

**SANPETE COUNTY COMMISSION MEETING**

**January 19, 2010, 1:00 P.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 #322390 through #322497. The motion is seconded by Commissioner Frischknecht, and the motion passes.

Commissioner Jarrett was excused from the meeting at 1:25 P.M., and returned later in the afternoon. The agenda order was amended to allow Commissioner Jarrett to participate in the discussion when she returned in the afternoon. The minutes reflect the order that the agenda items were discussed.

**APPROVAL TO PAY LOGAN SIMPSON DESIGN FOR WORK DONE ON GENERAL PLAN**

Motion is made by Commissioner Cox to approve the payment of \$1,552.00 to Logan Simpson Design for work done on the general plan. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL TO PAY UNIVAR FOR MOSQUITO ABATEMENT**

Motion is made by Commissioner Cox to approve the payment of \$13,736.00 to Univar for mosquito abatement. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL TO PAY UTAH ASSOCIATION OF COUNTIES (UAC) 2010 MEMBERSHIP FEES**

Motion is made by Commissioner Cox to approve the payment of \$11,656.00 to UAC for 2010 membership fees. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**ILENE ROTH: RESOLUTION ADJUSTING THE ADMINISTRATIVE FEE ASSESSED TO PROPERTY TO BE SOLD AT TAX SALE**

Auditor Ilene Roth is present. Motion is made by Commissioner Cox to approve resolution #01-19-2010, setting the rules and procedures for the 2010 tax sale and adjusting the administrative fee assessed to property to be sold at tax sale to \$400.00. The motion is seconded by Commissioner Frischknecht, and the motion passes. The resolution is attached to these minutes.

**APPROVAL TO HIRE TYLER DONALDSON AS A PATROL DEPUTY**

Sheriff Kevin Holman is present and states that Tyler Donaldson currently works in the jail as a sergeant, and will step down as a sergeant to take this position as a patrol deputy. Motion is made by Commissioner Cox to approve the transfer of Tyler Donaldson to a patrol deputy at a reduced salary to be determined later to begin February 15, 2010. The motion is seconded by Commissioner Frischknecht, and the motion passes. Sheriff Holman invites the Commissioners to LEPC meetings that are held every 3<sup>rd</sup> Tuesday at 11:00 A.M.

**APPROVAL TO AMEND CAPITAL IMPROVEMENTS LIST TO INCLUDE SHED FOR SEARCH AND RESCUE**

Motion is made by Commissioner Cox to amend the capital improvement list to add a 50 x 50 foot addition to an existing shed for Search and Rescue at an estimated cost of \$65,000.00. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF AMENDMENT #2 TO BOOKMOBILE CONTRACT**

Motion is made by Commissioner Cox to approve amendment #2 to the Bookmobile Contract, which extends the current contract to June 30, 2010. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**NORMAN JENSEN: REQUEST TO MOVE SURVEY MARKER AND REQUEST TO ABANDON .61 MILES OF A COUNTY ROAD**

Norman Jensen and Reed Hatch are present. Mr. Jensen is asking to abandon a portion of county road near Centerfield, and move a survey marker. Mr. Hatch states that after a review, it was determined that the marker can be removed without a problem. Motion is made by Commissioner Cox to move forward with the process to abandon the road. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**REQUEST FOR A PUBLIC HEARING FOR: A RESOLUTION DECLARING THAT THE PUBLIC HEALTH, CONVENIENCE AND NECESSITY REQUIRE THE ADDING OF A NEW SERVICE (FIRE PROTECTION) TO THE AXTELL COMMUNITY SPECIAL SERVICE DISTRICT, PROVIDING FOR A HEARING, PROVIDING FOR NOTICE OF SAID HEARING AND RELATED MATTERS**

County Attorney Ross Blackham explains that this resolution is to add fire protection services to the Axtell Special Service District. Motion is made by Commissioner Frischknecht to approve resolution #01-19-2010 A, and to approve the signature of the chair on that resolution. The motion is seconded by Commissioner Cox, and the motion passes. The resolution provides for a public hearing which will be held on March 2, 2010 at 2:00 P.M., and also provides for a method for protests to be filed.

