

SANPETE COUNTY COMMISSION MEETING

December 1, 2009, 10:00 A.M.

Sanpete County Courthouse, 160 North Main, Room 303, Manti, Utah

Present are: Commission Chair Claudia Jarrett, Commissioners Spencer Cox and Steve Frischknecht, County Attorney Ross Blackham, and County Clerk Sandy Neill. Present from the media is C.R. Truitt.

Meeting is called to order by Commission Chair Claudia Jarrett.

CLAIMS

Auditor Ilene Roth is present. Motion is made by Commissioner Cox to approve payment of claims #321884 through #322062. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL TO PAY CONTROL EQUIPMENT COMPANY FOR WORK DONE ON THE HEATING SYSTEM AT THE COURTHOUSE

Motion is made by Commissioner Frischknecht to approve the payment of \$2,222.59 to Control Equipment Company for work done on the heating system at the Courthouse. The motion is seconded by Commissioner Cox, and the motion passes.

APPROVAL TO PAY DANZ TRANZ FOR WORK DONE ON A SHERIFF'S DEPARTMENT VEHICLE

Motion is made by Commissioner Frischknecht to approve the payment of \$1,612.52 to Danz Tranz for work done on a sheriff's department vehicle. The motion is seconded by Commissioner Cox, and the motion passes.

APPROVAL TO PAY ANNUAL DUES TO THE UTAH WATER USERS ASSOCIATION

Commissioner Frischknecht makes a motion to table this matter. The motion is seconded by Commissioner Cox, and the motion passes. The Commission will research what benefits the County would gain from being a member.

APPROVAL OF WORK ORDER AND COST TO CURE AGREEMENT BETWEEN SANPETE ROAD SPECIAL SERVICE DISTRICT AND RON MARX

Motion is made by Commissioner Cox to approve the signature of the chair on the work order and cost to cure agreement between Sanpete Road Special Service District and Ron Marx. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL OF PAYMENT REQUEST AND PROGRESS REPORT FOR THE PIGEON HOLLOW TO SPRING CITY CONSTRUCTION ENGINEERING

Motion is made by Commissioner Cox to approve payment request and progress report for the Pigeon Hollow Road in the amount of \$7,702.60 to be paid by UDOT. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL OF PAYMENT REQUEST AND PROGRESS REPORT AND PAYMENT REQUEST FOR RETAINAGE REPORT FOR THE AXTELL BRIDGE DESIGN ENGINEERING

Motion is made by Commissioner Frischknecht to approve the payment request and progress report in the amount of \$1,788.66 for the Axtell bridge. The motion is seconded by Commissioner Cox, and the motion passes. Motion is made by Commissioner Frischknecht to approve payment request for retainage in the amount of \$1,822.80 for the Axtell bridge. The motion is seconded by Commissioner Cox, and the motion passes. Both of these are to be paid by UDOT.

APPROVAL OF NTIA APPLICATION FOR REIMBURSEMENT OF EXPENDITURES MADE IN THE COUNTY'S BEHALF FOR HDTV TRANSMISSION

Five counties submitted application and received a grant from CIB for HDTV. In the interim, a program from the NTIA (National Telecommunications and Information Administration) will allow for reimbursement to the Counties from which the Counties will reimburse CIB for money spent. Motion is made by Commissioner Cox to approve the application to the NTIA for reimbursement. The motion is seconded by Commissioner Frischknecht, and the motion passes.

ADOPTION OF DISTRACTED DRIVER POLICY

The County's insurer has asked the County to amend our cell phone policy to include prohibition against distracted driving. A draft policy is discussed. The policy will only cover employees driving County vehicles. Employees found to be in violation of the policy will be subject to discipline as described in the policy. The policy will be added to the handbook, and will need to be signed by each County employee. Motion is made by Commissioner Cox to amend the distracted driver policy. The motion is seconded by Commissioner Frischknecht, and the motion passes.

