

## **SANPETE COUNTY COMMISSION MEETING**

**July 6, 2010, 10:00 A.M.**

Sanpete County Courthouse, 160 North Main, Room 303, Manti, Utah

Present are: Commission Chair Claudia Jarrett, Commissioners Spencer Cox and Steve Frischknecht, County Attorney Ross Blackham, and County Clerk Sandy Neill. Present from the media is C.R. Truitt.

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 #323605 through #323771, with the exception of #323698 and 323738, which will be reviewed later in this meeting. The motion is seconded by Commissioner Cox, and the motion passes. After further discussion with Sheriff Holman, motion is made by Commissioner Cox to approve claims #323698 and #323738. The motion is seconded by Commissioner Frischknecht, and the motion passes.

### **AUDITOR ILENE ROTH: APPROVAL OF TAX RATE; SET DATE FOR BOARD OF EQUALIZATION**

Auditor Ilene Roth is present. Date and times for the board of equalization we be set as follows: Wednesday, August 18<sup>th</sup> from Noon to 7:00 P.M., and Thursday, August 19<sup>th</sup> from 9:00 A.M. to Noon, and 1:00 P.M. to 5:00 P.M. The budget hearing will be held on December 7, 2010 in the morning, and the budget adoption on the same day in the afternoon. The tax rate for 2011 is discussed. Motion is made by Commissioner Frischknecht to approve the tax rate of .002777. The motion is seconded by Commissioner Cox, and the motion passes. A work meeting will be held on Thursday, July 8 at 9:00 A.M. to work on the budget.

### **APPROVAL TO PAY UTAH STATE DIVISION OF FINANCE FOR INDIANOLA VALLEY FIRE STATION LOAN**

Motion is made by Commissioner Frischknecht to approve the payment of \$12,000.00 to Utah State Division of Finance for 2010 payment for Indianola Valley Fire Department Special Assessment Area collections. The motion is seconded by Commissioner Cox, and the motion passes.

### **APPROVAL TO PAY VALLEY BUILDERS FOR WORK DONE ON THE CENTRAL UTAH COUNSELING CENTER**

Motion is made by Commissioner Cox to approve the payment of \$36,447.22 to Valley Builders for work thru June 1, 2010 on the Central Utah Counseling Center. The motion is seconded by Commissioner Frischknecht, and the motion passes.

### **APPROVAL TO PAY AIR QUICK.NET FOR 4 VHF MOBILE RADIOS FOR SEARCH AND RESCUE**

Motion is made by Commissioner Frischknecht to approve the payment of \$1,596.00 to AirQuick.net for 4 VHF mobile radios. The motion is seconded by Commissioner Cox, and the motion passes.

**KAY KIMBALL: AUDIT REPORT**

Rick Roberts with Kimball and Roberts is present. He reviews the audit that was performed for 2009. Motion is made by Commissioner Cox to approve the audit. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**LEON DAY REPRESENTING ALTA TERRA RANCH: APPEAL THE DENIAL OF A CONDITIONAL USE PERMIT**

Leon Day and Lee Holmstead are present. The Commission would like to invite a representative from Planning and Zoning to come to Commission meetings when appeals are heard. Mr. Day reviews his application for a conditional use permit for a batch plant. He informs the Commission that there are 5 homes on the street. He explains how each home accesses the road that he intends to use to transport materials. Originally, the zone change was to allow a batch plant to build his own home. It has since expanded to a commercial batch plant. He asks for permission to set up the batch plant and use it for 5 years on a trial basis. He tells the Commission that there may be another road that could be used to transport the product. This appeal will be heard at the next commission meeting.