**JOHN FAIRCHILD WITH DIVISION OF WILDLIFE RESOURCES (DWR): REGIONAL WILDLIFE UPDATE AND PAYMENT IN LIEU OF TAXES (PILT)**

John Fairchild presents the County with a check for \$12,468.83 for PILT (the money is provided by hunters and anglers in the county) Mr. Fairchild thanks the Commission for their support as a partner in managing Utah's wildlife. DWR is working on reducing the number of elk crossings in the area so that fewer elk and vehicles are involved in accidents. A potential partnership would be to address shooting range needs in the County. Shooting sports are viewed as a pathway to hunting. As the County grows, it will become more and more difficult to satisfy the needs of shooters. The seed storage facility in Ephraim is being doubled to hold about a million pounds of seed.

**GREG ROSENVALL WITH GUNNISON VALLEY HOSPITAL: YEARLY UPDATE**

Greg Rosenvall, Nancy Jensen and Neil Mellor are present. Mr. Rosenvall presents a yearly update report to the Commission. The hospital is operating soundly, even though there is a trend of people having a hard time paying their bills due to the downturn in the economy. The board is functioning well, and are dedicated to the hospital. The current board members are Neil Mellor, Nancy Jensen, David Madsen, Les Bogh, Shawn Crane, Sara Donaldson, and Dr. Von Pratt.

**REQUEST FOR INDIGENT BURIAL ASSISTANCE FOR CHERYL L DURRANT**

Dorothy Lallatin is present. Motion is made by Commissioner Cox to approve assistance in the amount of \$900.00 for the indigent burial of her daughter Cheryl Durrant. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**DISCUSSION OF DISTRACTED DRIVER POLICY**

Commissioner Cox met with the captains and sergeants of the Sheriff's Office. They are concerned that the distracted driver policy is too restrictive as they perform their duties. The hands free device requirement for cell phones, and other equipment is difficult to enforce as they type in license numbers of vehicles they are following. Motion is made by Commissioner Cox to approve the distracted driver policy as amended to allow the use of law enforcement equipment in the normal course of their duties and an exception on hands free only use for emergencies. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**ANITA RADDATZ: APPROVAL OF USU AND SANPETE COUNTY STANDARD COOPERATIVE AGREEMENT**

Anita Raddatz is present. The budget is about the same amount as last year, but is rearranged a bit. Motion is made by Commissioner Cox to approve the USU and Sanpete County Standard Cooperative Agreement for 2010. The motion is seconded by Commissioner Frischknecht, and the motion passes. Ms. Raddatz updates the Commission on the USU Extension activities over the past year.

**POLICY CHANGE FOR MEAL REIMBURSEMENT WHEN NOT TRAVELING OVERNIGHT**

After researching the tax law it is found that if business meetings are held during lunch, and an adequate record is kept, the meal qualifies as being tax exempt. Motion is made by Commissioner Cox that there will be no reimbursement for meals during day trips except for business meetings and an occasional overtime meal (outside of an employee's normal work day) not to exceed 25 meals per year. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**DISCUSSION OF WORK WEEK HOURS**

No complaints have been received recently about the Courthouse work week hours. The County will continue with the same schedule.

Commissioner Jarrett returns to the meeting at 3:35 P.M.

**APPROVAL OF PAYMENT REQUEST AND PROGRESS REPORT ON THE AXTELL BRIDGE CONSTRUCTION ENGINEERING; APPROVAL OF PAYMENT REQUEST AND PROGRESS REPORT ON THE PIGEON HOLLOW ROAD**

Motion is made by Commissioner Frischknecht to approve the payment request and progress report on the Axtell Bridge Construction engineering in the amount of \$1,527.77. The motion is seconded by Commissioner Cox, and the motion passes. Motion is made by Commissioner Frischknecht to approve the payment request and progress report on the Pigeon Hollow Road construction engineering in the amount of \$8,156.05. The motion is seconded by Commissioner Cox, and the motion passes. (Both of these payments will be made by UDOT.)

