

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

**TOWN COUNCIL MEETING
September 10, 2026**

Minutes from the Annabella Town Council Meeting held Thursday, September 10, 2026, beginning at 6:00 p.m. in the Town Council Chambers, located at 295 East 300 North, Annabella, Utah. Mayor John Chartier conducting.

1. ROLL CALL. Mayor John Chartier confirmed the presence of Councilmembers Louis Brown, Kelvin Johns, Stephanie Morgan and Christopher Nielson.
2. OPENING REMARKS. Mayor Chartier offered the prayer.
3. PLEDGE OF ALLEGIANCE. The Pledge of Allegiance was led by Councilmember Brown.
4. CITIZEN INPUT. Mayor Chartier opened the floor for citizen input. Deputy Murdock was acknowledged.. With no citizen input, Mayor Chartier proceeded to Council Business.
5. APPROVAL OF MINUTES. **Motion to approve the minutes as presented was made by Councilmember Johns and seconded by Councilmember Nielson. The motion carried unanimously. Vote: Yes-4 (Brown, Johns, Morgan, Nielson).**
6. APPROVAL OF WARRANT REGISTER. **Motion to approve the warrant register as presented was made by Councilmember Brown and seconded by Councilmember Morgan. The motion carried unanimously. Vote: Yes-4 (Brown, Johns, Morgan, Nielson).**
7. CONSIDER APPOINTING TYLER TIMMONS TO FILL THE VACANT PLANNING COMMISSION SEAT. Mayor Chartier presented the appointment of Tyler Timmons to fill the Planning Commission seat vacated by Wade Ingram, who had resigned due to scheduling conflicts. The Mayor noted that Ingram had been a valued member of the Planning Commission and that Timmons was well-suited for the role. The Council expressed confidence in the appointment and acknowledged the strength of the current Planning Commission. **Motion to appoint Tyler Timmons to fill the vacant Planning Commission seat expiring December 31, 2026, was made by Councilmember Nielson and seconded by Councilmember Brown. The motion carried unanimously. Vote: Yes-4 (Brown, Johns, Morgan, Nielson).**

8. CONSIDER ADOPTING ORDINANCE No. 2026-03, THE UPDATED CONSOLIDATED FEE SCHEDULE. Town Clerk Tina Mitchell presented the updated consolidated fee schedule. The primary changes included the formal addition of sports practice rental rates (resident coaches: no charge; non-resident coaches: \$10.00 per 1.5 hours), expanded building rental rate detail, and fees for home study program groups, and notation of the existing widow's discount on garbage service (\$1.00 discount), which had not previously appeared on the fee schedule. Councilmember Nielson noted that the sports practice rates and homeschool group rates had been charged previously, though they had not been formally documented.

Mitchell noted that should water rates change later in the year, those adjustments could be made by resolution and would then be incorporated into the following year's annual fee schedule.

Motion to adopt Ordinance No. 2026-03 as printed was made by Councilmember Nielson and seconded by Councilmember Morgan. The motion carried unanimously. Vote: Yes-4 (Brown, Johns, Morgan, Nielson).

9. COUNCIL DISCUSSION OF THE CURRENT CIB FUNDING PACKAGE AND POTENTIAL RATE ADJUSTMENTS ASSOCIATED WITH THE PROJECT FUNDING. Mayor Chartier reported on the outcome of the Town's recent Community Impact Board (CIB) funding presentation. The Town had originally applied for an 80/20 split (80% grant, 20% loan), amounting to \$2.4 million in grant funds and a \$600,000 loan. At the meeting, which included 27–28 applications, the CIB board applied a median tool to all projects, shifting the Town's split to a less favorable 40/60 (grant/loan) ratio at a higher interest rate.

Mayor Chartier, along with Councilmember Johns, addressed the board, advocating for the Town's circumstances—including the ongoing drought, the need to re-drill the well, prior rate increases on irrigation, and a 2% annual increase on culinary rates. Mayor Chartier proposed a 70/30 split. The board responded favorably and a motion to fund at 70/30 was made.

