

**SANPETE COUNTY COMMISSION MEETING**

**September 16, 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 #334363 through #334467 . The motion is seconded by Commissioner Bartholomew, and the motion passes.

**ADOPTION OF A RESOLUTION REQUESTING THE RE-CERTIFICATION OF THE SANPETE COUNTY JUSTICE COURT**

Judge John Cox is present. The resolution is read for the record. (See the attached resolution.) Motion is made by Commissioner Bartholomew to adopt resolution #09 16 2014, Requesting the Recertification of the Sanpete County Justice Court. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**ROGER REES: APPROVAL OF RIGHT OF WAY AGREEMENT TO INSTALL IRRIGATION PIPE AND POWER CABLE FOR SPRINKLER ON AT 300 NORTH AND 200 EAST IN WALES**

This right of way has been reviewed by Steve Keller. Motion is made by Commissioner Frischknecht to approve the right of way agreement for Roger Rees to cross county road east of the 300 North 200 East intersection in Wales to install irrigation pipe and power cable for sprinklers. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**KERRY NIELSON WITH SEARCH AND RESCUE: REQUEST TO PURCHASE A SNOW MOBILE; REQUEST PERMISSION TO PURSUE CIB GRANT FOR A SNOW CAT PURCHASE**

Kerry Nielson is present. Motion is made by Commissioner Bartholomew to approve the purchase of a snowmobile at approximately \$10,700.00. The motion is seconded by Commissioner Frischknecht, and the motion passes. This will be paid by Sanpete County, and then reimbursed by search and rescue. Search and Rescue would like to apply for a grant from CIB for a new snow cat. This matter will be deferred for a while to have a better chance for the grant. The Commission will check to make sure that this is on the CIB list. The addition on the search and rescue building is finished, and they would like the road department to finish the gravel in front of the building.

**SHERIFF BRIAN NIELSON: APPROVAL OF A STEP INCREASE FOR TONIA CASTRO; APPROVAL OF A STEP INCREASE FOR SETH HENDRICKSON; APPROVAL OF A STEP INCREASE FOR JARED HILL; APPROVAL TO EXPEND THE UTAH DEPARTMENT OF HEALTH PER CAPITA GRANT FOR DISPATCH; APPROVAL TO EXPEND 2014 JAG GRANT**

Sheriff Brian Nielson is present. Motion is made by Commissioner Frischknecht to approve a step 2 increase for CRO Tonia Castro to \$16.29 per hour effective September 5, 2014. The motion is seconded by Commissioner Bartholomew, and the motion passes. Motion is made by Commissioner Bartholomew to approve a step 1 increase for Patrol Officer Seth Hendrickson to \$17.43 per hour effective October 1, 2014. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Bartholomew to approve a step 1 increase for Program Director Jared Hill to \$24.66 per hour, effective October 1, 2014. The motion is seconded by Commissioner Frischknecht, and the motion passes. Motion is made by Commissioner Frischknecht to approve the expenditure of the Utah Department of Health Per capita Grant for Dispatch in the amount of \$91.00 for training. The motion is seconded by Commissioner Bartholomew, and the motion passes. Motion is made by Commissioner Bartholomew to approve the expenditure of the 2014 JAG grant in the amount of \$7,500.00 for radar and training. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**PUBLIC HEARING AND ADOPTION OF AMENDMENTS TO THE SANPETE COUNTY SUBDIVISION ORDINANCE (PERTINENT TO WATER REQUIREMENTS AND ROADBED CONSTRUCTION STANDARDS)**

Now is the time for the public hearing. No comments are made from the public. Zoning Administrator Scott Olsen is present. Items to be amended involve road and water requirements in subdivisions. Motion is made by Commissioner Frischknecht to adopt the amendments as presented. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**STEVE AND CAROL BURK: REQUEST FOR A PUBLIC HEARING FOR APPROVAL OF A PLAT AMENDMENT TO BLACKHAWK PLAT B, LOTS 59 AND 60 (PARCELS 50128 AND 50129)**

Scott Olsen is present. The requested plat amendment will rearrange 2 lots that are each split by a road. The new lots will each be on one side of the road. The lot sizes will be essentially the same. Motion is made by Commissioner Frischknecht to set a public hearing to amend the lots. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**JARON AND JAMIE WITHER: APPROVAL OF A ONE-LOT MINOR SUBDIVISION LOCATED NORTH WEST OF MT. PLEASANT IN THE A ZONE ON S 22223x2**

