

SANPETE COUNTY COMMISSION MEETING

August 20, 2024, 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 (joins the meeting after it began) 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 Neil Johnson. Pledge of allegiance is recited by all.

SWEARING IN OF PATROL DEPUTY HAYDEN BRANNON.

Sheriff Jared Buchanan swears in Deputy Hayden Brannon and the Oath of Office is signed.

KEVIN CHRISTENSEN: APPROVAL TO PURCHASE CULVERT FROM CONTECH; APPROVAL TO PURCHASE ROAD BASE FOR SPRING CREEK TRAILHEAD.

Kevin Christensen is present. Mr. Christensen explains the invoice that he is presenting is for a 5' diameter culvert, which is 30' long. The installation of the culvert will improve winter tourism. Motion is made by Commissioner Collard to approve the purchase of a culvert from Contech in the amount of \$5,200.00, out of the travel and tourism budget. The motion is seconded by Commissioner Hatch. Vote by voice is taken: Commissioner Collard votes yes, Commissioner Hatch votes yes, and Commissioner Bartholomew votes yes. The vote is unanimous and the motion passes. The next agenda item is in regards to a bike trail project up Fairview Canyon, west of the Huntington Reservoir. Motion is made by Commissioner Hatch to approve to pay out of the travel budget to Christensen Ready Mix the payment of \$7,900.00 for road base material. The motion is seconded by Commissioner Collard, and the motion passes.

CHRIS COOK: DISCUSSION AND POTENTIAL APPROVAL OF INDIVIDUAL WELLS IN GRANDVIEW MOUNTAIN ESTATES DEVELOPMENT (26 LOTS) FOR BUILDING PERMIT APPROVALS ON FUTURE LOTS.

Chris Cook is present. Mr. Cook addresses the Commissioners regarding his major subdivision that he developed with his father, Lynn Cook. Mr. Cook explains the subdivision was originally approved with the agreement they would install a public water system. The Cooks would like to drill individual wells instead. They have moved all of the water shares to the individual lots and have received start cards for well drilling to begin. The roads to be asphalted and power installation should be completed in approximately 45 days. Mr. Cook contacted Steven Jenson, County Zoning Administrator and he indicated all of the wells needed to be drilled before permits can be issued. Mr. Cook has logistic concerns regarding this because not all of the lots are sold and how do you know where the potential buyer will place their home. Mr. Cook is requesting an approval from the Commissioners giving him the ability to drill wells as the lots are sold. Commissioner Bartholomew addresses Mr. Jenson regarding State water requirements. Commissioner Bartholomew was under the impression that based on the number of lots, a public water system is required. Mr. Jenson gives a brief history; originally the developer proposed shared

wells, the State required a public water system based on number of lots so the developer held off on proceeding. Recently, the State came back and said if the developer wanted to do individual wells on each lot, a public water system is not required. Mr. Jenson explains that the County Ordinance states, all infrastructure must be in place prior to any selling of the lots. Commissioner Hatch verifies the code requirement was in place at the time of approval, as well as now. Commissioner Collard can not believe the State is ok with 26 wells being drilled in one area. Mr. Cook wants to understand the concerns of the County regarding the drilling of 26 individual wells. Commissioner Hatch explains the Planning Commission originally approved the drilling of 4-5 shared wells to supply water to the development. Now the developer is proposing a change to the approval; it should go back through Planning and Zoning. Commissioner Hatch questions if it does go back through; do they need to meet current zoning requirements or the code that was in place at the time of the original approval? Commissioner Collard thinks it would be the previous code but Commissioner Hatch states any new submissions have met the current. Commissioner Bartholomew and Steven Jenson agree with Commissioner Hatch that is how it has been handled with others. Mr. Cook is requesting a variance from the Commissioners to proceed. Commissioner Collard agrees it needs to go back to Planning and Zoning for their recommendation. Motion is made by Commissioner Collard to go back to Planning and Zoning and they will consider their recommendation. The motion is seconded by Commissioner Hatch, and the motion passes.

ANNETTE J. HANSEN REPRESENTING D & R FARM AND HANSEN FAMILY: APPROVAL TO REMOVE A GATE ACROSS THE ROAD AT 100 NORTH IN FOUNTAIN GREEN ON COUNTY PROPERTY TO PROVIDE ACCESS TO PRIVATE PROPERTY.