**LEA MCKISSICK: REQUEST FOR PAYMENT SCHEDULE FOR BACK TAXES OWED ON S 21052 AND S 21053**

Lea McKissick is present. She is asking for approval of a payment schedule to catch up on back taxes. Motion is made by Commissioner Cox to approve a payment schedule of \$500.00 per month starting in April 2010 on S 21052 and S 21053, and to remove the penalties and interest for back taxes owed. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF MINUTES**

Motion is made by Commissioner Cox to approve the minutes from January 5, 2010 with minor corrections. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**ASSESSOR KEN BENCH: TAX ADJUSTMENTS; GREENBELT ROLLBACK TAX ON 10191, 10195 AND 10195X**

Assessor Ken Bench and Bill Peterson are present. Mr. Bench is asking to make adjustments to tax dollars owed on properties. Tax dollars can't be returned, but credits can be given towards the taxes owed for the next year. A large amount of the adjustment is due to taxes that were assessed on assisted living centers. The County will now tax the assisted living centers as follows: 70% of the taxes will be for residential, and 30% commercial. Motion is made by Commissioner Frischknecht to approve the tax adjustments as attached. The motion is seconded by Commissioner Cox, and the motion passes. The Greenbelt rollback tax matter is stricken from the agenda.

**SIGNATURE ON LETTER OF SUPPORT FOR GRANT APPLICATION TO THE EPA FOR FUNDS TO CLASSIFY THE AQUIFER IN THE SOUTHERN PART OF SANPETE COUNTY**

Motion is made by Commissioner Cox to approve the signature of the chair on a letter of support for grant application to the EPA for funds to classify the aquifer in the southern part of Sanpete County. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPOINTMENT OF ALAN BAILEY OF FOUNTAIN GREEN AND ZACK JENSEN OF GUNNISON TO THE WEED BOARD**

This matter is tabled until the next agenda.

**KELLER CONSTRUCTION: CONTRACT CHANGE ORDER FOR INDIANOLA VALLEY FIRE STATION**

This change order reduces liquidated damages to be charged for any days that the project goes over the contracted date from \$250.00 per day to \$125.00 per day. Motion is made by Commissioner Cox to approve the change order for the Indianola Valley Fire Station. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF FEDERAL AID AGREEMENT FOR PIGEON HOLLOW ROAD**

Motion is made by Commissioner Cox to approve the federal aid agreement for the Pigeon Hollow road. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**KENT HIGGINS WITH THE INDIANOLA VALLEY FIRE DEPARTMENT: APPROVAL TO TRANSFER FUNDS TO PETTY CASH FOR EQUIPMENT PURCHASES FOR FIRE STATION**

No one is present for this matter. The request is to set up a petty fund to allow for cash purchases of equipment for the new fire station. The Commission discuss their concerns with allowing this. Motion is made by Commissioner Frischknecht to authorize a credit card allowance of \$1,000.00, and then purchases over the \$1500.00 will be placed on the agenda for approval. The motion is seconded by Commissioner Cox, and the motion passes.

**APPOINTMENT OF COMMISSION CHAIR; COMMISSION ASSIGNMENTS FOR 2010**

Motion is made by Commissioner Cox to retain Commissioner Jarrett as the chair of the Commission. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to retain Commissioner Frischknecht as vice chair of the Commission. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Cox to change the assignments for 2010 by moving Planning & Zoning/Board of Adjustments to Commissioner Frischknecht, County Building Inspector and Law Enforcement to Commissioner Cox, and Public Works to Commissioner Jarrett. The motion is seconded by Commissioner Frischknecht, and the motion passes. Commissioner Frischknecht will also be over the Regional Coordinating Council (RCC).

