

**SANPETE COUNTY COMMISSION MEETING**

**May 6, 2014, 1:00 P.M.**

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

Present are: Commissioners Steve Frischknecht and Scott Bartholomew, County Attorney Brody Keisel, and County Clerk Sandy Neill. Commissioner Claudia Jarrett is excused.

Meeting is called to order by Commission Vice Chair Steve Frischknecht.

**CLAIMS**

Auditor Ilene Roth is present. Motion is made by Commissioner Bartholomew to approve payment of claims #333387 through #333504. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**TOM PETERSON: APPROVAL OF THE UPDATED COUNTY VOLUNTEER LIST FOR THE IVFD; APPROVAL OF MEMORANDUMS OF UNDERSTANDING BETWEEN THE UTAH DIVISION OF FORESTRY, FIRE, AND STATE LANDS AND THE SANPETE COUNTY FIRE DISTRICT AND ALSO THE INDIANOLA VALLEY FIRE DEPARTMENT (IVFD)**

Motion is made by Commissioner Bartholomew to approve the updated county volunteer list for the Indianola Valley Fire Department to include Lane Nielsen. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Bartholomew to approve the Memorandum of Understanding between the Utah Division of Forestry, Fire, and State Lands and the Sanpete County Fire District. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Bartholomew to approve the Memorandum of Understanding between the Utah Division of Forestry, Fire, and State Lands and Indianola Valley Fire Department. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**MARK DALLEY: DISCUSSION OF PROPERTY TAX AND PENALTIES ON THE CENTERFIELD COMMUNITY LIVING CENTER (S 3482x8)**

Mark Dalley, Warren Walker, Jeff Christensen, Brian Murray, Sara Donaldson, and Nancy Jensen are present. Mark Dalley explains the hospital's part in purchasing the care center. The care center went to foreclosure, and the hospital felt strongly about keeping the jobs and the facility to meet the needs of the community. The hospital has partnered with Care Transitions Incorporated to jointly own, and to run the care center. Warren Walker explained that Care Transitions have been in business since 1990. They employ about 300 employees statewide, with 9 facilities in 4 counties. As a 501c3 entity they donate back to the community. They will continue to admit residents from the community who can't afford to pay the full fee. There is work that needs to be done to bring the facility up to standard. Their staff are trained in "Eden Resident" methods. They are asking the County to be a partner with them to reach their goals by abating penalties and interest that is due on back taxes. The Commissioners question whether past due utility bills have been paid. They responded that they have done as much as they can with past debts, but they are not all caught up. Mr. Walker states the previous owners were over their head. This company is solid, and they will pay their current bills. A problem with abating the penalty and interest or setting up a payment plan is that a precedent is set. The Commission explain that this is a challenging time. They will continue this to the next commission meeting to make the decision.

**DISCUSSION OF ADDITIONAL CHANGE TO CEMETERY DEFINITION IN THE LAND USE ORDINANCE**

Scott Olsen is present. Minor changes are proposed to the cemetery definition in the Land Use Ordinance. The Commission asks that this go back to the Planning Commission. Brody Keisel states we are close to completing the fine tuning of the Land Use Ordinance. He'd like to see the entire ordinance approved in a public hearing.

**TYNDALL CABIN LLC AND 6041 PROPERTY LLC: PUBLIC HEARING TO AMEND THE FREEDOM RANCH SUBDIVISION PLAT TO CHANGE THE LOT LINE BETWEEN LOTS 13 AND 14**

Scott Olsen and Mr. Tyndall are present. The lot line change will make Lots 13 and 14 equal in size. Motion is made by Commissioner Bartholomew to approve the plat change, amending the Freedom Ranch Subdivision. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**SHERIFF NIELSON: APPROVAL TO EXPEND THE GRANT FROM UTAH HIGHWAY SAFETY OFFICE YOUTH ALCOHOL ENFORCEMENT CHALLENGE SCHOLARSHIP IN THE AMOUNT OF \$1,500.00; APPROVAL TO AMEND THE STEP INCREASE FOR JARED HILL; APPROVAL TO HIRE AS A PART-TIME PATROL DEPUTY MITCHELL GODFREY; APPROVAL FOR STEP INCREASE AND MERIT STATUS FOR PATROL DEPUTY JARED BUCHANAN**

Sheriff Nielson is present. The law allows the money the County receives from the sales of alcohol to be used for Utah Highway Safety Officer Youth Alcohol Enforcement. Motion is made by Commissioner Bartholomew to authorize a scholarship of \$1,500.00 from these funds to send Officer Kenny Kirkham to training for Youth Alcohol Enforcement. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Bartholomew to approve an amended step increase to \$23.33 effective the beginning of the current pay period for Jared Hill. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Bartholomew to approve hiring Mitchell Godfrey as a part time Patrol Deputy at the rate of \$13.79 per hour. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Bartholomew to approve a step increase and merit status update for Patrol Deputy Jared Buchanan to \$17.43 per hour effective May 1, 2014. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**SHARON PRITCHETT RICHARDS: REQUEST FOR PROPERTY TAX ADJUSTMENT ON S 26725x1**