The approved funding package amounts to \$2,100,000 in grant funds and a \$900,000 loan at 1% interest.

Mayor Chartier noted that one CIB board member suggested—without making it a condition—that the Town revisit its water overage tier rates, noting that the current overage rates (\$1.25, \$1.50, and \$1.75 per thousand gallons) are lower than the base rate, thereby failing to incentivize water conservation. The Council acknowledged this as a valid point and indicated it would be factored into upcoming rate discussions.

Regarding financial impact, Mayor Chartier noted that the \$900,000 loan at 1% translates to approximately \$8.26 per connection per month, compared to the previously estimated \$5.00 based on the original \$600,000 loan. The Council

acknowledged this is a preliminary figure and that the final rate adjustment would be developed in collaboration with the Town's engineers. The Council discussed potential approaches, including adjusting both base rates and overage tier rates to distribute the cost more equitably, particularly for low-usage households.

The Council outlined the next steps: the CIB formal funding vote is scheduled for October 1st, at which attendance, either in person or virtually, is required. Following approval, the Town will work with Jones and DeMille to develop rate adjustment proposals, conduct a public hearing, and then proceed through engineering design and construction. Mayor Chartier indicated that the earliest realistic construction window would be summer 2027. The Council expressed gratitude for the outcome.

10. DEPARTMENT BUSINESS

PARKS & BUILDINGS. A discussion was held regarding the condition of the Community Center floor and replacing it with LVP. Councilmember Morgan noted known issues with the existing floor, including dead spots and cracking in the underlying concrete, and discussed whether surface treatments or preparation methods might address those conditions ahead of any flooring replacement.

ACTIVITIES. Councilmember Nielson led a discussion on the Pheasant Hunter's Dinner and using it as fundraiser for the youth. The concept is to recruit high school seniors to participate in the planning and execution of the event, sourcing volunteers, coordinating donations, and being present on the day, with profits distributed as a scholarship award.

The Council discussed logistics, including reaching out to local high schools to develop a voluntary interest list, placing a notice in the Town newsletter, and ensuring that students in non-traditional schooling settings (online or virtual academies) are also included. Councilmember Nielson noted that several community members from prior years have already expressed interest in volunteering, including donating stuffing and turkeys.

Tina Mitchell agreed to draft newsletter language for review before publication. It was noted that the Pheasant Hunter's Dinner tradition in Annabella reportedly dates back to 1946.

Additionally, it was confirmed that the date for the Trunk or Treat has been set for Halloween, and that the Youth Council is planning a Halloween movie night on the evening of October 30th.

CEMETERY. No report or discussion.

ROADS. Councilmember Brown reported no new road issues. He noted ongoing surveying activity along Annabella Road, which Mayor Chartier indicated may be related to the design of a detached bike path.

WATER. The Council engaged in a discussion regarding storm drainage in the context of the upcoming irrigation canal piping project. Mayor Chartier noted that the canal company has been unresponsive to outreach regarding coordination of construction activities and access to construction meetings for locating municipal utilities.

The core concern is that once the open irrigation canal is piped, the Town's existing storm drainage culverts—which currently outlet into the canal—will be severed, potentially causing flooding in various parts of town. The Council discussed the limited grade differential along the canal corridor, the shallow depth of existing irrigation mains, and the difficulty of routing stormwater drainage without access to the canal right-of-way. It was noted that prior attempts to negotiate with the canal company to accommodate town drainage were declined.

The Council agreed that a stormwater master plan study is needed to model drainage flows, identify solutions (including possible dry wells/sumps, parallel drainage pipes, or routing to the county right-of-way), and develop cost estimates. Mayor Chartier and Councilmember Brown agreed to meet with Parker at Jones & DeMille Engineering to request a proposal for such a study.