**LEON R DAY: PROPOSAL TO SEPARATE THE OFFICES OF COUNTY RECORDER AND COUNTY SURVEYOR**

Leon Day, Reed Hatch, Ken Bench and Lee Holmstead are present. Mr. Day is proposing to separate the offices of County Recorder and County Surveyor. He is requesting that the surveyor's office be funded to allow work to be done to perform surveying to restore corners. Currently the corner restoration is being done using competitive bids. Most of the money that has been spent has been around cities where more development is happening. Currently there are several license surveyors living in Sanpete County. The Commission will review the information received. An ordinance would need to be passed in order to separate the offices.

**EXECUTIVE SESSION**

No executive session is needed at this time.

**INDIGENT BURIAL ASSISTANCE POLICY**

This matter will be heard at a later date.

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

The meeting is adjourned at 5:10 P.M.

ATTEST: *Sandy Neill*  
Sandy Neill  
Sanpete County Clerk

APPROVED: *Claudia Jarrett*  
Claudia Jarrett  
Commission Chair

A RESOLUTION DECLARING THAT THE PUBLIC HEALTH, CONVENIENCE, AND NECESSITY REQUIRE THE ADDING OF A NEW SERVICE TO THE AXTELL COMMUNITY SPECIAL SERVICE DISTRICT, PROVIDING FOR A HEARING, PROVIDING FOR NOTICE OF SAID HEARING AND RELATED MATTERS.

WHEREAS, the Board of County Commissioners of Sanpete County, Utah on October 21, 1981 by Resolution, created the Axtell Community Special Service District, provided for the services to be performed by the Special District and set the boundaries of the District; further that an Administrative Control Board was organized for the governance of the District.

WHEREAS, the Board of County Commissioners believes that the public health, convenience and necessity require that adequate fire protection services are available for the protection of persons and property located in the District and that expending funds for fire protection services is in the public's interest; further that fire protection is an authorized Special Service District service pursuant to the provisions of the Utah Special Service District Act, Chapter 1, Title 17 D, Utah Code Annotated, 1953, as amended, but was not a service authorized to the Axtell Service District upon creation of the District on October 21, 1981.

WHEREAS, there is an Interlocal agreement between Gunnison City Fire Department and the cities of Centerfield, Fayette, and Mayfield and whereas, Gunnison city is desirous to extend the same level of service via an Interlocal agreement to the community of Axtell for fire protection. And Whereas, Axtell Community Special Service District is also desirous of entering into an Interlocal agreement with Gunnison City to have expanded fire protection.

WHEREAS, the Board of County Commissioners believes that it is desirable to add “fire protection” services as an authorized service of the Axtell Community Special Service District.

WHEREAS, all property included within the boundaries of the Axtell Community Service District will be benefited by the addition of fire services; and

WHEREAS, none of the area to be contained within the boundaries of said proposed Special Service District is also within the boundaries of any other special service district or local district established by said county to provide the same services.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Sanpete County, Utah, as follows:

Section 1. The public health, convenience, and necessity require the addition of “fire protection” services as an authorized service of the Axtell Community Special Service District pursuant to the provisions of the Utah Special Service District Act, Chapter 1, Title 17D, Utah Code Annotated, 1953, as amended, and Article XI, Section 7 of the Constitution of Utah.

Section 2. The boundaries of the District for this proposed service shall be the same as the boundaries established in the creation of the Axtell Community Special District on October 21, 1981.

Section 3. The service to be added to the authorized purposes and the District is “fire protection.”

Section 4. The District’s name shall continue to be the Axtell Community Special Service District.”

Section 5. A public hearing on the question of adding a new service to the District shall be held by the Board of County Commissioners at Manti, Utah, at 2:00 p.m. on March 2, 2010 at which time and place all interested parties may appear and be heard either in support of or in opposition to the adding of the service as more fully described in the Notice of Intention set forth in Section 7 hereof.