Sharon Richards is present. She discusses her medical issues over the last several years. She has tried to catch up her record keeping in the last year. She is asking to have the fees waived for her past taxes, and then she'll pay the rest right away. The Commission deny the request to waive the administration fees. Ms. Richards will pay the taxes and penalties in full today.

**APPROVAL OF RIGHT OF WAY AGREEMENT WITH GUNNISON TELEPHONE COMPANY AT 900 EAST CANYON ROAD NEAR MAYFIELD**

Commissioner Bartholomew recuses himself from this matter because he works for the telephone company. Without his vote today, there is no quorum. This matter is tabled, and will be heard at the next Commission meeting.

**REAFFIRMATION OF ROAD STATUS CONCERNING LANE DIRECTLY SOUTH OF FOUNTAIN GREEN SEWER PONDS (THE ISSUE WAS INITIALLY QUESTIONED BY MR. LESTER ANDERSON ON THE 4/1/2014 COMMISSION AGENDA)**

Mr. and Mrs. Lester Anderson are present. Brody Keisel and the Sheriff's Office reviewed the information on the past use of the road. From the information found, this road is considered a Class D road. Mr. Anderson wants to put up a gate to maintain the security of the property. He doesn't understand why he would be required to maintain 2 fences on his property to facilitate the public's ability to go across his property. Gates have been used in the past. Mr. Anderson states that Preston Allred has placed dogs to guard the gate area. The Commission recommend using a cattle guard to keep the animals from entering the property. The Commission advise Mr. Anderson to check with Steve Keller about the width that the road needs to be. At this time, the Commission don't give their permission for a gate. Mr. Anderson asks who is authorized to maintain the road. Can others improve, remove snow, or asphalt the road on his property? The Commission is not prepared to answer these questions today. Mr. Keisel will review the laws for what others can do on right of way roads that go through personal property. Mr. Anderson states the scope of the road has changed in the past year, and semi trucks now go through the property.

**DISCUSSION OF MORONI FEED COMPANY'S REQUEST TO ABANDON A PORTION OF THE ROAD THAT FRONTS THE FEED COMPANY**

This matter is stricken, and will be heard at a later date.

**APPROVAL OF RIGHT OF WAY AGREEMENT WITH GUNNISON IRRIGATION COMPANY TO PLACE IRRIGATION PIPE ACROSS CHRISTENSEN LANE, SUNFLOWER LANE, AND THE CONNECTING ROAD BETWEEN SUNFLOWER LANE AND CENTER STREET IN AXTELL (5 COUNTY ROAD CROSSINGS)**

Motion is made by Commissioner Bartholomew to accept the right of way agreement with Gunnison Irrigation Company to place irrigation pipe across Christensen Lane, Sunflower Lane, and the connecting road between Sunflower Lane and Center Street in Axtell. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**GARRICK WILLDEN: SANPETE COUNTY WOOD HOLLOW FIRE EWP DISCUSSION AND INVOICE APPROVALS; DISCUSSION REGARDING THE PLACEMENT OF THE BRIDGE CROSSING THE SEVIER RIVER WEST OF CENTERFIELD**

Garrick Willden is present. Terry Brotherson finished most of his project west of Fairview on Lisa Murdocks and Brian Cox's property. Motion is made by Commissioner Bartholomew to approve the payment of \$81,314.24 to Terry Brotherson for his work done on the Wood Hollow fire EWP. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Bartholomew to approve the payment of \$7,486.45 to Jones and DeMille for the engineering work done on the Wood Hollow Fire EWP. The motion is seconded by Commissioner Frischknecht, and the motion passes. The bridge crossing project on the Sevier River west of Centerfield is run under the authority of UDOT. This requires only a 7% match, with a 93% grant if we keep the project under budget. The County will prepare a letter to send to UDOT to move this project forward. This will be placed on the next agenda.

**APPROVAL OF MINUTES**

Motion is made by Commissioner Bartholomew to approve the minutes from April 15, 2014 with minor corrections. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**EXECUTIVE SESSION**

No executive session was needed.

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

The meeting is adjourned at 2:55 P.M.

ATTEST: *Sandy Neill*  
Sandy Neill  
Sanpete County Clerk

APPROVED: *Claudia Jarrett*  
Claudia Jarrett  
Commission Chair