Annette J. Hansen is present. Ms. Hansen explains she is present today regarding a road that she owns property on that has been gated and locked. Ms. Hansen is concerned as to how a person gates a County Road. Commissioner Collard did some research and he found that the road she is referring to is not a County road. However, he did find an agreement that grants her access as a property owner. Discussion ensues regarding the location of the gate on the map. Ms. Hansen states she uses that road and so does the city of Fountain Green. Ms. Hansen draws on the map to illustrate a better location for a gate to benefit all property owners and allow access. Commissioner Hatch explains this is not a County issue because it is a private road. Ms. Hansen questions whether or not access should be allowed due to open travel for twenty years but it is restated she has been granted access so there is no issue for the County to address.

MIKE BENNETT FAIR BOARD CHAIRMAN: APPROVAL TO PAY MID UTAH RADIO FOR FAIR ADVERTISING.

Mike Bennett is present. Mike Bennett explains that he missed getting this invoice submitted at the last meeting for fair pay outs. The cost for fair advertising has been the same every year; according to Mr. Bennett. Motion is made by Commissioner Hatch to approve the payment to KMTI in the amount of \$7,000.00 for fair advertising out of the fair budget. The motion is seconded by Commissioner Collard, and the motion passes. Mr. Bennett also addresses an additional \$1,500.00 that needs to be approved that he did not get on the agenda for the rodeo clown. (The contract clarified the additional amount was \$1,000.00, not \$1,500.00 as indicated by Mr. Bennett.) Mr. Bennett explains that even with the additional cost, the total amount approved at the last meeting should still cover all of the fair pay outs.

GARY MYRUP: DISCUSSION AND POTENTIAL APPROVAL OF COUNTY EQUIPMENT USE AT THE COUNTY FAIR.

Gary Myrup is present. Mr. Myrup expresses concern regarding the road department being pulled off of Fairpark projects. Many years ago, Mr. Myrup was the Chairman for the Fairboard. Mr. Myrup only remembers one time that the Road Supervisor stated they wouldn't work the ground at the Fairgrounds and the County Commissioners stepped in and said yes they would. Mr. Myrup wants to know how this issue can be prevented from happening year after year. Mr. Myrup understands State Road funding can not be used for anything but roads. Mr. Myrup wants to know why mineral lease money can't be used for economic development. Commissioner Hatch clarifies that the mineral lease funds can not be used for economic development. Commissioner Collard states the County never charged the Fair \$30,000.00 for work at the Fairpark. The statement regarding \$30,000.00 was the cost for time and equipment for the work done by the Road Department during the Fair, last year. Commissioner Bartholomew explains this is not the first year this issue has been discussed and sadly many things have changed over the years. Commissioner Collard believes the Fair needs to budget the dirt work and equipment use in order to cover the costs. Mr. Myrup returns to how things were done decades ago in Fair financing and budgeting. The Commissioners reiterate that things are not the same or as simple as they use to be. Commissioner Hatch explains that in 2019, the funding received from B & C roads changed for the Road Department. At that point, it was made clear that the funding could not be used for the Fair. Mr. Myrup starts a discussion regarding other scenarios with roads and funding. He questions if there is a disaster or excessive snow removal, how does the Road Department cover the costs. The answer is those issues are covered with B & C road funds or the County has to pay them because they are necessary. Commissioner Collard states again, the Fair can not be funded with B & C road money. Mr. Myrup wants verification that the fair will have a budget line item for the arena work. The Fairboard will need to address that when they propose next year's budget. Commissioner Bartholomew explains they just approved \$175,000.00 worth of bills strictly for the Fair. Mr. Myrup does not understand why a budget needs to be submitted for the Fair; he never did when he ran the Fair. The Commissioners state there has been a lot of money put into the Fairpark and they all want the County Fair. Commissioner Bartholomew offers to talk to Mr. Myrup regarding any other questions or concerns that he may have at any time.

STACEY LYON: APPROVAL OF CLAIMS; APPROVAL OF FINANCES; RATIFY APPROVAL TO PAY CENTRAL UTAH ELECTRIC INVOICE; RATIFY APPROVAL TO PAY INVOICE ON EXHIBITION BUILDING WITH AN ADDITIONAL FEE FROM THE ORIGINAL BID; APPROVAL TO PAY INVOICE TO CASELLE FOR SOFTWARE SUPPORT RENEWAL 2025; APPROVAL TO AMEND THE SANPETE COUNTY PERSONNEL POLICY REGARDING VOLUNTEERS; APPROVAL AND SIGNATURE ON MOU'S WITH R6 FOR THE SENIOR NUTRITION PROGRAM.

