an Easter Bunny costume that the town can use.

The Independence Day celebration will be held on Saturday July 2nd and the Pioneer Day celebration will be held on Saturday, July 23rd. The Halloween party will be on Monday, October 31st.

7.5 Grants-

7.5.a Capital Improvements List Updated

Councilor Sawyer talked to the Five County Association. The staff can approve planning projects. The town would need to apply in April/June for a planning project if they wanted to do so.

Councilor Eldredge said the roads to well #4 needs some improvement.

7.6 Planning & Zoning Commission

7.6.a Town Zoning Map

Councilor Sawyer suggested that the town go back and do the zoning map again and notify the property owner's whose property is being changed and do it cleanly. Kerry Barney said everything was just done in a lump sum before from the old map to the new map and everyone was not aware of the changes being made. Some concerns on the map are Garkane whether it is commercial or industrial, Prestige Estates whether it is residential/commercial and the Rudolph and Riverside properties that were also changed. It was suggested that the planning & zoning commission and town council have a meeting together to go over the map piece by piece to see how they want it zoned and then start the process over again.

Councilor Sawyer motioned to re-do the zoning map and Councilor Eldredge 2nd the motion, the vote was unanimous.

7.6.b Prestige Estates Subdivision Amendment

The Elliot's did come to the town meeting with a subdivision amendment to resolve their property into 3 lots – two small building lots and 1 large lot. The problem is that the town is not sure exactly what that property is zoned. On the old map it was residential and the new map it is commercial. The town needs to decide what it is zoned before they approve the subdivision amendment. Mr. Elliot said he would like to go ahead with the amendment either way though. The town has not received the amendment form or the fees from them at this time so it will be tabled until they are received. Russ Riggs said that this property has already been changed when he is looking at ONYX so the town better check things out with the county.

7.6.c Scot Walter Plat Map

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Scot Walter reviewed his subdivision checklist line by line and submitted paperwork for each item listed. He had a quick claim deed going from 2 lots to 4 lots and a warranty deed from Triple S Livestock. He had the master tax roll providing proof of no back taxes and a letter from the Town that there is water available for this property. Kerry Barney provided the recommendation from the planning & zoning commission to approve the map. Councilor Poulsen motioned to accept and approve the plat map for the West Hatch Subdivision and Councilor Eldredge 2nd the motion, the vote was unanimous. The plat map was reviewed and signed. The town will need to take it to the town's attorney to sign and then the town should be the one to record the map at the county recorder's office.

7.6.d Resignation and Replacement of planning & zoning member

Raquel Thompson has resigned from the planning commission. Kerry Barney feels like Stan Huntington would like to be done and possible Jason Barney. Kerry Barney just suggested re-doing the whole committee. Mayor Kabonic would like to see people on there who have a knowledge and interest in serving there. He suggested Jaycen Walter and Russ Riggs. Jaycen Walter said he would have to talk to his wife. Russ Riggs is not willing to serve at this time.

7.7 Cemetery

7.7.a Appoint 2 new members

The town also need to find two new members for the cemetery board. Kerry Barney said he would serve on the cemetery board if he is needed. The board consists of Russ Torgersen, Mason Lefevre and Kevin Eldredge was as town mayor.

8. Public Input

9. Unfinished or New Business

The next meeting will be held on February 16th.

10. Adjournment

Councilor Poulsen motioned to adjourn at 10:15pm and Councilor Spendlove 2nd the motion, the vote was unanimous.

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