

The Hanksville Town Council meeting convened its regular session in conjunction with a public hearing for the ordinances on the 7th day of November 2024 in the Hanksville Community Center; meeting commenced at 6:00pm.

Present: Mayor Jeffren T. Pei, C. Robert Gilner, C. Mona Wells, C. Morgan Stephens, and C. Eric Wells

Absent: Treasurer Jessica Alvey

Employees: Clerk Lisa Wells

Public in Attendance: Planning Commission members: Kathryn Roberts, Ashton Brian, Jan Hunt, Chylene Whipple, and Dan Thatcher. Public- Cain Brian, Connie Brown, Margaret Re, Kathy Rosenbaum, Kathryn Hoggatt, Deanna Mecham, Marina Pei, Braydon Wilkins, Curtis Whipple, Nicole Cahoon, Cindy Wilkins, Doug Roberts, Dennis Ekker, Susan Wells, Molly Keaton, Shirley Wilcox, Slate Banner, Sara Bradbury, Adam Cahoon, Kelly Florez, and Cheryl Sheffield.

Meeting to Order: Mayor Jeffren T. Pei

Pledge: Mayor Jeffren T. Pei

Prayer: Robert Gilner

Roll Call: Mayor Jeffren T. Pei

Motion to approve minutes from the regular October council meeting and the closed meeting held October 24, 2024 which have been designated as a protected record: C. Morgan Stephens; Second C. Eric Wells Aye: All in attendance. Mayor Pei turned the time to the planning commission for the public hearing.

Kathryn Roberts - planning commission chair - opened with a statement of thanks to the town council, citizens and fellow members of the planning commission. The planning commission is an administrative body that operates under the direction of the town council and has duties to act administratively. Ashton Brian outlined the rules for the public hearing reiterating the 2 minutes time limit per person and to be courteous. If someone is unable to state all their thoughts in 2 minutes they have been invited to submit the remainder of their comments by email. The deadline for any additional emailed comments is midnight, tonight. This is an opportunity for the public to speak to their concerns regarding the DRAFT ordinance document and the commission and the council will be listening and not giving input.

Slate Banner - He acknowledged all the people in the community, past and present planning and zoning members and the town council for doing the hard work. He values the work of the planning commission and the service it is to the community. As a community, the participation was late to the process of re-working these ordinances. As a town council he feels they launched this and has not done a good job controlling the process. He would like the P&Z to be directed by the town council, we elected our town council and we trust you. This has been part of the learning curve for us as a community, he would like to encourage you to not over extend the authority that is given to the planning and zoning commission. The document, all the work that has been done, is good work. It has opened a great conversation for us as a community. All of this is good stuff and we all have to be in this conversation. So thank you for the work you've done planning commission. Town council, please, let's leave the authority to drafting and recommending this document with the council until we grow some community trust.

Bradyon Wilkins - He acknowledged the efforts by both the planning commission and the town council in seeking unity and the will of the people. His stance on the document is, whether it's necessary or not, he doesn't know. Is there a deadline, he isn't entirely sure, what the consequences are if we don't meet any deadline that is there, he doesn't know. He personally believes in a minimalist document for this town, he thinks because it is a changeable document, he thinks we can make adjustments as the needs come to our town and issues arise for the town's people. He believes many of the items in the document as it stands right now could be put on standby until it becomes a more relevant and prevalent issue in our town. He is glad that we as a people get the chance to have our voices heard.

Adam Cahoon - He and Nycole Cahoon are representing Muddy Creek Mining - they are new to this town and have tried not to interfere with what's going on, he has said attended a few of the planning commission meetings and he does see that

there are some things in the ordinances are safety precautions. There are simple things in there that are a no brainer, it's what it's supposed to be. We are here to support the community and help in any way they can. He has been a contractor his whole life and if there is anything he can do to help with planning and zoning or public utilities, he's here to help. He and Nycole are here to support. He does like that there is at least some direction with the ordinances, he doesn't know if he can agree with all of it, he hasn't read all of it, but he feels the town is on a good path.

Curtis Whipple - He wants to talk about specifics, he wants to address specifically his concerns with the short-term rental part of the ordinance. In reference to obtaining a business license in 3-1-1 it specifically says it's unlawful for anyone to operate a business in Hanksville without a license but the only businesses that are specifically listed there are transient property rentals, AirBnB, VRBO, etc. Why is that, no other business is singled out, except short-stay rental as to what needs to happen. Is it because someone hasn't gotten a business license in the past? What's the difference between a short-term rental in one of his homes and a short-term rental in a motel or a short-term rental in a cabin. Is there a difference between the two? He would argue that there is not. We have ordinances, and it is said to protect the well-being, health and safety of other residents of Hanksville. He would argue that at his AirBNB's he has not had a single incident in 5.5 years where someone's health or well-being was jeopardized. He has had long-term rentals where sale, use, distribution, and manufacture of illegal drugs have taken place. He has had properties that have been damaged by tens of thousands of dollars, never once has his short-term renter damaged his property except for a single incident of \$500 that was paid for by the person who stayed there.