Stacey Lyon is present. No issues or concerns are voiced regarding the claims. Motion is made by Commissioner Hatch to approve payment of claims #359368 through #399457. The motion is seconded by Commissioner Collard, and the motion passes. The finances are right where they anticipated they would be and they look good. Motion to approve the finances is made by Commissioner Hatch. The motion is seconded by Commissioner Collard, and the motion passes. Ms. Lyon explains the invoice for Central Utah Electric is an adjustment to the original amount that was approved for the CO/ Smoke Detectors in the Health Department. Motion is made by Commissioner Collard to approve the payment to Central Utah Electric in the amount of

\$18,775.00 out of restricted ARPA funds. The motion is seconded by Commissioner Hatch, and the motion passes. Ms. Lyon believes the invoice she is presenting for Knighton Architecture is for the final bill. Motion is made by Commissioner Hatch to approve the payment of \$23,360.00 to Knighton Architecture out of the ARPA funds for the building at the Fairpark. The motion is seconded by Commissioner Collard, and the motion passes. Ms. Lyon's office still needs to get assets off of Caselle so she is requesting the renewal for one more year to finish the transfer. Motion is made by Commissioner Hatch to approve the payment of \$8,732.00 to Caselle, Inc. out of the IT budget. The motion is seconded by Commissioner Collard, and the motion passes. (Kevin Daniels arrives to the meeting) Ms. Lyon explains a change to the personnel policy has been made regarding volunteers. After a discussion with Johnnie Miller, with the Counties insurance company, it was agreed that the only volunteers that will require drug testing are those that operate heavy equipment. The issue was brought up in the last meeting by Mike Bennett when he had concerns that he would lose volunteers (at the Fair) if drug testing was required. Mr. Bennett states some of the volunteers will not agree to drug testing. Commissioner Bartholomew addresses an incident at the fair recently when someone ran into a fence while running the groomer at the Fairpark and if someone would have been hurt, the County would be liable. Mr. Bennett was aware of the incident but does not know who caused the damage. Mr. Bennett states a couple of the Fair volunteers are already County employees that have already been drug tested. Mr. Bennett operates heavy equipment and is willing to be drug tested. Ms. Lyon states the drug testing is usually fairly quick. Motion is made by Commissioner Collard to approve to amend the Sanpete County Personnel Policy regarding volunteers and drug testing. The motion is seconded by Commissioner Hatch, and the motion passes. Ms. Lyon explains the County will run the Senior Nutrition program and collect the Federal and State funds based on the information that we provide regarding revenue and expenditures. The Grant approval is in the amount of \$171,475.00, in addition to donations that are received for the program. Motion is made by Commissioner Hatch to approve signing the MOU's between Sanpete County and R6 for the Senior Nutrition Plan. The motion is seconded by Commissioner Collard, and the motion passes. Ms. Lyon also requests approval on an item that was not submitted in time for the agenda. The County needs to increase the archive licenses and email addresses in order to accommodate new hires. The Commissioners agree that it needs to be approved in order to move forward. Ms. Lyon will submit the invoice to the County Clerk to be ratified at the next Commission meeting.

SHERIFF JARED BUCHANAN: RATIFY APPROVAL OF STIPENDS FOR PATROL DEPUTY BRANNON FOR CAR WASH AND CELL PHONE; RATIFY APPROVAL TO PAY PETERSON REFRIGERATION FOR JAIL ICE MACHINE; APPROVAL TO APPLY FOR AND EXPEND FY 2025 EMS PER CAPITA GRANT; APPROVAL TO PAY AMAZON FOR LAPTOP FROM GRANTS; APPROVAL TO PAY LEXIPOL FOR ANNUAL SUBSCRIPTION; APPROVAL TO APPLY FOR, SIGN, AND EXPEND FY24 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) WITH A 50% COUNTY MATCH; APPROVAL TO EXPEND RCORP EXPANSION OF GRANT; APPROVAL TO OPEN A RECRUITMENT FOR PROGRAMMING ASSISTANT; APPROVAL TO PAY ZUMRO FOR EMERGENCY MANAGEMENT TENT; APPROVAL TO MOVE FULL TIME DETECTIVE BREEZY ANDERSON TO PART TIME DETECTIVE; APPROVAL TO PAY PEAK MOBILE FOR 5 SAR KENWOOD RADIOS; APPROVAL TO PAY PEAK MOBILE FOR REPEATER FOR NORTH LAW- BARTON PEAK; APPROVAL OF AGREEMENT WITH UTAH COMMUNICATIONS AUTHORITY (UCA) FOR PSAP SUPPORT SERVICES.

