

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

**TOWN COUNCIL MEETING
November 10, 2022**

Minutes for the Annabella Town Council Meeting held Thursday, November 10, 2022, 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. SHORT TERM RENTAL |
| 2. OPENING REMARKS | ORDINANCE 2022-09 ADOPTED |
| 3. PLEDGE OF ALLEGIANCE | 10. APPROVE INFOWEST |
| 4. PUBLIC HEARING INPUT ON | FRANCHISE AGREEMENT |
| SHORT TERM RENTAL | 11. APPROVE INFOWEST WIRELESS |
| ORDINANCE | CO-LOCATION AGREEMENT |
| 5. PUBLIC HEARING INPUT ON | 12. DISCUSS NOTICE OF VIOLATION |
| ISSUANCE OF SECONDARY | LETTER |
| IRRIGATION METER PROJECT | 13. DISCUSS IMPLEMENTING A |
| BOND | YOUTH COUNCIL |
| 6. APPOINTMENT PARKER | 14. EMERGENCY PREPAREDNESS |
| VERCIMAK, JONES & DEMILLE | 15. DEPARTMENT BUSINESS |
| 7. APPROVAL OF MINUTES | 16. ADJOURN |
| 8. APPROVAL OF WARRANT | |
| REGISTER | |

TOWN COUNCIL 6:00 p.m.

Public in attendance:

*Parker Vercimak, Jones & DeMille
John Chartier
Kent Poulson
Jacob Olsen*

*Eric Nielsen
Jack Reider
Richard Larmouth
Marty Smith*

1. ROLL CALL. Roll call was taken by Mayor Christensen. In attendance were Councilmembers Jill Anderson, Ken Blackburn, Hayven Dunn and Kelvin Johns. Tina Mitchell, Clerk, and Scott Thomsen, Maintenance Supervisor, were also in attendance.

2. OPENING REMARKS. Councilmember Johns led the group in a prayer.

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

4. PUBLIC HEARING | INPUT ON SHORT TERM RENTAL ORDINANCE.

Planning Commission Chairman, John Chartier, explained that the Planning Commission had discussed the need to adopt a short-term rental ordinance for a long time. It was needed so the Town could have some control and regulate short-term rentals with guidelines and rules that preserve Annabella's residential nature. He briefly explained the ordinance and encouraged those in attendance to do so as well.

Mayor Christensen then opened the meeting for public comments regarding the Short-Term Rental Ordinance.

No public comments were received.

The public hearing was closed at 6:08 p.m.

5. PUBLIC HEARING | INPUT ON ISSUANCE OF SECONDARY IRRIGATION METER PROJECT BOND.

Mayor Christensen opened the public hearing and turned the time over to Parker Vercimak, Jones and DeMille, to explain the project in more detail. Parker explained that the project is mandated by the state and secondary water systems are required to be metered by 2030. He noted that Annabella has been proactive in seeking funding early, while the highest grant/loan (70/30) ratio is available. Parker also noted that the purpose of House Bill 242 is to encourage water conservation. He explained that there is not a mandate to change the current rate structure; however, the Town Council will need to take into consideration the replacement cost of the meters (estimated 10-year life), as well as the bond repayment of \$113,000. Parker went on to explain that there has been a delay on parts and that the project may not begin until Fall 2023.

Mayor Christensen then welcomed public comments:

- Jacob Olsen suggested a centralized filtration at the pond. He noted concerns regarding the amount of debris coming down the pipe. He added that it would mean more work for the operator but would save the residents a lot of time cleaning their filters. Scott Thomsen, Maintenance Supervisor, explained that he is looking for options to repair the screen. Mayor Christensen agreed that the issue needs to be tackled and conquered.
- Kent Poulson asked about the applicant contribution of \$90,000. Mayor Christensen explained that the funds came from the 2nd tranche of American Rescue Plan Act Funding (ARPA). Mr. Poulson noted that the ARPA funds could also have been put towards something more equitable, such as roads.
Mr. Poulson asked if the state offers grants to maintain new meters or if a rate increase will be added to the statement. Parker Vercimak replied that the Town will need to charge enough to balance the budget. Scott Thomsen explained that the state encourages tiered rates, which help promote water conservation. He added that excess use pays for extra maintenance, pumping, etc. Parker added that tiered rates are not

currently mandated but may be in the future. Mayor Christensen explained that fair rate distribution will be used when determining rates; high water users will pay more and low water users will pay less.