On irrigation system operations, Councilmember Johns reported that the system is scheduled to shut down on September 28th. The pond will be drawn down to allow access to the outlet for screen replacement. Materials for that work have been ordered.

11. YOUTH COUNCIL BUSINESS. Youth Council Advisor, Kaylon Johns reported the following on behalf of the Youth Council: The bulletin board at the post office is scheduled to be updated. A community road cleanup along Annabella Road is planned for September 30th, to coincide with the fall town cleanup. The Youth Council is looking into fundraising ideas to support updates to the Old Town Hall, including bathroom improvements. A Halloween movie night with activities and a costume contest is scheduled for October 30th, with the Youth Council also assisting with Trunk or Treat. The Youth Council is additionally planning a car show, tentatively targeting Memorial Day weekend.

12. CONSIDERATION OF A MOTION TO ENTER INTO A CLOSED SESSION.
At 7:01 p.m. a motion to enter closed session pursuant to Utah Code § 52-4-205(1)(c) to discuss pending or reasonably imminent litigation, including matters related to the Town's eminent domain proceedings, was made by Councilmember Nielson and seconded by Councilmember Morgan. The motion carried unanimously with all members voting aye. Vote: Yes-4 (Brown, Johns, Morgan, Nielson).

13. RETURN TO OPEN SESSION. The closed session ended and the meeting was returned to open session at 7:09 p.m.

14. DISCUSSION AND POSSIBLE ACTION REGARDING LEGAL REPRESENTATION FOR THE TOWN'S EMINENT DOMAIN MATTER.

Mayor Chartier introduced the matter of a proposal received from attorney Jamie Blakely of the law firm Hayes Godfrey Bell, P.C., located in Holiday, Utah, for legal representation in the Town's eminent domain proceedings. It was noted that Mr. Blakely was recommended by the Utah Local Governments Trust and that he regularly serves small municipalities and can conduct much of his work remotely via Zoom.

Councilmember Nielson raised a question regarding the role of the Property Rights Ombudsman, asking whether that office serves citizens, the town, or both. Councilmember Johns clarified it serves both parties and is required to be brought into the eminent domain process.

The Council briefly discussed the scope of the engagement, with clarification that approving the engagement letter does not commit the Town to full litigation. Several off-ramps exist throughout the process, including ombudsman-facilitated negotiation, direct settlement, or an offer to pay fair market value outside of formal eminent domain proceedings. It was further noted that the Town retains the ability to discontinue the process at any point by making a Council decision not to pursue it further.

Councilmember Nielson expressed reservations about the cost and trajectory of the matter. He noted that the worst-case scenario for legal fees had previously been estimated at upwards of \$90,000, not including construction costs. He acknowledged that prior votes had already set this process in motion—potentially as far back as the previous fall—and that the current action would further that process. Councilmember Nielson expressed a preference for allowing the situation to resolve itself naturally, noting that no-trespassing signs had been removed and that an informal turnaround with vending machines was in place.

Other members acknowledged these concerns but noted that the issue had been under consideration for several years and that costs were unlikely to decrease over time.

Motion to accept the engagement letter and fee arrangement from Jamie Blakely of Hayes Godfrey Bell, P.C., to retain his services as needed for Town litigation, was made by Councilmember Brown and seconded by Councilmember Johns. The motion carried 3–1, with Councilmembers Johns, Brown, and Morgan voting in favor. Councilmember Nielson opposed. Vote: Yes-3 (Brown, Johns, Morgan); No-1 (Nielson).

15. ADJOURN. At 7:21 p.m. a motion to adjourn was made by Councilmember Nielson and seconded by Councilmember Morgan. The motion carried unanimously. Vote: Yes – 4 (Brown, Johns, Morgan, Nielson)

Minutes of the Town Council meeting held Thursday, September 10, 2026 were approved this 8th day of October, 2026.

John Chartier, Mayor

Tina Mitchell, Town Clerk

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