

HATCH TOWN BOARD MEETING

August 18, 2022

Town Board Present: Mayor Jim Kabonic, Kevin Eldredge, Kurt Sawyer & Jon Spendlove. Melissa Poulsen came at 7:10pm.

Staff: Jacie Torgersen, Tyler Mendenhall & Kerry Barney

Public: Gene & Julie Spendlove, Melissa Durrett, Kris Mendenhall, Kim Khierloom, Tyler Mackaben & Dave Barnhurst. Lincoln Poulsen came at 7:10 pm.

1. Meeting Called to Order

Mayor Kabonic welcomed everyone to the meeting and the meeting started at 7pm. Tyler Mendenhall offered an opening prayer and Councilor Eldredge led those present in the pledge.

2. Approval of July 18, 2022 Minutes

Councilor Sawyer motioned to approve the meeting minutes and Councilor Eldredge 2nd the motion, the vote was unanimous.

3. Review July Invoices, checks & financial report

Councilor Eldredge motioned to accept the July Invoices and Councilor Sawyer 2nd the motion, the vote was unanimous.

4. Public Hearings

5. Petitions, Remonstrations and Communications

5.1 Water Extension for Bristlecone Pine

Kim Khierloom has purchased 2 lots on the Bristlecone Pine subdivision with his sister. This subdivision is located just off highway 89 south of town. He would like to live here and build a cabin on the property and rent it out as a vacation rental when he is not here. He came to the meeting to see what the town could think about extending water out to the Bristlecone Pine Subdivision. He has looked at the town's water study that has recently been completed and saw that the town does have sufficient water rights. The lots that he purchased came with ¼ acre foot of water. The Bristlecone Subdivision does not have a well but the Bryce Gates subdivision that is next to it does have a well.

Mayor Kabonic said that the town does have water but they only have one part time water person. He feels like the town should take care of the lots in town and not move water out of town. The town does not have a full-time water operator who can take on a lot more water connections.

Councilor Eldredge asked Mr. Khierloom how he felt about annexation and being part of the community. He would need to get all owners on board with an annexation. The town's annexation process does not allow islands so the Ivor Riggs property would need to be included in the annexation along with all owners in the Bristlecone subdivision. The town

does not want to sell water outside of town limits so his best option would be to consider annexation but this would require cooperation and coordination with all property owners. Kerry Barney does not feel like it would be a good idea to annex undeveloped property into the town. Mayor Kabonic said when the town annexed the Garkane Substation that was a financial boost to the town. Councilor Eldredge told Mr. Khierloom to also think about the cost of getting water to the subdivision. The closest lines on that end of town are located at the Ryan Josie home on the east side of highway 89.

5.2 Consideration on limiting vacation rentals in town

Jacie Torgersen emailed information to the town council on vacation rentals in Tropic, Escalante and Panguitch. Tropic allows one per block unless it is ADA acceptable and it would allow another one. Escalante has limited theirs to 7% in residential areas and only allows them on commercial property now. Panguitch does not have a limit on theirs, they just control them by permits. The town is currently at 20% for the number of vacation rentals in town compared to full time residents with 2 more requesting permits. Councilor Spendlove is concerned with how restrictive the town is going to be on people's properties. Kris Mendenhall says it is pushing up the cost of housing and making it hard to live here. Jean Gottschalk also emailed some ideas in for the town to review. Jacie Torgersen is concerned that there are going to be more vacation rentals in town than full time residents. Mayor Kabonic feels that home and properties have gone up all over the world, not just in Hatch due to vacation rentals. Tyler Mackaben is not worried about the competition from the rentals he just feels like they should have to follow the same standards as other commercial properties to level the playing field.

Council Sawyer motioned to put a moratorium on all business licenses and conditional use permits for vacation rentals until the town can draft an ordinance. Councilor Poulsen 2nd the motion. Roll call vote:

Kurt Sawyer – Yes

Melissa Poulsen – Yes

Jon Spendlove – No

Kevin Eldredge – Abstain

Jim Kabonic voted No and then voted Yes to draft up an ordinance

5.3 Weeds around town

Mayor Kabonic is concerned about the weeds around town. They have grown a lot with the rain and are so high you can't see some of the property around town. Lincoln Poulsen said he would mow down the weeds around town if the town would pay \$25/hour plus gas. The council gave him the go ahead and he said he would get it done next week.

There is some graffiti on several stop signs in town that need to be cleaned off or the signs replaced.

6. Ordinances

7. Report of Officers – boards – committees

7.1 Water Department – Water Usage

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Water usage for the last 3 months (May, June, July) was 3,664,000 gallons.

7.1.a Mission System Installation

Rich & Mike Franklin will come install the mission system at the end of August, the water system will be manual until then. Both wells are off right now. It is hard accessing the shut off valves. Tyler Mendenhall asked if the road could be graded up to the water tank so it could be more easily accessible in the winter.