- Marty Smith stated that big sprinklers and pastures use a lot of the water.
- Jacob Olsen suggested offering larger meters to fields or pastures.
- John Chartier stated that he feels this is a great project and that many lawns are overwatered. He noted that when residents are educated on their water use, they are likely to conserve.
- Eric Nielsen noted that lawns and gardens could thrive on a lot less water than they are currently using.

Mayor Christensen asked for any other comments or questions. There were none. The public hearing closed at 6:39 p.m.

6. APPOINTMENT | PARKER VERCIMAK, JONES & DEMILLE.

Parker reviewed the timeline of the project with the Town Council.

Councilmember Blackburn asked if the contractors are getting the material or if it is the Town's responsibility. Parker noted that Scott Thomsen has ordered some things to get them on the waiting list. The Town Council agreed that with the delay on getting many parts, the projected start date to install the meters will be around October 2023. Parker noted that the mandatory pre bid meeting is December 7th and the bid opening will be held on Tuesday, December 20th.

Note: Councilmember Johns excluded himself from the conversation due to a conflict of interest.

7. APPROVAL OF MINUTES. Minutes from the October Town Council meeting were presented for approval. **Councilmember Dunn made a motion to approve the minutes as presented. Councilmember Anderson seconded the motion. Motion carried by unanimous roll call vote (Summary: Yes=4). Yes: Jill Anderson, Ken Blackburn, Hayven Dunn, Kelvin Johns.**

8. APPROVAL OF WARRANT REGISTER. The Town Council reviewed the warrant register. **Councilmember Dunn made a motion to approve the warrant register as presented. The motion was seconded by Councilmember Anderson. Motion carried by unanimous roll call vote. (Summary: Yes=4). Yes: Jill Anderson, Ken Blackburn, Hayven Dunn, Kelvin Johns.**

9. SHORT TERM RENTAL ORDINANCE 2022-09 ADOPTED. Mayor Christensen asked for a vote regarding the Short-Term Rental Ordinance.

Councilmember Johns made a motion to approve Ordinance 2022-09 as presented. The motion was seconded by Councilmember Dunn. Motion carried by unanimous roll call vote. (Summary: Yes=4). Yes: Jill Anderson, Ken Blackburn, Hayven Dunn, Kelvin Johns.

10. APPROVE INFOWEST FRANCHISE AGREEMENT. The Town Council reviewed the InfoWest franchise agreement. Tina Mitchell noted that the Town's attorney, Eric Johnson, has reviewed the agreement and it looks good. It was noted that the project is a few months out and that InfoWest may need to drill under a few roads. Mayor Christensen then asked for a vote. **Councilmember Anderson made a motion to approve the InfoWest franchise agreement. The motion was seconded by Councilmember Blackburn. Motion carried by unanimous roll call vote. (Summary: Yes=4). Yes: Jill Anderson, Ken Blackburn, Hayven Dunn, Kelvin Johns.**

11. APPROVE INFOWEST WIRELESS CO-LOCATION AGREEMENT. The Town Council discussed the co-location agreement and Mayor Christensen asked for a vote. **Councilmember Dunn made a motion to approve the InfoWest franchise agreement. The motion was seconded by Councilmember Anderson. Motion carried by unanimous roll call vote. (Summary: Yes=4). Yes: Jill Anderson, Ken Blackburn, Hayven Dunn, Kelvin Johns.**

12. DISCUSS NOTICE OF VIOLATION LETTER. Richard Larmouth was in attendance to discuss a Notice of Violation letter from the Sevier County Building Department. Mr. Larmouth explained that he is renting out his house and that he and his wife are living in the outside structure on the property. He explained that the structure is fixed up, has a restroom in close proximity, and that he obtained building permits for work on the structure. Mr. Larmouth stated that he would like to stay where he is through the winter. Planning Commission Chairman, John Chartier, explained that it looks like this situation would fall under a Conditional Use Permit for an accessory apartment. He added that the requirements include a minimum and maximum size of the building, minimum lot size, parking requirements, etc.

Mayor Christensen stated that he is in favor of letting Mr. Larmouth stay where he is until after Mr. Larmouth has met with the Planning Commission to discuss the requirements. Councilmember Blackburn noted that they will need a copy of the original building permit that included the improvements on the shed.