**KENT HIGGINS REPRESENTING INDIANOLA VALLEY FIRE DEPARTMENT: APPROVE THE USE OF DONATED 1978 AMERICAN LAFRANCE ENGINE**

Motion is made by Commissioner Cox to approve the acquisition of a 1978 American Lafrance Engine that is being donated to the Indianola Valley Fire Department. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**APPROVAL TO PAY ROLLBACK TAXES ON S 10191, 10197, AND 10196X (SPLIT TO 10191X)**

Motion is made by Commissioner Cox to approve the payment of \$3116.84 to Sanpete County for roll back taxes on S 10191, S 10197, and S 10196x (all combined to S 10191x). This property was purchased by Sanpete County for a future gravel pit, and had been on Greenbelt. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**ANITA RADDATZ REPRESENTING USU SANPETE COUNTY EXTENSION: APPROVAL OF COSTS TO ATTEND THE INTERNATIONAL CONFERENCE ON E-LEARNING IN THE WORKPLACE CONFERENCE**

Anita Raddatz is present. Motion is made by Commissioner Frischknecht to approve the payment of \$1,819.61 to Anita Raddatz as reimbursement for expenses to attend an E-learning conference in New York. The motion is seconded by Commissioner Cox, and the motion passes. Ms. Raddatz will be preparing a booth representing Sanpete County for the State Fair. The extension now has a part-time office in Centerfield.

**AWARD OF BID TO MOVE THE USU BUILDING TO THE FAIRGROUNDS**

Motion is made by Commissioner Frischknecht to accept the bid of \$99,740.00 from Lyle Young welding to move the USU building to the fairgrounds. The motion is seconded by Commissioner Cox, and the motion passes.

**APPROVAL OF PAYMENT REQUEST AND PROGRESS REPORT ON THE PIGEON HOLLOW ROAD PROJECT**

Motion is made by Commissioner Cox to approve the payment request and progress report on the Pigeon Hollow Road Project. The motion is seconded by Commissioner Frischknecht, and the motion passes. The payment of \$6,594.33 will be made by UDOT.

**APPROVAL OF PAYMENT REQUEST AND PROGRESS REPORT ON THE AXTELL BRIDGE PROJECT**

Motion is made by Commissioner Frischknecht to approve the contract change orders on the Axtell Bridge project in the amount of \$3,375.00. The motion is seconded by Commissioner Cox, and the motion passes. The payment will be made by UDOT.

**APPROVAL OF CONTRACT WITH ROCKY MOUNTAIN POWER FOR POWER SERVICES TO THE HDTV TRANSLATOR IN MORONI**

Motion is made by Commissioner Frischknecht to approve a contract with Rocky Mountain Power for power services to the HDTV Translator in Moroni. The motion is seconded by Commissioner Cox, and the motion passes.

**ROBERT BRAITHWAITE: APPROVAL TO PURCHASE FINGERPRINT PRINTER**

Robert Braithwaite is present. The jail is in need of a printer that has the ability to print double-sided and color to print their fingerprint cards. Motion is made by Commissioner Frischknecht to approve the purchase of a printer in the amount of \$2,126.00. The motion is seconded by Commissioner Cox, and the motion passes.

**APPROVAL OF LEASE AGREEMENT WITH CENTRA COM**

This matter will be put on a Municipal Building Authority agenda.

**CANVASS OF THE PRIMARY ELECTION HELD ON JUNE 22, 2010**

The Commissioners express their appreciation for the clean campaign that was run. The final vote count for the Republican Sheriff race was Brian Nielson 1344 votes and Kevin G. Holman 1334 votes. The final election results are attached to these minutes. Motion is made by Commissioner Cox to approve the canvass of the primary election held on June 22, 2010. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**DANIEL THOMPSON REPRESENTING TRI-GRACE MINISTRIES: APPEAL OF DENIED TAX EXEMPT REQUEST**

Daniel Thompson is present. Appeals of tax exempt requests need to be made to the board of equalization, but must be made within 45 days. This appeal was made timely, but this matter was not scheduled as a board of equalization hearing. Mr. Thompson will come back on August 18<sup>th</sup> or 19<sup>th</sup> when the board of equalization convenes to have his appeal heard.