Section 6. A Notice of the Intention to create the District shall be published at least once a week during three consecutive weeks, the first publication to be not less than twenty-one (21) days nor more than thirty-five (35) days before the hearing, in the Pyramid, Sanpete Messenger, and the Sanpete Messenger – Gunnison Valley Edition, newspaper's having general circulation in Sanpete County.

Section 7. The Notice of Intention to be published shall be in substantially the following form:

NOTICE OF INTENTION TO ADD  
A NEW SERVICE TO THE  
AXTELL COMMUNITY SPECIAL SERVICE DISTRICT

NOTICE IS HEREBY GIVEN THAT on January 19, 2010, the Board of County Commissioners of Sanpete County, Utah, adopted a Resolution declaring that the public health, convenience, and necessity require that adequate fire protection services are available for the protection of persons and property located in the Axtell Community Special Service District and that expending funds for fire protection services is in the public interest. Further, that it is desirable to add "fire protection" services as an authorized service of the District. The Resolution also provides for a public hearing on

the adding of “fire protection” services as an authorized service of the District to be held at the Sanpete County Courthouse in Manti, Utah at 2:00 p.m. on March 2, 2010.

#### DESCRIPTION OF THE PROPOSED DISTRICT

The District shall have the following boundaries: Same boundaries as established and set for the District when the District was created on October 21, 1981 by Sanpete County.

#### PROPOSED ADDITIONAL SERVICE

“Fire Protection” services as authorized by the Utah Special Service District Act, Chapter 1, Title 17 D, Utah Code Annotated, 1953 as amended, shall be added as an authorized purpose and service of the District along with the presently existing service of Culinary Water Works improvements.

#### METHODS OF FINANCING

Pursuant to the provisions of the Utah Special Service District Act, Chapter 1, Title 17D, Utah Code Annotated, 1953, as amended and Article XI, Section 7 of the Constitution of Utah, the District may annually levy taxes upon all taxable property within the District to provide the proposed additional service, and may issue bonds for the acquisition and/or construction of facilities or systems to provide said services, provided, however, that said levy to provide said services or to repay said bonds, must be authorized and approved by a majority of the qualified electors of the District at an election for that purpose. In addition, The District may annually impose fees and charges to pay for all or a part of the additional service proposed to be provided by the District.

#### PUBLIC HEARING ON THE PROPOSAL TO ADD A NEW SERVICE TO THE AXTELL COMMUNITY SPECIAL SERVICE DISTRICT.

The Board of County Commissioners will hold a public hearing on the adding of a new service to the Axtell Community special Service District at the Sanpete County Courthouse, Manti, Utah at 2:00 p.m. on March 2, 2010. Any interested person(s) may protest the adding of the proposed new service by the District and each protest shall be in writing, filed with the Sanpete County Clerk, and must be filed no later than fifteen (15) days after the public hearing, and each protest shall explain why the person is protesting. A person, who submitted a written protest against the adding of the new service may withdraw the protest, or having withdrawn a protest, may cancel the withdrawal until thirty (30) days after the public hearing.

Any protest signed on behalf of a corporation owning property in the District shall be sufficient if it is signed by the president, vice president, or any fully authorized agent of the corporation. Where title to any property is held in the name of more than one person, owners representing a majority ownership interest in the parcel must join in the signing of the protest or if the parcel is owned by joint tenants or tenants by the entirety, 50 % of the number of owners of that parcel.

The signature of a person signing a protest in a representative capacity on behalf of an owner is valid if the person's representative capacity and the name of the owner of the person represents or indicated on the protest with the person's signature and the person provides documentation accompanying the protest that reasonably substantiates the person's representative capacity.

