

## SANPETE COUNTY COMMISSION MEETING

May 20, 2014, 2:00 P.M.

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

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

Meeting is called to order by Commission Chair Claudia Jarrett.

### CLAIMS

Auditor Ilene Roth is present. Motion is made by Commissioner Frischknecht to approve payment of claims #333505 through #333617. The motion is seconded by Commissioner Bartholomew, and the motion passes.

### APPROVAL OF LETTER TO CLAYTON WILSON WITH UTAH DEPARTMENT OF TRANSPORTATION RE: CENTERFIELD BRIDGE RECONSTRUCTION

Motion is made by Commissioner Bartholomew to approve sending a letter to Clayton Wilson with UDOT requesting the direct selection of Jones and DeMille Engineering to perform the Preconstruction Engineering services and the Construction Engineering services for Centerfield Bridge Reconstruction project. Sanpete County Special District #1 also has budgeted and set aside the \$128,572.00 match required for this project. The motion is seconded by Commissioner Frischknecht, and the motion passes.

### STEWARDSHIP RANCHES LLC: APPROVAL TO START THE PROCESS TO ADD 480 ACRES (S 26928X1) AND 80 ACRES (S 26932) TO EXISTING AGRICULTURAL PROTECTION AREAS EAST OF MT. PLEASANT

Scott Olsen is present. Due to survey mistakes, parcels were left off of the original Agricultural Protection Areas that were just formed. Motion is made by Commissioner Frischknecht to forward this information to the Planning and Zoning and agricultural advisory board. The motion is seconded by Commissioner Bartholomew, and the motion passes.

### CONTINUED DISCUSSION OF PLACING IRRIGATION PIPES IN EXISTING CULVERTS

Commissioner Bartholomew would like to change the permit application forms and process for right of way permits along County roads. He would like to see the permit process take less time by allowing a signature from a Commissioner and the road supervisor so the project can get started, and then have the permission re-affirmed at the next Commission meeting. Also, a document should be given to landowners as they are identified that installed without permits to clarify their liability.

### APPROVAL TO APPOINT TRENT HALLIDAY AS AN ALTERNATE PLANNING COMMISSION MEMBER

Motion is made by Commissioner Frischknecht to appoint Trent Halliday as an alternate member of the Planning Commission. The motion is seconded by Commissioner Bartholomew, and the motion passes.

### MARTY DUITZ: APPROVAL FOR ROUTINE VEHICLE MAINTENANCE FOR 5 INDIANOLA VALLEY FIRE DEPARTMENT VEHICLES

Marty Duitz is present. The Indianola Valley Fire Department has \$1,500.00 in the budget for maintenance of vehicles. He is hoping that they can be able to get the maintenance done within that budget. Motion is made by Commissioner Bartholomew to approve having the maintenance done on 5 IVFD vehicles at a cost of approximately \$1,500.00. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF MEMORANDUM OF AGREEMENT WITH THE UTAH STATE LIBRARY FOR BOOKMOBILE SERVICE**

Motion is made by Commissioner Frischknecht to approve the memorandum of agreement with the Utah State Library for Bookmobile service. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**GUNNISON TELEPHONE COMPANY: APPROVAL OF RIGHT OF WAY AGREEMENT TO PLACE PHONE CABLE ON CANYON ROAD IN MAYFIELD**

Commissioner Bartholomew recuses himself from this discussion due to a conflict of interest. Motion is made by Commissioner Frischknecht to approve the right of way agreement for Gunnison Telephone Company approximately 1/4 mile from the intersection of 900 E Canyon Road. The motion is seconded by Commissioner Jarrett, and the motion passes. Commissioner Bartholomew abstains from voting.

**REED HATCH: APPROVAL TO INCREASE THE FILING FEE FOR SURVEYS FROM \$10.00 TO \$20.00; APPROVAL TO APPOINT LEON DAY AS THE NEW CONTRACT COUNTY SURVEYOR WITH RYAN SAVAGE AS THE CONFLICT SURVEYOR**

Reed Hatch is present. Motion is made by Commissioner Bartholomew to raise the filing fee for surveys from \$10.00 to \$20.00. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Frischknecht to appoint Leon Day as the new contract county surveyor with Ryan Savage as the conflict surveyor. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**ROY MOORE: APPROVAL TO EXECUTE OIL AND GAS LEASE**

Paul Lawrence with Skyline Oil is present. Mineral titles are verified, and then leases are obtained with the intent to develop. They have leased 140,000 acres. The lease agreement states that we warrant the mineral rights. This statement will be removed from the agreement. Motion is made by Commissioner Frischknecht to approve the lease as amended. The motion is seconded by Commissioner Bartholomew, and the motion passes. Brody Keisel, County Attorney will review the lease before it is signed.

