

# **Sanpete County Planning Commission Meeting**

September 10, 2025 6:30 P.M.

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

Attendees: Planning Commission Chair Curtis Ludvigson, Co-Chair Cody Harmer and Board

Members: Claudia Jarrett, Gene Jacobson and Reed Hatch. Sanpete County Zoning

Administrator Steven Jenson and Sanpete County Deputy Clerk Heather Pyper. Also in attendance is Sanpete County Commissioner Mike Bennett. Sanpete County Recorder Talisha Johnson joined via ZOOM. Board Members Justin Atkinson and Jo-Anne Riley are excused.

Meeting is called to order by Curtis Ludvigson. Thanking all those in attendance.

## **Approval of the Agenda**

The motion is made by Reed Hatch to approve the Agenda.

The motion is seconded by Gene Jacobson. All in favor, none opposed and the motion passes. Vote by voice: Cody Harmer, aye; Gene Jacobson, aye; Claudia Jarrett, yes; Reed Hatch, aye and Curtis Ludvigson, aye.

## **Discussion for possible approval of a 1-lot Major Subdivision (Burningham–Fairview), submitted by Kevin and Tiffany Burningham. The proposed subdivision is located South of Fairview City, in the RA-1 Zone and would consist of 1-lot totaling 2.61 acres. The property is identified as Parcel #S-22001X.**

Mr. Burningham is present. Mr. Jenson presents the item, noting that it was previously presented to the Planning Commission but was tabled because it had not been advertised correctly, a Title Search in the applicant's name needed to be submitted, and impact fees needed to be paid to the city. Mr. Jenson reads from the updated letter submitted by Fairview City: "Upon payment of impact fees, Fairview City will supply standard power, water, and sewer located in County Parcel 22001X for Kevin Burningham. All applicable requirements of Sanpete County must also be met before the utilities will be provided. As of 08/28/2025, all impact fees have been paid by Kevin Burningham for this property. Fairview City Fire Department provides fire protection to this area; Fairview City does not provide police protection to this area. At this time, the city is not planning annexation of this property." The Mylar copy of the survey has been reviewed and approved by the Recorder's Office and submitted, along with a PDF of the preliminary survey, for final review by the Planning

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Commission. An Owner Affidavit has been signed, notarized, and submitted. A letter from Fairview City confirms that water, sewer, and power will be connected to the property once impact fees are paid. The Sanpete County Road Supervisor has approved access to the property from the county road. A Police/Fire/Ambulance Waiver has been signed, notarized, and submitted by the applicants. Taxes are current and paid. A copy of the updated Title Search has been submitted, and all fees have been paid. The Boundary Line Agreement has been signed and submitted. This application meets all ordinance requirements, and the Zoning Department recommends approval by the Planning Commission. Ms. Jarrett asks about access from the driveway. Mr. Jacobson notes that the property is significantly lower than the roadway and asks what will happen with that road. Mr. Burningham states that they are building it up to road grade and will not have visibility issues.

Motion is made by Claudia Jarrett to approve the application of Kevin and Tiffany Burningham (Burningham-Fairview) 1-lot Major Subdivision. The proposed subdivision is located South of Fairview City, in the RA-1 Zone and would consist of 1-lot totaling 2.61 acres. The property is identified as *Parcel #S-22001X*.

The motion is seconded by Cody Harmer. All in favor and the motion passes.

**Discussion for possible approval of a 13-lot Major Subdivision (Alden Johansen) submitted by Steven Johansen. The proposed subdivision is located west of Mount Pleasant City in the RA-2 Zone. The subdivision would consist of Lot 1 at approximately 0.96 acres, Lot 2 at approximately 0.96 acres, Lot 3 at approximately 1.07 acres, Lot 4 at approximately 1.07 acres, Lot 5 at approximately 1.05 acres, Lot 6 at approximately 1.04 acres, Lot 7 at approximately 1.00 acre, Lot 8 at approximately 1.00 acre, Lot 9 at approximately 1.00 acre, Lot 10 at approximately 1.00 acre, Lot 11 at approximately 2.32 acres, Lot 12 at approximately 1.09 acres, and Lot 13 at approximately 1.09 acres. Parcels number's included are S-27421, S-27421X, and S-27421X1.**