At said public hearing, the Board of County Commissioners will give full consideration to all protests which shall have been filed and will hear and consider all interested persons desiring to be heard. The Board of County Commissioners may

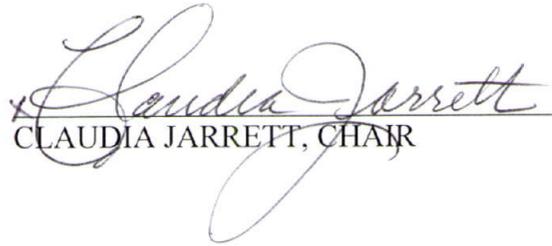
continue the hearing from time to time. After conclusion of the hearing, the Board of County Commissioners shall adopt a resolution either adding the proposed new service or determining that adding the new service should be abandoned.

If, within fifteen (15) days after the conclusion of the hearing, over thirty-three percent (33%) of the qualified voters of the territory proposed to be included within the District or the owners of over 33% of the taxable value of the taxable property included within the proposed District file written protest against the adding of the proposed new service to be provided within the District with the County Clerk, the Board is required by law, to abandon the proposed new additional service as an authorized service of the District.

A person may file an action in District Court challenging the adding of a new service in the District if the person files a written protest and said person is a registered voter within the Special Service District and alleges in the action that the procedures used to create the Special Service District violated applicable law or the person is an owner of property included within the boundary of the Special Service District and alleges in the action that the persons property will not be benefitted by a service that the Special Service District is proposed to provide or the procedures used to add the new service violated applicable law and the action is filed within thirty (30) days after the date that the legislative body adopted a resolution or ordinance adding the new service.

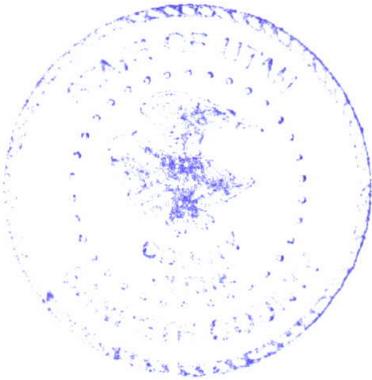
If an action is not filed within the time specified, a registered voter or an owner of property located within the Special Service District may not contest the addition of the new service to the District.

GIVEN by order of the Board of County Commissioners of Sanpete County, this  
19<sup>th</sup> day of January 2010.

  
CLAUDIA JARRETT, CHAIR

ATTEST

  
SANDY NEILL, SANPETE COUNTY CLERK



RESOLUTION NO. 01-19<sup>th</sup>-10

A Resolution establishing method, rules and procedures for the 2010 tax sale and allocating administrative costs to delinquent properties.

Whereas the County Commission is charged under Utah Law with determination of the method of sale of delinquent properties for delinquent taxes; and

Whereas the attached "Method of Sale" appear to facilitate the objectives of protecting the financial interest of the delinquent owner while meeting the county's need to collect delinquent taxes due; and

Whereas the Tax Sale creates costs of administration including advertising, recording, title searches, noticing, offering, mailing, etc.;

Now therefore, be it resolved that the attached Method of Sale are hereby adopted to govern the Sanpete County 2010 tax sale, and be it further resolved that a fee in the amount of \$400.00 be assessed for Administrative costs, and be it further resolved said fees are added to the taxes, penalties and interest outstanding on each delinquent property to cover the costs of such administration.

Adopted this 19<sup>th</sup> day of January, 2010

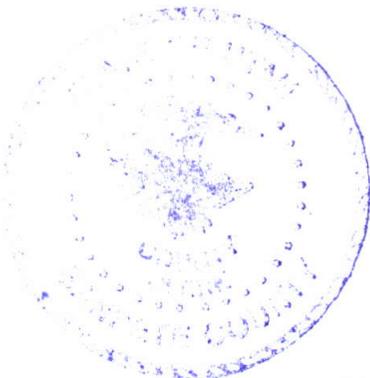
Sanpete County Board of County Commission

Attest: Sandy Neill  
County Clerk

Lauda Jarrett  
Commission Chairman

Steve Frischknecht  
Commissioner

[Signature]  
Commissioner



# PUBLIC NOTICE

Notice is hereby given that on the 27th day of May 2010 at 10:00 A.M. at the West Lobby of the Sanpete County Courthouse, Manti City, Sanpete County, Utah, the Sanpete County Auditor, Ilene B. Roth, will offer for sale at public auction and sell to the highest bidder pursuant to the provision of section 59-2-1351 and 59-2-1351.1 Utah Code, the following described real property, located in said county and now five years delinquent and subject to tax sale. A bid for less than the total amount of taxes, interest, penalty and administrative costs, which are a charge upon said real estate will not be accepted.

