

**STATE OF UTAH  
COUNTY OF SEVIER  
TOWN OF ANNABELLA**

**TOWN COUNCIL MEETING  
February 28, 2024**

Minutes for the Annabella Town Council Meeting held Thursday, February 8, 2024 beginning at 6:00 p.m. in the Town Council Chambers, located at 295 East 300 North, Annabella, Utah. Mayor Brent Christensen conducting.

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| 1. ROLL CALL   | 9. APPROVAL OF MINUTES                                      |
| 2. OPENING REMARKS   | 10. APPROVAL OF WARRANT REGISTER                            |
| 3. PLEDGE OF ALLEGIANCE                                    | 11. TREASURER/PLANNING COMMISSION SECRETARY POSITION        |
| 4. BRAD DUFFIN, SEVIER COUNTY COMMISSIONER CANDIDATE       | 12. APPROVAL-PLAYGROUND EQUIPMENT                           |
| 5. RALPH BROWN, SEVIER COUNTY COMMISSIONER CANDIDATE       | 13. IRRIGATION METER PROJECT & RELATED ORDINANCE DISCUSSION |
| 6. PARKER VERCIMAK, SECONDARY WATER METER PROJECT          | 14. 500 WEST THROUGH MEMORIAL PARK STREET REALIGNMENT       |
| 7. JENNA JORGENSEN, MONROE TRAILS COMMITTEE                | 14. DEPARTMENT BUSINESS                                     |
| 8. MELISSA LANDRETH, REQUEST FOR SUBDIVISION PLAT APPROVAL | 15. ADJOURN   |

**TOWN COUNCIL 6:00 p.m.**

Public in attendance:

*Larry Helquist  
Eric Nielson  
Parker Vercimak  
Kent Poulson  
Jason Williams  
Melissa Landreth*

*Zanette Sorensen  
Mark Saber  
Jenna Jorgensen  
Rex Friant (7:00 p.m.)  
Travis Hansen (7:00 p.m.)*

1. ROLL CALL. Roll call was taken by Mayor Christensen. In attendance were Councilmembers Jill Anderson, Kelvin Johns, Stephanie Morgan and Chris Nielson. Tina Mitchell, Clerk, and Scott Thomsen, Maintenance Supervisor, were also in attendance.

2. OPENING REMARKS. Councilmember Nielson offered a prayer.



3. **PLEDGE OF ALLEGIANCE.** Councilmember Morgan led the group in the Pledge of Allegiance.

4. **BRAD DUFFIN, SEVIER COUNTY COMMISSIONER CANDIDATE.** Brad Duffin introduced himself as a candidate for the 2024 Sevier County Commissioner Seat. He stated that the primary Republican election is scheduled for June, followed by the general election in November.

Mr. Duffin outlined his platform, which includes the following key points:

Strengthening the tax base, lowering property taxes, affordable housing and budget efficiency. During his presentation, Mr. Duffin also highlighted his qualifications, including 25 years at the coal mine, involvement in community initiatives, and plans for affordable housing and recreational development.

5. **RALPH BROWN, SEVIER COUNTY COMMISSIONER CANDIDATE.** Ralph Brown highlighted his qualifications and achievements while serving in the capacity of County Commissioner. Additionally, he shared insights into his active involvement on various boards, including the Central Utah Health Department Board and the Central Utah Counseling Center.

Commissioner Brown emphasized the importance of EMT services and mental health support within the community. He clarified that property taxes are not solely determined by Sevier County but are influenced by state-level decisions. He added that the recent increase in property taxes can be attributed to rising property values.

Commissioner Brown noted that Sevier County has trimmed 26 positions, demonstrating responsible fiscal management. He stated that subsidized housing is not the solution for affordable housing. He then highlighted Sevier County's self-help housing program as a viable and affordable housing option for residents.

6. **PARKER VERCIMAK, SECONDARY WATER METER PROJECT.** Parker Vercimak, Jones & DeMille, provided an update on the secondary meter project. He reported that out of the 107 meters installed, 101 are equipped with radio read technology. The team is currently installing 6-7 meters daily, with a projected completion date set for mid-March.

