

SANPETE COUNTY COMMISSION MEETING

July 2nd, 2024, 1:00 PM

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

Present are: Commission Chair Scott Bartholomew and Commissioner Reed D. Hatch. County Attorney Kevin Daniels(joins the meeting halfway through) and County Clerk Linda Christiansen. Commissioner Scott R. Collard is excused.

Meeting is called to order by Commission Chair Scott Bartholomew.

OPENING PRAYER OR REMARKS AND PLEDGE OF ALLEGIANCE

Prayer is offered by Cade Penney. Pledge of allegiance is recited by all.

CANVASS 2024 REPUBLICAN PRIMARY ELECTION HELD ON JUNE 25TH, 2024.

Linda Christiansen, County Clerk presents the election results. Ms. Christiansen displays the final results of the 2024 Republican Primary Election for Sanpete County on her computer screen. Ms. Christiansen explains the time lines that are required by legislature for the canvass. Ms. Christiansen reads the results from the election; the Governor race in Sanpete is in favor of the incumbent Spencer Cox with a difference of 74 votes. Ms. Christiansen reports that they had a clean audit of the election. Ms. Christiansen explains that one signature from every batch of fifty ballots is audited as well. The percentage of ballots that were returned and counted for this election was fifty six percent. Adam Orr from the Sanpete Messenger questions a typical return percentage for this type of election. Ms. Christiansen explains that last year was a municipal race and they are typically lower in voter turnout. She has not been in office for a general primary election to make a comparison to previous years. Ms. Christiansen did look at the presidential election return in 2020 which was over ninety percent. Motion is made by Commissioner Hatch to approve the 2024 Republican Primary Canvass. The motion is seconded by Commissioner Bartholomew. Vote by voice is taken: Commissioner Hatch votes yes, and Commissioner Bartholomew votes yes; the motion passes. The vote is unanimous.

APPROVAL OF CLAIMS; APPROVAL OF FINANCES; APPROVAL TO PAY GUNNISON CITY GRANT REIMBURSEMENT RURAL COUNTY GRANT; APPROVAL TO PAY OUT OF CORNER RESTORATION GRANT; APPROVAL OF THE SENIOR NUTRITION JOB DESCRIPTIONS; APPROVAL TO HIRE SENIOR NUTRITION EMPLOYEES.

Auditor Stacey Lyon is present. Ms. Lyon requests the Commissioners address the Corner Restoration Grant first so that the County Recorder does not have to wait. County Recorder Talisha Johnson is present. The payment will be made to Sunrise Engineering. Motion is made by Commissioner Hatch to approve out of the Corner Restoration Grant in the amount of \$44,084.00 to Sunrise Engineering. The motion is seconded by Commissioner Bartholomew, and the motion passes. Ms. Johnson explains the money will be used for corner monuments near the Spring City and Fairview areas. No questions or concerns regarding the claims are voiced. Motion is made by Commissioner Hatch to approve payment of claims #359001 through #359122. The motion is seconded by Commissioner Bartholomew, and the motion passes. No questions or concerns regarding the finances are voiced. Motion to approve the finances is made by Commissioner Hatch. The motion is seconded by Commissioner Bartholomew, and the motion