## METHOD OF SALE

The Board of County Commissioners of Sanpete County has determined the following method of sale best meets the objectives of protecting the financial interests of the delinquent property owner and collecting delinquent property taxes due:

The highest bid amount for the entire parcel of property. However, a bid may not be accepted for an amount which is insufficient to pay the taxes, penalties, interest and administrative costs. Any amount received in excess of the taxes, penalties and interest due to all local governments, and any administrative costs by the County, shall be treated as surplus property and paid to the State Treasurer's Office.

## SANPETE COUNTY TAX SALE RULES

1. The County Auditor will state the amount of taxes, penalties, interest, and administrative costs on the parcel being offered for sale, which is the amount at which bidding will begin and the lowest acceptable bid.
2. Upon receipt of a bid sufficient to pay the taxes, penalties, interest, and administrative costs on the parcel, higher bids shall be solicited. The bid received in the highest dollar amount, when no higher bids are tendered upon request by the County Auditor, shall be the bid accepted (if such bid is otherwise acceptable under these rules).
3. Property having title deficiencies, description deficiencies, or other deficiencies may be withdrawn from a tax sale. Property withdrawn from a tax sale may be re-certified to a subsequent year's tax sale after the reasons for the withdrawal have been resolved. Re-certification must be approved/ratified by the Board of Commissioners.
4. A property determined to be a public street, road, canal, or other property subject to public use, based on the records of the County Recorder and/or a physical on-site inspection, will be struck from the sale in the name of Sanpete County.
5. Any property offered for sale for which there is no purchaser or which is not otherwise acceptable under these rules shall be struck off to Sanpete County by the County Auditor, and fee simple title to the property shall then be vested in Sanpete County.
6. Only cash, certified funds, or personal checks will be accepted in payment for property. Payment is due, and shall be made to the County Treasurer, at the close of sale.
7. A bidder shall preregister in person, prior to **9:55 A.M.** on day of sale, and be given a number for bidding purposes. In the registration, the bidder shall properly and clearly identify correct information and address for use in issuance of deeds.
  - A. Bids submitted and the Tax Deed issued thereafter will only be executed in the name of an individual bidder/purchaser.
  - B. Individual bidder shall mean a corporation, partnership, trust, or proprietorship duly registered, or licensed, in the State of Utah, or a natural person or husband and wife.
  - C. A bidder must register the name under which he/she will bid in the sale and each bidder will be

limited to registering and bidding under one name only.

8. One deed, and only one deed, will be issued to the successful bidder on parcels sold.
9. The bidder first recognized by the County Auditor will be the first bid recorded, etc. As in any auction, the bid recognized is the one in effect at the time.
10. Collusive bidding will be strictly prohibited.
11. Loud whispering, yelling, or talking, other than the bids, must be avoided so that accurate records may be kept of the proceedings of the sale. At any time the County Auditor may excuse a bidder for this reason.
12. The final bid number announced by the County Auditor is the official sale, and the bidders previously registered name and address will be the name that will go on the deed.
13. All bids shall be considered conditional. Whether or not the bid is contested, until reviewed, and accepted, by the Board of County Commissioners, acting at a regular scheduled meeting.
14. The Board of County Commissioners may reject any and all bids on the ground that none is acceptable. Should a bid be rejected, all funds accepted for the concerned parcel will be refunded.
15. Once the County Auditor has closed the sale of a particular parcel of property as a result of accepting a bid on said parcel, the successful bidder, or purchaser of the property, may not unilaterally rescind the bid. The county legislative body, after acceptance of a bid, may enforce the terms of the bid by obtaining a legal judgement against the purchaser in the amount of the bid, plus interest and attorney's fees.
16. A fee in the amount of \$400.00 will be assessed on each parcel for 'administrative costs'.
17. Any person wishing to contest any action taken in connection with the Tax Sale must present such protest in writing to the Sanpete County Commission by 12:30p.m. on Friday, May 28, 2010.
18. The period to redeem property prior to closing of the books and beginning of the Tax Sale shall end on **Thursday, May 27, 2010 at 9:45A.M.**
19. The bidder on any parcel of property may be subject to a roll back tax under the provisions of "THE FARMLAND ASSESSMENT ACT", Utah Code Sections 59-2-501 thru 59-2-515.
20. A copy of the Tax Sale rules may be obtained in the office of the Sanpete County Auditor, Sanpete County Courthouse, 160 North Main, Manti, Utah 84642.