7.1.b Water Connection fees and service

Mayor Kabonic says Hatch is one of the only places that offers a 1- inch water connection. He is wondering if maybe the town shouldn't offer it so that would be one less connection the town would need to keep in stock. He doesn't feel like there is a need for it, people can get plenty of pressure with a ¾ inch connection. Right now, the town charges \$1,100 for a ¾ inch connection. The connection does have to be installed by a certified contractor. The water operator does have to be available to oversee the installation and hot tap into the town's system. This generally is between 2-4 hours of labor. The parts that Councilor Eldredge just picked up were \$890.14 for a ¾ inch connection and \$1191 for a 1-inch connection. The cost of materials has gone up a lot lately so the council feels like the rates need to be adjusted. The council would like to have the following rates put on a resolution for the September meeting:

¾ inch \$1500

1 inch \$1800

2 inch \$2200

The water department had to cut down a fence to get in to well #4. The town got called out for cutting down the fence and not notifying anyone about it. The wire will need to be fixed. Tyler Mendenhall asked that the town compile a list of numbers for the property owners so they could contact them for permission to go across their property if the need arises again. Mayor Kabonic will work on getting the numbers for that.

Markay Englestead has started on the fence around well #4 and it should be finished in the next few weeks so the town can use their ARPA funding for that.

7.1.c Water Assistance Program

Councilor Eldredge motioned to have the town participate in the water assistance program and Councilor Poulsen 2nd the motion, the vote was unanimous.

7.2 Fire Department-

Councilor Eldredge requested that the fire department grease the fire hydrants at one of their next meetings. Councilor Spendlove said he needs a credit card to get a new battery for the little truck. Jacie Torgersen asked if anyone knew where the pressure test was for the fire hydrants, Rich White would like to use it for the town's water study. No one has seen it. Councilor Spendlove will see if he can borrow a tool and do it so we can give some numbers to Mr. White.

7.3 Road Department-

7.3.a Asphalt Repair

Neal Barton installed the water meter for Guy Thompson and the road has not been filled back in with asphalt. The rain has created quite a big pot hole there. Mayor Kabonic went to talk to Guy Thompson and it didn't go well, he is not planning on fixing it. All of the water connections that have dug through the road have replaced the asphalt once it was completed. Mayor Kabonic said he will take his tractor and get some of the chips from the cemetery and put them in to fill the hole for now.

7.4 Parks & Recreation-

7.5 Grants-

7.6 Planning & Zoning Commission

7.6.a Lane Conditional Use Permit

The conditional use permit was approved by the planning and zoning commission and the town council accepted their recommendation.

7.6.b Iverson Zone Change

The planning and zoning commission had a good meeting Monday night regarding the zone change. The meeting was well attended. There were some concerns such as lighting, sound and fencing so the zone change was not approved. The public that attended did not want the commercial zone to be extended to 100 W. Kerry Barney feels like Kade Iverson will go ahead and put in a garage there anyway. He will have a personal garage on his personal property and just do what he was going to regardless of whether the property was zoned commercial and the town will be missing out on the sales tax money. Mayor Kabonic stated that a person has to have a business license to do business. The town doesn't need to try to resolve a problem when it hasn't happened yet.

Jacie Torgersen said that the \$500 zoning fee has not been paid by Mr. Iverson. This fee needs to be paid when the application is filed. All fees need to come through the office and turned in there. The zone change did not happen and the fees have not been collected.

7.7 Cemetery

8. Public Input

Julie Spendlove wanted to discuss the town's cargo storage container ordinance. She has been given several different interpretations of the ordinance. She has been told that there is one cargo storage container allowed on a ½ piece of property. She has 1 acre of property so she would like to have 2 storage containers. She had a posterboard prepared that showed the different interpretations of the ordinance regarding how many storage containers on the property and where they could be placed. In her thinking if there are 10 acres then you could have 20 storage containers. You could place them together or you could space them out across the property on each ½ acre. Councilor Sawyer says the permit was written to allow a storage container per parcel of property. Mrs. Spendlove does not agree with that interpretation of the ordinance, that is not how she reads it. She would like to have another storage container put on her property 20 feet from the other one and build a carport connecting the two. She would enclose it and make it look nice.

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Mayor Kabonic says the town needs to rewrite the ordinance to make it clear. Councilor Sawyer said the intent was to have one per piece of property to control the number in town. A permit is required to place a storage container in town.

Mayor Kabonic motioned to change the ordinance to one per parcel on ½ acre or larger and Councilor Sawyer 2nd the motion, the vote was unanimous. The council would like to put a moratorium on permits for cargo storage containers until the ordinance can be rewritten and clarified.

Julie Spendlove said she has already bought a cargo storage container because the town council said she could have another one. The house is sitting on the dividing line of the property so she will never be able to divide the property into two pieces. Tyler Mendenhall suggested that the town just stop issuing permits to stop more from coming in to town.

9. Unfinished or New Business

The next meeting will be held on Wednesday, September 21st.

10. Adjournment

Councilor Poulsen motioned to adjourn the meeting at 8:48pm and Councilor Sawyer 2nd the motion, the vote was unanimous.

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