Sheriff Jared Buchanan, Neil Johnson and Bev Thomas are present. Motion is made by

Commissioner Collard to ratify approval of the stipends for Patrol Deputy Brannon in the amounts of \$10.00 for the car wash and \$38.00 for cell phone out of the Sheriff's budget. The motion is seconded by Commissioner Hatch, and the motion passes. The ice machine at the jail needed to be replaced. Motion is made by Commissioner Hatch to ratify approval of the payment of \$6,237.86 to Peterson Refrigeration for a new ice machine in the jail, out of 10-4230-250. The motion is seconded by Commissioner Collard, and the motion passes. Neil Johnson explains they are presenting a yearly Grant for approval that is for emergency medical dispatchers; the only thing the grant can be used for is computer equipment in dispatch. Commissioner Collard explains that any future purchases of computers should not include support or maintenance contracts. The County will be receiving IT support of equipment through Centracom going forward. Motion is made by Commissioner Collard to approve the FY 2025 EMS Per Capita Grant in the amount of \$2,454.00, out of 10-4215-750. The motion is seconded by Commissioner Hatch, and the motion passes. Commissioner Hatch questions how an order was placed for the next agenda item prior to approval due to the fact it is over the monetary amount that requires approval. The purchasing policy requires Commission approval on any payment that exceeds \$2,000.00. Motion is made by Commissioner Collard to approve of the payment in the amount of \$3,499.00; split \$2,454.00 # 10-4215-750 (previously approved Grant) and 1,045.00 # 32-4255-150 (911 grant) to Amazon from grants. The motion is seconded by Commissioner Hatch, and the motion passes. Sheriff Buchanan explains the next approval is for the patrol side. Motion is made by Commissioner Hatch to approve the payment to Lexipol in the amount of \$10,546.03 for annual subscription, out of 10-4211-250. The motion is seconded by Commissioner Collard, and the motion passes. Bev Thomas explains the next Grant that they are presenting is an annual grant in regards to Emergency Management. Motion is made by Commissioner Collard to approve the FY24 Emergency Management Performance Grant (EMPG) in the amount of \$45,000.00, with a county match of \$45,000.00, out of the 10-4255-320 budget. The motion is seconded by Commissioner Hatch, and the motion passes. Bev Thomas put a lot of work into the next Grant approval. Ms. Thomas explains the current RCORP Grant expires next month. In order to continue the Community Health worker and continue remodel work at the jail and the County building after the expiration of the Grant; an extension has been granted. Motion is made by Commissioner Collard to approve the RCORP expansion Grant in the amount of \$265,252.16; revenue is in 10-3317-100 and expenditure out of 10-4960-452. The motion is seconded by Commissioner Hatch, and the motion passes. Commissioner Hatch agrees as long as the wages align properly with the Auditor's office. Ms. Thomas explains in the current budget the Sheriff's office is budgeted for 15 hours a week to pay a substance abuse intern and 14 hours for a psych intern. Savannah has been utilized for the 29 hours. The Sheriff's office applied for the RSAT Grant to pay Savannah's wage starting July 1st. The RSAT Grant will pay 20 hours and the remaining 9 will come out of the County's budgeted 29 hours. The Programming Assistant does not have a Grade associated with the position in relation to the County wage chart; the wage is \$19.64 an hour. Ms. Thomas is currently writing another Grant in hopes to cover the remaining 9 hours. Motion is made by Commissioner Collard to open recruitment for Programming Assistant for 20 hours a week, at \$19.64 an hour to come from the RSAT Grant. The motion is seconded by Commissioner Hatch, and the motion passes. Ms. Thomas states there is an end date to the position and the Grant is temporary. It will be stated it is temporary for recruitment purposes. Sheriff Buchanan explains the next approval is for a 400 square foot Emergency Management tent that can be deployed for any type of emergency. Motion is made by Commissioner Hatch to approve the payment to Zumro for an emergency management