*Individuals with disabilities needing special accommodations during this proceeding should call Sandy Neill (435) 835-2131 at least 3 working days in advance.*

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THIS \_\_\_\_ 19 \_\_\_\_  
DAY OF January, 2010

ILENE B. ROTH  
SANPETE COUNTY AUDITOR

Published in \_\_Sanpete Messenger\_\_ April 28, May 5, 12, 19, 2010

## 2009 SANPETE COUNTY ADMINISTRATION ADJUSTMENTS

*Adjustments approved January 19, 2010*

SERIAL #	OWNER NAME	\$ AMOUNT
1742	LDS CHURCH	\$1,196.90
41142-C	ERNEST MILNER	\$8.22
10780	BALLARD RANCH (08)	\$9.49
10780	BALLARD RANCH (09)	\$9.62
7321X	SHARON GLEN JOHNSON (07)	\$50.24
7321X	SHARON GLEN JOHNSON (08)	\$48.93
7321X	SHARON GLEN JOHNSON (09)	\$49.59
10772	BALLARD RANCH (08)	\$6.37
10772	BALLARD RANCH (09)	\$6.45
811	SOUTH SANPETE SCHOOL DIS	\$574.62
6521	DEAN OLSON	\$188.89
26705	JOHN CARTER	\$546.45
1742X1	LDS CHURCH	\$3,038.14
16290	LDS CHURCH	\$1,235.68
6522	RUSSEL BARTON	\$188.89
16108X	OMAR VIDRIO (08)	\$1,290.83
16108X	OMAR VIDRIO (09)	\$1,363.49
7163	KENNETH LARSON	\$6.10
2343	RANDY LARSON	\$78.46
18177X1	ROGER AAGARD	\$40.18
18182X	ROGER AAGARD	\$60.84
18178X	ROGER AAGARD	\$41.64
1453X	MANTI CITY	\$367.10
26346	KEITH DAYBELL	\$122.25
702X60	SNOW COLLEGE	\$560.83
61336	EPHRAIM CITY HOUSING	\$453.94
61352	EPHRAIM CITY HOUSING	\$453.94
61355	EPHRAIM CITY HOUSING	\$453.94
61341	EPHRAIM CITY HOUSING	\$453.94
61356	EPHRAIM CITY HOUSING	\$453.94
61360	EPHRAIM CITY HOUSING	\$453.94
61363	EPHRAIM CITY HOUSING	\$453.94
61364	EPHRAIM CITY HOUSING	\$453.94
61332	EPHRAIM CITY HOUSING	\$453.94
288	NIELSON INVESTMENTS	\$3,855.93
3482X8	BILL PETERSON	\$14,122.84
15989	STEVE SANDERS (06)	\$2,734.68
15989	STEVE SANDERS (07)	\$2,911.98
15989	STEVE SANDERS (08)	\$2,711.97
15989	STEVE SANDERS (09)	\$2,864.63

**TOTAL ADJUSTMENT:** \$38,446.77