Parker mentioned that installations in the back lots require manual digging and are more labor intensive. He also expressed the need for the Council's decision regarding the installation of 1.5" meters. He explained that the supplier currently has four on hold, which can be returned if not required. Parker noted that the final decision rests with the Town Council, and the team will adjust their plans accordingly.



7. **JENNA JORGENSEN, MONROE TRAILS COMMITTEE.** Jenna Jorgensen introduced the Monroe Trail Committee. She presented maps of proposed trails and emphasized her desire for the Council to be informed regarding any trail plans around Annabella's borders. She also acknowledged the site recommendations provided by Councilmember Johns for the trail area.

Ms. Jorgensen noted the committee's collaboration with the Bureau of Land Management's recreation planner and mentioned that the proposal is currently under review.

In addition to this, Ms. Jorgensen explained that she is coordinating with the Division of Wildlife Resources, as certain trails may be temporarily closed due to wildlife preservation efforts. She outlined the process as follows: obtaining a permit, securing grant funding, prioritizing trails, and finally, construction.

Ms. Jorgensen stated that the committee would like a bike trail in the South Sevier area to accommodate bike races. When Councilmember Nielson inquired if Richfield had a similar setup, Jenna responded that each area is unique, with its own distinct topography, making the Richfield bike trails different.

8. **MELISSA LANDRETH, REQUEST FOR SUBDIVISION PLAT APPROVAL.** Melissa Landreth attended the meeting to seek approval for the Landreth Subdivision. Kent Poulson, Chairman of the Planning Commission, was also present and clarified that Ms. Landreth had approached the Planning Commission and was informed that a drainage study and wastewater system feasibility approval were required.

The Council reviewed the wastewater system feasibility (approved by Sevier County), and the drainage study. Chairman Poulson confirmed that Ms. Landreth has fulfilled the necessary criteria for subdivision approval, but the final approval from the Town Council was still pending.

Councilmember Nielson then inquired about the final plat. It was noted that it would need to be signed by the Town Council before it could be recorded with Sevier County.

**Councilmember Anderson initiated a motion to approve the Landreth Subdivision. The motion was seconded by Councilmember Morgan. The motion passed unanimously (Summary: Yes=4). Councilmembers Jill Anderson, Kelvin Johns, Stephanie Morgan and Chris Nielson voted in favor.**

*Note: Travis Hansen and Rex Friant joined the meeting at 7:00 p.m. and presented the final plat. The Town Council reviewed it and signed it at the end of the meeting.*

9. **APPROVAL OF MINUTES.** Minutes from the January Town



Council meeting were presented for approval. **Councilmember Johns made a motion to approve the minutes as presented. Councilmember Anderson seconded the motion and the motion carried. (Summary: Yes=4). Councilmembers Jill Anderson, Kelvin Johns, Stephanie Morgan and Chris Nielson voted in favor.**

10. **APPROVAL OF WARRANT REGISTER.** The warrant register was formally presented for approval. During this process:

- Mayor Christensen provided an explanation regarding the payment to ETJ Law, which serves as legal counsel in the lawsuit brought by the Annabella Canal Company.
- Tina Mitchell explained that she has filed an insurance claim with the Utah Local Governments Trust related to the ongoing litigation. She specified that Matt Church is now the assigned attorney handling this matter, and the Trust will cover the cost of Mr. Church's legal representation. Additionally, Eric Johnson from ETJ Law will collaborate with Matt Church as necessary.

**Councilmember Anderson motioned to approve the warrant register as presented, and Councilmember Morgan seconded the motion. The motion carried unanimously. (Summary: Yes=4). Councilmembers Jill Anderson, Kelvin Johns, Stephanie Morgan and Chris Nielson voted in favor.**

11. **TREASURER/PLANNING COMMISSION SECRETARY POSITION.**

Tina Mitchell clarified the state requirement of separating duties for the role of Clerk/Treasurer. She added that Jill Anderson, who had been fulfilling the responsibilities of Treasurer/Planning Commission secretary, has asked to let someone else fulfill the position.

The Town Council reviewed a proposed job description for the position and gave approval to advertise the position.