AMENDMENT TO COUNTY FMLA POLICY REGARDING MILITARY LEAVE

The employee handbook will be amended as to unpaid FMLA leave to family members of those called to active duty in the National Guard and Reserves. A variety of deployment-related reasons would be covered. Motion is made by Commissioner Cox to amend the County FMLA policy regarding military leave. The motion is seconded by Commissioner Frischknecht, and the motion passes.

DISCUSSION OF PROPOSED 2010 SANPETE COUNTY BUDGET

This discussion is moved to the afternoon. Ilene Roth and Earl Clark are present. The proposed budget is reviewed. The Commissioners will work on the budget during the next week. The budget will be adopted on December 9, 2009 at 5:30 P.M.

DISCUSSION TO APPROVE AGREEMENTS WITH BOB WEIDNER AND/OR MARK WALSH

Motion is made by Commissioner Cox to approve the agreements with Bob Weidner and Mark Walsh in the amount of \$7,500.00 to each for a \$15,000.00 total. The motion is seconded by Commissioner Frischknecht, and the motion passes.

STEVE KELLER: AUTHORIZATION TO REPAIR D7H CAT DOZER

Steve Keller is present. He explains that the 1986 cat dozer needs a new undercarriage. Motion is made by Commissioner Frischknecht to authorize the repair of the D7H Cat Dozer at a cost of up to \$40,000.00. The motion is seconded by Commissioner Cox, and the motion passes.

THERESA ALDER: DISCUSSION OF DRUG HOUSES

Theresa Alder was not able to be here today. This matter will be rescheduled.

APPROVAL OF CHANGE ORDERS ON INDIANOLA VALLEY FIRE STATION

Four change orders have been received. The first is an increase of \$2,352.00 for the break-up and removal of rock, the second is a decrease of \$2,477.00 for soil prep, the third is an increase of \$575.00 for lights at the entries, and the fourth is a decrease of \$1,223.00 to delete a fence. Motion is made by Commissioner Frischknecht to approve the change orders. The motion is seconded by Commissioner Cox, and the motion passes.

LOCAL EMERGENCY PLANNING COMMITTEE (LEPC): REQUEST FOR A PUBLIC HEARING FOR A CIB APPLICATION

Beverly Thomas is present. The LEPC desires to make application with the CIB to purchase radio equipment and pagers. Congress has mandated that all emergency radio serves be converted from wide band signals to narrow band signals by January 1, 2013. Motion is made by Commissioner Cox to set a public hearing on December 15, 2009. The motion is seconded by Commissioner Frischknecht, and the motion passes.

SYLVIA KRALIK: DISCUSSION OF GREENBELT APPLICATION ON S 26625, S 26632, AND S 26637

Sylvia Kralik is present. The property is now owned by a group of family members. Because of this new ownership, a new Greenbelt application was required. Ms. Kralik had a hard time obtaining the signature from one of the owners to allow the Greenbelt status to continue. Joel Chidester appears by phone. The property still qualifies for Greenbelt, but the deadline for application was missed. Motion is made by Commissioner Cox to make an administrative adjustment that removes the roll back fees, and remove the penalty for late taxes. The motion is seconded by Commissioner Frischknecht, and the motion passes. With the completed application, the property will be put on Greenbelt for next years' taxes.

PHYLLIS JENSEN: REQUEST FOR PAYMENT PLAN ON TAXES FOR S 2434X

Phyllis and Sarah Jensen are present. Phyllis Jensen is asking for a payment plan to pay back taxes that are owed for 2008, 2007, and 2006. Motion is made by Commissioner Frischknecht to remove penalty and interest, and approve a payment schedule two years. The motion is seconded by Commissioner Cox, and the motion passes.

BARRY BRADLEY: SEARCH AND RESCUE SNOW RESCUE VEHICLES AND FUNDING

Barry Bradley, Sheriff Kevin Holman, and Kerry Nielson are present. Mr. Bradley is asking if there is funding available to be used to keep the snow rescue vehicles up to date. The Commission will check into funding that may be available from secure rural schools. Mr Nielson is asking for a few loads of gravel to be put near the training building that they use in Ephraim so that they can move their equipment from the city's parking lot. The Commission will ask the road department to take care of this.