tent in the amount of \$29,051.23, out of budget # 10-4255-300. The motion is seconded by Commissioner Collard, and the motion passes. Sheriff Buchanan reports Detective Breezy Anderson has resigned due to moving out of the County. Detective Anderson has agreed to some part time shifts. Motion is made by Commissioner Hatch to approve moving Full Time Detective Breezy Anderson to Part Time Detective, from \$33.60 an hour, Grade 11 to a Grade 7, Step 3 at \$29.11 per hour, effective August 15th. The motion is seconded by Commissioner Collard, and the motion passes. Sheriff Buchanan explains the next approval is for Search and Rescue. Motion is made by Commissioner Collard to approve the payment to Peak Mobile for 5 Kenwood radios in the amount of \$3,546.30 out of the SAR's Budget # 10-4211-630. The motion is seconded by Commissioner Hatch, and the motion passes. The approval includes five Kenwood mic's. Commissioner Bartholomew reminds Sheriff Buchanan that a contract has not been renewed with Beau Lund. Neil Johnson explains the next approval is for a repeater near the Horseshoe to improve transmission to the jail. Motion is made by Commissioner Hatch to approve the Peak Mobile quote for repeater for North Law- Barton Peak radios in the amount of \$2,972.00 out of budget # 10-4215-250. The motion is seconded by Commissioner Collard, and the motion passes. Neil Johnson explains the next agenda item is for approval of a service agreement for the new 911 system and consoles. Mr. Johnson does not foresee much use of the agreement will be needed. The cost is \$160 an hour if the call is not for the equipment provided and \$110 an hour for a service call for the equipment provided. Mr. Johnson and Beau Lund can provide most service support on the equipment. Motion is made by Commissioner Hatch to approve the agreement with Utah Communications Authority (UCA) for PSAP Support Services; which will vary between \$110-\$160 an hour, budget# 32-4255-150. The motion is seconded by Commissioner Collard, and the motion passes.

**FERRIS TAYLOR REPRESENTING SKYLINE MOUNTAIN SPECIAL SERVICE DISTRICT BOARD:
REQUESTING APPROVAL TO REMOVE TRENT ANDERSEN FROM THE SMSSD BOARD BASED ON
CONFLICTS OF INTEREST.**

Ferris Taylor is present. Mr. Taylor explains that he is not representing the SSD Board in his request today. His concerns began way before he was appointed to the Board. When Mr. Taylor and Max Henrie addressed the County Attorney regarding their concerns, Mr. Daniels instructed them to request a hearing. The SSD Board is not requesting approval to remove. Mr. Taylor would like to verify with the County Commissioners whether or not they believe Trent Andersen has violated the Ethics Act as far as conflicts of interest go as a current board member. Mr. Taylor reads from the code regarding conflicts of interest. Mr. Andersen owns Shadow Lake Construction, as well as many lots in the Skyline Mountain Resort. Mr. Taylor states Mr. Andersen had not completed the required training nor completed the conflict of interest form required by the State. Mr. Taylor's concern is that Mr. Andersen does not abstain from voting even when he has a conflict that Mr. Taylor feels he should disclose. Commissioner Bartholomew asks Mr. Andersen if he would like to state a rebuttal. Mr. Andersen was unaware of the agenda request until a few days prior so he is not well prepared. Mr. Andersen explains some of his concerns with Board decisions that he has voted against are not based on his conflicts as a property owner / developer. Mr. Andersen voted against certain proposed impacts to lot owners because of his concern with potential lawsuits not because of the impact to him personally. Due to his inability to be more prepared to address Mr. Taylor's concerns, Mr. Andersen would like some time to address the Commissioners in writing. Commissioner Bartholomew gives some examples of conflict of