13. DISCUSS IMPLEMENTING A YOUTH COUNCIL. Councilmember Johns discussed starting an Annabella Youth Council. He noted that Annabella has great youth, and it would be good for them to be involved in Town government and activities. Councilmember Johns and Councilmember Anderson will work together on ideas to implement the youth council.

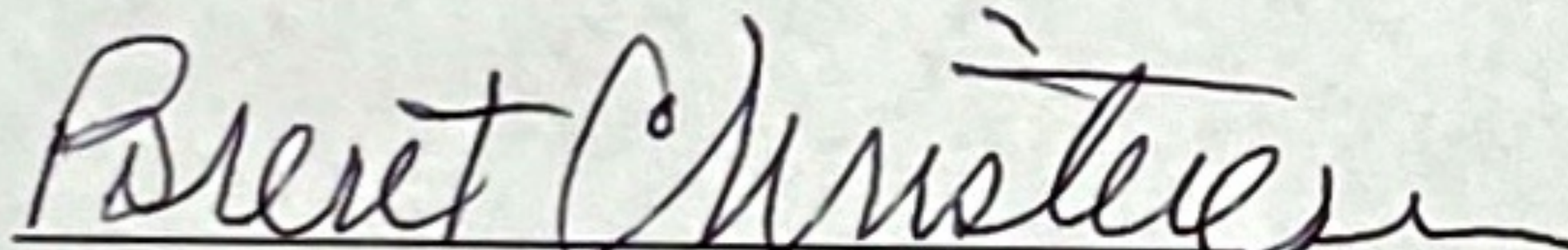
14. EMERGENCY PREPAREDNESS. Councilmember Dunn discussed

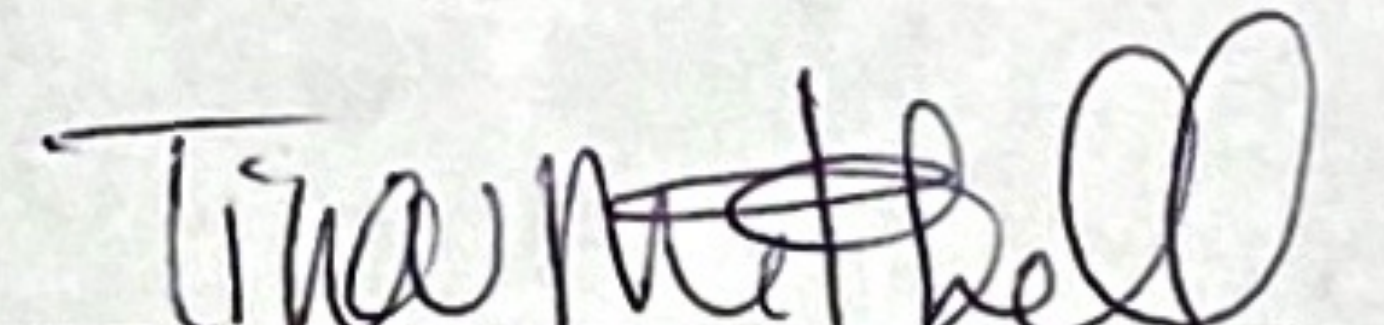
emergency preparedness with the Town Council. Councilmember Dunn also asked that an emergency preparedness booklet be added to the Town website with printed copies available as well.

15. DEPARTMENT BUSINESS. Councilmember Anderson reported on Pheasant Hunters Dinner. She asked if anyone knew what year the tradition began. The upcoming Tree Lighting Ceremony was also discussed. Kent Poulson offered to get a tree. Councilmember Johns noted that the Annabella 1st and 2nd wards will no longer be helping put flags out on holidays. Tina Mitchell noted that Scout Troop 1389 is still willing to help with some of the holidays. It was decided that maintenance employees will place the flags out on the days the scout troop is unable to.

16. ADJOURN. At 7:42 p.m. Councilmember Blackburn made a motion to adjourn the meeting. Councilmember Anderson seconded the motion and the motion carried unanimously.

Minutes of the Town Council meeting held Thursday, November 10, 2022, were approved this 12th day of January 2023


Brent Christensen, Mayor


Tina Mitchell, Town Clerk