

Hatch Town Board Meeting
April 17, 2024
7pm

Town Board Present: Mayor Kerry Barney, Jon Spendlove, Kurt Sawyer, Duane Barnhurst & Janell Barney

Staff Present: Jacie Torgersen, Janett Young, Tyler Mendenhall, Jaycen Walter

Public Present: Tyler Mackaben, Levi Degarmo, Cassi Thieme, Gene Spendlove, Tony Dinges, Scot Walter, Brett Burrows, Gary Goble, Guy & Raquel Thompson, Chad & Kerri Justus

1. Meeting Called to Order

Mayor Barney welcomed everyone to the meeting. He stated that there is a large agenda tonight so he would like to stay on task and asked the public to please limit their comments. An opening prayer was offered by Councilor Barney and then everyone recited the pledge.

2. Approval of March 20, 2024 Minutes

Councilor Sawyer motioned to approve the meeting minutes and Councilor Barney seconded the motion, the vote was unanimous.

3. Review March Invoices, checks & financial report

Councilor Sawyer motioned to approve the March expenditures and financials and Councilor Barney seconded the motion, the vote was unanimous.

4. Public Hearings

5. Petitions, Remonstrations and Communications

5.1 Possible move of old broiler to museum - Robert Driedonks

Robert Driedonks contacted the town about purchasing the old broiler that is located on the old county information property that the town got from the county. This is a piece of equipment that came from the Mammoth Saw Mill and was donated by the Wilson's. It has been there a long time and is part of the history of Hatch. The council felt like they would like to keep it in Hatch and possibly put a plaque on it to tell about it.

5.2 Credit Card Service for water payments

Zions Bank has changed their credit card system from payeezy to clover. Clover does not work well with our accounting system. Kerry Barney has been in to talk to Marc Henrie at Zion's Bank in Panguitch a couple times about it and they have not been able to find a solution to it. Janett Young has contacted customer service multiple times and spent at least 9 hours on the phone trying to resolve some of the issues. They are still not able to resolve the recurring payments that are not processing each month. Janett does not want to process credit cards any more for the town, it takes up too much time. There are 31 people using credit cards right now to pay their water bills. Jacie Torgersen had the statements for processing the cards and the town is paying between \$60-\$100 a month to process credit cards. Kerri Justus said people could just send payments through bill pay. She does the billing for Paunsaugunt Cliffs and they do not accept credit card payments there. Councilor Barney has helped some with the billing and the credit cards are not working out well besides the expense to the town. Councilor Barney motioned that the town of Hatch no longer accept

credit cards and Councilor Barney 2nd the motion, the vote was unanimous. Janett Young will send out a notice with the water bills that month that the town will be accepting check or cash only beginning in May.

5.3 Back-up system for Town of Hatch Information

Jacie Torgersen asked Mountain West computers to give the town a bid to get a back-up system in place. Pelorus is the only thing that is currently back up right now for the town and Jacie feels like there is a need to have the rest of the town's information backed up. Councilor Spendlove motioned to go with option #1 presented from Mt. West along with a 6TB hard drive and a 10 Tb external hard drive and Councilor Barney 2nd the motion, the vote was unanimous.

5.4 2024 Emergency Response Plan

Councilor Sawyer motioned to approve the 2024 Emergency Response plan and Councilor Barney 2nd the motion, the vote was unanimous.

5.5 Town of Hatch Privacy & Security Policy for Website

Councilor Spendlove motioned to approve the Hatch Privacy and Security Policy prepared by attorney Barry Huntington and Councilor Barnhurst 2nd the motion, the vote was unanimous.

5.6 Recreational Vehicle Usage in town

It has been brought to the town's attention that some people are living in their recreational vehicles in town and are out of compliance with the town's ordinances. There are several places that are not in compliance:

- Vern Young
- Scot Walter
- Tyler Mackaben
- Thompson's

In reviewing the town's recreational vehicle ordinance the planning and zoning commission recommended making a couple changes. The changes are located in section 11-5.4.3 Exceptions. Under #2 the proposed to add:

- a. occupancy of a recreational vehicle as a construction camp while constructing a dwelling or commercial building with an active building permit; or
- b. Seasonal occupancy of a recreational vehicle for employee housing on the same parcel as the commercial establishment.

This would address Scot Walter's, the Thompson's and Tyler Mackaben's, they are not sure how to address Vern's.

Mayor Barney also brought up how there is an issue with this because Mr. Mackaben's employee housing is not on the same parcel as his commercial business. The property that it is on is commercial but there is not a business on there right now. He does plan on building in the future and a suggestion was made that he could possibly get a building permit to be in compliance on that property.