interest situations that he has been involved with due to his involvement in multiple positions. The Commissioners question Kevin Daniels regarding the line that is potentially crossed as a property owner, who is also a Board member. Commissioner Collard wanted clarification prior to Mr. Daniels response because his concern is how does any individual in a position such as theirs not have some sort of conflict of interest in the every day decisions; such as raising taxes or implementing zoning codes. Commissioner Bartholomew states there is a difference if an official that makes executive or legislative decisions benefits by some type of personal gain. Mr. Daniels explains conflict of interest laws are not as strict as some would prefer but he feels disclosing is always the best option. If an individual is to recuse from voting as a Board member would be determined as to whether or not they directly benefit from that decision. Mr. Daniels gives a few examples. If it is a general benefit to the community, that is not construed as a direct benefit to an individual. Commissioner Bartholomew recognizes Mr. Andersen was not given adequate time to respond in writing. Tricia Wright, property owner in Skyline Mountain Resort shares an email that she sent to the Commissioners in support of Mr. Andersen as the liaison and a Board member. Motion is made by Commissioner Collard to table the issue to give Trent Andersen time to give a rebuttal in writing. The motion is seconded by Commissioner Hatch, and the motion passes. It is agreed that the agenda request will be readdressed at the September 17th Commission meeting. Mr. Andersen will get his written rebuttal to the Commissioners the week before the meeting.

JAKE BLANEY REPRESENTING SKYLINE MOUNTAIN RESORT: REQUESTING COUNTY REVIEW REGARDING SKYLINE MOUNTAIN SPECIAL SERVICE DISTRICT BY LAWS, PROCESSES AND PROCEDURES POSTED ON SMSSD WEBSITE.

Jake Blaney is present. Trent Andersen addresses the Commission regarding the process of approving by-laws as a Special Service District and whether or not the County Attorney should review them. Commissioner Hatch states he believes the by-laws should be written and reviewed by the SSD attorney. Kevin Daniels agrees and states other SSD's have hired private counsel to assist in writing such documents.

A five minute break is taken in between agenda items.

PAM MATHERNE AND JOE QUACKENBUSH: REQUESTING REVIEW OF DOCUMENTS REGARDING THE BRADLEY SUBDIVISION AND THE COUNTY BUILDING DEPARTMENT.

Pam Matherne and Joe Quackenbush are present. Ms. Matherne addresses the Commission and reports they are working on a solution to their issues with the Bradleys. They are currently working with Manti City on dedicating a road past their home. It is inferred by Ms. Matherne that it would be the Bradleys responsibility to meet the road design requirements of the City (and County) when the road is designed. Ms. Matherne illustrates the location of the road on the map that she provided. Commissioner Bartholomew requests an explanation of what the law suit is over. Ms. Matherne explains it is over access that had been granted by way of a variance by the County Board of Adjustments. She explains both sides are tired of fighting and are in hopes of a resolution. Joe Quackenbush states the County ordinance says a dead end road should not extend 650' but this one does, across their property. Commissioner Hatch gives a brief description of what had taken place with the approval prior to the lawsuit. Kevin Daniels states Manti City has recently been pulled into the lawsuit as well. Ms. Matherne states the judge did grant the Bradleys a 30' easement. Justin Bradley explains they have a subdivision application that has been submitted to the County

but it has not been approved yet due to the ongoing lawsuit. Kent Barton, Manti City Manager, states the City would like to see the issues resolved and the City is willing to cooperate as long as the road meets the minimum standards of the City. All parties have not officially agreed to a resolution in mediation but they are moving in that direction. Craig Smith, Lawyer for Pam Matherne addresses the Commissioners verifying the road design discussion that may help them arrive at an agreement. Robert Crockett, representing the Bradleys wanted to clarify that they are thrilled to be close to a resolution. Mr. Crockett states for the record, the litigation is whether or not there is access and Judge Bagley said there is on the portion that goes east / west. He also believes the portion in front of Monique Nilssons house will also be verified as an access as well. Ms. Matherne raises concerns about the road meeting requirements set forth by the County. Scott Olsen, Building Official does not see why there would be any reason that the code requirements can not be met. If the end of the road is too small to meet the cul-de-sac standards, there could be a possibility of a "T" road, for a turn around. Kent Barton states Manti City is ok with the proposal. Discussion ensues regarding the issues of whom will pay for the design and construction of the road. Commissioner Bartholomew suggests once they have come to a conclusion to present it to Steven Jenson. Commissioner Hatch clarifies there has been indications as to a denial of the Bradley subdivision by the County Commissioners which is false. The application has not been presented to the Commissioners; it is being held up in the Zoning office until litigation is resolved. Mr. Jenson explains the history of the application submission. When the application was originally submitted it was brought to the County's attention that the road in front of Ms. Nilsson, through the Quackenbush's, to the Bradley's property, may not be a road anymore after a previous subdivision in the area was vacated. The application was not reviewed in it's entirety; the Planning Commission tabled the issue once that was made known. Once the access issues are cleared up, the application will then be reviewed for completeness in order to present the subdivision to the Planning Commission for review. Terry Bradley appreciates the desire to find a solution. Mr. Bradley would like clarification as to the cost of the road requirements. The Commission refers them back to the Zoning Department for the road requirement standards. Mr. Jenson will help them understand how the design requirements need to be illustrated on the Mylar.

