

SANPETE COUNTY COMMISSION MEETING

10/17/2023, 2:00 PM

Sanpete County Courthouse, 160 North Main, Suite 101, Manti, Utah

Present are: Commission Chair Scott Bartholomew, Commissioners Reed D. Hatch, and Scott R. Collard. County Attorney Kevin Daniels (arrived in the middle of the agenda and left to join via zoom) and County Clerk Linda Christiansen.

Meeting is called to order by Commission Chair Scott Bartholomew.

OPENING PRAYER OR REMARKS AND PLEDGE OF ALLEGIANCE

Prayer is offered by Commission Chair Scott Bartholomew. Pledge of allegiance is recited by all.

CLAIMS; APPROVAL OF FINANCES; APPROVAL TO PAY TYLER TECHNOLOGY ANNUAL FEE

Auditor Stacey Lyon is present. No concerns or questions on the claims. Motion is made by Commissioner Hatch to approve payment of claims # 356937 through # 357030. The motion is seconded by Commissioner Collard, and the motion passes. Vote by voice is taken: Commissioner Collard votes aye, Commissioner Hatch votes yes and Commissioner Bartholomew votes yes. The vote is unanimous. Motion to approve the finances is made by Commissioner Hatch. The motion is seconded by Commissioner Collard, and the motion passes. The invoice provided for payment is for software support for the financial side of Tyler Technologies; not the tax side. Motion is made by Commissioner Hatch to approve the payment of \$17,240.81 to Tyler Technologies out of the IT Budget. The motion is seconded by Commissioner Collard, and the motion passes.

TRAVIS STANLEY: APPROVAL TO PAY CBR INVOICE FROM UFRA GRANT.

Travis Stanley, Indianola Fire Chief was unable to attend. Commissioner Bartholomew explains that there is a dollar for dollar matching grant that will pay for the invoice. The invoice is for equipment and radios. Motion is made by Commissioner Collard to approve the payment of the CBR LC invoice in the amount of \$5,969.11 out of the UFRA Grant, which is matching funds. The motion is seconded by Commissioner Hatch, and the motion passes.

JUDGE MARK MCIFF: APPROVAL OF NEW HIRE IN SANPETE COUNTY JUSTICE COURT OFFICE.

Judge Mark McIff was unable to attend due to court at the same time as the meeting. Commissioner Bartholomew relays the information that Judge McIff gave him regarding the new hire in his absence. Kelly Patino will be the new part time court clerk. Motion is made by Commissioner Hatch to approve hiring Kelly Patino, as a part time employee, at Grade 16, Step 1, at an hourly rate of \$19.34 per hour, effective October 17th, 2023. The motion is seconded by Commissioner Collard, and the motion passes.

KEVIN CHRISTENSEN: FAIRPARK IMPROVEMENTS- APPROVAL OF LYLE YOUNG WELDING QUOTE.

Kevin Christensen is present. Mr. Christensen presents a bid from Lyle Young to install shade skirting on two sides (east and west) of the pavilion. Motion is made by Commissioner Hatch to approve the bid of \$11,190.00 for the skirts on the Pavilion and a possibility of \$12,510.00 on dividing the stock pens in the rigging area, as long as, a commitment of at least two years from the

Bull Riding event (Extreme Bulls) is secured for a total of \$23,700 to Lyle Young but hold off on the catwalks for the time being. The motion is seconded by Commissioner Collard, and the motion passes.

SHERIFF JARED BUCHANAN: APPROVAL TO PAY UTAH SHERIFF'S ASSOCIATION 2024 DUES; APPROVAL TO PAY LES OLSEN FOR COPIER REPLACEMENT; APPROVAL TO PAY TEK84 FOR REPAIR TO THE JAIL BODY SCANNER.