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Mr. Jenson presents the item. Mr. Johansen is present and presents an updated Mylar to the Board. The Mylar copy of the survey has been reviewed and approved by the Recorder's Office and submitted, along with a PDF of the preliminary survey, for final review by the Planning Commission. An Owner Affidavit has been signed, notarized, and submitted. A letter from Mount Pleasant City was provided, indicating the City intends to supply water, sewer, and power to the property once impact fees have been paid. The Sanpete County Road Supervisor has approved access to the property from the county road. A Police/Fire/Ambulance Waiver has been signed, notarized, and submitted by the applicants. Taxes are current and paid. A copy of the current Title Search has been submitted for the properties. All Boundary Line Agreements have been recorded with the County Recorder's Office. All application fees have been paid. This application meets all ordinance requirements, with the exception of the infrastructure not yet being complete. The Zoning Department recommends approval by the Planning Commission. Mr. Jenson states that the infrastructure has not been completed. Mr. Johansen explains that the bank will not approve him for a loan to complete the infrastructure until the subdivision is approved. He further states that lots will not be sold until they are completed to County standards, and he is requesting a signature of approval contingent upon County Standard Infrastructure being completed. Mr. Jacobson asks if, based on that statement, the Commission can approve a preliminary plat for Mr. Johansen to take to the bank, and whether there is anything else that still needs to be completed. Mr. Jenson replies that everything is complete except the infrastructure. Mr. Jacobson asks if an approved preliminary plat would be sufficient for Mr. Johansen's needs. Mr. Johansen responds that it should be. Mr. Harmer raises questions about the property boundary lines on the east side, noting that it does not appear the property line goes to the center of the road. Mr. Johansen states the Mylar has been updated to show that. Mr. Jacobson asks about fence lines with neighboring properties. Mr. Johansen explains that he spoke with the City Council regarding the easement on the east side of the property, which is City property that others have built onto. He states he has received approval to use the easement as a secondary access. Ms. Jarrett suggests that Mr. Johansen obtain a copy of the City Council minutes confirming access to the road and keep them in his records. Mr. Ludvigson asks about the width of the road. Mr. Johansen states there is 30 feet, and the City

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requires at least 24 feet. Mr. Jacobson asks about phasing. Discussion ensues on the topic of phasing. Mr. Jenson then asks about the water shares submitted with the application and whether the City is requiring Mr. Johansen to turn them in. Mr. Johansen responds that the City is not. Further discussion follows regarding water shares.

Motion is made Reed Hatch to approve the Preliminary Plat dated 08-08-2025 by Steven Johansen (Alden Johansen) 13-lot Major Subdivision. The proposed subdivision is located west of Mount Pleasant City in the RA-2 Zone and would consist of Lot 1 at approximately 0.96 acres, Lot 2 at approximately 0.96 acres, Lot 3 at approximately 1.07 acres, Lot 4 at approximately 1.07 acres, Lot 5 at approximately 1.05 acres, Lot 6 at approximately 1.04 acres, Lot 7 at approximately 1.00 acre, Lot 8 at approximately 1.00 acre, Lot 9 at approximately 1.00 acre, Lot 10 at approximately 1.00 acre, Lot 11 at approximately 2.32 acres, Lot 12 at approximately 1.09 acres, and Lot 13 at approximately 1.09 acres. Parcels numbers included are *S-27421*, *S-27421X*, and *S-27421X1*

The motion is seconded by Cody Harmer with the correction on the date of 08/20/2025. All in favor, none oppose and the motion passes.

The motion is amended by Gene Jacobson, stating that the Commission will approve this as a preliminary plat contingent upon the completion of the required items or bonding, and that there will be no further requirements for a Final Plat.

Ms. Pyper asks if it would be acceptable to use the draft minutes, noting that they will not be formally approved until next month. Mr. Hatch asks if the draft minutes will be available on the website the following day. Ms. Pyper clarifies that the recording will be available, not the minutes. Mr. Jacobson states he will have the preliminary plat and the minutes to show. Ms. Pyper again asks if it is acceptable to use the draft minutes rather than the approved version. Mr. Hatch states that the plat should be clearly marked as "Preliminary."

