Attendees: Planning Commission Chair Gene Jacobson, Board Members: Curtis Ludvigson, Claudia Jarrett, Cody Harmer and Justin Atkinson are present. Sanpete County Zoning Administrator Steven Jenson. Sanpete County Clerk Linda Christiansen and Deputy Clerk Heather Pyper are also present. County Commissioner Reed Hatch and Jo-Anne Riley have joined via ZOOM. K. Rex Brown is excused.

Meeting is called to order by Gene Jacobson

1. Approve The Agenda

Motion is made by Claudia Jarrett to approve the agenda. The motion is seconded by, Curtis Ludvigson and the motion passes. Vote by voice: Cody Harmer aye, Curtis Ludvigson aye, Claudia Jarrett aye, Justin Atkinson aye and Jo-Anne Riley aye. All in favor, none opposed.

1. Appointment Planning Commission Chairman for 2024.

Gene Jacobson addressed the next agenda item that needs to be decided which is the appointment of the 2024 Planning Commission Chairman and he opens the floor for nominations. Claudia Jarrett requests that Gene Jacobson is put in by acclamation. Cody Harmer seconded the motion made by Claudia Jarrett. Mr. Harmer had the intentions of nominating Mr. Jacobson as well. All in favor, none opposed. Jo-Ann Riley speaks and questions whether or not anyone else has the desire to be the Chair prior to the final decision. Mr. Jacobson expresses his feelings in a way that he believes everyone on the board should have a chance to be the Chairman. Ms. Jarrett gives the explanation of the reasoning behind her nomination. She believes that Mr. Jacobson has put in extensive amounts of time researching and creating the new zoning documents and now with the implementation of the Code, Mr. Jacobson’s guidance would be needed for the next year. Mr. Harmer states that he feels the same way and why he seconded the motion. Mr. Harmer agrees that it is valuable for everyone to be in that (the chairman) position and would love to be it someday but now just isn’t the time for various reasons. Mr. Jacobson makes the motion for a Vice Chairman for the year and nominates Curtis Ludvigson since he is the senior board member. Cody Harmer seconds the motion. Mr. Ludvigson states he will give it his best shot. All in favor, none opposed. Motion carries. Mr. Jacobson proceeds to explain why he feels all should be able to serve as Chairman and expresses his gratitude for the nomination. Conversation ensues.

Motion is made by Claudia Jarrett to approve the appointment of Planning Commission Chairman for 2024. The motion is seconded by, Cody Harmer and the motion passes.

1. CAMERON WHITE IS SEEKING RECOMMENDATION FOR APPROVAL OF A 2 LOT SMALL SUBDIVISION (GOLDEN ACRES) LOCATED SOUTH OF FAIRVIEW ON THE MOUNTAINVILLE HIGHWAY IN THE A-ZONE. THE SUBDIVISION WOULD CONTAIN 2 LOTS OF 5.50 ACRES, AND 5.50 ACRES. PARCEL # S-22010

Steven Jenson presents the agenda item. Mr. Jenson states this item has been on the docket for two years now but when it was brought to the Planning Commission it was tabled because of water shares. This is a proposed subdivision just outside of Skyline Mountain Resort (SMR). The bylaws did not allow water hookups outside of the resort. They’ve been in the process of getting this taken care of. The Mylar copy of the survey has been reviewed and approved by the Recorders office and submitted for final review by the Planning Commission. Sanpete County Road Supervisor has signed off on the access to the property from the County Road. A Police/Fire/Ambulance waiver has been signed and notarized by the applicants. An owner affidavit has been signed and notarized and because it is in a Trust the owners signed as agents on the paperwork. A septic permit has been obtained. The Utah Division of Water Rights show that they have been approved for two domestic uses, which shows each lot will have 0.50 acre feet of flow and the well water is in the applicant's name. The applicant has also submitted a letter from Birch Creek Irrigation Co. approving 1 water share that will provide 0.55 acre feet of irrigation water for the 2 lots within the subdivision for outdoor use. This share will need to be recorded and attached to each lot. This will then satisfy the county ordinance requirement of having one acre foot of water for flow. A letter from Mt. Pleasant Power has been submitted stating that they intend to provide power to the subdivision. A copy of the current title search has been submitted and shows no issues with the property. Taxes are up to date and paid. Application fees have been paid. All of the ordinances have been checked off and it is the recommendation of the zoning office for the Planning Commission to give approval. Claudia Jarrett needs clarification on the roads. Ms. Jarrett points out that it is not a 66’ road easement and questions whether that is okay because he owns the property on both sides. It’s said that they will come back and amend the subdivision with additional lots. Mr. Ludvigson asks the question, on a remainder parcel, why you would put a remainder parcel and not put enough frontage for it to be a building lot? Don Mecham (father-in-law to Cameron White) states his kids have purchased 4- 20 acre lots and are equal partners in the LLC and that it will be very easy to divide the acres up. Mr. Jenson looks over the mylar and suggested that he would like to see where the wells and septic tanks would be. Mr. Ludvigson asks, “So you’re going to drill a well for each of them?” Mr. Meacham states he is going to do one well, per the county ordinance for the seven lots for his family. Seven lots and over he would need a water district. Mr. Ludvigson states that it’s not just more than seven lots that would make it a public water system, its 25 people in the seven lots. When they come back to amend the subdivision we’ll need to make sure that well is adequate in both rights and flow. Mr. Ludvigson asks about irrigation water. Mr. Meacham states they have 13 shares, 1 class A right and divide it by .55 and run it to each lot to meet the 1acre foot requirement of the county. It will be pertinent to each lot deeded from Birch Creek and their class A rights. The letter submitted from Birch Creek says they will be metered as normal. The conversation ensues about the water shares. The ordinance states that if they are bringing in irrigation water from the outside that there’s a letter from the irrigation company that is required and the copy of certificate. Mr. Meacham states that his water irrigation shares water have been pertinent to the 60 acres since the beginning and they aren’t trying to transfer to it, the water is there and will record it with the title. He’s putting the basic road standards.