**COUNTY CLERK SANDY NEILL: APPROVAL TO POST OPENING(S) IN THE CLERK'S OFFICE**

Motion is made by Commissioner Frischknecht to give the authority to the clerk to either move a part-time employee to full-time, or post an additional part-time position. The motion is seconded by Commissioner Cox, and the motion passes.

**APPROVAL OF MINUTES**

Motion is made by Commissioner Cox to approve the minutes from June 15, 2010 with minor corrections. The motion is seconded by Commissioner Frischknecht, and the motion passes.

**MARTHA LARSEN REPRESENTING DAVID L PETERSON: DISCUSSION OF PROPERTY OVERLAP ON S 22517 AND MT PLEASANT GATEWAY VALLEY ESTATES**

Martha Larsen is present. Her father, David L Peterson owns a 40 acre plat of land (S 22517). A subdivision was created in 1970 that overlaps a portion of this property. A road is now being constructed and goes across the overlap. Ms. Larsen has been unable to contact the owner of record. The County Attorney will attempt to contact the owner of the subdivision to see if some kind of agreement can be reached.

**SHERIFF KEVIN HOLMAN: APPROVAL OF 2010 TASK FORCE GRANTS AND EXPENDITURES; APPROVAL TO EXPEND MONIES FROM CIB END USER RADIO GRANT; APPROVAL OF INTERLOCAL AGREEMENT WITH MANTI CITY**

Sheriff Kevin Holman is present. This matter is tabled. The CIB contract has not arrived. Juab County asked that we wait on the expenditures of the grant money.

**BARRY BRADLEY: APPROVAL TO PURCHASE ATV FOR THE SEARCH AND RESCUE**

Sheriff Holman and Barry Bradley are present. Sheriff Holman explains that the State has funding to be used to help search and rescue teams. They don't pay directly to search and rescue, they reimburse the County when funds are expended for Search and Rescue. Search and Rescue has money for this purchase, and will reimburse the County. When (or if) the State reimburses the County, the money will be given back to Search and Rescue. Motion is made by Commissioner Frischknecht to authorize the purchase of a used Polaris Ranger at a cost of \$10,300.00 for the Search and Rescue. The motion is seconded by Commissioner Cox, and the motion passes.

**DISCUSSION OF PROCESS/PRACTICE FOR CHANGING SPEED LIMITS ON COUNTY ROADS**

Sheriff Holman, Alan Stapley and his daughter Jenny are present. A letter is given to the Commission that has been signed by area residents who oppose the newly raised speed limit on the feed company road. Discussion is held as to past practice for changing the speed limit on County roads. The Sheriff's office reviews requests for speed limit changes, and recommendations are made. Public input is not required to change the speed limit on County roads. Sheriff Holman files a memo today with recommendations for the speed limit on the road where the speed limit was recently changed. The Stapleys express concerns about how fast cars are driving along this road, and with the new increased speed limit they are concerned that cars will even go faster. The Commission will review the change in speed limit, and see if the speed limit should be lowered around the homes and the junction. Future changes to speed limits will be approved in open Commission meetings after recommendations are made and the roads are reviewed by Officer Greenwell.

**DISCUSSION OF ISSUING MASS GATHERING PERMITS**

Sheriff Holman and Lee Holmstead are present. Mr. Holmstead has concerns about the last mass gathering that was held. He came by a man that was passed out on the road at 12:30 in the afternoon on Sunday. Officers were called and responded. Sheriff Holman asks if we can legally stop a business such as Windwalker from holding concerts. The sheriff has control over whether a bond needs to be issued, and the amount of officers to have on site. The County has the right to not issue permits based on violations of past permits. We can also do away with mass gatherings in Sanpete County. The music was not shut off at 3:00 A.M., so the mass gathering permit was violated. Quite a few underage people were arrested for alcohol violations. Underage patrons were not supplied the alcohol at the event, they came with it. There is a concern that even though they were not supplying the drugs, their advertising encourages it. It is recommended that the permit process start at least 3-4 months before the event. More officers may be needed based on the size of the crowds.