12. **APPROVAL-PLAYGROUND EQUIPMENT.** Councilmember Anderson explained that there had been a miscommunication with the representative from Garrett Parks and Play, leading to the playground equipment order being sent to production (in light blue color). She mentioned that while the previous Town Council had approved the purchase, she sought the consent of the new Town Council as well.

Councilmember Anderson also noted that she was interested in a lighter shade of gray for the canopies and is currently checking into the cost of new benches. Tyler Timmons from Six County AOG noted that he could put together an application for funding for some ADA-compliant playground equipment.



Councilmember Anderson explained that the equipment is scheduled to be installed the week of March 11th. The old equipment will be removed and listed on a public auction site.

Mayor Christensen called for a formal vote. **Councilmember Morgan proposed a motion to approve the purchase of the light blue colored playground equipment, estimated to cost \$79,810.18. Councilmember Johns seconded the motion, which was unanimously approved by the Council. (Summary: Yes=4). Councilmembers Jill Anderson, Kelvin Johns, Stephanie Morgan and Chris Nielson voted to approve.**

**13. IRRIGATION METER PROJECT & RELATED ORDINANCE DISCUSSION.** Councilmember Johns discussed the 1998 Irrigation Ordinance. He stated that he recently consulted with attorney Joel Yellowhorse, who confirmed that there is no provision for grandfathering in water law.

Councilmember Johns emphasized the importance of adhering to the ordinance. In particular, he highlighted section six, which defines an individual unit as a separate residence, residential garden lot, tract, vacant lot, or any other unit not exceeding one acre in size.

Councilmember Nielson noted that a unit is specifically defined as a separate residence and not as a parcel. Both Councilmember Johns and Councilmember Nielson acknowledged that interpretation plays a crucial role in applying the ordinance consistently.

Shifting focus to section four: *It shall be recognized that the main purpose for which Annabella Town provides the irrigation water service is for residential uses such as lawns, garden, shrubbery, plants, and small pastures no larger than one acre.* Councilmember Nielson asserted that the term “main purpose” should not be interpreted as exclusive. Kent Poulson stated that the restriction pertains to a maximum size of one acre.

Scott Thomsen emphasized the need to strictly follow the ordinance. He cautioned against water lines crossing adjoining property lines.

Councilmember Nielson then referenced annual meter readings for irrigation connections, with readings beginning in 2008. He noted that, according to Parker Vercimak’s figures, only a few exceed their allotted usage. According to the calculations, smaller lots seemed to consume more water.

Councilmember Nielson stated that he felt those receiving a 1.5-inch meter should not bear the additional cost. With an estimated 4-6 connections, the financial impact would be minimal—around \$1,000 per meter. Councilmember Nielson also noted that the Town had recently incurred legal expenses exceeding



\$5,000 due to the canal dispute. He added that the extra money spent on the 1.5" would be approximately the same amount.

Larry Helquist, raised concerns about inefficient watering for the past two years due to water restrictions and the concern that a 1" meter would not be adequate for his pasture.

Scott Thomsen then asked if it's appropriate to reward non-compliance with the ordinance by granting larger meters. Councilmember Nielson pointed out that the ordinance does not explicitly define a parcel, leaving room for interpretation.

Mayor Christensen suggested that those watering multiple parcels with one connection legally combine parcels to ensure compliance. Councilmember Nielson noted that he was in the process of combining his property, working closely with the title company. Larry noted that combining his three parcels (1/2 acre each) would exceed the one-acre restriction set by the ordinance.

Councilmember Nielson acknowledged that the 1992 irrigation ordinance likely addressed some of the issues discussed, even though the 1998 ordinance supersedes it. Councilmember Johns stated that the system must operate efficiently for water availability. Councilmember Nielson then referred to The Dignity Index and added that he is hesitant to error on the side of "sticking it to the public".

Larry stated that he would pay the \$1,000 difference for a larger meter if it was required for him to receive a 1.5" meter but doesn't feel he should be required to. Mayor Christensen acknowledged that they were navigating uncertainties. Kent Poulson cautioned against the additional costs of replacing an already installed meter. Scott Thomsen noted that replacing a 1" meter with a 1.5" would require significant digging and work.