passes. Ms. Lyon explains that in 2022, the County applied for a grant for Gunnison City for the industrial park. The County received \$225,000.00 of the grant money in 2023. Gunnison City has finished the project, the County has received an additional \$75,000.00 and Gunnison is requesting reimbursement in the amount of \$300,000.00 for the grant. Commissioner Hatch states the funds are in the budget and Ms. Lyon verifies that it is. Motion is made by Commissioner Hatch to approve to pay out the Gunnison City reimbursement for the Rural County Grant in the amount of \$300,000.00. The motion is seconded by Commissioner Bartholomew, and the motion passes. Teagan Parry from the Auditor's office and Amie Sorensen representing the Senior Nutrition Program are present. Ms. Lyon explains that Ms. Parry and Ms. Sorensen have been very involved in the transition of the County taking the employees for the Senior Nutrition Program from Six County. Ms. Parry gives explanation of the agenda request. Sanpete County is taking over the Meals on Wheels program from Six County and there are four positions that will be involved in the move. The program has locations in Gunnison, Moroni and Manti. Each facility has a site manager, drivers, and cooks. Ms. Sorensen oversees all of the facilities. Ms. Lyon states that her office sent out emails to other counties requesting a comparable of their wages and job descriptions for employees of the meals on wheels program. Counties that responded were; Sevier, Washington, Iron and Cache. Ms. Parry reads the current wages paid by Six County to the Meals on Wheels program employees. In comparison to other counties, Sanpete is lower but they felt Sevier was a comparable to match their wages. The county lead is proposed to be paid \$22.26 an hour, site managers \$19.43 an hour, cooks and drivers at \$16.52 an hour. The increase for each position is approximately two dollars an hour more than the wage that Six County is paying. Ms. Lyon expresses concern that Six County allowed their part time employees 32 hours per week where as Sanpete County only allows 29 hours a week. Ms. Lyon proposes the county lead position is made full time because Amie Sorensen already struggles to complete her duties and her hours are now going to be cut. Commissioner Hatch does not agree with the proposal. Ms. Lyon states that it would only increase the cost to the County \$20,000.00 if Ms. Sorensen was to go full time. Commissioner Bartholomew would like to discuss the full time position proposal further before making a decision. The jobs were not advertised; the current Six County employees were rolled over to the County. The site manager for Moroni recently submitted her two weeks notice. Motion is made by Commissioner Hatch to approve the job descriptions and hiring of the senior nutrition employees at the new rate comparable to Sevier County. The County lead will be \$22.26 an hour, site manager is \$19.43 an hour, cooks and drivers are \$16.52 an hour. The motion is seconded by Commissioner Bartholomew, and the motion passes. The Commissioners will get with the County Auditor soon to discuss the full time position proposal.

TOM SEELY: APPROVAL TO PURCHASE TRAILER FOR NEW TRUCK.

Tom Seely is present. Mr. Seely explains the agenda request is for trailers for the truck that they are replacing. The truck was not going to arrive until the first part of December but now it is scheduled to arrive in October. Mr. Seely received two bids; one from Western Trailers and one from ICM Trailers, which was approximately \$5,000.00 more than the bid from Western Trailers. Motion is made by Commissioner Hatch to approve purchasing the double trailers from Western Truck and Trailers Sales in the amount of \$138,340.00, which is one set. The motion is seconded by Commissioner Bartholomew, and the motion passes.

CADE PENNEY REPRESENTING R6 REGIONAL COUNCIL: DISCUSSION AND POTENTIAL APPROVAL OF R6 APPLYING FOR A DEQ GRANT ON BEHALF OF EPHRAIM CITY.

Cade Penney is present. Mr. Penney presents a letter from Ephraim City which was written by Sean Lewis the City Manager, requesting that R6 apply for a DEQ Grant for a Phase Two Study on the public works property in order for Ephraim to sell the property to Intermountain Health. When the city initially bought the property, the study was not done properly. It was requested that the County participate as an independent third party in support of the request. R6 will be voting on the request tomorrow and Mr. Penney wanted to make sure that there was open communication between all entities. Commissioner Bartholomew states that if R6 wants to apply for the grant that pays for the study that is up to them; he does not believe the County wants to be involved. Commissioner Hatch agrees. Mr. Penney states that R6 is impartial and ultimately his visit today is to make the Commissioners aware that this letter will be presented to the executive board tomorrow. Mr. Penney also mentions the Hazard Mitigation plan is due in the next couple months. Mr. Penney will get more information to the Commissioners as to when they would like to meet with Mayors and Commissioners, possibly in August. Commissioner Bartholomew directs Mr. Penney to contact Jayson Albee, Emergency Management Coordinator as well, to make sure that he is involved.