**SHERIFF KEVIN HOLMAN: DISCUSSION OF BARRY BRADLEY'S CONTRACT WITH THE SANPETE COUNTY SHERIFF'S OFFICE**

Auditor Ilene Roth, Sheriff Holman and Barry Bradley are present. The list of duties that Mr. Bradley has been performing is too long to complete in the 19 hours per week that are allowed in the County contract. Many of the duties are benefitting the fire district, police departments, city EMS and others. They have not been paying for these services. A new bill became effective July 1<sup>st</sup> that doesn't require the County to pay into a retirement account for employees who come back to work after retiring. Mr. Bradley is not asking that retirement benefits be paid for the work that he now does for the County. Sheriff Holman states that he has never seen Mr. Bradley abuse his time over all the years that he worked for the County. If more than 40 hours is worked per week, it will be still paid at the same rate. Mr. Bradley will be allowed to work longer hours as needed, and will work to compensate by working less hours later to make up for the extra hours needed now.

**EXECUTIVE SESSION**

No executive session was needed at this time.

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

The meeting is adjourned at 3:47 P.M.

ATTEST: *Sandy Neill*  
Sandy Neill  
Sanpete County Clerk

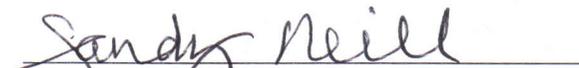
APPROVED: *Claudia Jarrett*  
Claudia Jarrett  
Commission Chair

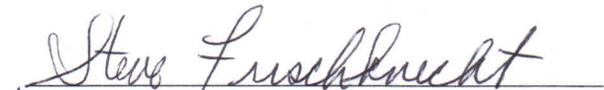
I, Sandy Neill, County Clerk, in and for Sanpete County, do hereby certify that the foregoing is a full, true and correct abstract of the statement of vote of this county at the Primary Election held in Sanpete County on June 22, 2010 as made out and entered upon the record of the Board of County Convassers so far as the same relates to the offices named above.

Dated this the 22th day of June, 2010.

  
Claudia Jarrett, Commissioner

  
Spencer Cox, Commissioner

  
Sandy Neill, County Clerk

  
Steve Frischknecht, Commissioner



Election Summary Report  
 Sanpete County, Utah  
 Primary Election  
 June 22, 2010

Date:07/06/10  
 Time:14:37:07  
 Page:1 of 1

Summary For Jurisdiction Wide, All Counters, All Races  
 Official Results

Registered Voters 10910

Num. Report Precinct 17 - Num. Reporting 17 100.00%

US SENATE		REP		
		Total		
Number of Precincts		17		
Precincts Reporting		17	100.0 %	
Times Counted	2706/10910	24.8 %		
Total Votes		2658		
TIM BRIDGEWATER	REP	1326	49.89%	
MIKE LEE	REP	1332	50.11%	

COUNTY SHERIFF		REP		
		Total		
Number of Precincts		17		
Precincts Reporting		17	100.0 %	
Times Counted	2706/10910	24.8 %		
Total Votes		2678		
KEVIN G. HOLMAN	REP	1334	49.81%	
BRIAN NIELSON	REP	1344	50.19%	

Statement of Votes Cast  
 Sanpete County, Utah  
 Primary Election  
 June 22, 2010