The amended motion is seconded by Cody Harmer. All in favor, none oppose and the motion passes.

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**Discussion for possible approval for a 1-lot Small Subdivision (Dalley) application by Dan and Michelle Dalley. The proposed subdivision is located East of Centerfield City in the RA-2 Zone and would consist of 1 lot of approximately 2.21 acres. Parcel # S-10322X.**

Mike Wanner (the contractor) is present. Mr. Jenson presents the item. The Mylar copy of the survey has been reviewed and approved by the Recorder's Office and submitted for final review by the Planning Commission. An Owner Affidavit has been signed, notarized, and submitted. A letter from the Central Utah Health Department confirms approval for one septic system. Rocky Mountain Power will be installing power to the property. A letter from Centerfield City indicates that they will connect water to the subdivision. The Sanpete County Road Supervisor has approved access to the property from the county road. A Police/Fire/Ambulance Waiver has been signed, notarized, and submitted by the applicants. Property taxes are current, and a copy of the current Title Search has been submitted. All fees have been paid. This application meets all ordinance requirements, and the Zoning Department recommends approval by the Planning Commission. Mr. Hatch asks if there is an easement for the water line, noting that it does not appear on the plat. Mr. Wanner responds that the water line is installed and the meter is in place, so he assumed there must be an easement or it would not have been permitted. Ms. Jarrett notes that it simply is not shown on the plat. Mr. Jacobson states that several items are missing from the plat. He notes that a Rocky Mountain Power easement listed in the Title Search is not shown on the plat. He also references the ordinance requirement of a 33' easement from the center of the road, pointing out that on Mr. Dalley's plat it only shows 26' to 15.68'. Discussion follows regarding the 33' easement requirement. Mr. Jacobson asks about an existing building on the property. Mr. Wanner states he cannot recall what it is but believes it may be a connex container. If it is, he suggests it should be removed from the plat so it does not split property lines. Mr. Jacobson continues, noting additional missing details from the plat such as setback lines and the PUE. He explains that Mr. Dalley is close to having everything correct. Mr. Wanner expresses concern that Mr. Dalley will be very upset if the subdivision approval is delayed another month. Tensions rise and discussion ensues regarding plat requirements. Commissioner Bennett states that similar issues have come up in past meetings and asks why it cannot be

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approved that evening, contingent upon the requirements being met before signing. Mr. Ludvigson responds that the Commission has been operating that way and requirements are getting completed. Mr. Bennett notes that a precedent has already been set. Mr. Harmer states that the Commission needs the Final Plat for approval and cannot approve it based on a Preliminary Plat. Mr. Jacobson asks Mr. Ludvigson if the plat could be approved subject to Mr. Dalley completing all requirements outlined in the Sanpete County Subdivision Ordinance. Discussion follows regarding the distinction between a Preliminary Plat and a Final Mylar.

Motion is made by Gene Jacobson to approve a preliminary plat to come that will include all Small Subdivision Ordinance requirements, including a Rocky Mountain Power Easement, 10' setback lines, 33' from the center of the road easement and removing the connex from the plat and PUE. Also the engineered Final Plat must meet the requirements and submitted prior to the County Commissioner meeting. *Parcel # S-10322X*

The motion is seconded by Reed Hatch. Claudia Jarrett, nay and the motion passes.

Ms. Jarrett explains her nay vote, stating that just because there is a precedent does not mean it must continue. Mr. Ludvigson agrees, adding that making a mistake once does not mean it should be repeated. He further suggests it would be helpful to provide applicants with a simple one-page checklist when they apply. Mr. Hatch responds that the information is already available online. Mr. Jenson adds that a PDF file containing the requirements is included with the application materials online. Mr. Ludvigson argues that the Commission could still do more to help applicants. Mr. Jenson replies that he would be glad to assist every applicant personally, but most applicants do not visit his office until the very end of the process. Ms. Jarrett notes that applicants only appear before the Commission once a month, which gives them just one opportunity to present their application; otherwise, they must wait another month.