Sheriff Jared Buchanan is present. Motion is made by Commissioner Collard to approve the payment of \$4,431.15 to the Utah Sheriff's Association for 2024 Association dues out of Budget # 10-4150-210. The motion is seconded by Commissioner Hatch, and the motion passes. Sheriff Buchanan explains that the Sheriff's office still has a copier that works but it is well past the expected life span. The invoice that the Sheriff is presenting is for a new copier but there may be a price credit for trade in on the old copier. It appears that the credit that will be given for the trade in is \$1,000. Motion is made by Commissioner Collard to approve the payment of \$5,321.35 to Les Olsen to buy a new copier for the Sheriff's Department, less the trade in, out of the office supplies budget. The motion is seconded by Commissioner Hatch, and the motion passes. Sheriff Buchanan explains that the full body scanner machine that is used to detect contraband is in need of repair. The machine is extremely expensive and the x-ray source needs to be replaced. Motion is made by Commissioner Collard to approve the payment of \$18,000 to Tek84 Inc. to repair the jail x-ray body scanner machine out of 10-4230-250 budget. The motion is seconded by Commissioner Hatch, and the motion passes.

JOSEPH FUCHSEL: CONCERNED CITIZEN REGARDING SUPERVISION OF FBI AGENTS IN SANPETE COUNTY.

Joseph Fuchsel is present and asked the Sheriff to stay to hear the concerns that he has. Joseph Fuchsel is a Spring City resident. Mr. Fuchsel explains that two months ago the FBI came to Provo and executed a man (Mr. Robinson) without Provo police presence. The report Mr. Fuchsel read stated he was armed but he does not know if the report is believable. Six weeks after the incident Mr. Fuchsel contacted the Sheriff's office in hopes to talk to the Sheriff about his concerns and he never received a call back. Mr. Fuchsel is requesting that the Commissioners tell the Sheriff to not allow the FBI to run amuck in Sanpete County. Mr. Fuchsel is not worried about one or two FBI agents; it is when they arrive in big groups that is concerning to him. Commissioner Hatch explains that the Commissioners are not the boss of the Sheriff. Further explanation is made that the only controls that the Commission has over the Sheriff is regarding finances; the Sheriff is an elected official that is selected by the people. Sheriff Buchanan offers Mr. Fuchsel an opportunity to talk to him following his agenda item.

MIKE BOWLES: CONCERNED CITIZEN REGARDING SPEED LIMIT ON 1200 EAST OUTSIDE OF MT. PLEASANT.

Mike Bowles is present with many residents from the Twin Oaks Subdivision. Mike Bowles explains that when he built his home years ago the speed limit was higher than it is today. Mr. Bowles believes that the speed limit was reduced to 35 mph a couple of years ago. The community that he lives in questioned the reasoning behind lowering the speed limit. One of the residents in the community talked to Tom Seely regarding the matter. Commissioner Hatch explains that the County did a traffic study on the road due to complaints. The traffic study suggested a 30 mph

speed limit but the County increased it to 35 mph. Mr. Bowles explains the reason there were complaints is because of the excessive speeds through their community where the speed limit is 25 mph. The lower speed limit in the community is to protect the residents and keep them safe. Mr. Bowles does not understand why the stretch of road with zero homes needs to be a reduced speed. Mr. Bowles explains that a Sheriff's deputy lives in Pine Creek, the community to the south east of Twin Oaks and he sits at the end of the long stretch of road and issues tickets. The deputy has not once patrolled the Twin Oaks community to slow the drivers down where it is needed. Mr. Bowles states that the Deputy does not give any breaks to the drivers. Mr. Bowles has contacted the Sheriff's office to report the appearance of targeting the residents in their community but nothing has changed. Mr. Bowles displays maps of other roads in the County with higher speed limits that he feels are comparable to the road in discussion. Some of the roads that he used in his examples are State roads. Mr. Bowles makes a request for the deputy to be more kind and the Sheriff responds that he is only reflecting one side of the story. Mr. Bowles verifies that the Sheriff is an elected official. Mr. Bowles believes that raising the speed limit will be safer. Commissioner Bartholomew explains that when he was young he liked to go fast but as he has aged he understands the danger of sharing the road with bikers, runners and kids. Commissioner Bartholomew's worst fear is if he were to hit someone. Mr. Bowles does not feel the kids are an issue because there are no kids on that stretch of the road. Commissioner Collard addresses the two things that Mr. Bowles has presented; the want for patrolling inside the community, not outside and to raise the speed limit outside of the community. Commissioner Collard does not see the need to increase the speed limit because it is inconvenient. Mr. Bowles states that all he is requesting is a five mph increase and Commissioner Hatch verifies that the County already granted that by going five over the recommended speed from the traffic study. Sheriff Buchanan addresses the assumption that the majority of the tickets issued are for speeds over 40 mph; Mr. Bowles agrees. Sheriff Buchanan explains that if that is the case, and the speed limit is raised to 40 mph, will people then drive 50 mph? The Commissioners reached out to Tom Seely via text and Mr. Seely verified that the speed limit suggested in the study was increased by 5 mph on the straight away; from 30 mph to 35 mph. Tom Seely also relayed to Commissioner Hatch that the lack of a shoulder on the road is also a concern of higher speed limits. Jones and DeMill completed the traffic study.