SHERIFF KEVIN HOLMAN: LEASE AGREEMENTS FOR VEHICLES; APPROVAL OF UNIFORM PURCHASES

Sheriff Kevin Holman and Auditor Ilene Roth are present. Discussion is held about the leasing of cars rather than purchasing. Less money up front is needed. Money was in the budget this year to purchase new vehicles. It is agreed that the Sheriff can lease three cars at the beginning of 2010, and then a decision will be made later in the year as to whether three more vehicles can be leased. Uniform purchases and uniform allowances are discussed. Rather than continuing with a uniform stipend, an allowance will be given. Purchases will be made through a vendor by the employees, and paid by the County. The vendor will keep track of purchases made by each employee. Sheriff Holman will see if a vendor will be willing to work with the County on this. Motion is made by Commissioner Cox to approve the purchase of uniforms for the non merited employees in the Sheriff's office. The motion is seconded by Commissioner Frischknecht, and the motion passes.

DISCUSSION OF SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT AND COALITION REQUEST TO SUPPORT

Motion is made by Commissioner Cox to support a dues contribution of \$1,227.00 to the NFCSC (National Forest Counties & Schools Coalition). The motion is seconded by Commissioner Frischknecht, and the motion passes. (The Contribution amount was corrected to \$1,129.00 after receiving further information.)

APPROVAL OF MINUTES

Motion is made by Commissioner Cox to approve the minutes from November 17, 2009 with no corrections. The motion is seconded by Commissioner Frischknecht, and the motion passes.

DOUG OLSEN: DISCUSSION OF WEED CONTROL

Doug Olsen is present. A lien was placed on his property and also on property that he operates. He states that the lien was placed on one parcel of land that was not sprayed (S 22285), and was left off of property that was sprayed (S 26102). Recorder Reed Hatch brings a map of the property in question. The Commission will have the person who sprayed identify the property that was sprayed.

ASHLEY GREEN WITH DIVISION OF WILDLIFE RESOURCES (DWR): DISCUSSION OF PARTNERSHIP FOR A NEW SHOOTING RANGE AT 6 MILE

Ashley Green and Mark Farmer are present. Mr. Farmer will replace Mr. Green as the habitat manager. Access maps have been drafted with comments from the County incorporated into the plan. Off highway vehicle and motorcycle groups are asking the DWR to consider leaving some single trails open. The County supported their efforts to have seasonal closures on all the roads on black hills except the main black hills road. The road gets torn up when it is wet. In order to leave it open all winter, it needs to be passable. Mr. Green asks if the County could contribute to this effort to put road base or gravel down. The Commission explain that a formal agreement would need to be made before the County could commit to help with this. In exchange, the miles would be counted as County road miles on our B&C. The County will check with the road department to see how much they would be able to do. Mr. Green will check with DWR will check to see if an agreement like this work for them.

Mr Green explains that there is a lot of shooting just east of the jail site. DWR would like to look into developing better facilities at that location for a safer shooting range that could be used for the public as well as law enforcement. They developed a facility in Wallsburg, and would like to use that as a model. The Commission would like to see this go to the next step. In order to be open to the public, there would need to be a person there when it is open. In Wallsburg it has been run using volunteer labor.

Motion is made by Commissioner Cox to go into executive session to discuss the character or professional competence of an individual. The motion is seconded by Commissioner Frischknecht, and the motion passes.

EXECUTIVE SESSION

Motion is made by Commissioner Frischknecht to go out of executive session. The motion is seconded by Commissioner Cox, and the motion passes. No action was necessary due to this executive session.

Motion is made by Commissioner Frischknecht to adjourn. The motion is seconded by Commissioner Cox, and the motion passes.

The meeting is adjourned at 5:06 P.M.

ATTEST: *Sandy Neill*
Sandy Neill
Sanpete County Clerk

APPROVED: *Claudia Jarrett*
Claudia Jarrett
Commission Chair