SHERIFF JARED BUCHANAN: APPROVAL OF COURT BALIFF CONTRACT WITH THE STATE OF UTAH; APPROVAL TO SIGN CONTRACT WITH INTERMOUNTAIN HEALTH CORRECTIONS LLC TO PROVIDE JAIL INMATE MEDICAL SERVICES; APPROVAL OF FY25 UDC INTERGOVERNMENTAL COUNTY JAIL AGREEMENT FOR STATE INMATE BEDS; APPROVAL TO PAY CELLEBRITE FOR MOBILE DEVICE EXTRACTIONS PROGRAM.

Sheriff Jared Buchanan is present. Commissioner Bartholomew requests the County Attorney's attendance to the meeting; the County Clerk has attempted contacting him. Sheriff Buchanan is still not completely satisfied with the final Bailiff Contract but it needs to be finalized. One thing that was changed from the previous contract was regarding the security service. The new verbiage states the Sheriff will provide security staff when court is in session; not specified by days and times. Discussion regarding the need for more than one security officer ensues. According to Sheriff Buchanan, Kevin Daniels has been involved with the amending of the contract and he has researched how the County is legally bound as far as providing court security. Sheriff Buchanan questions the definition of security administration and whether or not the bailiff falls into that category. The statute is not clear on where the responsibilities lie as far as whom is responsible for paying for certain aspects of security administration. Sheriff Buchanan explains some of the challenges that he faces regarding the bailiff position. A big challenge that Sanpete faces is the burden of prison case load. The contract has been adjusted and the funding has increased considerably since last year. Motion is made by Commissioner Hatch to approve the Court Bailiff Contract in the amount of \$91,410.00 with the understanding that they will continue to work on getting the amount raised. The motion is seconded by Commissioner Bartholomew, and the motion passes. The contract is signed by Commissioner Bartholomew. The Intermountain Health Corrections agreement will not change from last years agreement except the CEO name is different. The Physician Assistant will not change but there will be a three percent cost increase with the same terms and conditions. Sheriff Buchanan brought the 2023 contract by mistake so he will bring the updated 2024 contract back for the Commission to sign. Motion is made by Commissioner Hatch to approve the contract with Intermountain Health Corrections LLC to

provide jail inmate medical, it is the same as 2023 with a three percent increase and the doctor is Kennon Tubbs. The motion is seconded by Commissioner Bartholomew, and the motion passes. The next contract the Sheriff is presenting is for housing State inmates. The jail currently is housing 73 inmates. The daily rate of reimbursement for housing that the County receives from the State is \$67.23. The new daily rate, effective July 1st, is \$78.23. The Sheriff did calculate the rate increase into his budget for 2024. If an inmate is in programming, the daily rate is \$93.88. Approximately 30 inmates are in programming. Motion is made by Commissioner Hatch to approve the FY25 UDC Intergovernmental County Jail Agreement for state inmates at a rate of \$78.23 and for programming the rate is \$93.88. The amounts vary depending on where they are located in the jail facility. The motion is seconded by Commissioner Bartholomew, and the motion passes. Sheriff Buchanan explains that Cellebrite is what they use to download cell phones which is needed for investigations. Sheriff Buchanan has a different bill than the one that was sent to the County Clerk. There is confusion as to which amount is correct. Payment is due on July 31st; Commissioner Hatch suggests waiting until the next meeting to approve the amount once it is clarified. Sheriff Buchanan is good with approving the invoice that he has presented and if it needs to be corrected it can be ratified at the next Commission meeting. Motion is made by Commissioner Hatch to approve paying Cellebrite for mobile device extractions program out of the task force budget in the amount of \$7,802.00. The motion is seconded by Commissioner Bartholomew, and the motion passes.

*Kevin Daniels arrives and the Commissioners brief him on the approvals that have been given.

MARK & BILLY COOMBS: DISCUSSION REGARDING THE POSSIBILITY TO CLOSE A COUNTY ROAD GOING THROUGH PRIVATE PROPERTY.