CLINT & CHRISTINA HAVERON HAVE APPLIED FOR A 4 LOT MAJOR SUBDIVISION (HAVERON ESTATES) NORTH OF WALES LOCATED IN THE AGRICULTURE-ZONE. THE SUBDIVISION WOULD CONTAIN 4 LOTS 8.919 ACRES, 5.507ACRES, 5.857 ACRES, AND 5.863 ACRES. PARCEL # S-25102X1, S-25102X2, S-25102X5, AND S-25102X6

Steven Jenson presents the agenda item. Mr. Jenson explains that the subdivision application presented today is part of the original parcel that was owned by Terry Brotherson. Due to the property being contiguous it exceeds the five lot subdivision in that area from the original parcel. Therefore creating a major subdivision. One road (going into Wales) that will serve as an access is already paved. The culdesac will be required to be paved and it meets the requirement of 66'. All of the roads that will be used meet the 66' requirements in the ordinance. Septic tanks are approved for each of the lots. Tom Seely, County Road Supervisor has signed off on the road and the culdesac. Utah Division of Water Rights has approved 4 acre feet of water; one acre foot of water is allocated to each lot. The current title search has been submitted with no issues. Taxes and fees are all paid and current. The mylar has been approved and the application has been

recommended for approval by the Planning and Zoning Commission. Motion is made by Commissioner Hatch to approve a 4 lot major subdivision (Haveron Estates) North of Wales. Parcel # S-25102X1, S-25102X2, S-25102X5, and S-25102X6. The motion is seconded by Commissioner Collard, and the motion passes.

JOSEPH BAILEY: DISCUSSION REGARDING BUILDING A HOME AFTER MEETING WITH PLANNING AND ZONING BOARD.

Joseph Bailey is not present. Commissioner Hatch explains that the Planning and Zoning Commission discussed roads for over an hour at their last meeting. The consensus of the Commission was that the road needs to be asphalted. Commissioner Hatch proposed that the Bailey's could modify their subdivision to front the road the minimum distance of 200' and only asphalt a portion of the road. There is discussion on whether or not Mr. Bailey wants to modify his subdivision or sell the property. Commissioner Hatch expresses concern on signs in the area that imply that subdivision lots have been approved and they have not. Mr. Jenson has spoken to Mr. Bailey and Gene Jacobsen, P&Z Chairman of the Board since the Planning and Zoning meeting. Mr. Jacobsen explained the possibility of changing the mylar to Mr. Bailey and he is looking into making the adjustments. The Planning and Zoning Board tabled the subdivision application until November 8th. Motion is made by Commissioner Collard to table the Joseph Bailey agenda item. The motion is seconded by Commissioner Hatch, and the motion passes.

THOMAS & JERRI FUHRIMAN: DISCUSSION AND POTENTIAL APPROVAL OF A MINOR SUBDIVISION (SAGE AND CEDAR SUBDIVISION) THAT HAS BEEN DENIED.