STEPHANIE & MAX NICHOLS HAVE APPLIED FOR A 1 LOT MAJOR SUBDIVISION (SUNRISE MEADOW) SOUTHEAST OF MT. PLEASANT IN THE AGRICULTURE ZONE. THE SUBDIVISION WOULD CONTAIN 1 LOT OF 9.35 ACRES. PARCEL # S-26963

Steven Jenson is present. Mr. Jenson explains this subdivision application is for a major due to the fact that the property is within one thousand feet of many subdivisions. The Planning Commission recommended for approval. The Owner Affidavit has been signed and notarized, as well as the police fire and ambulance disclaimer. The septic tank permit has been obtained from the Central Utah Health Department. A letter of feasibility has been submitted from Rocky Mountain Power stating they will provide power to the property. The Whispering Pines Association President has provided approval to provide the subdivision with water because the owners own water in the development. The County Road Supervisor approved the access off of the County Road. They also have a secondary access through Spring City Rancheros; which they have keys to the gated community. Mr. Jenson explains that due to the fact that many more developments are being proposed in the populous area; the Planning Commission addressed the need for a secondary exit route. Twin Oaks addressed the Planning Commission in the last meeting regarding an expansion of the subdivision which raised the concerns. It is the recommendation of the Planning

Commission, as well as the Zoning Department, to approve the subdivision. Motion is made by Commissioner Hatch to approve Sunrise Meadow subdivision, a 1 lot major, consisting of 9.35 acres on parcel # 26963. The motion is seconded by Commissioner Collard, and the motion passes.

SCOTT & JODEE MELLO HAVE APPLIED FOR A 1 LOT MAJOR SUBDIVISION (MELLO SUBDIVISION) IN UNINCORPORATED AXTELL IN THE RA-2 ZONE. THE SUBDIVISION WOULD CONTAIN 1 LOT OF 2.00 ACRES. PARCEL # S-11011

Steven Jenson presents the agenda item. Commissioner Bartholomew states this application has an existing water meter and Axtell still has a moratorium on new water connections. The president of the Axtell Special Service Water District submitted a letter regarding the existing water connection. Mr. Jenson explains the subdivision was approved at the Planning Commission meeting but there were a few items on the Mylar that needed to be corrected. The items were fixed but the Planning Commission Chair needs to sign the Mylar before it can be recorded. The County Road Supervisor approved the access off of the County Road. The water meter is already in place on the property as previously stated. Power is stubbed to the property as well. Commissioner Hatch points out a gap of unclaimed property on the County map. A police fire and ambulance waiver has been signed and notarized; as well as an Owner affidavit. A septic tank permit has been obtained from the Health Department. A copy of the current title search has been submitted and there are no issues. All of the easements are listed on the Mylar. Taxes and fees are paid and up to date. It is recommended by the Planning Commission, as well as the Zoning Department to approve this subdivision. Motion is made by Commissioner Collard to approve Scott and JoDee Mello as a 1 lot major subdivision (Mello Subdivision), in unincorporated Axtell, in the RA-2 Zone, 1 lot of 2.00 acres, parcel #S-11011. The motion is seconded by Commissioner Hatch, and the motion passes.

KEVIN DANIELS: APPROVAL TO REIMBURSE MOVING EXPENSES FOR SHEHNOOR GREWAL PURSUANT TO PRIOR APPROVAL; APPROVAL TO PAY INVOICE TO DENTONS DURHAM JONES PINEGAR FOR BRADLEY CASE.