**PUBLIC HEARING TO AMEND THE PINE CREEK MEADOWS SUBDIVISION TO CHANGE THE LOT LINE BETWEEN LOT #1 AND LOT #2, AND ALSO BETWEEN LOT #2 AND LOT #3**

Scott Olsen is present. Cabins were built overlapping lot lines. This amendment will correct the setbacks for the dwellings on the properties. Motion is made by Commissioner Frischknecht to approve the lot line changes in Pine Creek Meadows subdivision between lots #1 and #2, and also between lots #2 and #3. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**MARK DALLEY: DISCUSSION OF REQUEST FOR PROPERTY TAX AND PENALTIES RELIEF ON S 3482X8 (CENTERFIELD COMMUNITY LIVING CENTER)**

Brian Murray and Jeff Christensen are present. The care center went out of business, bankrupt and was under foreclosure. There is a moratorium on issuing licenses for nursing homes. Gunnison Valley Hospital teamed with Mission Health to keep this facility open while it underwent the foreclosure procedures. The request today is to abate the penalty and interest on the taxes. The hospital has the ability to pay, but would like to use the money to invest in needed upkeep to the facility. The current owners weren't the party that didn't pay the taxes. Without their purchasing of the facility, a lot of jobs would've been lost in the County. The Commission appreciate them for making this purchase and keeping the facility in the community. Anytime there is a tax liability it handicaps all the entities who are relying on the taxes. Jeff Christensen states that if they had not

purchased the facility, this tax base and jobs would've been lost to the County because of the moratorium. The Commission appreciate that this facility will remain in business in the County. Motion is made by Commission Bartholomew to deny the request to waiver the late fees and penalties. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**DALE BERRY (S 24634) AND RICK NIELSEN (S24643): APPROVAL TO RE-BUILD WITHOUT A WELL IN ELK RIDGE RANCHES**

Dale Berry and Rick Nielsen are present. Their dwellings burned down in the Wood Hollow fire. They state that these buildings were built prior to the requirement for having water. Elk Ridge was platted in 1975 and 1978. Tracy Christensen states that the first time the cinder block building showed up on tax rolls was in 1985. This subdivision is not considered a dry subdivision. Motion is made by Commissioner Frischknecht to table this matter until more information is gathered to confirm that these buildings were there prior to 1978, when the subdivision was created. The motion is seconded by Commissioner Bartholomew, and the motion passes. This will be heard on June 3, 2014.

**BRODY KEISEL REPRESENTING THE CHILDREN'S JUSTICE CENTER: APPROVAL OF WAGE INCREASE FOR DIRECTOR DIANE KEELER; APPROVAL TO HIRE A PART-TIME DIRECTOR**

Motion is made by Commissioner Bartholomew to approve a wage increase for Diane Keeler to \$17.68 per hour effective immediately. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Bartholomew to approve hiring a part-time director for the Children's Justice Center at the rate of \$15.00 per hour. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**BRODY KEISEL: APPROVAL OF A 1 YEAR STEP INCREASE FOR KEVIN DANIELS**

Motion is made by Commissioner Frischknecht to approve a \$5,000.00 step increase for Kevin Daniels effective this pay period. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**TRACY CHRISTENSEN: APPROVAL TO POST AN OPENING FOR A FULL TIME BUILDING INSPECTOR**

Tracy Christensen is present. Richard Nielsen retires on August 14, 2014. Mr. Christensen asks if an overlap time is allowed when hiring a new inspector. It may be hard to find an inspector with full certification. If there is not enough money in the budget, they won't be able to overlap the employee time. This is normally a busy season for their department. Options are discussed for covering the duties while a new employee is in training.

**SHERIFF NIELSON: APPROVAL TO HIRE TROY LEWIS, RYAN MCARTHUR AND MALCOLM POWELL AS PART-TIME JAIL DEPUTIES**

Debbie Hatch is present. Motion is made by Commissioner Bartholomew to approve hiring Troy Lewis, Ryan McArthur, and Malcolm Powell as part-time jail deputies at the rate of \$13.79 per hour. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**JIM NOORLANDER: REQUEST FOR COMMISSIONERS SIGNATURE ON NOTICE OF APPROVAL FOR LOT CHANGE ON S 24507, LOT 8 IN FAIRVIEW RANCHES**

Jim Noorlander and Scott Olsen are present. Scott Olsen explains that state law and our ordinance allows a lot line adjustment to take place and be recorded on the ownership plat (and not the subdivision map). This change does not create a remnant piece, and is not large enough to build a dwelling on. Mr. Noorlander explains that a neighbor is building a fence on his property, and rather than fight, he's deeding that portion of the property to the neighbor. Motion is made by Commissioner Bartholomew to approve this change. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**REVIEW AND APPROVAL OF LETTER TO UTAH STATE EXTENSION TERMINATING THE 4-H ASSISTANT POSITION**

USU Extension has requested permission to terminate the Cooperative Agreement in order to reallocate their budget. Motion is made by Commissioner Frischknecht to approve a letter terminating the Cooperative Agreement. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**ROBINETTE BENTON: REQUEST A PUBLIC HEARING TO AMEND THE SUBDIVISION CODE PERTAINING TO THE WATER REQUIREMENTS FOR FULL TIME RESIDENTIAL DWELLING**

Robinette Benton and Scott Olsen are present. This amendment gives the property owner permission to use surface irrigation water as part of the water acreage required. Motion is made by Commissioner Frischknecht to allow a public hearing to amend the subdivision code pertaining to the water requirements for full time residential dwelling. The motion is seconded by Commissioner Bartholomew.

Motion is made by Commissioner Bartholomew to go into executive session to discuss ongoing litigation. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**EXECUTIVE SESSION**

Motion is made by Commissioner Bartholomew to go out of executive session. The motion is seconded by Commissioner Frischknecht, and the motion passes. No action was necessary due to this executive session.

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

The meeting is adjourned at 4:15 P.M.

ATTEST: *Sandy Neill*  
Sandy Neill  
Sanpete County Clerk

APPROVED: *Claudia Jarrett*  
Claudia Jarrett  
Commission Chair