Jeri Fuhriman is present in her husband's absence. Ms. Fuhriman explains that she is before the Commission to find out their decision after consulting with the County Attorney. Commissioner Hatch explains that the Planning and Zoning Commission do not intend to change the road requirements. Kevin Daniels is present and explains that in light of the recommendation by Planning and Zoning, the Commissioners should stay consistent with their recommendations. Legally the Commissioners can but then it sets a precedence. Steven Jenson explains that the application was denied because it should have been considered a major subdivision; the road needed to have a 66' road easement (meeting current road requirements) and be paved. Discussion ensues regarding the history of the previous development. Ms. Fuhriman emphasizes that they never would have pursued this submission if they would have known what would be required of them. Ms. Fuhriman states that Planning and Zoning never indicated such requirements. Ms. Fuhriman states that she has emails from the Zoning Department stating that her application was complete since January 2023. Commissioner Hatch explains that the road issue came up because the road access was changed from the original subdivision approval. Mr. Daniels would like the emails forwarded to him to review. Discussion ensues regarding the original subdivision approval that took place when Gary Mitchell was the Zoning Official and since then, Steven Jenson has reviewed the new application. Ms. Fuhriman questions the reasoning behind adopting a new ordinance and how the requirements were established. Mr. Jenson explains that it was necessary based on the amount of growth that is impacting the County. The County has to be prepared for future growth and the impact that it has on our roads. Ms. Fuhriman still does not understand why the new rules are affecting her subdivision when it was approved under the previous code requirements. Mr. Jenson explains that the amendment is subject to the new rules. Her argument is that her application should not be under the new rules based on her conversations with Mr.

Jenson prior to the adoption of the ordinance in June. Ms. Fuhriman wants a refund of all of their expenses if the County will not take her word that they received a verbal approval of the subdivision application. Ms. Fuhriman reads a letter that her husband wrote and she states that her husband wants to pursue legal counsel due to the unfair results of the financial burden the denial has placed on them. Again, Kevin Daniels states that Ms. Fuhriman can forward any emails that reflect an approval by the county, as well as, any statements they would like to make. Kevin Daniels can respond within a week once the documents are received. Mr. Daniels will review the documents to determine whether an approval of the subdivision application was given by the Zoning Department.

JOHN STEWART: DISCUSSION AND POTENTIAL APPROVAL TO PURCHASE PROPERTY OWNED BY THE COUNTY. PARCEL # 25678.

John Stewart did not attend the meeting. Commissioner Bartholomew addresses the issue of proceeding without the proof of ownership that Mr. Stewart needed to provide, as per the discussion at the last County Commission meeting. Kevin Daniels verifies that the County Recorder and Auditor researched the property and the County acquired the property in 1927. The cost to purchase the property would be \$403.58. Mr. Stewart needs to provide proof of ownership of the contiguous property and decide whether or not he still wants the property based on the cost. The item is tabled.

(2nd recording in order to have ZOOM capabilities for Abby Ivory)

FAYLYN CATMULL REPRESENTING SANPETE CHAMBER OF COMMERCE: PRESENT PROOF OF CONCEPT FOR NEW CHAMBER GROUP IN SANPETE COUNTY TO REQUEST FUNDING.

Faylyn Catmull is present and Abby Ivory is present via ZOOM. Ms. Catmull explains that as Sanpete grows there is a greater need for a County Chamber of Commerce. A Chamber of Commerce helps businesses connect, gives them an advocate and education. The concept has been attempted many times over the years. Ms. Catmull is proposes that in order to make a Chamber successful they need to hire someone to manage it. Abby Ivory manages the Chamber of Commerce in Nephi. Ms. Catmull would like to manage the Sanpete Chamber similar to Nephi. Ms. Catmull hands out the packet that Nephi distributes to members. She also hands out the proposed budget and would like the County to make a contribution to help get the group started. The fees for members will start at seventy five dollars up to six hundred and fifty a year. The group has multiple events planned for the coming year. Funds collected will help pay for their non profit paperwork, website design and hiring a manager. Abby Ivory explains the things that the Nephi Chamber implemented to make it successful. The key to the success has been hiring a director. The chapter in Nephi went from 13 members to 112 members in over a year. Ms. Ivory is willing to help Ms. Catmull get the Sanpete Chamber going, at no charge. Attendance of the members at the Nephi Chamber meetings are approximately 40 percent. Shaneen Wintch has agreed to be the Executive Director of the Sanpete Chamber of Commerce until the Board has been established. Once established, the members will vote on the director position. Ms. Catmull reached out to Jenna Draper and they missed the deadline to get funding this year. Commissioner Bartholomew inquires to whether or not this is similar to the job that Jenna Draper does with Economic Development. The Chamber is non-profit and is connected to other Chambers in the State so they are very different. Ms. Catmull also stated that Ms. Draper is in full support of the Chamber. Ms. Ivory explains that Economic Development in conjunction with Six County is more of a resource