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## **Discussion of a Concept Plan for a 1-lot Major Subdivision by Sam Maestas located North of Sterling City.**

Mr. Maestas suggests to the Commission that applicants be encouraged to come in with a Concept Plan. Mr. Harmer states that he agrees. Mr. Jacobson notes that the State does not require it. Mr. Maestas responds that while it may not be required, it can still be recommended. Mr. Maestas explains that he originally presented a four-lot subdivision and the Planning Commission suggested phasing. However, when the subdivision was later presented to the County Commissioners as phased, they would not accept it as such. Mr. Hatch comments that it was presented differently to the County Commissioners than it had been to the Planning Commission. Mr. Jacobson asks about the fence that goes up the hill. Mr. Maestas apologizes if he offended anyone on the Commission, stating that he was only trying to help save people time and money. Mr. Jacobson then asks about the green gate. Mr. Maestas clarifies that the gate is not his. Mr. Hatch asks which two lots have been approved, and Mr. Maestas points them out on the plat. Mr. Maestas adds that he is making a change to the easement on the plat and reducing the size of one lot. Mr. Hatch asks that the subdivisions be named on the plat. Mr. Harmer asks for the frontage measurements. Mr. Ludvigson inquires about the road that will be used, followed by a question about water. Mr. Jacobson reminds Mr. Maestas not to forget about the easement. Ms. Jarrett confirms that only one additional lot is being added. Discussion follows regarding whether the subdivision was phased or not, and about recommending Concept Plans. Mr. Harmer asks if it would be possible to add to the application that a Concept Plan is optional but highly recommended. Mr. Jacobson asks whether the remaining parcel will become landlocked. Mr. Maestas responds that it will not. Mr. Jacobson advises that whenever land is in Greenbelt, it should be rolled out of Greenbelt before subdivision approval, as converting it directly into a subdivision from Greenbelt status is more complicated and costly.

## **Discussion with Eric Peterson about a possible ordinance change to allow development on Birch Creek Service Ranch.**

Steve Peterson is present. Mr. Hatch states this is regarding the youth home. Mr. Peterson explains that his son, Eric Peterson, is seeking a permit to build a bunkhouse, as the youth

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have been staying in tents. Mr. Ludvigson asks what ordinance would need to change. Ms. Jarrett states it would require a Conditional Use Permit. Mr. Jensen notes that clarification is needed regarding what is required. Mr. Hatch comments that Wind Walker Ranch and the Scout Camp have both built structures without such limitations. Mr. Jensen explains that when the ordinance was last updated, the Planning Commission discussed updating provisions related to ranches and service ranches, but no changes were adopted. He notes that the matrix currently lists this use as a Conditional Use Permit, but there are no standards in place. Mr. Peterson states that Eric had approached Mr. Jensen about building a bunkhouse and was told it was not possible because nothing in the ordinance allows for it, and the only option would be to subdivide the property. Mr. Peterson explains that an engineer surveyed the property, which was costly, and others advised against subdividing since that would trigger subdivision taxes, even though it is not a subdivision but a ranch. Mr. Jacobson asks the current status of the property and its size. Mr. Peterson replies that it consists of 80 acres and is a single parcel. Mr. Jacobson asks how many bunkhouses are being requested. Mr. Peterson responds that only one is needed at this time. Mr. Jacobson clarifies his question about the definition of a bunkhouse—whether it would be a building with bathrooms or simply sleeping quarters. Mr. Peterson presents the plans, and Mr. Harmer notes that a bunkhouse was approved in 2018 but not built due to cost. Mr. Hatch asks if bathrooms will be included. Mr. Peterson responds yes. Mr. Jensen asks about the square footage, and Mr. Ludvigson replies that it is 470 square feet. Mr. Hatch asks if there is a main structure on the property, noting that an accessory dwelling unit could be permitted if so. Mr. Peterson explains there is already an ADU on the property, so another is not permitted. Mr. Jacobson asks if a Conditional Use Permit could apply. Mr. Jensen responds that with campgrounds or RV parks, allowances are made for parcels over 10 acres and not less than 5 acres. Mr. Jacobson asks how many sleeping units are allowed. Mr. Jensen answers that the standard is 8 per acre. Mr. Hatch expresses concern that allowing this could set a precedent, referencing 6-Mile in Sterling. Mr. Jensen suggests the ordinance could be clarified specifically for service ranches. At this point, side conversations make it difficult to follow all remarks. Mr. Jensen references the definition of a Farm Labor Dwelling, which is permitted in an Agricultural Zone on a functioning 1,000-square-foot farm or ranch. Mr. Hatch asks whether