Kevin Daniels is present. Kevin Daniels verified the previous approval agreed upon for moving expenses was \$3,000.00; not \$5,000.00. Motion is made by Commissioner Collard to approve the amount of \$3,000.00 for moving expenses to Shehnoor Grewal based on Kevin Daniels verifying the correct budget that the money needs to come out of. The motion is seconded by Commissioner Hatch, and the motion passes. Motion is made by Commissioner Collard to approve to pay the invoice to Dentons Durham Jones Pinegar in the amount of \$3,288.50 out of the expert witness budget. The motion is seconded by Commissioner Hatch, and the motion passes.

DISCUSSION AND POTENTIAL APPROVAL REGARDING ILLEGAL TRAILERS, MOBILE HOMES AND BUILDING OUT IN THE COUNTY.

Amy Willden, Tim Wilson, Steven Jenson and Scott Olsen are present for the discussion. Commissioner Collard addresses the issue due to his concern regarding the growing number of people living in trailers. Commissioner Collard understands citations are being issued but nothing is happening beyond the citation. The County Attorney's office needs to prosecute. Commissioner Collard would like to understand the process that needs to take place in order to address the zoning violations. Tim Wilson, Code Enforcement Officer explains the processes. Mr. Wilson states the issues of people living illegally in the County has raised since the housing costs have increased.

It is a growing issue nationwide. Administration citations have been issued but without a police report, not much can be done within the court system. Amy Willden, County Treasurer has the ability to attach penalties and fees to a parcel of land. Mr. Wilson suggests an amendment to the Zoning Ordinance that allows such a procedure to avoid tying up the court system. Commissioner Collard expresses concern due to some individuals may prefer to pay a fee rather than meet the ordinance requirements. How does the County address that issue? Commissioner Hatch states the Health Department will get involved if sewage is dumped on the ground. Discussion ensues regarding whether or not to involve County Sheriff Deputies in order to prosecute criminally. The deputies are on the road to see some of the issues but do they have time to enforce zoning violations and appear in court or do they spend time on child abuse cases? There are people living in conex's outside of Fountain Green that refuse to meet building and ordinance requirements. The proposed fine could be attached through the Treasurer's office but it is not a tax. The discussion also addresses junk yards in the County. Some properties have been cleaned up; others have not. Kevin Daniels agrees that the ordinance needs to be amended to address the things that were discussed. Mr. Wilson is willing to draft an amendment and Mr. Daniels can review the draft. There is a process that will need to be followed in order to adopt the amendment. It is discussed that the fine could be up to \$500.00 a month until the violation has been cleared. It is agreed that all violators will be treated equally and fairly; in a timely manner. Mr. Wilson explains that most people deny living in the illegal structures but it is evident that they are living full time on the property. Mr. Wilson addresses a potential time line that can be given to each property owner. One property owner that Mr. Wilson cited was Christensen Ready Mix; they hauled over 27 loads of scrap metal off of their property in order to be in compliance. A fee schedule is already in place regarding Zoning violations. Discussion ensues regarding challenges that the Building Department is facing due to a very busy year with a small staff.

RATIFY APPROVAL OF PAY OUTS FOR THE COUNTY FAIR AS PRESENTED.

Motion is made by Commissioner Hatch to ratify the approval to pay the County Fair pay outs in the amount up to \$175,000.00. The motion is seconded by Commissioner Collard, and the motion passes.

RATIFY GRANTING APPROVAL OF JUSTIN JOHANSEN HOME OCCUPANCY.

Commissioner Hatch recalls a time frame was discussed in the last Commission meeting but the County Clerk verifies the time frame was never stated in the actual motion. It was only discussed. Commissioner Bartholomew states the time frame was to establish when the road needed to be completed by. County Clerk, Linda Christiansen requests clarification in the motion regarding the building code requirements are met, as well as the road time line is specified. Motion is made by Commissioner Hatch to ratify the approval of Justin Johansen's occupancy if it passes the building inspection requirements for occupancy and within a maximum of three years, the road will need to be asphalted (hard-surfaced). The motion is seconded by Commissioner Collard, and the motion passes.

APPROVAL OF MINUTES


Motion is made by Commissioner Collard to approve the minutes. The motion is seconded by Commissioner Hatch, 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 4:49 P.M.

ATTEST: 
Linda Christiansen
Sanpete County Clerk

APPROVED: 
Scott Bartholomew
Commission Chair