for businesses. Commissioner Collard expresses concern as to the mass size of Sanpete and that everything is spread out. It is difficult to get business owners to drive from all over the County to attend meetings. The Chamber would distribute flyers to all of the cities to promote the group. Ms. Ivory explains that many of the Nephi Chamber members drive from areas other than Nephi City. The resources that are provided to the members is worth the sacrifice of attending the meetings. Commissioner Hatch wonders if any of the money is available that has been overseen by Jenna Draper. Commissioner Bartholomew would like to verify whether funds are available with Ms. Draper. Motion is made by Commissioner Collard to approve funding of \$15,000 based on the County's ability to use Economic Development money (IF Jenna Draper has monies or grants available in the budget). The motion is seconded by Commissioner Hatch, and the motion passes. Shaneen Wintch explains that their main focus will be on the website in order to promote Sanpete businesses. Abby Ivory also stresses that a Chamber is a lifeline for home based businesses.

LYNN COOK: DISCUSSION FOR POSSIBLE VARIANCE TO GRANDVIEW / SADDLE RIDGE MAJOR SUBDIVISION.

Lynn Cook contacted the County Clerk, by phone last night (October 16th, 2023) and asked to be removed from the agenda until further notice. Motion is made by Commissioner Collard to table the agenda item. The motion is seconded by Commissioner Hatch, and the motion passes.

RATIFY THE HIRING OF WAYNE LARSEN FOR GIS.

Motion is made by Commissioner Hatch to ratify approval to hire Wayne Larsen as a part-time employee for GIS to assist with the Zoning and Assessor offices at a rate of \$35.00 per hour, effective September 11th, 2023. The motion is seconded by Commissioner Collard, and the motion passes.

DISCUSSION ON THE INTENT TO RAISE PROPERTY TAXES FOR THE 2024 PROPERTY TAX YEAR IN THE AMOUNT OF \$665,117.38, APPROXIMATELY A 13.7% INCREASE FOR THE GENERAL FUND AND \$564,954, APPROXIMATELY A 84.6% FOR THE ASSESSING AND COLLECTING FUND, BOTH FOR THE PURPOSE OF REPLACING LOST REVENUE AND INCREASED EXPENDITURES.

Commissioner Bartholomew gives explanation of the agenda item to benefit the media that is in attendance. The property taxes collected for Central Utah Water Conservancy will be shifted to Sanpete Water Conservancy to raise their levy to .0004; which will amount to approximately one million dollars for Sanpete projects. The residual of the tax shift will go to the County. Suzanne Dean wanted clarification regarding the release of the County from Central Utah Water Conservancy and the Commissioners verify that the County should be released after approval at the CUWCD meeting this month. The CUWCD will receive the taxes collected this year. The tax increase will affect taxes in 2024. Commissioner Bartholomew verifies that the taxpayer will see very little change. Suzanne Dean was under the impression that the assessing and collecting costs were charged to municipalities and special service districts. Stacey Lyon, County Auditor clarifies that the County can not charge other entities for assessing and collecting. Ms. Lyon also explains that if the County maintains a higher rate, funds can be collected from the State for assessing and collecting. Sanpete County has fallen below the rate, therefore an adjustment to the rate is necessary in order to receive additional funds. The Commissioners believe this proposal is a win-win and the money stays in Sanpete County. Motion is made by Commissioner Hatch to have a public hearing next year with the intent to raise property taxes for the 2024 property tax year in the

amount of \$665,117.38, approximately a 13.7% increase for the General Fund and \$564,954, approximately a 84.6% for the Assessing and Collecting fund, both for the purpose of replacing lost revenue and increased expenditures. The motion is seconded by Commissioner Collard, and the motion passes.