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the definition could be changed to apply to service ranches. Mr. Harmer notes that this is a 501(c)(3), meaning it would never be sold off as a subdivision. Mr. Hatch points out that Conditional Use Permits do not typically come before the Planning Commission. Ms. Jarrett clarifies that this would require an ordinance change. Mr. Ludvigson raises the concern of whether it is appropriate to change an ordinance to accommodate one person. Mr. Harmer responds that the ordinance is incomplete as written, and clarification and standards are needed. Mr. Hatch adds that there should be limits on the number of structures, as well as minimum and maximum size requirements to maintain the agricultural zoning. Mr. Harmer agrees, suggesting stipulations such as prohibiting full-time residency, leasing, or Airbnb use. Mr. Ludvigson states that he sees little difference between this and an Airbnb. Mr. Hatch replies that Airbnbs are treated as secondary homes, while this is tax-exempt. Mr. Ludvigson states that zoning and structural requirements—not tax status—are the Commission’s responsibility. Mr. Jacobson adds that the County would still need to address the use of the property. Discussion continues over whether the structures would, in effect, be rented out for nightly use. Mr. Peterson clarifies that the proposed stipulations specifically state the bunkhouses cannot be rented or leased. Mr. Hatch questions how this differs from the Scout Camp, concluding that there is little difference. He adds that youth homes are allowed to build such facilities under state code, but this situation is restricted because it is not defined in the ordinance. Mr. Harmer references Pine Creek Ranch as an example, noting it has multiple sleeping units, kitchens, and bathrooms, and houses hundreds of children because it is classified as a youth home under the ordinance. Mr. Peterson responds that this facility is not a youth home, but a ranch for children who are not in trouble. Mr. Hatch clarifies that youth homes are only being referenced as an example. Mr. Ludvigson asks for the location of the property. Mr. Harmer explains it is between Pigeon Hollow and Old Pigeon Hollow. Ms. Jarrett states that the current matrix already lists this ranch, but the ordinance lacks a definition to support it. She explains that the request is simply to add a definition. Mr. Peterson asks if requirements would also be needed. Mr. Harmer responds that requirements would be part of the definition. Mr. Jacobson reads from the County Commission minutes of December 18, 2018:

“Motion is made by Commissioner Jarrett to also include Service Ranch in the matrix item

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‘Regional Camps/Resorts/Dude Ranch.’ The motion is seconded by Commissioner Lund, and the motion passes.” Mr. Ludvigson asks what process is required to get a definition added into the ordinance. Mr. Harmer requests that Mr. Peterson continued reading the proposed definition: *“A privately owned site designed for the intended use or purpose of providing temporary housing, recreation programs, and service opportunities.”* Mr. Ludvigson asked about the availability of utilities. Mr. Peterson responded that Rocky Mountain Power provides service and there is a well on site. Mr. Jacobson asked if Mr. Harmer could review the definitions and requirements with Mr. Peterson. Ms. Jarrett stated that only facility requirements would be needed. Mr. Jacobson raised the concern of whether the definition could be broad enough for others to use it outside of its intended purpose. Several board members voiced concerns that the term *Service Ranch* could be misused, duplicated, or applied inappropriately. Ms. Jarrett clarified that Mr. Harmer will work with Mr. Peterson and Mr. Jensen to draft a formal definition for *Service Ranch*. She asked whether a work meeting should be scheduled before the Public Hearing. Mr. Hatch suggested that Mr. Daniels also review the draft document for any concerns or changes. Mr. Jensen reminded the Commission that a Public Hearing Notice must be posted 30 days prior to the meeting, which places the Public Hearing in November.