Motion is made by Curtis Ludvigson to approve the Cameron White 2 lot small subdivision called Golden Acres. The motion is seconded by Cody Harmer and the motion passes. All in favor, none opposed. Motion carries.

1. KEVIN & JANELL COX ARE SEEKING RECOMMENDATION FOR APPROVAL OF A 1 LOT SMALL SUBDIVISION (SEVEN ROCKS RANCH) LOCATED NORTH OF FAIRVIEW IN THE AGRICULTURE-ZONE. THE SUBDIVISION WOULD CONTAIN 1 LOT @ 11.01 ACRES. PARCEL # S-20864

Steven Jenson presents the agenda item. Mr. Jenson states the Mylar copy of the survey has been submitted to the Recorders office, they looked over it and there were some issues off of what was submitted and what the actual parcels in relation to the boundary lines are. It was brought to his attention through the Recorders office. The board members now look over a new parcel that the County Recorder provided them and Mr. Jenson explains the boundary lines. He states that the County Recorder spoke with the surveyor and she stated to Mr. Jenson they are in the process of doing boundary line agreements. Mrs. Cox states that when they got the survey done all of the owners had verbally agreed it was okay. She states that the Rodger Olson boundary line is, as the surveyor felt, the property line and should be the center of the road. Once the boundary line agreements are recorded, the application can then go before the County Commissioners. Sanpete County Road Supervisor has signed off on the access to the property from the County Road. A Police/Fire/Ambulance waiver has been signed and notarized by the applicants. An owner affidavit has been signed and notarized. A Certificate of Trust is also in the packet. A septic permit has been obtained the Central Utah Health Department. The Utah Division of Water Rights show that they have been approved for one domestic use; they meet the minimum requirement of 1 acre feet of flow and the water is in the applicant's name. A letter from Fairview City has been submitted stating that they intend to provide power to the subdivision. A copy of the current title search has been submitted and shows no issues with the property. Taxes are up to date and paid. Application fees have been paid. Due to everything being submitted and meeting the requirements for a small division at this time other than the property boundary lines discrepancy it is the recommendation of the Zoning Department to recommend this for approval. Mr. Ludvigson points out that it has an existing well and asks if they are going to be using it. Mrs. Cox answers yes. Mr. Jenson states that he spoke with the State Water Department in Richfield and this is a supplemental well. The state has approved the supplemental well for domestic use. The title search was done 9-24-23 and it shows B. Cox Farm owns the property; B. Cox is Mr. Cox’s parents. He states that he owns the property now through a Trust. Mrs. Jarrett reads a reference from Ordinance 13.16..010, 1, iii requirement for a Mylar notation to include “When the plat is bounded by an irregular shoreline or a body of water, . . . and a notation made that the plat includes all land to the water’s edge." Mr. Jensen subsequently made the notation on the mylar. Mr. Jenson requests that if they submit another Mylar to show the easements for the water edge. Claudia Jarrett raises concern regarding the easements and discussion ensues. Mr. Jenson asks Reed Hatch if they come and do a fence line agreement in the center of the road, does that change the taxation to where one gains and one lost or does it not have anything to do with taxes? Commissioner Hatch responds that it does have to do with taxes because of two different codes. One code says that if you are going to do a boundary line agreement, part of that agreement has to have a legal description of both properties that are affected. And the other code does not, so they are conflicting. Boundary line agreement, just the title alone, acts as a quick claim deed even if it doesn’t have conveying verbiage. Mr. Jenson notes that they have the well and pump house noted. Discussion ensues about where the septic will go. Mrs. Cox states that they did have a soil test in the vicinity of where the septic will go. Mr. Atkinson states, what’s required on the Mylar is what we should require, if it’s not required on the Mylar we shouldn’t ask them to do it. Discussion ensues about the Mylar requirements and easements. Motion is made by Cody Harmer to approve Kevin and Janell 1 Lot small subdivision, conditioned upon the submittal (recorded) of the boundary line agreements prior to moving to the County Commission. The motion is seconded by Claudia Jarrett. All in favor, none opposed and the motion passes.

1. PRESENTATION OF CURRENT SUBDIVISION ORDINANCE 13.16.010 AND 13.24.210.

Gene Jacobson presents the agenda item. Mr. Jenson states that there are five items that need to be updated, have a public hearing and then be recommended for approval in order to change the road way construction manual. Jones and Demille is still in the process of getting this updated. Cross section of a gravel road, language for the center road line, easements, additions to the plat, language of the 33’ of gravel roads. And for the new road intersection road signs to be put up by the developers. Preliminary plat additions of what should be coming. In the existing ordinance, Ch 13.16 talks about the requirements for submission of a preliminary plat. Mr. Jenson reads from Ch 13.16. Mr. Jenson is trying to get a uniform title block he wants it “standardized.” Discussion ensues around title blocks and requirements. Mr. Jenson reads from ordinance 13.24.210. Discussion ensues about water shares and agreements because of a major subdivision that will be coming in on 160 acres that the state has approved 30 lots and each lot will have its own well.

1. Approval of Minutes

Motion is made by Claudia Jarrett to approve the Planning Commission minutes of January 10th, with no corrections. The motion is seconded by Cody Harmer. All in favor, none opposed and the motion passes.

1. Adjournment

With no further business before the Planning Commission, motion to adjourn is made by Claudia Jarrett. The motion is seconded by Curtis Ludvigson, and the motion passes. The meeting is adjourned at 8:07 P.M.