Dennis Ekker - He heard a rumor that people can live in an RV for only 6 months while they are building a house. Ashton Brian explained that it says if you are building a house you can get a permit to live in an RV on your property, with 6 months extensions if it takes longer to build, and continue to come back, if needed, until your house is built. If you just want to live in a camp trailer permanently on your property, you can, you just need to be permanently hooked up to the water and sewer. Dennis has a daughter who isn't capable of doing much, and her son gave her a trailer, that she lives in permanently. It's hooked up to Dennis's utilities, is this not allowed? The commission said it is allowed as long as it's correctly connected to utilities. He is not connected to the sewer, he is on a septic tank, his property was never connected to the sewer.

Kathryn Hoggatt - She takes all kinds of people out on tours in this area and they love this place. They love Hanksville just the way it is. Lots of people want to buy property here. We who live in Hanksville have all struggled to be here. If we change the feel of the town for people to come here then we aren't genuine to who we are and we will lose who we are and what we represent. We are poor people but we love the country and it's a good place to raise kids and enjoy family. Don't make it harder to live here, this is a good, safe place for poor people to live.

Kathryn Roberts - Thank you everyone for coming. When the commission put together the general plan they learned from the community what is important - small town feel, pioneer heritage, farming - and through the process of making these ordinances that has been in the commission's mind - to protect our rural lifestyle, not suppress rights. Let's keep talking but please have faith that the planning commission is listening to the public. The next step will be a meeting on November 13, 2024 to discuss the comments from tonight and any emailed in by midnight, then they will turn over the document to the legislative body. They will vote on it. The Public Comment session was closed.

Margaret Re - She didn't know that the public could attend the meetings until recently. She didn't know she was able to give input and comment. Kathryn responded that just in the last few months they have been closed to public comment because it became non-productive. All meetings are open to the public.

Dennis Ekker - The feeling that most people have about the ordinances is it will make it tough on locals and easy on new people who move in. Kathryn responded that the P&Z heard you. This whole process began because of building permits, Wayne County had been issuing building permits and Hanksville lost out on all that revenue, now building permits are issued by Hanksville Town.

Dennis Ekker - One concern he has is there were 41 kids in school a while ago and now there are only maybe 8, 9 or 10 kids. We have a good school system, they spend a lot of money on good teachers, why aren't all the kids coming to school?

Adam Cahoon - To get more families to stay here we need to create more jobs, more opportunities for families to stay and live here.

C. Eric Wells - He just attended a meeting today regarding the Colorado River water way and the input from locals is so valuable and how this water should be used. If we had more water this town would look different.

Dennis Ekker - This town was based on farming and ranching. Fights about water are famous, when NRCS is spending \$76 million dollars on the new dam, that is ridiculous because the irrigation system will not change with all that money spent. His opinion is that they could drill a well into the Navajo for a tenth of the cost to build the new dam.

Mayor Jeffren Pei - We talk about how we want growth with families and the P&Z document can be changed, the problem is after the up roar, people quit coming. The P&Z have done their part but we need more people to get involved. The water resources Eric talked about, we need to control the water that goes by Hanksville. We have to support the local businesses. He had a senator from Washington state stay in an AirBNB in Hanksville - he liked it so much here that he called a Utah Senator about this area. The community has to continue to show up if we want better policy. We need community members to serve on other boards the town could create such as: economic development, public lands regarding trails, or others. Don't limit businesses, if we can only afford a trailer that's fine. He would like to create more boards and get more involvement. The ordinances could change every 30 days, all they have to do is hold a public hearing and make changes.

Report of Officers:

Council member Mona Wells:

The cemetery project went well and the new slab of concrete has been poured. She thanked all who helped. She is going to put up a pavilion and eventually get the records of the cemetery, including listing all veterans available at the pavilion. The gun range looks good and the turkey shoot was fun.

Council member Morgan Stephens:

She would like to get started on the upgrades at the Affordable Housing. Slate Banner mentioned that the trees are an issue at the housing.

Council member Eric Wells:

Brown Brothers has started construction on the sewer lagoons. They will be raising the height of the dykes, clean the lines that were plugged from the flood, and split the secondary pond into 2 so there will be 3 sewer lagoons. There will be new rip rap installed and new fencing. They should be finished around the end of May 2025.

Report on the water meeting that was held today at the community center. Those entities attending were NRCS, DNR, Colorado River Water Users, Hanksville Canal Company and Hanksville Town. They discussed how we can achieve different projects through different money sources. NRCS was called on the carpet regarding the diversion. The group visited the pump station, old dam, remains of the diversion and 3 different sites in Caineville that could be possibilities for a reservoir. The Hankville Dam project is short about \$40 million and the pumping system they have been using for the past 2 years was sporadic and didn't do a great job to deliver water to the shareholders. The State of Utah is now pushing for more reservoirs and they have funding. The DNR would like to keep Lake Powell at full capacity of storage and not send the water to California. CA wants to buy up all the water around here. We are losing water between Caineville and Hanksville.