Councilmember Johns noted that the ordinance is a driving factor to deciding who gets a larger meter emphasized that the ordinance significantly influences the allocation of larger meters. Meanwhile, Scott raised the question of whether they should strictly adhere to the ordinance or maintain the status quo. Mayor Christensen acknowledged the existence of gray areas that require investigation. Additionally, he highlighted the challenge of ensuring fairness for others who might also need a 1.5-inch meter.

Councilmember Nielson briefly summarized the Annabella General Plan, emphasizing its primary objective: preserving Annabella's rural atmosphere while safeguarding landowner rights.

Councilmember Anderson recognized the rural context but reminded everyone that rules, including the leash law, still apply. She also stressed the critical importance of water conservation.



Scott Thomsen referenced the ordinance and Councilmember Nielson pointed out other areas of the ordinance where the Town was not compliant, such as the lack of a separate water master for culinary and irrigation water.

Scott Thomsen stated that only four 1.5-inch meters are available, with an additional wait time of 6-8 weeks for more.

**Mayor Christensen called for a vote regarding keeping all connections 1" or allowing exceptions for 1.5-inch meters.**

**Councilmember Johns: Keep all connections 1" (with the exception of John Mathis).**

**Councilmember Anderson: Voted with Councilmember Johns, only allow 1" meters.**

**Councilmember Morgan: Voted to allow exceptions for 1.5-inch meters to those in need of one.**

**Councilmember Nielson: Voted to allow exceptions for 1.5-inch meters for specific properties exceeding 1.5 acres, with the Town covering the cost.**

With the vote divided between maintaining uniform 1-inch meters for all irrigation connections and permitting exceptions for 1.5-inch meters on specific properties, **Mayor Christensen proposed creating a list of those who might need the larger meters.** This list would then be used to identify the four who would need them most.

**Councilmember Johns proposed a new motion to evaluate properties and compile information regarding those that might need a 1.5-inch meter. Additionally, the Town would cover the cost for a maximum of four such meters. Councilmember Nielson seconded the motion, and it passed unanimously (Summary: Yes=4). Councilmembers Jill Anderson, Kelvin Johns, Stephanie Morgan and Chris Nielson).**

Mayor Christensen expressed gratitude for the discussion and emphasized the need for an assessment to prioritize properties needing the meter upgrade.

*Note: Councilmember Nielson conducted an assessment to identify properties that would benefit from a 1.5-inch connection. After thorough research and discussion with Councilmember Johns on Monday, February 12th, the following four individuals were determined to be recipients of the larger meter: Josh Cornell, John Mathis, Lou Brown, and Larry Helquist*

**14. 500 WEST THROUGH MEMORIAL PARK STREET REALIGNMENT.**  
Councilmember Johns proposed tabling this item for discussion at the March meeting, and the Town Council unanimously concurred.

**15. DEPARTMENT BUSINESS.**



**Activities:** Councilmember Nielson shared that he has exciting activity ideas and will discuss them with Councilmember Anderson and Gina Hansen (Youth Council Advisor).


**Roads:** Scott Thomsen announced that Brazell Contracting is scheduled to begin crack sealing in approximately four weeks. Councilmember Morgan emphasized the urgent need of weed control along the right-of-ways to prevent the weeds from becoming unmanageable.

**Water:** Councilmember Johns mentioned that he is currently awaiting approval from the Forest Service for the Spring Box project. He anticipates that approval will be granted soon. Mayor Christensen also acknowledged that Commissioner Brown had indicated the possibility of CIB funding to support the project.

Councilmember Morgan inquired about the status of the screen cleaning at the irrigation pond. She also mentioned the issue with clogged filters from last year. Scott Thomsen explained that he is currently working on reducing the crawdad population in the pond.

**15. ADJOURN.** At 8:08 p.m. Councilmember Anderson made a motion to adjourn the meeting. Councilmember Morgan seconded the motion and the motion carried unanimously. (Summary: Yes=4). Councilmembers Jill Anderson, Kelvin Johns, Stephanie Morgan and Chris Nielson voted to adjourn the meeting.

Minutes of the Town Council meeting held Thursday, February 8, 2024, were approved this 14<sup>th</sup> day of March 2024.

  
Brent Christensen, Mayor

  
Tina Mitchell, Town Clerk