DISCUSSION AND POTENTIAL APPROVAL OF A RESOLUTION REGARDING FOREST SERVICE CHANGE PLANS.

Kevin Daniels wrote the Resolution that the County is proposing to oppose the recent Forest Service's Land Management Plan. The commissioners agree that Mr. Daniels did a very nice job. Kevin Daniels left the meeting and joined via ZOOM. Commissioner Bartholomew explains that the Resolution that is being proposed by the County is in opposition to President Biden's 30 x 30 initiative. The 30 x 30 initiative essentially says that they want 30 percent of the land and water to be designated as wilderness by the year 2030. The County Commissioners are very much opposed to the initiative and the Resolution states as such. A copy of the Resolution is available in the County Clerk's office for people to review. Motion is made by Commissioner Hatch to pass Resolution 10/17/23 opposing the Federal land grab in Sanpete County. The motion is seconded by Commissioner Collard, and the motion passes. Resolution is signed by Commissioner Collard and the County Clerk, Linda Christiansen.

LINDA CHRISTIANSEN: APPROVAL OF DEPUTY 2 AND DEPUTY 3 JOB DESCRIPTIONS FOR CLERK POSITIONS.

Linda Christiansen presents job descriptions for approval of Deputy 2 and Deputy 3 positions in the Clerk's office. Ms. Christiansen had received a verbal approval from two Commissioners regarding a Grade adjustment to the Deputy Clerk job description a week ago and forgot to put it on the agenda. The Clerk's office needs to replace the full-time deputy clerk due to her leaving the County for another job. The job will not be filled before the next meeting and the Deputy Clerk wage adjustment can be addressed at that time. Ms. Christiansen states that when the latest pay scale was adopted the Deputy Clerk in her office was not in line with other offices in the County. In order for the Clerk to be competitive in finding a replacement the starting wage needs to be increased. A concern that Ms. Christiansen has is that there is no chance of advancement when certification is obtained. The State of Utah now requires the County Clerk and the Senior Deputy to attend VOTE certification courses at Weber State. Linda Christiansen received her certification in January of this year. Ms. Christiansen is proposing grade advancements for the Deputy 2 and Deputy 3 job titles. The Deputy 2 position has the same responsibilities as a deputy one but will have a minimum of two years experience and the VOTE certification completed. The VOTE certification consists of five, two day courses over a span of two years. The Deputy 3 position will be the same as a Deputy 2, with a minimum of four years of experience and will be responsible for the duties of the Clerk in the Clerk's absence. Potentially the positions will not be filled for some time due to the fact that the Clerk's office will be hiring a new employee but when that time comes the positions have been established. The proposed grade adjustments have been compared to other offices in the building and the job description was altered using the previous one that is currently in place. Motion is made by Commissioner Hatch to approve the Deputy 2 and Deputy 3 job descriptions for positions in the Clerk's office. Deputy 2 will start at Grade 18, Step 1 and Deputy 3 will start at Grade 20, Step 1. The motion is seconded by Commissioner Collard, and the motion passes.

APPROVAL OF MINUTES

Commissioner Bartholomew wanted clarification on a discussion regarding the Courthouse lock bids (that were not listed on the agenda) and the Sub for Santa recipients in the County. Those corrections are noted and will be fixed by the County Clerk. Motion is made by Commissioner Hatch to approve the minutes from September 19th, 2023 with minor clarifications. The motion is seconded by Commissioner Collard, and the motion passes.


No corrections were needed. Motion is made by Commissioner Hatch to approve the minutes from October 3rd, 2023 as per written. The motion is seconded by Commissioner Collard, and the motion passes.

CLOSED SESSION

No closed session was needed.

Motion is made by Commissioner Hatch to adjourn. The motion is seconded by Commissioner Collard, and the motion passes.

The meeting is adjourned at 4:05 P.M.

ATTEST: 

Linda Christiansen
Sanpete County Clerk

APPROVED: 

Scott Bartholomew
Commission Chair