Susan Wells - Years ago, Lavar was in the Fremont Water Conservancy District and they talked about a reservoir in Caineville and even found a great place for it. The reservoir would provide recreation and also the ability to pipe clean water to Caineville and Hanksville. C. Eric Wells said Jason Jackson showed those locations to the group.

Slate Banner - Made the council aware that Shoot-a-ring mine is opening up for uranium production.

Council member Robert Gilner:

There is a need to do some crack sealing on the new road surfaces. He will make an assessment, crack sealing will extend the life of the road by about 8 years. A cold patch is the cheapest way to fix minor pot holes. Curtis Whipple had some information about a product that he has used that is superior to a cold patch of asphalt.

Mayor Jeffren T. Pei:

Clerk Lisa Wells:

- Bills presented to council for approval (spreadsheet attached)
- **Motion to approve bills for payment:** C. Eric Wells; Second C. Robert Gilner. Aye: All in attendance.
- Application from Braydon Wilkins was received by the clerk to serve on the planning commission.
- **Motion to approve the application of Braydon Wilkins and appoint him to serve on the planning commission:** C. Mona Wells; Second C. Morgan Stephens. Aye: All in attendance.

Treasurer Jessica Alvey:

ABSENT

Planning Commission:

The planning commission needs the council to show up at their next meeting which will be November 13, 2024 at 6pm. This will be the last planning commission meeting for 2024.

Tabled Business:

Interlocal Cooperation Agreement with Wayne county and Hanksville Town for EMS services - C. Eric Wells attended the last meeting of Mayors and Commissioners and discussed the importance of the money from the tax should be spent on EMS. C. Eric expressed to them that Hanksville would like 1% Rural Healthcare Tax (NOTE: which passed on the ballot of 11/5/2024) to pay EMS debt first and then they could spend any remaining money on other emergency services. The council discussed the contract and agreed to sign it with only one change, which was changing from 6 years to 1 year. Then they could revisit the contract in one year to see how the commissioners will handle the new tax income.

New Business:

Budget review for first quarter fiscal year 2025. The clerk went through the revenue for all income categories. They also reviewed the expenses and they are all on track with the budgeted amounts. There has been some grant money that has affected the budget that they will have to revise by the end of the year.

Public Comment:

Curtis Whipple - He spoke with the planning commission at their last meeting about his concerns on short-stay rentals. He does not agree with putting a limitation on the number of short-term rentals. He pointed out that there is no limitation on seats in a restaurant, rooms in a motel, pumps at a gas station. He understands the position of the council that short-stay rentals will deplete long-term rental resources. He had to pay \$100,000 to repair his properties after long-term renters, he will not ever go back to renting his properties long-term. Leave it to what the market can bear for short-stay rentals. The occupancy is much higher, the amount of money tourists spend in Hanksville if they spend another night is well documented. Short-stay rentals stay longer than one night, sometimes days or weeks. This increased transient room tax, his 2 rentals generated \$9000 in sales, TRT and property tax. Plus his rental properties are taxed at 100% value. He strongly disagrees with the cap on the number of short-stay rentals. 2 other citizens agreed with no cap on short-stay rentals. C. Morgan Stephens has had many customers that would like to stay a night in Hanksville but the town doesn't have enough rooms. The short-stay rentals help with this issue and give an avenue for more room occupancy in Hanksville.

Curtis Whipple - He is not blind to the need for more housing but limiting AirBNB's will not affect more housing in a positive way. He will not rent his properties long term ever again.

Kathryn Robers reminded the public that the last 3 houses that sold in Hanksville were turned into an AirBNB, the original wording in the ordinance document was no limit on the number of short-stay rentals by residents but people that didn't live in town could be limited. Rober Gilner does not agree with limiting outsiders either.

Slate Banner - His experience has been good with the planning commission, as he has attended meetings he has been allowed to comment. He will continue his conversation through Facebook, he isn't trying to make trouble but just to continue the conversation and will use the Hanksville Pickler FB page. Kathryn Roberts recommends her board not to interact on FB in this conversation. Her preference is to come to the meetings with your questions and talk face to face. Braydon Wilkins expressed gratitude to P&Z, the public was late to come to the table in the conversation regarding the ordinances but the P&Z have taken the last few months and have gracefully taken comments and the P&Z are willing to listen now.

Kathryn Roberts - Asked what is the project at the airport. C. Eric Wells informed her that UDOT created covered parking for airplanes and they chip sealed the runway. They have plans to put in restrooms and make an extended stay parking. The Hanksville Airport has a VOR on the airfield which is vital to air traffic.

Motion to adjourn: C. Eric Wells; Second C. Mona Wells. Aye: All in attendance. Meeting adjourned at 8:00pm