### **Discussion of possible noise ordinance for barking dogs and quantity on properties found within the Buffer Zone in the County.**

Mr. Hatch asked who would be responsible for enforcement. Mr. Harmer suggested it should fall under “Noise and/or Nuisance,” Mr. Hatch noting that issues such as multiple semi-trucks starting early in the morning would also qualify as noise concerns. Mr. Bennett explained the issue was brought back because of how it had previously been placed on the agenda. A recent incident in Ephraim involving excessive barking dogs, vicious dogs, and one reported dog bite led the County Commissioners to refer the matter to the Planning Commission. Mr. Bennett reported he had spoken with Ephraim’s Mayor about adopting the City’s ordinance into the County Buffer Zone, and Mayor Scott expressed support. Mr. Hatch agreed, stating the County currently has no enforcement mechanism or animal shelter. Mr. Harmer concurred, adding that such matters should be handled by the city in which the

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Buffer Zone is located. Mr. Bennett also noted Gunnison's incoming Mayor supported the concept. Mr. Ludvigson asked if cities have authority to enforce ordinances in the County. Mr. Hatch responded that they can, if the County and City enter into agreement. Mr. Harmer added that the County may delegate responsibilities within Buffer Zones. Ms. Jarrett stated this matter should not be addressed by the Planning Commission but rather through a joint meeting between the Mayors and County Commissioners, with an Interlocal Agreement established. Mr. Ludvigson agreed. Mr. Ludvigson raised concerns about cities and towns lacking resources for enforcement. Mr. Harmer stated in those cases the responsibility would fall back on the County, which would need to issue citations and manage costs. He emphasized this should apply only to Buffer Zones due to their higher density. Mr. Ludvigson stated the matter seemed more appropriate for Mr. Daniels. Mr. Jensen clarified that the recommendation in fact originated from Mr. Daniels, who suggested addressing it in Buffer Zones. Mr. Jensen also reminded the Commission that under current County Ordinance, residents may keep up to three dogs, after which they must obtain a Conditional Use Permit required for kennels. Mr. Ludvigson suggested confirming whether this is already covered under State law before moving forward. Ms. Jarrett concluded that if the County were to adopt a new ordinance, the Commissioners must be prepared to allocate budget for enforcement, kenneling, and related responsibilities.

### **\*Not on the Agenda\***

Mr. Jacobson stated he will prepare a checklist of required items for applicants and asked that the Commission review it for accuracy, so applicants can use it when submitting online. Mr. Harmer recommended requiring the Surveyor to sign the checklist, confirming they have reviewed all items, and asked whether plats could also be clearly labeled as "Preliminary" or "Final." Mr. Jensen noted that this requirement is already listed on the application. Mr. Harmer expressed concern that some Surveyors are not reviewing County Ordinances carefully, resulting in plats that are incomplete or inaccurate. Mr. Bennett asked what is being reviewed during the required 21-day advance period. Mr. Jensen explained that surveys are reviewed during this time and that he communicates with applicants regarding any missing information. Mr. Ludvigson suggested requiring whoever picks up the application to

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sign the new document acknowledging receipt. Mr. Harmer responded that because the process is online, the checklist should be directed to the Surveyor rather than the applicant. He further suggested that the checklist be sent to the Surveyor at the same time the PDF plat file is sent to Mr. Jensen for review. Mr. Jensen asked if the checklist could be separated into two versions: one for Preliminary Plats and another for Final Plats.

## **Approval of August Minutes**

Motion is made by Claudia Jarrett to approve the Planning Commission minutes from August 13, 2025, with no corrections.

The motion is seconded by Reed Hatch. All in favor, none oppose. The motion passes.

## **Adjournment**

With no further business before the Planning Commission, a motion to adjourn is made by Reed Hatch. The motion is seconded by Cody Harmer. All in favor, none opposed, and the motion passes. The meeting is adjourned at 9:00PM.