Jaycen Walter suggested that it be changed to say if the property is owned by that business and the employee works for that business then they can house their employees on any commercial zoned property that they own in town. Councilor Sawyer feels like that Thompson's have made their look nice. He doesn't want anyone who has a commercial piece of property to just be able to park trailers on there for employee housing. He feels like the town should regulate this so it looks nice and it isn't just whoever doing whatever they want. Levi Degarmo suggested that the town allow anyone who has commercial property to have employee housing there with a recreational vehicle and not put a lot of definitions and specifications on it. Counselor Sawyer feels like each applicant should come get a conditional use permit for it so the town can approve it and make sure it will look nice. Tyler Mackaben feels that making a change in the ordinance would make it easier for everyone because the town doesn't move fast with only having one meeting a month for approvals. Mr. Mackaben currently has 2 recreational vehicles behind the bar for employees and one on the other property across the street. Janett Barney questioned what looking nice means, it is different to different people.

Levi Degarmo asked if Mr. Mackaben could put a lemonade stand on his property so he could say that his business establishment was on the same property as his employee housing. Casi Thieme said it would make it easier for businesses to make these changes and allow them to provide employee housing without having to come get a conditional use permit.

Councilor Janell Barney motioned to accept 2a upon the recommendation from the planning & zoning commission and Councilor Duane Barnhurst 2nd the motion, the vote was unanimous. Gene Spendlove wanted to know how many units are allowed on the commercial property.

Part b – Councilor Barney motioned to accept 2b with the change allowing any commercial property owned by that owner instead of just located on the same commercial property as the commercial establishment. Councilor Spendlove 2nd the motion. Councilor Barnhurst also voted in favor of the change. Councilor Sawyer voted against because he does not feel like business owners should be able to put RV's anywhere they want.

Vern Young has been living out of compliance for the last 5 years in his trailer. Mayor Kerry Barney told him he could move it to a new location. Mayor Barney asked if anyone had a solution for his living situation.

Tyler Mackaben wanted to know why the town chooses to enforce different ordinances at different times. The town did receive a written complaint regarding this matter. Some in the audience said they might send in a written complaint so they can get some of the other ordinances enforced. Mayor Barney said he learned from his mom to be part of the solution not part of the problem which is why he chose to run as the Mayor. Casi Thieme suggested that Vern Young move to her property or the Thompson's property where they already have RV's spots set up for use and he could do some maintenance for them and county as employee so it could be considered employee housing. Everyone seemed to agree that this would work.

6. Ordinances

6.1 Resolution 2024-04 Restriction of Liquor Licenses in town

Councilor Barnhurst would like to make a proposal for the town's liquor licenses. He would like to have 2 class in Hatch – Retail and Restaurant. The retail would be like a gas station and the

restaurant would include full service or limited service restaurant. He proposes only have these licenses and not a bar license in Hatch. He would like to see the licenses simplified and not put a limit on them.

Tyler Mackaben, manager of the bar wanted to know why the town would ban the bar license. He wanted to know the town would ban something that hasn't been a problem. He did apply to have his license changed from the bar license to the limited service restaurant license but if the town is not going to allow in future bar licenses then he may keep the one he has. He will not find out from the state until June if he will be able to change his license. He stated that he may just keep his bar license then since the value of it will have increased if it is the only one allowed in town.

Councilor Barnhurst said that as a councilmember representing people in town he feels like this would be the best option. There were many people that were not happy when the bar originally came to town and Councilor Barnhurst was on the board then. He would like to make it right and see this change made in the town's ordinances.

Councilor Barnhurst motioned to make this change and have the ordinance ready to adopt at the next meeting. Councilor Barney and Councilor Sawyer also voted in favor of this change to the ordinance. Councilor Spendlove voted against the change. Jacie Torgersen will work with Roger Carter at the Five County Association to draft an ordinance up for next month.

7. Report of Officers - boards - committees

7.1 Water Department - Water Usage

Water usage was 50,054 for the past month.

7.1.a VFC Quote

Tyler Mendenhall is still waiting for Mike Franklin to come to give a quote for the intrusion alarm.

7.1.b Quote for cleaning water tank

The tank was last cleaned in 1991. There have not been any problems and the water tests are good. Midco contacted the water operator and Tyler Mendenhall said he would present the bid to the town. Mr. Mendenhall does not recommend having it done since the water fund is low and it isn't something that is necessary. Councilor Barnhurst motioned not to have the inside of the tank cleaned and Councilor Barney 2nd the motion, the vote was unanimous.

7.1.c Water Deposits for current Hatch Customers

7.1.d Raising of water rates

7.2 Fire Department

7.2.a Approval for Pressure Sensor on Fire Engine

7.3 Road Department-

7.4 Parks & Recreation-

7.4.a Town Clean-up

7.5 Grants-

7.6 Planning & Zoning Commission

7.6.a Appointments

7.6.b Conditional Use Permit Approval

- 7.7 Cemetery
- 8. Public Input
- 9. Unfinished or New Business
- 10. Adjournment