Mark and Billy Coombs are present. Mark Coombs addresses the Commissioners and speaks of the process that the County went through to classify roads throughout the County. The road that he would like to discuss is identified as Road 574 outside of Fountain Green. The road goes through some of the Coombs private property. One concern that Mark Coombs states is the gate is unlocked and people can open the gates but they can't shut them and animals get out. Mr. Coombs points out roads and accesses in the area on a map. Commissioner Hatch questions how a person would access BLM property other than using road 574. Mr. Coombs points out areas on the map but Commissioner Hatch can not see a defined road to access the BLM. Mr. Coombs claims a fire in 2009 took out some roads. Commissioner Bartholomew requests clarification on the path of travel. Commissioner Hatch explains that Kevin Christensen can supply signs that state they are on private property and to stay on the road. The Coombs have talked to Sargent Lyon regarding their concerns about people driving through their property on an open road. As a property owner that faces similar challenges, Commissioner Bartholomew can empathize with his issues yet he has concerns regarding abandonment of the road. Commissioner Bartholomew would like to table the agenda request in order to visit the area and do more research regarding access to the BLM area. Commissioner Hatch verifies that a public hearing will need to be take place as well. Billy Coombs states Sargent Lyon is familiar with the area and will give any insight needed to the Commissioners. Commissioner Bartholomew requests the County Clerk put the public hearing on the August 6th Commission meeting.

JUSTIN JOHANSEN: DISCUSSION AND POTENTIAL APPROVAL OF OCCUPANCY OF HIS HOME.

Justin Johansen is not present and he did not respond to the County Clerk's email regarding the meeting. Linda Christiansen explains the submission of the application and the conversation she had with the applicant. Mr. Johansen was told the date and time of the meeting. Commissioner Hatch had a discussion with Cody Harmer regarding Mr. Johansen's concern as far as road requirements that have changed. Steven Jenson explains that Mr. Johansen's subdivision application was submitted in March of 2023. In April of 2023, the Road Construction Manual was updated and approved. The right-of-way easement width went from forty feet to sixty feet. Mr. Johansen's lot was originally part of a property that has been split multiple times which required his application to be a major subdivision and it required a paved road. It was explained to Mr. Johansen at that time that he would need to pave the road. Mr. Johansen fell under the requirements of the ordinance at the time of his application and approval. An adjustment was made to the new subdivision ordinance when it was adopted that determined whether or not a road was paved based on traffic count. Mr. Johansen wants his road requirement to change based on the new ordinance. Commissioner Hatch questions the number of homes in the area; Scott Olsen Building Official responds seven or eight. Mr. Jenson states that Mr. Johansen wants to be reconsidered under the new ordinance. Commissioner Hatch states it is common to want to choose the approval that benefits ones self. Commissioner Bartholomew feels that now that he has received an explanation, Mr. Johansen needs to pave the road. All the other roads are paved in the area and he was told that he needed to pave the road at the time of his application submission. The continuance of the paved roads was the intent and should stand as originally required. Mr. Johansen has not paved the road yet, therefore he can not receive occupancy until he does. The building department will not approve occupancy until he has met all building and zoning requirements. Mr. Jenson feels that Mr. Johansen received explanation of what was required at the time of his approval under the ordinance at that time and he should be held to that. Discussion ensues regarding when does an ordinance go in to effect. It is agreed upon by the Commissioners, Steven Jenson and Scott Olsen that the ordinance that is in place at acceptance of the application is the ordinance that is followed. Motion is made by Commissioner Hatch in order to receive occupancy, Mr. Johansen needs to comply with the requirements of when he got his permit. The motion is seconded by Commissioner Bartholomew, and the motion passes.

JOHN & KATIE PEEL HAVE APPLIED FOR A 1 LOT MAJOR SUBDIVISION (PEEL SUBDIVISION) SOUTH OF MT. PLEASANT IN THE AGRICULTURE ZONE. THE SUBDIVISION WOULD CONTAIN 1 LOT OF 7.41 ACRES. PARCEL # S-26354X4.