Date:07/06/10  
 Time:14:36:52  
 Page:1 of 1

SOVC For Jurisdiction Wide, All Counters, All Races  
 Official Results

	US SENATE				COUNTY SHERIFF			
	Reg. Voters	Total Votes	TIM BRIDGEWATER (REP)	MIKE LEE (REP)	Reg. Voters	Total Votes	KEVIN G. HOLMAN (REP)	BRIAN NIELSON (REP)
Jurisdiction Wide								
INDIANOLA	139	18	10 55.56%	8 44.44%	139	19	13 68.42%	6 31.58%
MILBURN	68	21	15 71.43%	6 28.57%	68	22	17 77.27%	5 22.73%
FAIRVIEW	888	195	114 58.46%	81 41.54%	888	194	138 71.13%	56 28.87%
MT PLEASANT	1697	367	181 49.32%	186 50.68%	1697	373	278 74.53%	95 25.47%
SPRING CITY	650	135	56 41.48%	79 58.52%	650	141	74 52.48%	67 47.52%
CHESTER	90	27	11 40.74%	16 59.26%	90	27	16 59.26%	11 40.74%
WALES	180	45	29 64.44%	16 35.56%	180	45	30 66.67%	15 33.33%
FTN GREEN	553	113	63 55.75%	50 44.25%	553	112	58 51.79%	54 48.21%
MORONI	682	164	81 49.39%	83 50.61%	682	164	107 65.24%	57 34.76%
EPHRAIM	1991	472	229 48.52%	243 51.48%	1991	479	182 38.00%	297 62.00%
MANTI	1766	496	218 43.95%	278 56.05%	1766	494	250 50.61%	244 49.39%
STERLING	230	54	37 68.52%	17 31.48%	230	54	21 38.89%	33 61.11%
MAYFIELD	309	92	51 55.43%	41 44.57%	309	94	39 41.49%	55 58.51%
GUNNISON	840	225	127 56.44%	98 43.56%	840	226	49 21.68%	177 78.32%
CENTERFIELD	563	156	61 39.10%	95 60.90%	563	155	41 26.45%	114 73.55%
AXTELL	129	29	16 55.17%	13 44.83%	129	29	8 27.59%	21 72.41%
FAYETTE	135	49	27 55.10%	22 44.90%	135	50	13 26.00%	37 74.00%
Total	10910	2658	1326 49.89%	1332 50.11%	10910	2678	1334 49.81%	1344 50.19%

JOURNAL TAPE SUMMARY REPORT

Please complete this form and submit it to the lieutenant governor's office with your canvassers' report

Jurisdiction: Sanpete \_\_\_\_\_

Election date: 6-22-2010 \_\_\_\_\_

Number of voting machines used: 34 \_\_\_\_\_

Number of journal tape canisters used: 34/1 per machine \_\_\_\_\_

Were tamper evident tape seals affixed to all journal tape canisters?  Yes  No

Did all voting machine serial numbers match when the canisters were installed and removed?  Yes  No  
If no, attach copies of the journal tape logs for all the applicable canisters.

Did any tape seals on the journal tape canisters show evidence of tampering?  Yes  No  
If yes, attach copies of the journal tape logs for the applicable canisters.



Election Officer \_\_\_\_\_

7-1-2010

Date

STATEWIDE AUDIT LOG SUMMARY REPORT

Please complete this form and submit it to the lieutenant governor's office with your canvassers' report

Jurisdiction: Sanpete \_\_\_\_\_

Election date: 6-22-2010 \_\_\_\_\_

Total number of machines audited: 1 \_\_\_\_\_

Total number of audited machines that were also used during Early Voting: 0 \_\_\_\_\_

Yes  No

Did any tape seals on the journal tape canisters show evidence of tampering?  
If yes, attach a copy of the audit log for all the applicable canisters

Yes  No

Did the hand-counted vote totals match the machine-counted totals for all ballot propositions and partisan offices?  
If no, attach copies of the audit log for all the applicable voting machines



Election Officer

7-1-2010

Date

# Sanpete County Provisional Ballot Summary

07/01/10

Counted		32
Not Counted	Incomplete Registration	2
Not Counted	Not Affiliated	5
Not Counted	Not Registered	3
	<b>Counted</b>	<b>32</b>
	<b>Not Counted</b>	<b>10</b>

## Ballot Status

	Counted	Not Counted
Provisional	32	10
Absentee	11	
Curbside	4	
	<hr/>	
	47	