Jaron Wither is present. Scott Olsen stated that a deed gap was found during a survey of the property. Attorney Brody Keisel is concerned with approving this before the gap is taken care of. Scott Olsen states that the gap has existed for years. Another home nearby was built, and no one was made aware of the gap. Motion is made by Commissioner Frischknecht to approve the one-lot minor subdivision subject to filing an action in court for a quiet title to obtain ownership of the property involved in the deed gap. The subdivision can then be recorded after the court case is filed. Occupancy of the home will not be allowed until quiet title is obtained. The motion is seconded by Commissioner Bartholomew, and the motion passes.

**MARTY DUITZ: DISCUSSION AND APPROVAL OF AMENDED REPAIRS TO THE INDIANOLA VALLEY FIRE STATION (IVFS); DISCUSSION AND APPROVAL TO RE-PAVE THE IVFS PARKING LOT**

Marty Duitz is present. Repairs were made to the exterior of the IVFS, and an additional \$2,500.00 was added to the estimated cost because more work and material were required. Mr. Duitz was in touch with the contractor throughout the process, but he was not made aware of the increased costs. Mr. Duitz does not believe that their reserve account should be used to pay for funds for repairing the County owned fire station. The Commission explained that they took a leap of faith when they built the IVFS, and created a special assessment area to benefit the people in the north end of the County. The reserve account should be the Indianola Valley Fire Station's contribution to help support the facility. The County can't afford to support the entire department. The Indianola Valley Fire Department is reimbursed for firemen and also equipment used when they assist with fires on state and federal lands. It should be understood that the firemen's time should be reimbursed from these funds. Should some of the costs for repairs be taken from the reserve account since funds are put in there for that purpose? The Commissioners do not authorize the payment of the additional charges for the repair work done at this time. The additional charges will be considered if Mr. Stallings comes to the Commission. Mr. Duitz obtained bids on chip sealing the parking lot. He will put this in his budget for next year, to be done when the weather is appropriate.

**SANDY NEILL: APPROVAL OF EXPENSES FOR BY MAIL ELECTION IN THE AMOUNT OF APPROXIMATELY \$15,000.00**

County Clerk Sandy Neill would like to mail all the ballots for the upcoming election. The costs will be a bit higher than what was budgeted for. The clerk has been able to get mail permits to cut down the cost of mailing the ballots. Business reply mail will be used for returning ballots. If a voter chooses to hand deliver the ballot, we will not be charged for the return postage. Motion is made by Commissioner Bartholomew to approve the expenditure of approximately \$15,000.00 for the November election. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL OF MINUTES**

Minutes will be approved at a future meeting.

**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 4:00 P.M.

ATTEST: *Sandy Neill*  
Sandy Neill  
Sanpete County Clerk

APPROVED: *Claudia Jarrett*  
Claudia Jarrett  
Commission Chair

09-16-2014

**A RESOLUTION REQUESTING THE RECERTIFICATION OF  
THE SANPETE COUNTY JUSTICE COURT**

WHEREAS, the provisions of U.C.A. 78A-7-103 require that Justice Courts be recertified at the end of each four-year term; and

WHEREAS, the term of the present Court shall expire in February 2015; and

WHEREAS, the members of the Sanpete County Commission have received an Opinion letter from Brody L. Keisel, which sets forth the requirements for the operation of a Justice Court and feasibility of continuing to maintain the same; and

WHEREAS, the members of the Sanpete County Commission have determined that it is to the best interests of Sanpete County to continue to provide for a Justice Court;

BE IT RESOLVED, the Sanpete County Commission hereby requests recertification of the Sanpete County Justice Court by the Justice Courts Standards Committee and the Utah Judicial Council.

BE IT FURTHER RESOLVED that the Sanpete County Commission of Sanpete County hereby affirm their willingness to continue to meet all requirements set forth by The Judicial Council for continued operation of the Sanpete County Justice Court for the next four-year term of court, except as to any requirements waived by the Utah Judicial Council.

APPROVED and signed this 16<sup>th</sup> day of September 2014.



SANPETE COUNTY

By *Claudia Jarrett*  
CLAUDIA JARRETT  
Commissioner Chair

ATTEST:

*Sandy Neill*  
SANDY NEILL  
Sanpete County Clerk