Steven Jenson presents the agenda item. The property to be discussed is located between Spring City and Mt. Pleasant off of Highway 117. The applicant had to receive approval from UDOT in order to come off of the State highway. The mylar has been reviewed and approved by the County Recorder. The Planning and Zoning Commission has recommended this application for approval. Owner affidavit has been signed and notarized. The septic permit has been obtained. Rocky Mountain Power has submitted a letter stating they intend on providing power to the subdivision. Utah Division of Water Rights has approved one domestic use of one acre foot of water and the well is dug. UDOT has signed off on the access. Police Fire and Ambulance waiver has been signed and notarized. Taxes and fees have been paid and are up to date. A current title search has been completed and no issues were found with the property. Motion is made by Commissioner Hatch to approve the Peel Subdivision, one lot major, south of Mt. Pleasant on parcel #26354x4.

The motion is seconded by Commissioner Bartholomew, and the motion passes.

KEVIN DANIELS: APPROVAL TO PAY DENTON'S INVOICE REGARDING THE BRADLEY CASE.

Kevin Daniels presents the agenda item. Motion is made by Commissioner Hatch to approve the payment to Dentons Durham Jones and Pinegar in the amount of \$2,697.57 out of the expert witness fund. The motion is seconded by Commissioner Bartholomew, and the motion passes.

APPROVAL OF ORDINANCE REGARDING ABANDONMENT OF CLASS D ROAD SEGMENT DESIGNATED 251, EAST END ONLY, APPROXIMATELY ONE MILE SOUTH OF EPHRAIM CITY, PARTICULARLY DESCRIBED BY GPS COORDINATES.

There are no additional residents in attendance of the meeting. Commissioner Hatch questions the actual location of the GPS coordinates and assumes that it starts at the gate. Motion is made by Commissioner Hatch to approve the ordinance vacating (abandon) the east end of a D road classified as 251, at a gate that is on the west side of Russell Barton's gravel pit. The lat / long is shown in the ordinance. The ordinance number is 7-02-24. The motion is seconded by Commissioner Bartholomew, and the motion passes.

APPROVAL TO PAY K & H INTEGRATED PRINT SOLUTIONS FOR 2024 REPUBLICAN PRIMARY ELECTION BALLOT PRINTING.

Linda Christiansen presents the agenda item. The invoice is for the 2024 Republican Primary Election ballot printing costs minus the postage deposit that had already been paid. Motion is made by Commissioner Hatch to approve to pay K&H Integrated Print Solutions out of the elections budget in the amount of \$12,180.38. The motion is seconded by Commissioner Bartholomew, and the motion passes.

RATIFY APPROVAL TO PAY THE INVOICE FOR THE JUNIOR LIVESTOCK BUCKLES.

Motion is made by Commissioner Hatch to approve the payment of the Junior Livestock buckles out of the fair budget for a total of \$4,668.09 and they are supposed to see if they can get the tax in the amount of \$273.29, taken off of the bill. The motion is seconded by Commissioner Bartholomew, and the motion passes.

RATIFY APPROVAL OF THE BID FOR THE PLUMBING IN THE NEW BUILDING AT THE FAIRPARK.

Commissioner Hatch addresses the change in the bid amount. Removal of the sink and changing to an on demand water heater lowered the cost of the original bid approximately \$16,000.00. Motion is made by Commissioner Hatch to ratify the approval of the plumbing in the new Fairpark building in the amount of \$88,050.00. The motion is seconded by Commissioner Bartholomew, and the motion passes.

APPROVAL OF MINUTES

There is a question regarding a statement made by Tom Seely and he will clarify with the County Clerk before the minutes are posted. Motion is made by Commissioner Hatch to approve the minutes with the clarification from Tom. The motion is seconded by Commissioner Bartholomew, and the motion passes.

CLOSED SESSION (IF NEEDED)

No closed session was needed.

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

The meeting is adjourned at 2:15 P.M.

ATTEST: 

Linda Christiansen
Sanpete County Clerk

APPROVED: 

Scott Bartholomew
Commission Chair